

Wekiva Interchange Land Use Plan Overlay (WILUPO) Report May, 2010

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I. Purpose

Orange County must develop a vision for the study area that will concentrate density and intensity around the proposed interchange location and to provide protection to the remainder of the Wekiva River Systems, as required by Section 369.321(3), Florida Statutes.

a. Statutory Requirements

The Wekiva Parkway and Protection Act was enacted by the 2004 Florida Legislature to implement the findings and recommendations of the Wekiva River Basin Coordinating Committee. The Act authorizes building the Wekiva Parkway and requires local governments within the Wekiva Study Area to adopt certain amendments to their Comprehensive Plans, including Interchange Land Use Plans.

b. Relationship with City of Apopka Interchange Land Use Plan

Orange County encompasses the City of Apopka and the interchange land use plan that is being proposed by the City shall be consistent with Orange County's plan. The study area is located in the northwestern portion of Orange County and the northern area of the City of Apopka. Lake County is directly adjacent to the study area's northern boundary.

- i. The Interchange area is designated Rural/Agricultural (Rural Service Area) on the Orange County Future Land Use Map (FLUM). Destination 2030, the update to the County's Comprehensive Plan, led to the adoption of more compact urban forms and development patterns within the Urban Service Area. To focus redevelopment efforts within the Urban Service Area, the County must minimize new urban expansion into rural areas. Therefore, it is important to ensure that to the degree possible, that the City of Apopka's urbanization of the area is compatible.

The Rural/Agricultural designation is intended to promote long-term viability of agricultural uses as an economic asset, while allowing single family residential on large lots. Compatible non-residential activity may be related to agribusiness. Specifically, the Future Land Use Element provides that vacant urban land should be developed before rural lands, because:

- The County's land use capacity analyses have established adequate urban land exists in the Urban Service Area to serve projected demand;
 - Greenfield development is generally more expensive for local governments than development where infrastructure exists;
 - CIE ordinance 2008-12 requires that land use changes be financially feasible;
 - Land use requirements need to be coordinated with affordable transportation options; and,
 - The County has made a commitment to rural residents who value their rural lifestyles.
- ii. *Joint Planning Area Agreement.* Orange County adopted a Joint Planning Area (JPA) Agreement with Apopka in October 2004, which expires at the end of 2025. The Joint Planning Area Agreement allows for the joint analysis of and planning for the necessary infrastructure to adequately accommodate the impacts from the future uses of land by establishing boundaries, land use

designations, and densities/intensities for development of areas located in the Joint Planning Area, including the Northern Area and North Central Area defined in the Joint Planning Area Agreement that are within the overlay.

1. Annexation. The study area is located entirely within the Joint Planning Area (JPA). As could be expected in a JPA, over time, some of the parcels within the study area could annex into the City of Apopka. Neither the JPA nor the Interchange Land Use Plan automatically annex property or require annexation.
2. Comprehensive Plan. Intergovernmental Coordination Element Policy ICE1.7.8 states: In an effort to protect the Wekiva Springshed, for the portion of the Wekiva Study Area located within the Joint Planning Area of the City of Apopka, Orange County shall require compliance with minimum open space and density requirements described by the Joint Planning Agreement (JPA) with the City of Apopka adopted on October 26, 2004. (Open Space Element, Policy 1.3.6)
3. As the proposed location of the interchange is located within the Joint Planning Area and that 60% of the land area in Apopka's Wekiva Interchange Vision Plan is located in unincorporated Orange County, it is anticipated that over time some of these properties will annex into the city limits of Apopka. With this in mind, Orange County Wekiva Study Area comprehensive plan policies in OS1.3.6 regarding the Apopka JPA area refers to the Joint Planning Agreement with regard to open space requirements.

II. Location of Study Area

The proposed interchange is located on Kelly Park Road, approximately ¼ mile west of Plymouth Sorrento Road. Florida Statutes do not specify a targeted distance for the study area; however, the Department of Community Affairs has recommended a one-half mile as a guideline. In an attempt to expand the area for analysis and to provide for transition, Orange County and the City of Apopka are defining overlays of a one-mile radius for the Interchange Land Use Plan.

III. Existing Conditions Analysis

a. Community Input

- i. *February 25, 2010*: In cooperation with Orange County, the City of Apopka held a community input session with property owners in the study area. A total of 127 people were in attendance. The format of the meeting consisted of a PowerPoint presentation given by LDI (City of Apopka's consultant) and by Orange County Planning. As part of the presentation, interactive polling was used to gauge who was in the audience (e.g., residents, business owners, agricultural operations). A break-out session followed during which attendees were given pens which were color-coded to certain land use categories on base maps depicting the Interchange Land Use Plan study area. The attendees had varying ideas regarding what type of development would be appropriate, ranging from no development to more intense mixed-use and no consensus was attained. LDI concluded the meeting by noting that feedback and input from the first meeting will be presented at the next meeting on March 25, 2010.

- ii. *March 25, 2010:* In cooperation with Orange County, the City of Apopka held a community input session with property owners in the study area. Approximately 115 people were in attendance. The format of the meeting consisted of a PowerPoint presentation given by LDI (City of Apopka's consultant) that summarized the keypad polling results from the last meeting, in addition to summarizing the group base map exercise. As part of the presentation, the consultant stated that the preferred development type was the Village Center concept. The presentation was followed by a question and answer session. The consultant requested that audience participants choose one of the three options for Village Center development, which each feature nodes offset to the east and west of the interchange. Option 1 focused more development to the west of the interchange at the intersection of Golden Gem and Kelly Park and less development to the east at Plymouth Sorrento and Kelly Park. Option 2 focused less development to the west of the interchange and more development to the east. Option 3 depicted two nodes of equal proportion on each side of the interchange. The attendees' questions concerned the timing of the roadway and interchange, the necessity for increased development at this location, and potential environmental and animal habitat impacts. LDI concluded the meeting by noting that comment form handouts should be returned to the City of Apopka by April 2, 2010; and that attendees could also find the comment forms on Orange County's web site. The upcoming hearing dates for the City of Apopka and Orange County were discussed, and the meeting adjourned at 7:45pm.

b. Land Use

The area surrounding the proposed interchange location is rural in character with very low-density residential and agricultural uses, such as greenhouses, ranchettes and antiquated single-family residences on large lots. The predominant future land use designation is Rural/Agricultural 1/10 (R), along with Rural Settlement 1/2 (Bridle Path RS 1/2 and Rainbow Ridge RS 1/2). While little or no development has occurred in this area, the Bridle Path Rural Settlement contains one home. Rainbow Ridge, approved in 2005, is yet to be developed.

Farther away, but potentially impacted due to sprawling effects from the proposed interchange, are the Rural Settlements of Tangerine, Zellwood and Zellwood Station. Depending on the scale and type of development approved and constructed and with new traffic patterns, these impacts could vary. The Transportation Division has identified no improvements in the Capital Improvements Program to address deficiencies.

Although mostly annexed into the City of Apopka, the North Apopka/Wekiva Rural Settlement, located near the intersection of Ponkan Road and North Rock Springs Road, could be further impacted by urbanization.

c. Natural Features

- i. *Most Effective Recharge Areas.* The *Wekiva Parkway Protection Act* requires local governments to protect the most effective recharge areas of the Wekiva Study Area. Per Section 11.3.1 of the St. John's River Water Management District Applicant's Handbook, soils determined by the U.S. Soil Conservation Service to be Type "A" Hydrologic Soils are considered the most effective recharge areas. Site-specific geotechnical information, may be used to establish whether a site contains Type "A" soils and is within the most effective recharge

area. According to U.S. Soil Conservation data, the majority of the soils in the study area are Candler, Tavares, and St. Lucie, all of which are considered to be Type "A" soils.

- ii. *Karst Features.* Areas containing karst features were identified by the Florida Geological Survey, based on the locations of topographic depressions determined through GIS data. There are a number of potential karst features within the study area along the eastern and western edge of the proposed SR 429 Extension north of Kelly Park Road and extending southwest of the proposed interchange to approximately the 1-mile radius boundary. These depressions, represent potential karst features and further site-specific information will need to be gathered using geophysical surveys to determine if the depressions are actual karst features. There are also a few areas categorized as wetlands within the study area that occur in the same location as potential karst features.
 - iii. *Sensitive Natural Habitats.* Sensitive natural habitats considered in the Interchange Land Use Plan include Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub. There are no sensitive natural habitats within the 1-mile radius of the Interchange Land Use Plan; however, there are a few small pockets of sensitive habitat area located just outside of the study area within the boundary.
- d. Transportation

The existing transportation network consists of several roadways that create a rural type grid. The north-south roadways are Plymouth-Sorrento Road, Round Lake Road, Effie Road and Golden Gem Road. Kelly Park Road, Ponkan Road, Ondich Road, Haas Road, and, to a lesser extent, local roads that serve a handful of properties, such Boch Road and Dowman Drive are the east-west roadways.

Although the Capital Improvements Element (CIE) identifies widening Plymouth Sorrento Road to four lanes from Orange Blossom Trail (US 441) to Kelly Park Road, at this time, the CIE contains no items to improve any the roadways in the immediate vicinity of the proposed interchange location.

e. Utilities

- i. *Potable Water.* The interchange is located in Orange County's Rural Service Area. However, it is located in the City of Apopka's service area. The City of Apopka has one potable water main in the interchange area in unincorporated Orange County on Kelly Park Road between Plymouth Sorrento Road to the west and running eastward toward Jason Dwelley Parkway. Improvements are likely given the intensity of development proposed in the Apopka Interchange Land Use Plan over the proposed planning period.
- ii. *Sanitary Sewer System.* Orange County does not provide sanitary sewer in this area. The predominate development is large single-family lots on septic. The City of Apopka does however serve the area; however, given the intensity of development proposed in the Apopka Interchange Land Use Plan, these facilities may need to be improved over the proposed planning period.
- iii. *City of Apopka Service Area.* As discussed earlier, the City of Apopka has an existing water main on Kelly Park Road between Plymouth Sorrento Road and Jason Dwelley Parkway. The following summarizes Apopka's utility services in the area.

1. *Reclaimed Water.* Orange County Utilities (OCU) is the largest provider of reclaimed water in Orange County. The City of Apopka also provides reclaimed water in northwest Orange County. The City of Apopka furnishes reclaimed water to users through its Project ARROW (Apopka Regional Reuse of Water). The Apopka WRF is currently the only source of reclaimed water for the City's system. The City has a reclaimed water pump station at the Apopka WRF and a re-pump station in the northern part of its service area. Improvements are likely given the intensity of development proposed in the Apopka Interchange Land Use Plan over the proposed planning period.
2. *Sanitary Sewer.* At this time, the City of Apopka is the only provider of sanitary sewer in the area. According to City of Apopka/Land Design Innovations *Wekiva Parkway Interchange Vision Plan* report, there are two existing facilities in the area, both 12-inch force mains located along Jason Dwelley Parkway between Kelly Park Road and Ponkan Road and along Ponkan Road between Ponkan Summit Drive and Jason Dwelley Parkway.
- iv. *Stormwater and Recharge under the Wekiva Act.* The Act's overall purpose is to protect the groundwater discharging to the Wekiva River and its tributary springs, and it requires local governments in the Wekiva Study Area (WSA) to adopt certain amendments to their comprehensive plans. One of the required amendments is to adopt a master stormwater management plan for areas within the WSA (s. 369.319, FS.). The stormwater master plan was adopted in 2006.

1. *Irrigation/Recharge*

The Wekiva Parkway and Protection Act requires the maximizing of recharge area and conservation of potable water. Examples of this include Florida Friendly landscaping and Low Impact Development standards.

- a. Florida Friendly Landscaping: ¹
 - i. Cooperate with pre-existing natural conditions — instead of working against nature.
 - ii. Conserve water and energy — both indoors and out.
 - iii. Landscape with native and suitable non-native trees, shrubs and groundcovers that will require minimal maintenance when planted under appropriate conditions.
 - iv. Choose plants that blend beauty with environmental benefits.
 - v. Use pesticides only when necessary and according to label instructions. Choose least-toxic products and focus on preventing pests.

- b. Low Impact Development: ²

Low Impact Development is a new comprehensive land planning and engineering design approach with a goal of

¹ A Guide to Florida-Friendly Landscaping Florida Yards & Neighborhoods Handbook, 3rd Edition, Published 2006

² The Low Impact Development Center

maintaining and enhancing the pre-development hydrologic regime of urban and developing watersheds. This design approach incorporates strategic planning with micro-management techniques to achieve superior environmental protection, while allowing for development or infrastructure rehabilitation to occur. This innovative approach can be used to help meet a wide range of Wet Weather Flow (WWF) control and community development goals.

IV. Interchange Vision Plan

- a. Policies to be added into the Comprehensive Plan:

In order to plan for sound development within the Wekiva Study Area for the interchange impacts, the following are being proposed within the Comprehensive Plan.

OBJ FLU6.7 Wekiva Interchange Land Use Plan Overlay designation. Orange County establishes the Wekiva Interchange Land Use Plan Overlay (WILUPO), which is intended to be a tool for compatible and consistent future development, transition of densities and preservation of environmentally sensitive areas within the Overlay and the Wekiva Study Area. Creation of this Overlay does not create development entitlements on any parcel of land or amend any previously-approved entitlements.

POLICIES

FLU6.7.1 The location of the Wekiva Interchange Land Use Plan Overlay will be at the intersection of Kelly Park Road and SR 429 and lands extending in a one-mile radius from this point of intersection. This Overlay will take effect once the interchange has been officially designated, and funding for the Wekiva Parkway, including the interchange, has been committed in the Orlando-Orange County Expressway Authority (OOCEA) *Five-Year Work Plan*.

FLU6.7.2 The Overlay is a mechanism for protecting the environmentally sensitive features located in the Overlay's portion of the Wekiva Study Area. Within the WILUPO, sixty percent of the property is located within the County and forty percent is located within the City of Apopka, requiring significant intergovernmental coordination and joint planning. Therefore, measures need to be taken to ensure that development does not degrade the existing rural nature of the unincorporated areas or the natural features of the area.

FLU6.7.3 Orange County and the City of Apopka shall adopt an interlocal agreement prior to or at the same time as adoption of the WILUPO. The Interlocal Agreement shall address the following issues:

- (1) Annexation in an orderly fashion that is consistent with Chapter 171, Florida Statutes and the Joint Planning Area Agreement;
- (2) Providing the County an opportunity to review any changes in future land use for properties within the Interchange Land Use Plan located in the City of Apopka for consistency with the County's Comprehensive Plan;
- (3) Service delivery;

- (4) Impact fees;
- (5) Timing of development;
- (6) Location of development;
- (7) Avoiding creation of fragmented parcels and enclaves as defined by Section 171.031, Florida Statutes;
- (8) Ensuring Wekiva protection standards are met;
- (9) Extra-jurisdictional impacts; and,
- (10) Recognizes that County roads may not be widened to support Apopka's development dictated on their Interchange Land Use Plan and that supports jurisdictional transfer of roadways consistent with Section 335.0415, Florida Statutes.

FLU6.7.4 Orange County and the City of Apopka should include policies in their respective Comprehensive Plans requiring that the adoption of annexations, land use changes, and any subsequent development within the Overlay be consistent with the adopted Interlocal Agreement.

FLU6.7.5 Land use patterns in the Overlay area are currently rural in nature. The area is in the County's Rural Service Area, not contiguous to the Urban Service Area boundary. Given the unincorporated area's rural nature, higher density and intensity development would occur only upon annexation into the City of Apopka. Any such annexation must be consistent with Chapter 171, FS, the adopted Joint Planning Area Agreement, and the Interlocal Agreement that governs the Overlay.

FLU6.7.6 Orange County shall proceed with the Interchange Land Use Plan Overlay consistent with Transportation Element Policies T2.1.7 and T3.1.7 regarding coordination and construction of the Wekiva Parkway.

FLU6.7.7 No later than one year after the Orlando-Orange County Expressway Authority (OOCEA) has designated the final alignment, or by December 2011, Orange County's Land Development Code shall be updated to include items such as, but not limited to, joint access, secondary access, drainage standards, right-of-way protection and signage standards specific to the Wekiva Interchange Overlay, consistent with the requirements of Section 369.321(3), FS, and the Joint Planning Area Agreement.

FLU6.7.8 Consistent with Stormwater Management Element Policy SW1.5.12, stormwater structures shall conform to the setbacks (minimum buffer in feet) required by each type of specific karst features.

FLU6.7.9 The WILUPO shall be adopted as Map 21 in the Future Land Use Map series, in addition to being part of the required Interlocal Agreement as an exhibit.

b. Land Use and Compatible Development

- i. Future Land Use Designations.* Orange County's future land use designations in the proposed Overlay consist of Rural/Agricultural 1/10 (R) and Rural Settlement 1/5 (RS 1/5). Specifically, properties to the west, south and east and immediately to the north of the proposed interchange location are designated Rural, while property approximately one-half mile north is the

Bridle Path Rural Settlement, which is designated RS 1/5. Bridle Path is accessed from Plymouth Sorrento Road and is undeveloped except for one large home.

It is recognized that any interchange planned along the proposed Wekiva Parkway will result in limited growth and development within the Wekiva Study Area. Development in the area of the interchange may create direct and secondary impacts on the character of the area, surface and groundwater resources, and wildlife habitat. Therefore, existing and future land use designations in the area of the proposed interchange will be considered in planning for proposed land uses that are compatible and that protect water and wildlife resources.

Within one year of the Orlando-Orange County Expressway Authority's approval of the final alignment for the interchange, the Orange County Land Development Code will be updated to address zoning code related items within a one-mile radius of the proposed interchange location. In keeping with the rural nature of the area, non-residential uses shall be limited to less than 50,000 square feet or no more than 10,000 total weekly trips per FLU6.2.12. The County may require Planned Development future land use and zoning as an implementation tool.

According to the City of Apopka's Interchange Land Use Vision Plan, land uses of a higher intensity are expected directly adjacent to the interchange comprised of neighborhood scale non-residential uses such as convenience retail and neighborhood services.

c. Access Management/Secondary Road Access

The Florida Statutes require that local jurisdictions must address access management. The goal of access management is to limit traffic conflicts. In the realm of transportation engineering, reduced conflicts mean increased safety. Traffic flow also improves when conflicts are reduced. Within one year of the Orlando-Orange County Expressway Authority's approval of the final alignment for the interchange, the Orange County Land Development Code will be updated to address zoning code related items within a one-mile radius of the proposed interchange location.

d. Right-of-Way Protection

The preservation, protection, or acquisition of rights-of-way and corridors is necessary to implement coordinated land use and transportation planning, to provide for future planned growth, and to ensure that the transportation system is adequate to meet future needs. Within one year of the Orlando-Orange County Expressway Authority's approval of the final alignment for the interchange, the Orange County Land Development Code will be updated to address zoning code related items within a one-mile radius of the proposed interchange location.

e. Vegetation Protection and Water Conservation Landscaping

As previously discussed, the water conservation practices such as Florida Friendly landscaping will facilitate conservation by planting native vegetation and drought-tolerant trees and plants. Consistent with Policy T3.4.12, Orange County will encourage the use of stormwater management facilities as an

irrigation source in lieu of groundwater. Within one year of the Orlando-Orange County Expressway Authority's approval of the final alignment for the interchange, the Orange County Land Development Code will be updated to address zoning code related items within a one-mile radius of the proposed interchange location.

f. Height and Appearance of Structures and Signage

- i. *Structures.* As part of the implementation of the Interchange Land Use Plan, any construction proposed will require that the design, mass and scale of structures and a master signage plan be compatible with rural development and will be incorporated into the Land Development Code per Policy FLU6.7.6.

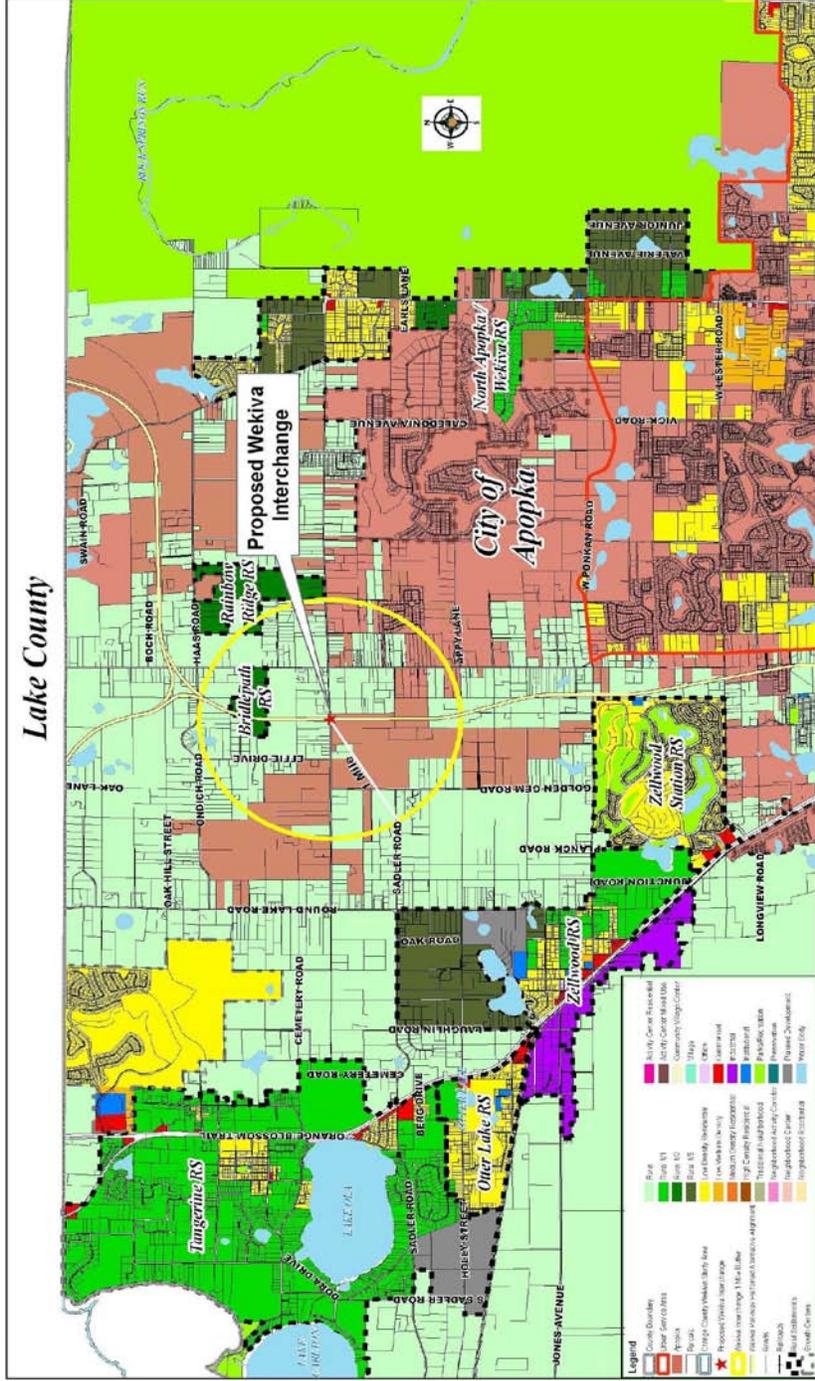
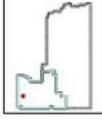
V. Apopka Vision Plan (See attached Exhibit B)

VI. Conclusion/Next Steps

The City and the County have been working on the interchange land use plan and plan adoption public hearings before the end of the year 2010. While the properties will be rural in the County, when they annex into the City of Apopka they will develop over a phased-out timeframe for a mixed-use/employment center development at the proposed interchange of the State Road 429 Extension (Wekiva Parkway) and Kelly Park Road. The Interlocal Agreement is a critical component to this step and will allow for coordination between Orange County and the City of Apopka to ensure items are addressed during the annexation process. Within one year of the Orlando-Orange County Expressway Authority's approval of the final alignment for the interchange, the Orange County Land Development Code will be updated to address zoning code related items within a one-mile radius of the proposed interchange location.



Orange County, Florida Wekiva Interchange Land Use Plan Overlay (WILUPO)



Source: Orange County Growth Management Department, Planning, March 2010



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