

ORANGE COUNTY

PLANNING DIVISION

2021-2 TAB 12a

AMENDMENT

2021-2-B-FLUM-1

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY
COMMISSIONERS**

**SEPTEMBER 14, 2021
TRANSMITTAL PUBLIC HEARING**

PREPARED BY:
ORANGE COUNTY COMMUNITY, ENVIRONMENTAL
AND DEVELOPMENT SERVICES

PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION






Interoffice Memorandum

September 14, 2021

TO: Mayor Jerry L. Demings
-AND-
County Commissioners (BCC)

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

THROUGH: Jon V. Weiss, P.E., Director
Planning, Environmental, and Development Services Department

SUBJECT: 2021-2 Regular Cycle Comprehensive Plan Amendment
2021-2-B-FLUM-1 (Map 22 of the Future Land Use Map Series, Lake Pickett Study Area and Communities)
Board of County Commissioners (BCC) Transmittal Public Hearing

2021-2 Regular Cycle Comprehensive Plan Amendment 2021-2-B-FLUM-1 is scheduled for a BCC transmittal public hearing on September 14, 2021. This amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on July 23, 2021.

The report is also available under the Amendment Cycle section of the County's Comprehensive Planning webpage. See:

<http://www.orangecountyfl.net/PlanningDevelopment/ComprehensivePlanning.aspx>.

The above-referenced 2021-2 Regular Cycle Amendment scheduled for consideration on September 14 entails a privately-initiated amendment of Map 22 of the Future Land Use Map Series, Lake Pickett Study Area and Communities, with Countywide applicability. The privately-initiated map amendment involves a change to the Future Land Use Map (FLUM) for a property over ten acres in size.

Following the BCC transmittal public hearing, the proposed amendment will be transmitted to the Florida Department of Economic Opportunity (DEO) and other State agencies for review and comment. Staff expects to receive comments from DEO and/or the other State agencies in October 2021. Pursuant to 163.3184, Florida Statutes, the proposed amendment must be adopted within 180 days of receipt of the comment letter. The adoption hearings are tentatively scheduled before the LPA on November 18, 2021, and before the BCC on December 14, 2021.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net or Greg

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**2021-2 Regular Cycle Comprehensive Plan Amendments
Privately Initiated Comprehensive Plan Map Amendment**

Amendment Number	Sponsor	Description of Proposed Changes to the 2010-2030 Comprehensive Plan (CP)	Project Planner	Staff Rec	LPA Rec
2021-2-B-FLUM-1 (Map 22 Lake Pickett Study Area and Communities)	Planning Division	Amendment of Map 22 of the Future Land Use Map Series, Lake Pickett Study Area and Communities, to amend the Lake Pickett Study Area boundary to add the 48.46-acre Parcel 20-22-32-0000-00-038 as part of the Lake Pickett South Community	Jennifer DuBois	Transmit	Transmit (4-3)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; MHDR-Medium-High Density Residential; HDR-High Density Residential; PD-Planned Development; V-Village; CONS-Wetland/Conservation; PR/OS-Parks/Recreation/Open Space; OS-Open Space; GB-Greenbelt; SPA-Special Planning Area; R-Rural/Agricultural; TS-Timeshare; RS-Rural Settlement; ACMU-Activity Center Mixed Use; ACR-Activity Center Residential; GC-Growth Center; R-Resort; PD-Planned Development; USA-Urban Service Area; WB-Water Body; CP-Comprehensive Plan; FLUM-Future Land Use Map; FLUE-Future Land Use Element; TRAN-Transportation Element; GOPS-Goals, Objectives, and Policies; OBJ-Objective; LUP Land Use Plan; LUPA-Land Use Plan Amendment; CDR- Change Determination Request; PD-Planned Development District; A-2- Farmland Rural District; A-1-Citrus Rural District; SR-State Road; AC-Acres

2021 SECOND REGULAR CYCLE AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN TRANSMITTAL PUBLIC HEARING

INTRODUCTION

This is the Board of County Commissioners (BCC) transmittal staff report for the Second Regular Cycle Amendment 2021-2-B-FLUM-1 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). This amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at a transmittal public hearing on July 23, 2021.

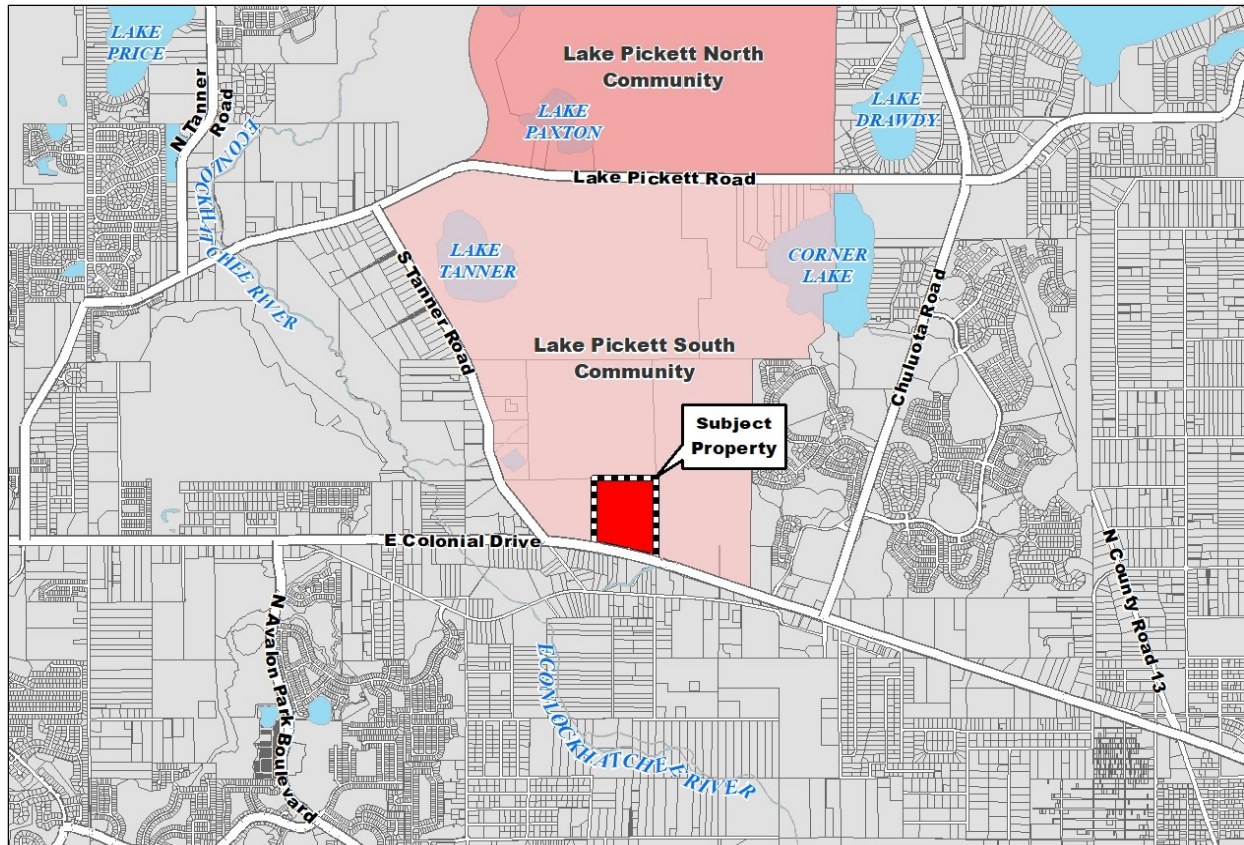
Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Grey	Following the LPA transmittal public hearings (by staff)

The above-referenced 2021-2 Regular Cycle Amendment entails a privately-initiated amendment of Map 22 of the Future Land Use Map Series, Lake Pickett Study Area and Communities, with Countywide applicability. Since this is the transmittal stage for this amendment, there will be a second round of public hearings for adoption after the Florida Department of Economic Opportunity (DEO) and other State agencies complete their review of the proposed amendment and provide comments, expected in October 2021. Adoption public hearings are tentatively scheduled before the LPA on November 18, 2021 and the BCC on December 14, 2021.

Once the Regular Cycle amendment has been adopted by the BCC, it will become effective 31 days after DEO notifies the County that the plan amendment package is complete. This amendment is expected to become effective in January 2022, provided no challenges are brought forth for the amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch., Manager, Planning Division, at (407) 836-5802 or Alberto.Vargas@ocfl.net, or Gregory Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.



The following meetings and hearings have been held:			Project/Legal Notice Information	
Report/Public Hearing		Outcome	Title: Amendment 2021-2-B-FLUM-1	
✓	A community meeting was held June 28, 2021, with 63 members of the public in attendance.	Negative – Attendees raised concerns about compatibility with existing residential and agricultural uses, traffic and congestion on area roads, access management, current drainage and stormwater retention problems, and potential impacts to wetlands and wildlife.	Applicant/Owner: Erika Hughes, VHB, Inc./Byrdley Realty Co., L.P.	
✓	Staff Report	Recommend Transmittal		
✓	LPA Transmittal July 23, 2021	Recommend Transmittal (4-3)	Project Name: Byrdley – Lake Pickett	
	BCC Transmittal September 14, 2021		Request: Amendment of Map 22 of the Future Land Use Map Series: Lake Pickett Study Area and Communities, amending the Lake Pickett Study Area boundary to add the 48.46-acre Parcel 20-22-32-0000-00-038 to the Lake Pickett South Community	
	Agency Comments October 2021			
	LPA Adoption November 18, 2021			
	BCC Adoption December 14, 2021			
			Revision: Map 22 of the Future Land Use Map Series: Lake Pickett Study Area and Communities	

Staff Recommendation

Make a finding that the information contained in the application for the proposed amendment is sufficiently complete; that the proposed amendment has the potential to be found “in compliance,” as defined by Section 163.3184(1)(b), Florida Statutes; and recommend to the Board of County Commissioners that Amendment 2021-2-B-FLUM-1 be **TRANSMITTED** to the state reviewing agencies.

A. Description/Justification

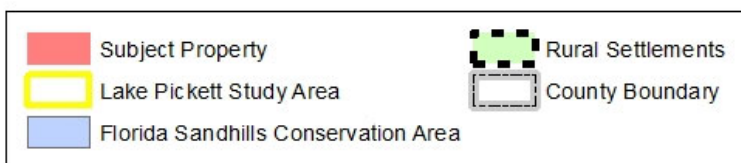
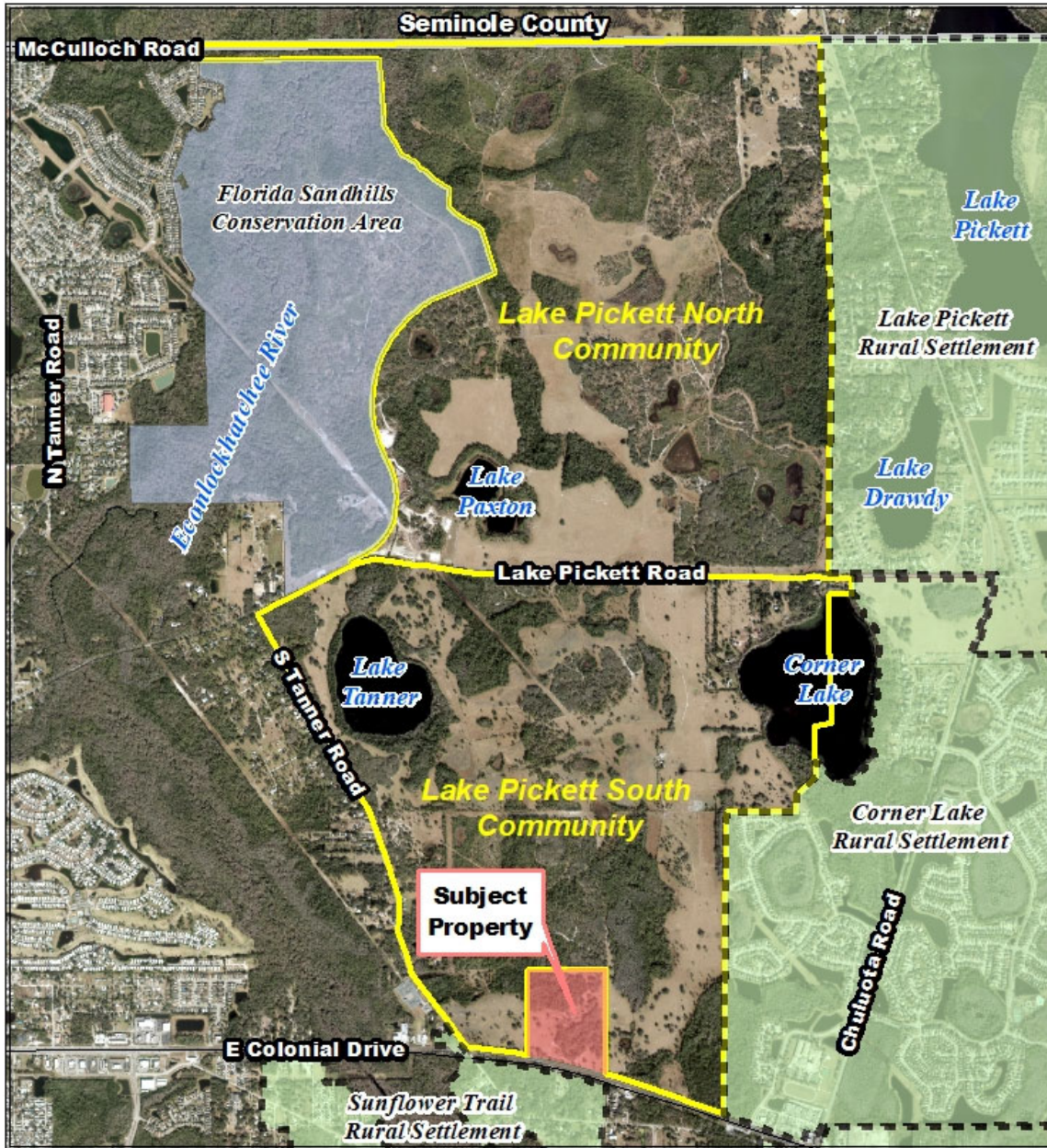
The applicant, Erika Hughes of VHB, Inc., is seeking to amend Map 22 of the Future Land Use Map Series, Lake Pickett Study Area and Communities, which delineates the present boundaries of the 2,796.20-acre Lake Pickett Study Area and the two communities within its limits: the 1,296.97-acre Lake Pickett South Community and the 1,499.23-acre Lake Pickett North Community. It is the applicant’s intent to amend the Lake Pickett Study Area boundary—established via the July 12, 2016, adoption of Amendment 2015-2-P-FLUE-1 and effective as of April 2, 2018—for the purpose of incorporating a currently-undeveloped 48.46-acre property owned by Byrdley Realty Co., L.P. (Parcel 20-22-32-0000-00-038) into the Lake Pickett South Community. Inclusion of this parcel within the Lake Pickett Study Area and the Lake Pickett South Community would allow the applicant to petition for a Future Land Use Map Amendment from Rural/Agricultural (R), with a maximum permitted density of one dwelling unit per ten net developable acres, to Lake Pickett (LP)—the designation created to regulate development in the Lake Pickett Study Area.

As stated in **Future Land Use Element Objective OBJ FLU6.8**, the LP designation manages the transition of development from surrounding rural neighborhood densities and preservation areas to more dense development clustered towards the center of the Lake Pickett Study Area. Transition is provided through such compatibility measures as perimeter treatments and preservation of natural systems/habitats. Compatibility is ensured on LP-designated lands through the use of Transect Zones, conservation best management practices, neighborhood design principles, interconnected open space systems, and streets with a strong pedestrian/bicycle orientation. Transect Zones allow development to occur by gradually transitioning from less to more dense development. Each Transect Zone shall have a stated density unique to that Transect, and each series of Transect Zones shall build upon each other from the least dense Transect to the most dense Transect. Transect Zones allow contiguous rural character to be preserved which may include like-to-like lot configurations along the boundary.

As illustrated on Map 1 on the following page, the 48.46-acre subject property—comprised of 38.12 acres of uplands and 10.34 acres of wetlands and surface water—is bounded to the west, north, and east by the Lake Pickett South Community, with E Colonial Drive—a principal arterial roadway slated for widening to six lanes by 2025—serving as its south border. Per **Objective OBJ FLU6.8**, the LP Future Land Use Map designation may only be applied to the area located north of E Colonial Drive, south of the Orange County boundary line, east of South Tanner Road and/or the Econlockhatchee Sandhills Conservation Area, as applicable, and west of Chuluota Road, excluding land within Rural Settlements, which is depicted on Map 22 of the Future Land Use Map Series. As shown on Map 1, the subject property clearly meets the location criteria for the amendment of Map 22. Staff emphasizes that it appears to be the *only* parcel in the County that meets these stringent geographic criteria that is not already included in the Lake Pickett Study Area and one of its two communities. Staff adds that the property was originally included in the proposed boundary of the Lake Pickett Study Area during the consideration of Amendment 2015-2-P-FLUE-1 but was removed at the owner’s request prior to adoption, resulting in its current configuration.

Map 1

Future Land Use Map Amendment 2021-2-B-FLUM-1 Byrdley Realty Co., L.P.



Inclusion of the subject property in the Lake Pickett Study Area and the Lake Pickett South Community, if achieved, will enable the applicant to request a change in land use from Rural/Agricultural to LP and a corresponding rezoning from R-CE-5 (Rural Country Estate Residential District) to Planned Development-Regulating Plan (PD-RP), consistent with **Future Land Use Element Policies FLU6.1.1** and **FLU8.1.1**. As mandated by **Future Land Use Element Policy FLU6.9.2**, the required rezoning to PD-RP will necessitate the submittal and approval of a Lake Pickett Planned Development-Regulating Plan, a plan that delineates the locations of open space and preservation areas, Transect Zones, streets, neighborhoods, schools, trails, and parks. More specifically, each Lake Pickett PD-RP establishes detailed performance standards for the community's required elements and demonstrates how the project will attain consistency with the following Lake Pickett Guiding Principles, set forth in **Future Land Use Element Policy FLU6.8.1**, to which all future development within the Lake Pickett Study Area must adhere:

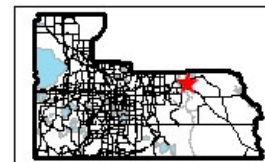
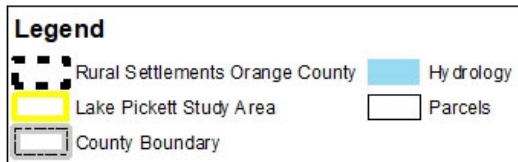
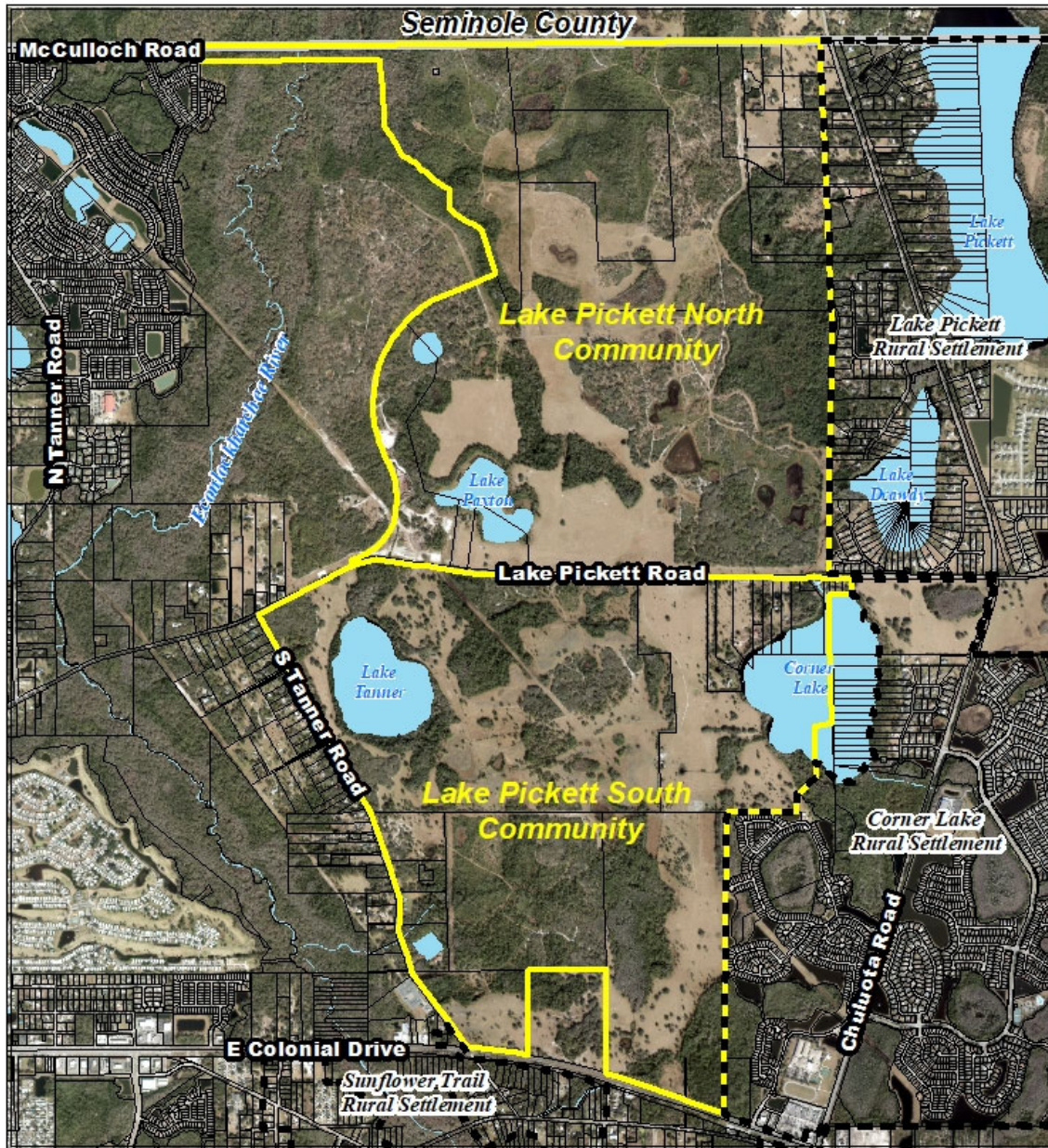
- Preserve the rural lifestyle and character of existing communities through design, integration, and preservation of natural resources, amenities such as shared community gardens and greenhouses and other low-impact agricultural uses, parks and play spaces, and areas promoting community congregation, fitness and well-being.
- Manage natural, open space and community areas by:
 - a) Preserving *Natural Areas*, which include, but are not limited to, lands governed by Chapter 15, Articles X and XI, of the Orange County Code, by protecting native species, habitat, and water quality, and other natural resources in accordance with all applicable governmental regulations;
 - b) Providing *Open Space Areas* for the preservation of green space and community character through agricultural lands, upland and wetland buffers, outdoor sports fields, parks, pathways, and trails that connect to existing and proposed county/state trail systems, and cultural, artistic, and open non-walled structures, which promote gathering and outdoor community activity;
 - c) Constructing *Community Space Areas* containing public amenities, such as community buildings, indoor sports facilities, agricultural facilities, education centers, childcare facilities, and similar built environment facilities that promote intercommunity congregation, healthy living, and personal enrichment.
- Implement a “complete streets” philosophy by identifying, creating, and constructing an interconnected network for all users and all modes of transportation, consistent with, and appropriate to, the neighborhood design and community character.
- Use Transect Zones to govern development intensities and densities within neighborhoods.
- Provide a transition between existing development, which is rural in character and located along the perimeter of the community, and more intense uses within the Lake Pickett Study Area. Such transition shall be provided through the treatment of edges based upon the context, character, and scale of adjacent development.
- Create a mix of walkable neighborhoods organized around centralized focal points that serve as neighborhood destinations. Each neighborhood shall provide a mix of

housing types and/or lot sizes and community space areas, as defined in Policy FLU6.8.1(c).

Based on its consistency with the Comprehensive Plan policies discussed above and the applicant's intent to subsequently request the LP future land use designation and a corresponding rezoning to PD-RP in accordance with the Lake Pickett Guiding Principles, staff supports the applicant's petition to amend the Lake Pickett Study Area boundary, as delineated on the currently-adopted Map 22 of the Future Land Use Map Series: Lake Pickett Study Area and Communities—for the purpose of adding the 48.46-acre subject property, Parcel 20-22-32-0000-00-038, to the Lake Pickett South Community. Adoption of this proposed amendment would replace the presently-adopted Map 22, attached to this staff report as Appendix "A", with the proposed Map 22, included as Appendix "B". Staff recommends **transmittal** of this requested amendment.

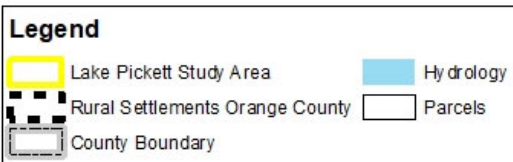
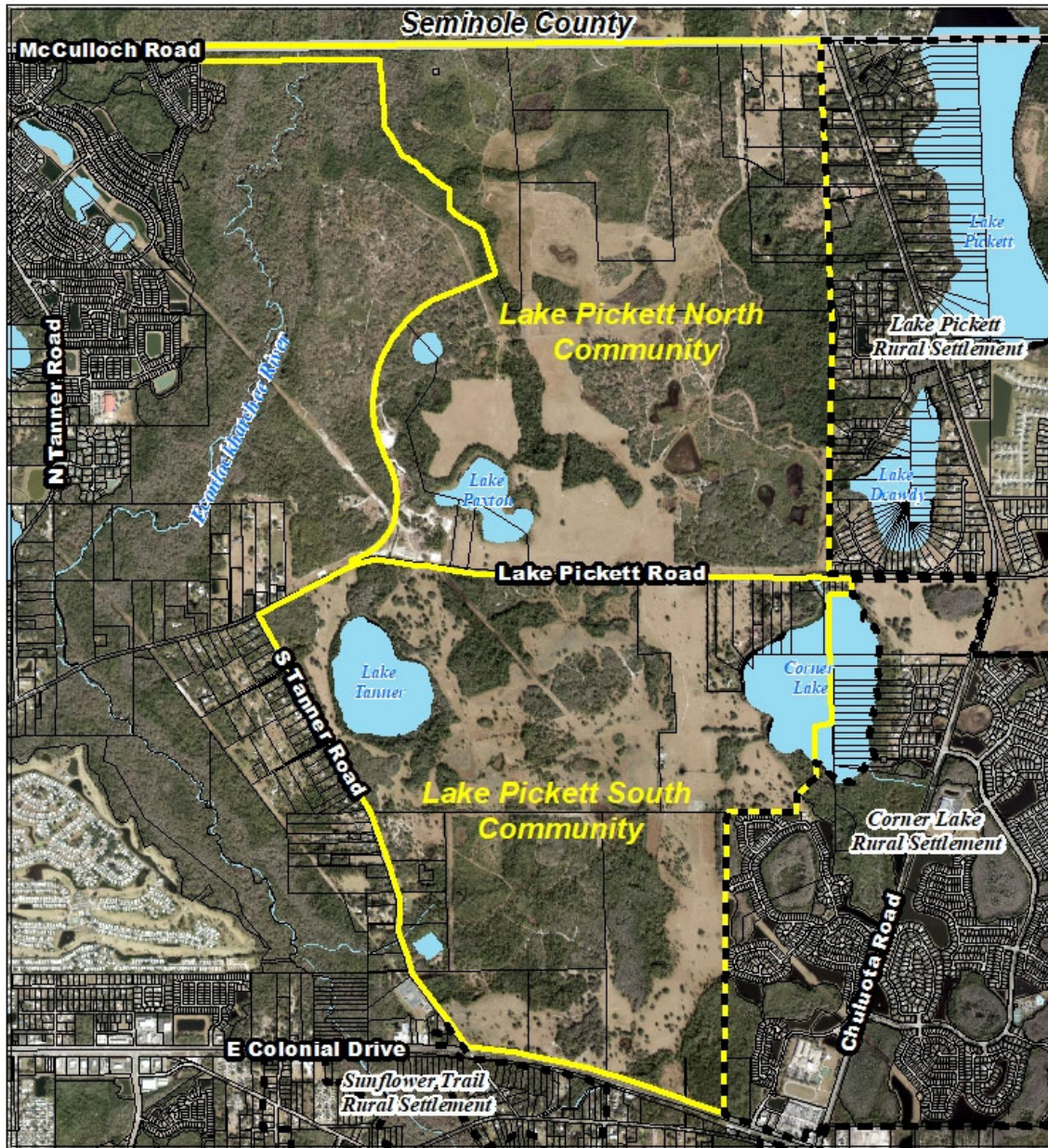
Appendix "A"

Map 22 Lake Pickett Study Area and Communities



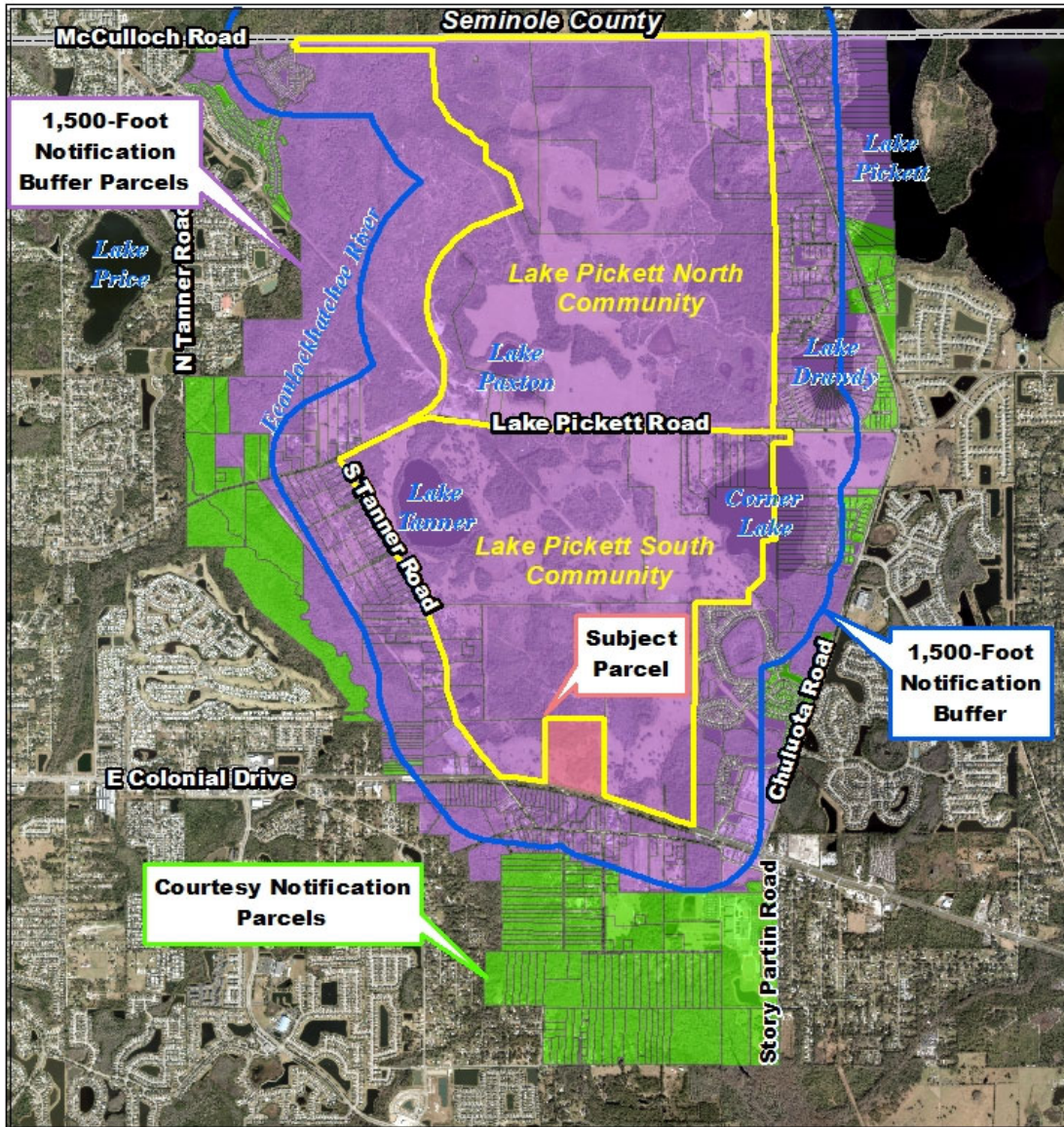
Appendix "B"

Map 22 Lake Pickett Study Area and Communities (Proposed)



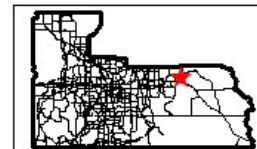
PUBLIC NOTIFICATION MAP

**Proposed Amendment 2021-2-B-FLUM-1
 Map 22 - Lake Pickett Study Area and Communities**



Legend

- Lake Pickett Study Area
- County Boundary



Notification Area

- 1,500 feet plus neighborhood and homeowners' associations within a one-mile radius of the current Lake Pickett Study Area boundary
- 1,251 notices sent

