



ORANGE COUNTY
PLANNING DIVISION
**2022-1 REGULAR
CYCLE
AMENDMENT
2022-1-A-2-1 &
REZONING
LUP-22-01-009**

2010 - 2030 COMPREHENSIVE PLAN

**BOARD OF COUNTY
COMMISSIONERS**

**JULY 12, 2022
ADOPTION PUBLIC HEARING**

PREPARED BY:
ORANGE COUNTY COMMUNITY, ENVIRONMENTAL
AND DEVELOPMENT SERVICES
PLANNING DIVISION
COMPREHENSIVE PLANNING SECTION






Interoffice Memorandum

July 12, 2022

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: 2022-1 Regular Cycle Comprehensive Plan
Amendment 2022-1-A-2-1 (Plymouth Sorrento) and Rezoning Case# LUP-22-01-009
Board of County Commissioners (BCC) Adoption Public Hearing

2022-1 Regular Cycle Comprehensive Plan Amendment 2022-1-A-2-1 is scheduled for a BCC adoption public hearing on July 12, 2022. The amendment was heard by the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) at an adoption public hearing on June 16, 2022.

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 2022-1 Regular Cycle State-Expedited Amendment scheduled for consideration on July 12 include one privately-initiated Future Land Use Map Amendment located in District 2 with a concurrent rezoning request. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for a property greater than ten acres in size.

The 2022-1 Regular Cycle State-Expedited Amendment was heard by the PZC/LPA at a transmittal public hearing on January 20, 2022, and by the BCC at a transmittal public hearing on February 8, 2022. The amendment was reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On March 25, 2022, DEO issued a comment letter, which did not contain any concerns about the amendment undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be considered for adoption within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. Therefore, the amendment is expected to become effective in August 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 Greg Golgowski, AICP, Chief Planner, Comprehensive Planning Section, at (407) 836-5624 or Gregory.Golgowski@ocfl.net.

AAV/sw

Enc: 2022-1 Regular Cycle Amendment 2022-1-A-2-1 BCC Adoption Staff Report and Rezoning Case# LUP-22-01-009

c: Christopher R. Testerman, AICP, Deputy County Administrator
Joel Prinsell, Deputy County Attorney

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Privately-Initiated Regular Cycle Future Land Use Map (FLUM) Amendment

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	-and-		
	Rezoning LUP-22-01-009	<p>A-1 (Citrus Rural District) to PD (Planned Development District) (The Mira Multi-Family & The Waters Senior Living PD/ LUP) Also requested are fourteen (14) waivers from Orange County Code:</p> <ol style="list-style-type: none"> 1) A waiver from Orange County Code Section 38-1476 to allow a parking ratio of 1.60 spaces per certified affordable senior living multi-family residential development dwelling unit with one (1) two (2) or three (3) bedrooms in lieu of two (2) spaces for each senior living multi-family residential development dwelling unit with two (2) or three (3) bedrooms; 2) A waiver from Orange County Code Section 38-1476 to allow a parking ratio of 1.80 spaces per certified affordable multi-family residential development dwelling unit with two (2) or three (3) bedrooms in lieu of two (2) spaces for each multi-family residential development dwelling unit with two (2) or three (3) bedrooms; 3) A waiver from Orange County Code Section 38-1258 (a) to allow for any Orange County certified affordable senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the single-story building height restriction within one hundred (100) feet of single-family zoned properties; 4) A waiver from Orange County Code Section 38-1258 (a) to allow for any Orange County certified affordable multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the single-story 	

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		<p>building height restriction within one hundred (100) feet of single-family zoned properties;</p> <p>5) A waiver from Orange County Code Section 38-1258 (b) to allow 100% of any certified affordable housing senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of a maximum of 50% of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height and located between one hundred (100) feet and one hundred fifty (150) feet from single-family zoned properties;</p> <p>6) A waiver from Orange County Code Section 38-1258 (b) to allow 100% of any certified affordable housing multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of a maximum of 50% of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height and located between one hundred (100) feet and one hundred fifty (150) feet from single-family zoned property;</p> <p>7) A waiver from Orange County Code Section 38-1258 (c) to allow for any certified affordable housing senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the maximum height of three (3) stories, forty (40) feet within one hundred fifty (150) feet of single-family zoned properties;</p> <p>8) A waiver from Orange County Code Section 38-1258 (c) to allow for any certified affordable housing multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the maximum height of three (3) stories, forty (40) feet within one hundred and fifty (150) feet of single-family zoned properties;</p>	
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		<p>9) A waiver from Orange County Code Section 38-1258 (d) to allow for the senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height in lieu of the building height restriction of three (3) stories or forty (40) feet in height;</p> <p>10) A waiver from Orange County Code Section 38-1258 (d) to allow for any certified affordable multifamily residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height in lieu of the building height restriction of three (3) stories or forty (40) feet in height;</p> <p>11) A waiver from Orange County Code Section 38-1258 (f) to waive the requirement for a six (6) foot masonry, brick, or block wall to be constructed adjacent to the northern and southern single-family zoned properties in lieu of the construction of a six-foot high masonry, brick, or block wall wherever a multi-family residential development is located adjacent to single-family zoned property;</p> <p>12) A waiver from Orange County Code Section 38-1258 (i) to waive the requirement of fencing along the right-of-way in lieu of the installation of a fence along the right-of-way wherever single-family zoned property is located across the right-of-way;</p> <p>13) A waiver from Orange County Code Section 38-1258 (j) to allow for any three (3) story, certified affordable housing multi-family community "L" shape configured buildings to have a six (6) foot minimum separation at the corner of the "L" in lieu of a forty (40) foot separation between three (3) story buildings where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, and in lieu of a minimum of twenty (20) feet between all multi-family structures for fire protection purposes; and</p> <p>14) A waiver from Orange County Code Section 38-1258 (j) to allow for any three (3) story, certified affordable housing multi-family residential buildings to have a thirty (30) feet minimum separation where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings,</p>	
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		in lieu of a forty (40) feet separation between the three (3) story buildings.	
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***Transportation Analysis*.....Tab 6**
***Environmental Analysis*Tab 7**

**2022-1 Regular Cycle State-Expedited Review Comprehensive Plan Amendment
Privately-Initiated Future Land Use Map Amendment**

Amendment Number	Concurrent Rezoning or Substantial Change	Owner	Agent	Tax ID Number(s)	General Location / Comments	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:	Zoning Map Designation FROM:	Zoning Map Designation TO:	Acreage	Project Planner	Staff Rec	LPA Rec
District 1													
2022-1-A-2-1 (Plymouth Sorrento)	LUP-22-01-009	Susie Simpson Gilbert and Wayne P. Simpson	M. Rebecca Wilson, Lowndes, Drossick, Doster, Kantor & Reed, P.A.	06-21-28-7172-04-010 and 06-21-28-7172-05-050	1255 and 1277 Plymouth Sorrento Rd.; Generally located north of W. Orange Blossom Trl., east of Plymouth Sorrento Rd., west of Schoepe Lester Rd., and south of W. Ponkan Rd.	Low Density Residential (LDR)	Medium Density Residential (MDR)	A-1 (Citrus Rural District)	PD (Planned Development District) (The Mira Multi-Family & The Waters Senior Living PD/LUP)	34.58 gross ac / 26.33 net developable ac.	Chris DeManche	Adopt & Approve rezoning, subject to seventeen (17) conditions	Adopt & Approve rezoning, subject to seventeen (17) conditions (5-0)

ABBREVIATIONS INDEX:

ABBREVIATIONS INDEX: IND-Industrial; C-Commercial; O-Office; LDR-Low Density Residential; LMDR-Low-Medium Density Residential; MDR-Medium Density Residential; HDR-High Density Residential; PD-Planned Development; EDU-Educational; CONS-Wetland/Conservation; P/ROS-Parks/Recreation/Open Space; OS-Open Space; R-Rural/Agricultural; RS 1/1-Rural Settlement 1/1; RS 1/2-Rural Settlement 1/2; RSLD 2/1-Rural Settlement Low Density; GC-Growth Center; LP-Lake Pickett; 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; A-1-Citrus Rural District; A-2-Farmland Rural District; R-CE-Country Estate District; RCE-S-Rural Country Estate Residential District; PD-Planned Development District; PD-RP-Planned Development-Regulating Plan; PD-RS-Planned Development-Rural Settlement; LUP-Land Use Plan; SR-State Road; AC-Acres

2022 FIRST REGULAR CYCLE AMENDMENT TO THE 2010-2030 COMPREHENSIVE PLAN ADOPTION PUBLIC HEARING

INTRODUCTION

This is the Board of County Commissioners (BCC) adoption public hearing staff report for the First Regular Cycle Amendment 2022-1-A-2-1 to the Future Land Use Map (FLUM) and Comprehensive Plan (CP). The adoption public hearing for the amendment was conducted before the Planning and Zoning Commission (PZC)/Local Planning Agency (LPA) on June 16, 2022. The amendment is scheduled for an adoption public hearing before the BCC on July 12, 2022.

The 2022-1 Regular Cycle Amendment scheduled for BCC consideration on July 12 was heard by the PZC/LPA at a transmittal public hearing on January 20, 2022, and by the BCC at a transmittal public hearing on February 8, 2022.

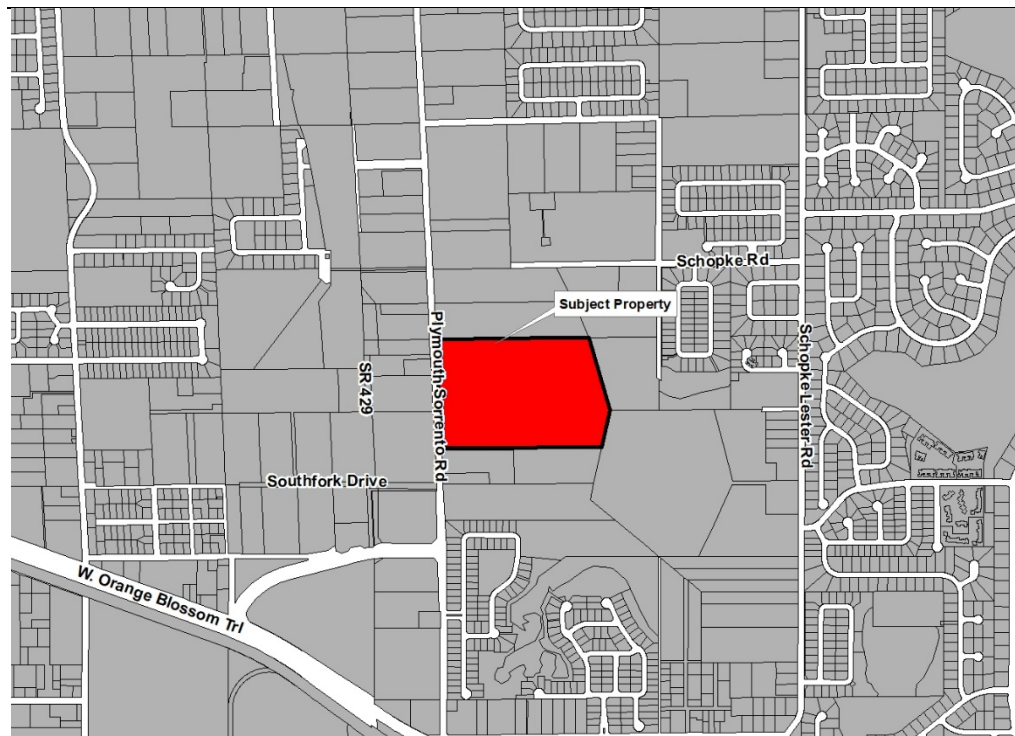
Please note the following modifications to this report:

KEY TO HIGHLIGHTED CHANGES	
Highlight	When changes made
Light Blue	Following the DEO transmittal public hearing (by staff)

The 2022-1 Regular Cycle – State-Expedited Review Amendment scheduled for consideration on July 12 includes one privately-initiated Future Land Use Map Amendment located in District 2 with a concurrent rezoning request. The proposed Future Land Use Map Amendment entails a change to the Future Land Use Map for a property greater than ten acres in size.

The Regular Cycle State-Expedited Review Amendment was reviewed by the Department of Economic Opportunity (DEO), as well as other state and regional agencies. On March 25, 2022, DEO issued a comment letter, which did not contain any concerns about the amendments undergoing the State-Expedited Review process. Pursuant to 163.3184, F.S., the proposed amendment must be considered for adoption within 180 days of the comment letter. The Regular Cycle Amendment undergoing the State-Expedited Review process will become effective 31 days after DEO notifies the County that the plan amendment package is complete. Therefore, the amendment is expected to become effective in August 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.



Applicant/Owner:
M. Rebecca Wilson, Lowndes, Drosdick, Doster, Kantor & Reed, P.A.; Wayne D. Simpson and Susie Simpson Gilbert

Location: Generally located north of W. Orange Blossom Trail, east of Plymouth Sorrento Road., west of Schopke Lester Road., and south of W. Ponkan Road.

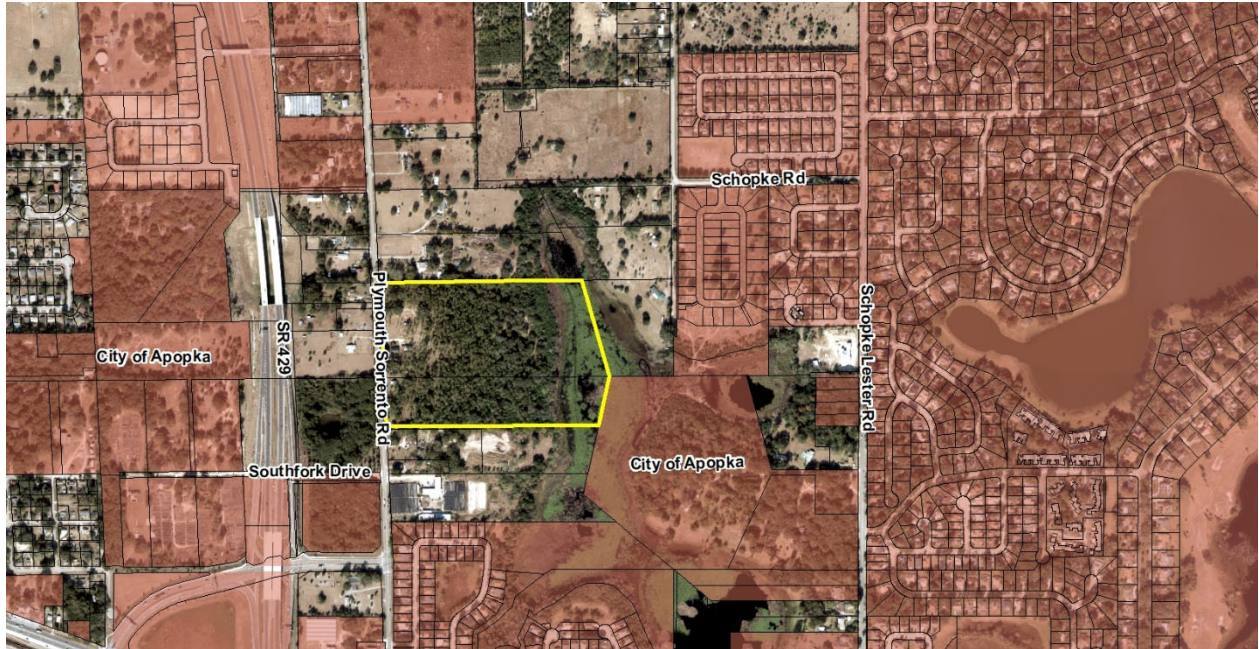
Existing Use: Two single-family residences

Parcel ID Numbers:
06-21-28-7172-04-010;
06-21-28-7172-05-050

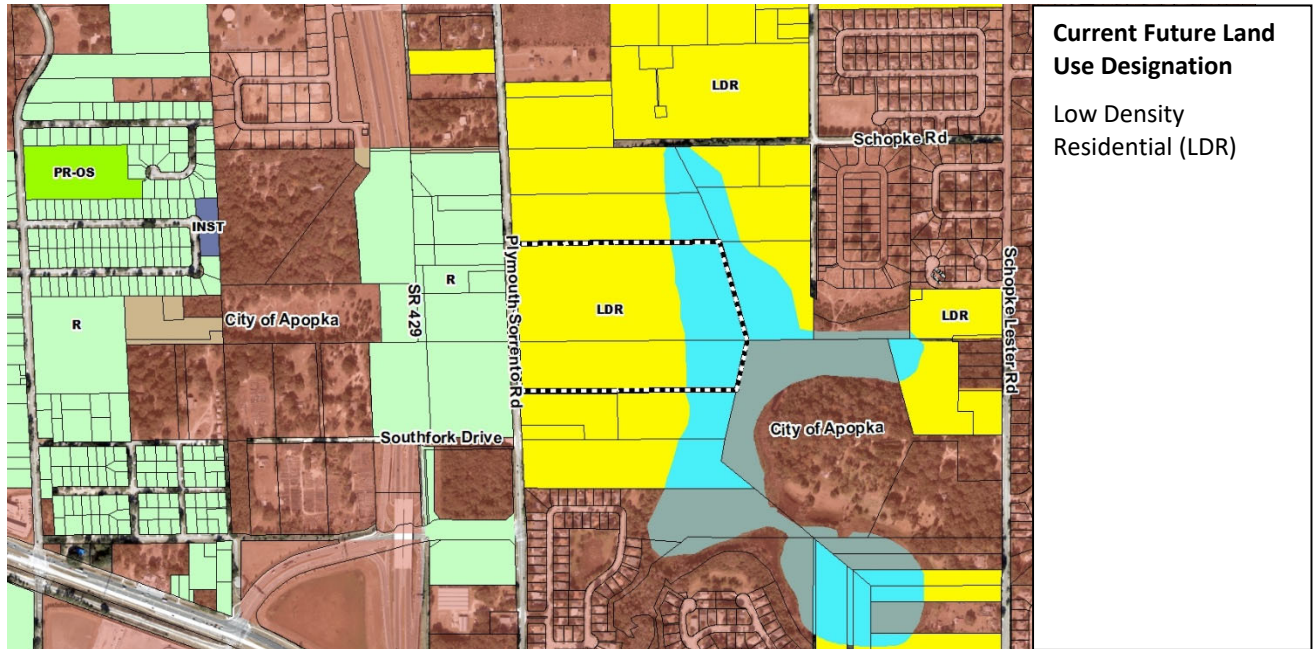
Tract Size: 34.58 gross acres (26.33 net acres)

The following meetings and hearings have been held:		Project Information
Report/Public Hearing	Outcome	Request: Low Density Residential (LDR) to Medium Density Residential (MDR)
✓ Community Meeting January 13, 2022	8 Present. Concerns on traffic, compatibility, crime, noise	Proposed Development Program: Up to 516 affordable housing multi-family dwelling units (including 180 affordable senior housing units)
✓ Staff Report	Recommend Transmittal	Public Facilities and Services: Please see the Public Facilities Analysis Appendix for specific analysis of each public facility.
✓ LPA Transmittal January 20, 2022	Recommend Transmittal (8-0)	Environmental: This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act.
✓ BCC Transmittal	Transmit (7-0)	Transportation: The subject property is not located within the County's Alternative Mobility Area. The proposed use will generate 227 pm peak hour trips resulting in a total net increase of 221 pm peak hour trips.
✓ State Agency Comments	March 25, 2022	Utilities: The subject site is located in the City of Apopka's potable water, wastewater and reclaimed water service areas.
✓ LPA Adoption June 16, 2022	Recommend Adoption & Recommend Approval of rezoning, subject to 17 conditions (5-0)	Concurrent Rezoning: From A-1 (Citrus Rural District) to PD (Planned Development District) (The Mira Multi-Family & The Waters Senior Living Land Use Plan). DRC recommended approval of LUP-22-01-009 on May 11, 2022, subject to adoption of the Comprehensive Plan Amendment referenced in this report as well as 17 conditions of approval.
BCC Adoption	July 12, 2022	

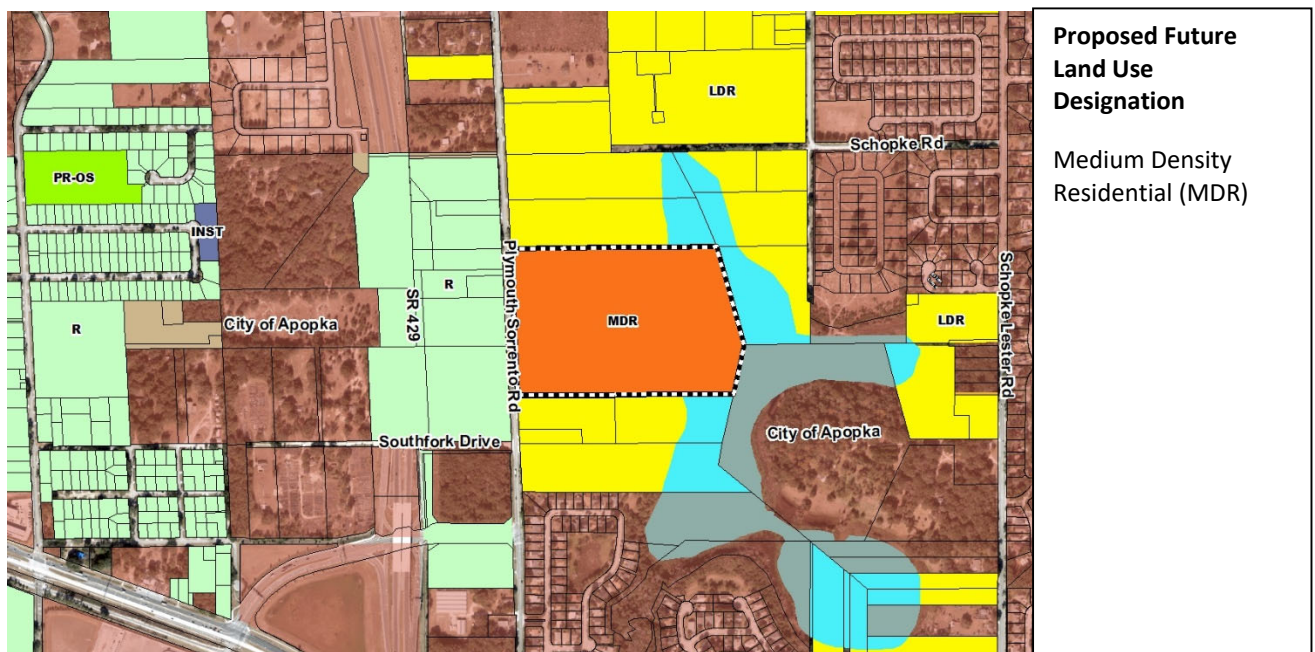
SITE AERIAL



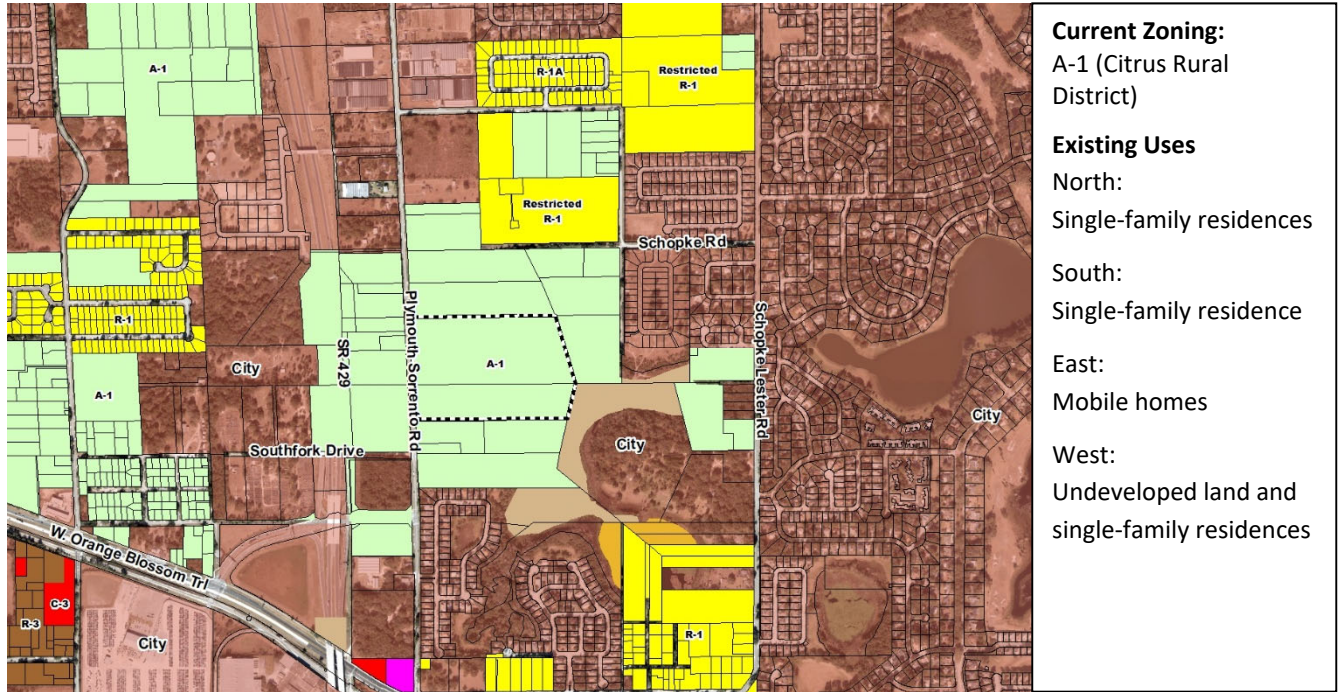
FUTURE LAND USE - CURRENT



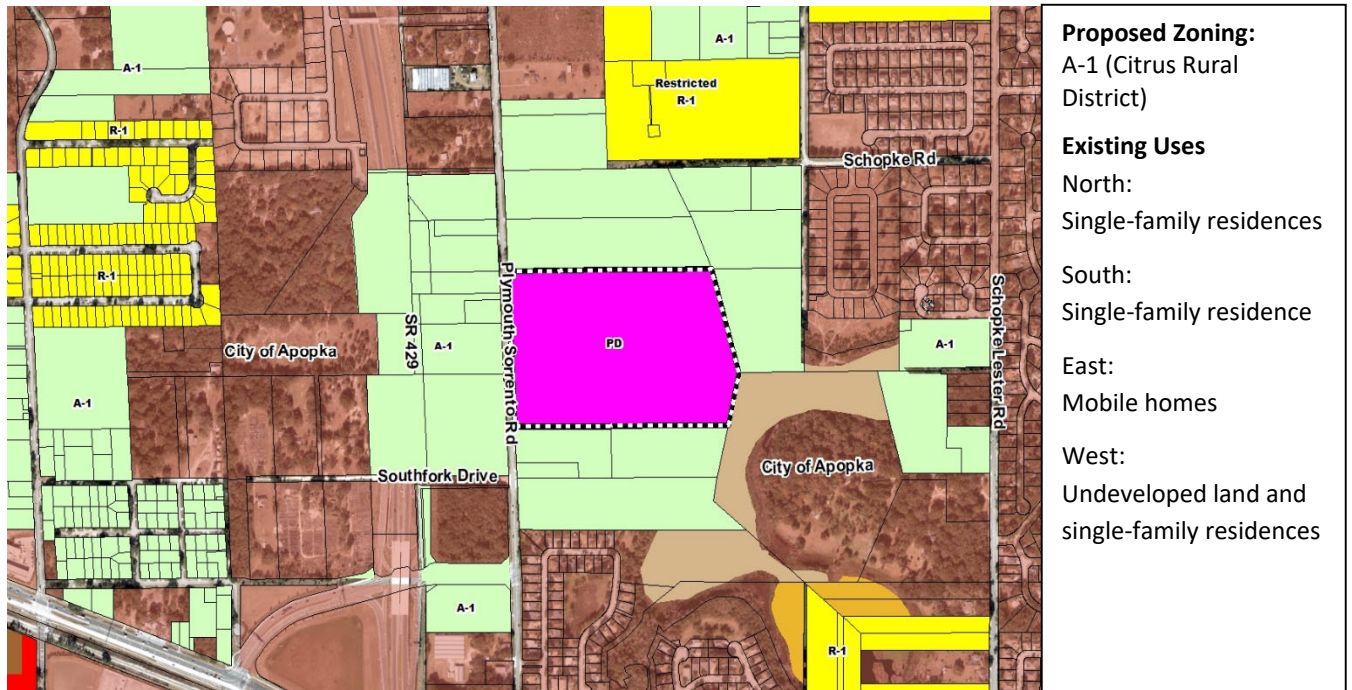
FUTURE LAND USE - PROPOSED



ZONING – CURRENT



ZONING – PROPOSED



Staff Recommendation

1. **Future Land Use Map Amendment 2022-1-A-2-1:** Make a finding of consistency with the Comprehensive Plan (See Future Land Use Element Goal H1, Objectives FLU1.1, FLU1.2, FLU1.4 and FLU8.2, Policies FLU1.1.1, FLU1.4.1, FLU1.4.2, FLU8.2.1 and FLU8.2.11; Housing Element Goal H1, Objectives H1.1, H1.3 and Policy H1.3.11; Open Space Element Policies OS1.3.2, OS1.3.4 and OS1.3.6; and Neighborhood Element Objective N1.1), determine that the amendment is in compliance, and recommend **ADOPTION** of Amendment 2022-1-A-2-1, Low Density Residential (LDR) to Medium Density Residential (MDR).
2. **Planned Development Rezoning Case # LUP-22-01-009:** (May 11, 2022 DRC Recommendation) Make a finding of consistency with the Comprehensive Plan and recommend **APPROVAL** of the The Mira Multi-Family & The Waters Senior Living Land Use Plan dated "Received May 25, 2022," subject to the following conditions of approval:
 1. Development shall conform to the Plymouth Sorrento Land Use Plan (LUP) dated "Received May 25, 2022," and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received May 25, 2022," the condition of approval shall control to the extent of such conflict or inconsistency.
 2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.

3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.
4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC).
7. The applicant / owner has an affirmative obligation to expressly notify potential purchasers, builders, and/or tenants of this development, through an appropriate mechanism, including a conspicuous note on the plat and/or a recorded restrictive covenant, as applicable, that this site is within proximity to a publicly managed property. The notice shall indicate that the adjacent property will require the use of resource management practices that may result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy

equipment and machinery, and other practices as may be deemed necessary for proper resource management.

8. All acreages identified as conservation areas and wetland buffers are considered approximate until finalized by a Conservation Area Determination (CAD) and a Conservation Area Impact (CAI) Permit. Approval of this plan does not authorize any direct or indirect conservation area impacts.
9. Prior to or concurrently with County approval of the initial plat, right-of-way for Plymouth-Sorrento Road shall be conveyed to County, at no cost to County and in accordance consistent with the transportation impact fee exemption provisions of Section 23-98(a)(11), Orange County Code.
10. Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat. Nothing in this condition, and nothing in the decision to approve this Land Use Plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.
11. Development shall connect to central water and wastewater service from the City of Apopka.
12. Pole signs and billboards shall be prohibited. All other signage shall comply with Chapter 31.5 of the Orange County Code.
13. Tree removal/earthwork shall not occur unless and until construction plans for the first Preliminary Subdivision Plan and/or Development Plan with a tree removal and mitigation plan have been approved by Orange County.
14. Short term/transient rental is prohibited. Length of stay shall be for 180 consecutive days or greater.
15. A current Phase One Environmental Site Assessment (ESA) and current title opinion shall be submitted to the County for review as part of any Preliminary Subdivision Plan (PSP) and / or Development Plan (DP) submittal and must be approved prior to Preliminary Subdivision Plan (PSP) and /or Development Plan (DP) approval for any streets and/or tracts anticipated to be dedicated to the County and/or to the perpetual use of the public.
16. In accordance with FEMA requirements, a Letter of Map Change (LOMC) may be required by the owner/engineer. New development within the 100-year floodplain where no established Base Flood Elevations (BFE) have been identified must perform a study to establish the BFE prior to construction plan review. Compensation storage must be provided for all floodwater displaced by development within 100-year floodplain in accordance with Orange County Ordinance 2021-37, and as may be amended from time to time.

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17. The following waivers from Orange County Code are granted:
- a. A waiver from Orange County Code Section 38-1476 to allow a parking ratio of 1.60 spaces per certified affordable senior living multi-family residential development dwelling unit with one (1) two (2) or three (3) bedrooms in lieu of two (2) spaces for each senior living multi-family residential development dwelling unit with two (2) or three (3) bedrooms.
 - b. A waiver from Orange County Code Section 38-1476 to allow a parking ratio of 1.80 spaces per certified affordable multi-family residential development dwelling unit with two (2) or three (3) bedrooms in lieu of two (2) spaces for each multi-family residential development dwelling unit with two (2) or three (3) bedrooms.
 - c. A waiver from Orange County Code Section 38-1258 (a) to allow for any Orange County certified affordable senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the single-story building height restriction within one hundred (100) feet of single-family zoned properties.
 - d. A waiver from Orange County Code Section 38-1258 (a) to allow for any Orange County certified affordable multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the single-story building height restriction within one hundred (100) feet of single-family zoned properties.
 - e. A waiver from Orange County Code Section 38-1258 (b) to allow 100% of any certified affordable housing senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of a maximum of 50% of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height and located between one hundred (100) feet and one hundred fifty (150) feet from single-family zoned properties.
 - f. A waiver from Orange County Code Section 38-1258 (b) to allow 100% of any certified affordable housing multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of a maximum of 50% of the buildings being three (3) stories (not to exceed forty (40) feet) in height with the remaining buildings being one (1) story or two (2) stories in height and located between one hundred (100) feet and one hundred fifty (150) feet from single-family zoned property.

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- g. A waiver from Orange County Code Section 38-1258 (c) to allow for any certified affordable housing senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the maximum height of three (3) stories, forty (40) feet within one hundred fifty (150) feet of single-family zoned properties.
 - h. A waiver from Orange County Code Section 38-1258 (c) to allow for any certified affordable housing multi-family residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height and a minimum of seventy-five (75) feet from single-family zoned properties in lieu of the maximum height of three (3) stories, forty (40) feet within one hundred and fifty (150) feet of single-family zoned properties.
 - i. A waiver from Orange County Code Section 38-1258 (d) to allow for the senior living multi-family residential development buildings to be a maximum of four (4) stories, sixty (60) feet in height in lieu of the building height restriction of three (3) stories or forty (40) feet in height.
 - j. A waiver from Orange County Code Section 38-1258 (d) to allow for any certified affordable multifamily residential development buildings to be a maximum of three (3) stories, forty-nine (49) feet in height in lieu of the building height restriction of three (3) stories or forty (40) feet in height.
 - k. A waiver from Orange County Code Section 38-1258 (f) to waive the requirement for a six (6) foot masonry, brick, or block wall to be constructed adjacent to the northern and southern single-family zoned properties in lieu of the construction of a six-foot high masonry, brick, or block wall wherever a multi-family residential development is located adjacent to single-family zoned property.
 - l. A waiver from Orange County Code Section 38-1258 (i) to waive the requirement of fencing along the right-of-way in lieu of the installation of a fence along the right-of-way wherever single-family zoned property is located across the right-of-way.
 - m. A waiver from Orange County Code Section 38-1258 (j) to allow for any three (3) story, certified affordable housing multi-family community “L” shape configured buildings to have a six (6) foot minimum separation at the corner of the “L” in lieu of a forty (40) foot separation between three (3) story buildings where doors, windows or other openings in the wall of a living unit back up to a wall of another building with doors, windows or other openings, and in lieu of a minimum of twenty (20) feet between all multi-family structures for fire protection purposes.
 - n. A waiver from Orange County Code Section 38-1258 (j) to allow for any three (3) story, certified affordable housing multi-family residential buildings to have a thirty (30) feet minimum separation where doors, windows or other openings in

the wall of a living unit back up to a wall of another building with doors, windows or other openings, in lieu of a forty (40) feet separation between the three (3) story buildings.

Analysis

1. Background & Development Program

The applicant, M. Rebecca Wilson, with Lowndes, Drosdick, Doster, Kantor & Reed, P.A., has requested to change the Future Land Use Map (FLUM) designation of the subject property from Low Density Residential (LDR) to Medium Density Residential (MDR). The proposed MDR FLUM designation would permit urban-style multi-family residential densities of up to twenty (20) dwelling units per acre. The applicant is proposing a multi-family affordable housing development comprised of 516 dwelling units, including 180 affordable senior housing dwelling units. The subject property is located in the Urban Service Area and the Wekiva Study Area.

The 34.58-acre subject property is located north of W. Orange Blossom Trail., east of Plymouth Sorrento Road, west of Schopke Lester Road, and south of W. Ponkan Road. The subject property is adjacent to single-family residences to the north, single-family residences to the south, mobile homes and single-family residences to the east, and single-family residences and vacant parcels to the west.

The subject property is currently developed with two single-family residences and has a zoning designation of A-1 (Citrus Rural District). The applicant has indicated an intent to submit a PD rezoning application, but has not submitted at the time of this application.

Conservation Area Determination

Density and Floor Area Ratio (FAR) calculations are determined by dividing the total number of units/square footage by the net developable land area. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. Orange County Conservation Area Determination CAD-21-08-196, was completed with a certified survey of the conservation area boundary approved on November 16, 2021, in accordance with Orange County Code Chapter 15, Article X, Wetland Conservation Areas.

The Conservation Area Determination has identified a total 34.58 gross acres encompassing the subject property, including a total of 8.25 acres of Class I Surface Water, resulting in approximately 26.33 net developable acres. The subject property is located within the Wekiva Study Area and the Urban Service Area, and as stipulated in Open Space Element Policy OS1.3.6.E.1, development with an overall size less than or equal to 100 acres – open space shall be 35% or greater of the total developable acreage.

Community Meeting

A community meeting was held on the evening of January 13, 2022, at the John H. Bridges Community Center. Eight people attended and voiced concerns about traffic on Plymouth Sorrento Road, compatibility with adjacent land uses, and the possible increase in crime and noise from multi-family development. A total of 434 notices had been mailed to property owners within 1300' of the subject property.

2. Future Land Use Map Amendment Analysis

Consistency

The requested FLUM amendment appears to be consistent with the applicable Goals, Objectives, and Policies of the Comprehensive Plan. The subject property is located within the County's Urban Service Area (USA) Boundary and is located in an area characterized by a variety of housing types ranging from mobile homes to single-family detached dwellings. As mentioned above, the applicant is seeking the MDR Future Land Use Map designation to allow for a multi-family affordable housing development comprised of 516 dwelling units.

Future Land Use Element Goal FLU1, OBJ FLU1.1, and Policy FLU1.1.1 describe Orange County's urban planning framework, including the requirement that urban uses shall be concentrated within the Urban Service Area. As required by **OBJ FLU 1.1**, the proposed amendment is located within the Urban Service Area, and the proposed FLUM designation of MDR will contribute to the mix of available housing options in an area of the County deemed appropriate for urban uses, as set forth in **Policy FLU1.1.1**.

Applicable to this request is **Future Land Use Element Objective FLU1.2**, which states Orange County shall use the Urban Service Area concept as an effective fiscal and land use technique for managing growth.

Also applicable is **Future Land Use Element OBJ FLU1.4**, which sets forth location and development criteria used to guide the distribution, extent, and location of urban land uses, and encourages compatibility with existing neighborhoods as well as the goals of the 2030 Comprehensive Plan.

Also applicable is **Future Land Use Element Policy FLU1.4.1**, which states Orange County shall promote a range of living environments and employment opportunities, and shall ensure that land use changes are compatible with and serve existing neighborhoods.

Also applicable is **Future Land Use Element Policy FLU8.2.2**, which states that continuous stretches of similar housing types and density of units shall be avoided. The addition of a multi-family affordable housing development comprised of 516 dwelling units will further diversity housing options to current and future residents in Orange County.

Also applicable is **Housing Element Goal H1 and Objective H1.1**, which state that the County will promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, and will support private sector housing production capacity sufficient to meet current and anticipated housing needs.

Also applicable is **Housing Element Objective H1.3**, which states Orange County shall provide for the development of affordable housing, dispersed throughout the County. The proposed FLUM amendment is consistent with **Housing Element Policy H1.3.11**, which states affordable housing is allowed within all residential zoning categories.

Compatibility

The proposed Future Land Use Map amendment appears to be compatible with existing development of the surrounding area and would support private sector housing production to meet current and anticipated housing needs, particularly with regard to affordable housing inventory.

Future Land Use Element Policy FLU1.4.2, states Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods, while **Neighborhood Element Objective N1.1**,

states Orange County shall ensure that future land use changes are compatible with or do not adversely impact existing or proposed neighborhoods.

The proposed FLUM amendment would provide for the introduction of a new type of residential use to the surrounding area comprised largely of single-family dwellings and mobile homes. Additionally, the proposed MDR designation would permit development at a greater density than the surrounding FLUM designations of LDR (4 du/ac) and Rural (R) (1 du/10 ac). Despite these potential changes, the proposed multi-family affordable housing development may be found consistent with **Future Land Use Element Policy FLU8.2.11**, which states compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well as its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur. The proposed change to the MDR FLUM designation would not adversely impact existing neighborhoods.

Staff recognizes the critical need in Orange County for housing diversity to meet current and future growth trends and finds the proposed MDR designation potentially compatible for the surrounding community and consistent with **Future Land Use Element Policy FLU1.4.1**, which states Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

3. Division Comments: Environmental, Public Facilities and Services

Environmental

Conservation Area Determination - An Orange County Conservation Area Determination (CAD), CAD-21-08-196, has been completed that included this property. The CAD delineated a Class I Surface Water known as Lake Standish. The applicant shall comply with all permit conditions of approval.

No Clearing - No construction, clearing, filling, alteration or grading is allowed in a conservation tract or conservation easement (includes the conservation area and the wetland setback/buffer) unless approved by the County and other applicable jurisdictional agencies.

Habitat - Development of the subject property shall comply with all state and federal regulations regarding endangered, threatened, or species of special concern. Prior to any preliminary subdivision plan or development plan approvals, Orange County will require a habitat survey to identify any wildlife or plants listed as threatened, endangered, or species of special concern found on site or determined to use the site.

Wekiva Study Area - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional environmental regulations may apply.

Priority Focus Area - This site is located within the Wekiva Priority Focus area. The Florida Springs and Aquifer Protection Act, 373.801, et. seq. F.S. (the "Act") requires Onsite Sewage Treatment and Disposal Systems ("OSTDS") capable of enhanced treatment of nitrogen loads in the Wekiwa Spring and Rock Springs Basin Management Action Plan dated June 2018, as may be amended ("BMAP"). Per this requirement, lots of less than one acre in size within the Priority Focus Area, as defined in the Act, must comply with the OSTDS Remediation Plan within the BMAP. Lots shall meet the requirements of the Act or of Article XVII (Individual On-Site Sewage Disposal) of Chapter 37 of the Orange County Code, whichever is more stringent. Any person desiring to construct a new septic system, or to modify or repair an existing system, shall apply for a permit to the Florida Department of Health.

Septic - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District, about the system permit application, modification or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37, Water and Wastewater, Article XVII, Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

Proximity to Managed Public Lands - This site is located about 1.5mi from the Lake Apopka Restoration Area, a publicly managed property. The publicly managed property may require the use of resource management practices that could result in periodic temporary conditions that may limit outdoor activities. These practices will include, but not be limited to, ecological burning, pesticide and herbicide usage, exotic plant and animal removal, usage of heavy equipment and machinery, and other practices as may be deemed necessary for proper resource management.

Jurisdictional Coordination - This environmental review only addresses Orange County environmental regulatory code, however, the project shall also obtain and comply with all other existing environmental permits and applicable environmental regulations of, but not limited to: the Army Corps of Engineers, the Florida Department of Environmental Protection, and the applicable Water Management District, the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish & Wildlife Conservation Commission (FWC). It is possible that one of the other agencies could deny the request even if the County approves it, or they may have other natural resource protective requirements. Therefore, it is imperative that this proposed plan be addressed on a multi-agency basis.

Transportation

Trip Generation (ITE 10th Edition)

Land Use Scenario	PM Pk. Hr.Trips	%New Trips	New PM Pk Hr.Trips
Existing Use: Two single-family residences	6	100	227
Proposed Use: Up to 516 Units (Including 180 senior units)	227	100	227
Net New Trips (Proposed Development less Allowable Development): 221			

Future Roadway Network

Road Agreements: None

Planned and Programmed Roadway Improvements: None

Right of Way Requirements: Additional Road ROW is needed for the widening of Plymouth Sorrento Road. At this stage, 120' total will be needed to widen the road. At this time staff believes the additional ROW will be acquired equally from both sides of the existing ROW. At the time of the Roadway Conceptual Analysis (RCA), more detail as to the needs of the ROW will be more specific. Currently, there is not an RCA underway. This information is dated and subject to change.

Summary

The applicant is requesting to change 34.58 acres from LDR to MDR and A-1 to PD to allow for up to 516 units (including 180 senior units). On December 15, 2021, Planning indicated that the net acreage is 26.33. The number of units proposed with the PD zoning indicates a maximum of 516 multi-family

(MF) units; therefore, the PM peak trips that the change would generate is 221 for the multi-family use.

Analysis of the project trips from the currently approved under future land use versus the proposed use indicates that the proposed development will result in an increase in the number of pm peak trips and therefore will not impact the area roadways. Based on the Concurrency Management System Database, roadway segments within the project's impact area currently operate at acceptable levels of service and capacity is available to be encumbered. An updated snap shot of the roadway capacity will be provided with the comments on the associated Planned Development rezoning report.

- The subject property is not located within the County's Alternative Mobility Area.
- The subject property is not located along a backlogged/constrained facility or multimodal corridor.
- The allowable development based on the approved future land use will generate an additional 4 pm peak hour trips for a total of 6 pm peak trip.
- The proposed use will generate 227 pm peak hour trips resulting in a total net increase of 221 pm peak hour trips.
- The subject property is located along Plymouth Sorrento Road. Based on the Concurrency Management System (CMS) database at the time of this report, 12/16/2021, capacity is available to be encumbered. All other roadway segments within the project impact area operate at acceptable levels of service. This information is dated and is subject to change.
- An analysis of existing conditions reveals that all roadway segments within the study area are currently operating at adequate LOS.
- The projected conditions analysis was performed for the short-term five-year (2026) and for the long term (2040) projection year. The analysis included base conditions and proposed conditions. The short-term analysis concluded that all roadways' segments were and would remain within their acceptable LOS except the segment of Orange Blossom Trail from Park Avenue to Western Beltway. Therefore, the FLUM change would not cause additional deficiencies to the project impact area within the short-term horizon. In terms of the long-term projections, it was noted that under current and proposed conditions all roadway segments will be operating below or within their LOS except three segments. The segment of Orange Blossom Trail from Park Avenue to Western Beltway, Western Beltway to Plymouth Sorrento Road, and Plymouth Sorrento Road to Ponkan Road. In both instances, the study roads are projected to fail even before the addition of the proposed amendment.
- The development will undergo further evaluation and will be required to mitigate capacity deficiencies on the transportation network in accordance with the requirements of the Orange County Concurrency Management System.

Final permitting of any development on this site will be subject to review and approval under capacity constraints of the county's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment in order to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

Schools

The applicant submitted a formal school capacity determination to OCPS (OC-21-046). Capacity is not available for the proposed 330 multi-family dwelling units (not including the proposed 180 affordable senior housing units). Each school serving students within the geographic area of the project site is currently over capacity with the proposed development resulting in the following number of seats to mitigate: Wolf Lake Elementary School (49 seats), Wolf Lake Middle School (20 seats), and Apopka High School (23 seats). Wolf Lake Elementary School and Wolf Lake Middle School are currently scheduled for relief from overcapacity in 2022.

Analysis of Proposed Development			
Students Generated	49.170	20.790	23.100
Adjusted Utilization	161.9%	150.0%	108.2%
PASS/FAIL	FAIL*	FAIL*	FAIL
Number of Seats to Mitigate	49.170	20.790	23.100

*School scheduled for relief in 2022.

Utilities

The subject site is located in the City of Apopka’s potable water, wastewater and reclaimed water service areas.

3. Rezoning Request Analysis

IMPACT ANALYSIS

Overview

The applicant is seeking to rezone the subject parcels from A-1 (Citrus Rural District) to PD (Planned Development District).

Land Use Compatibility

The proposed development program is compatible with existing development in the area, and would not adversely impact any adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
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5. Policy References

Future Land Use Element

- GOAL FLU1** **URBAN FRAMEWORK.** Orange County shall implement an urban planning framework that provides for long-term, cost-effective provision of public services and facilities and the desired future development pattern for Orange County.
- OBJ FLU1.1** Orange County shall use urban densities and intensities and Smart Growth tools and strategies to direct development to the Urban Service Area and to facilitate such development. The Urban Service Area shall be the area for which Orange County is responsible for providing infrastructure and services to support urban development.
- FLU1.1.1** Urban uses shall be concentrated within the Urban Service Area, except as specified for the Horizon West Village and Innovation Way Overlay (Scenario 5), Growth Centers, and to a limited extent, Rural Settlements.
- OBJ FLU1.2** **URBAN SERVICE AREA (USA); USA SIZE AND MONITORING.** Orange County shall use the Urban Service Area as an effective fiscal and land use technique for managing growth. The Urban Service Area shall be used to identify the area where Orange County has the primary responsibility for providing infrastructure and services to support urban development.
- OBJ FLU1.4** The following location and development criteria shall be used to guide the distribution, extent, and location of urban land uses, and encourage compatibility with existing neighborhoods as well as further the goals of the 2030 Comprehensive Plan.
- FLU1.4.1** Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.
- FLU1.4.2** Orange County shall ensure that land use changes are compatible with and serve existing neighborhoods.
- OBJ FLU8.2** **COMPATIBILITY.** Compatibility will continue to be the fundamental consideration in all land use and zoning decisions. For purposes of this objective, the following polices shall guide regulatory decisions that involve differing land uses. **FLU8.2.1** Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate

development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.1 Land use changes shall be required to be compatible with the existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 Compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

Housing Element

GOAL H1 Orange County's goal is to promote and assist in the provision of an ample housing supply, within a broad range of types and price levels, to meet current and anticipated housing needs so that all our residents have the opportunity to purchase or rent standard housing.

OBJ H1.1 The County will continue to support private sector housing production capacity sufficient to meet the housing needs of existing and future residents.

OBJ H1.3 Orange County shall provide for the development of affordable housing, dispersed throughout the County.

H1.3.11 Affordable housing is allowed within all residential zoning categories.

Open Space Element

OS1.3.2 Open space within the Wekiva Study Area (WSA) and Wekiva River Protection Ordinance area shall be defined as the land area that remains undeveloped or minimally developed, such as trails and boardwalks, as part of a natural resource preserve or passive recreation area and shall include land preserved for conservation purposes. Within a development site, the County shall require that a minimum quantity of developable area remain preserved, which shall represent the minimum open space requirement. The minimum required open space shall exclude water bodies, wetlands, residential lots, street rights-of-way, parking lots, impervious surfaces, and active recreation areas. Minimum required open space may include permeable stormwater management areas using Best Management Practices. Golf courses shall be generally excluded with the exception that areas of a golf course outside of the regularly maintained fairways that are naturally vegetated and not subject to chemical application may be credited toward the minimum open space requirement. The minimum required

quantity of open space within a development site shall be calculated over the net developable area of a parcel, which is defined as the total area of a parcel less wetlands and natural water bodies. Non-developable areas, including wetlands and natural water bodies, are recognized as protected features but shall not be credited toward the minimum open space requirement.

OS1.3.4

Development and redevelopment within the Wekiva Study Area shall provide as much open space as possible. All new residential subdivisions or developments that may be located entirely or partially within the Wekiva Study Area are required to cluster to the maximum extent feasible to preserve open space. Such clustering is intended to be density neutral, and lot sizes may be adjusted as needed to accommodate preserved open space. Priority for open space protection shall be given to the following resources required to be protected by the Wekiva Parkway and Protection Act: the most effective recharge areas; karst features; and sensitive natural habitats including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub vegetative communities.

The purposes of “open space design” within a development are to minimize site disturbance, reduce land development costs, reduce infrastructure costs, provide more cost-effective and efficient site infrastructure, provide better management of facilities, and permanently protect open space while remaining density and intensity neutral. By January 1, 2007, the Land Development Code shall include requirements and incentives for open space/conservation subdivision design including minimum open space requirements, maximum lot size and design standards.

Open space shall be primarily larger, contiguous parcels rather than in linear strips to encourage maintenance of rural views, lifestyles, and economies and shall be comprised mainly of existing undisturbed natural areas. To the extent possible, preserved open space shall be used to create corridors and larger parcels more suitable for passive recreation, low-intensity agriculture, silviculture, aquifer recharge protection, or wildlife and habitat management, so that remnant open space areas are not created that are unusable or function as private open space to only a small percentage of the development. If a project is located next to off-site open space whose primary function is conservation of natural resources, connection of open space with compatible functions is required. “Compatible” means similar or complementary such as uplands adjacent to wetlands or isolated wetlands within flatwoods or scrub areas.

Open space property shall be preserved through publicly recorded, permanent conservation easements or similar legal instruments to preclude future development or further subdivision of the land while ensuring maintenance of and appropriate access to the open space areas in perpetuity. Preserved areas

shall be owned in common by a property owners' association, a public agency, a land trust, or another appropriate entity. This open space shall be used for conservation, aquifer recharge protection, passive recreation, low intensity agriculture, or silviculture. Agriculture and silviculture operations shall adhere to the appropriate BMPs as adopted by the Florida Department of Agriculture and Consumer Services.

Limited structures for common use or under common ownership may be allowed within the open space preserve areas, areas other than wetlands, conservation mitigation areas, conservation easements or wetland protective buffers. Homeowners' personal property and residential accessory structures shall be prohibited. Individual potable water wells shall be allowed in open space areas adjacent to homes if site conditions warrant and allow such.

OS1.3.6

For that 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 Area Agreement (JPA) with the City of Apopka adopted on October 26, 2004. If a discrepancy exists between the City of Apopka and Orange County in terms of requirements, the most stringent shall apply. The County shall adopt Land Development Regulations by January 1, 2007 for these areas to provide for a pattern of development that protects most effective recharge areas, karst features, and sensitive natural habitats.

All areas shown as High Recharge Areas identified in the Data and Analysis of this element on Map 4 (aka Figure WSA-3) shall be recognizable by the presence of Type "A" Hydrologic Soil Group identifying the most effective recharge areas.

During the site planning process, a soil analysis shall be performed by a qualified professional to determine the location of most effective recharge areas, considered Type "A" Hydrologic soils described by the NRCS Soil Survey maps.

To maximize open space and preserve the natural environment, all development shall conform to the following requirements.

An acceptable alternative plan to a configuration in which the required percentage of open space is located on site is a plan that ensures that the required percentage of open space is permanently preserved through the transfer of density credits, development rights, or property purchases (such off-site transfers shall be limited to property located within the Wekiva Springshed), and such open space shall be permanently protected through conservation easements or similar binding mechanisms. (Added 10/10, Ord. 2010-13)

The following text describes areas of Orange County that contain special criteria for open space. For these following areas, all open space shall be permanently protected and unless otherwise noted, the clustering of open space is required.

E. Residential land uses in the Urban Service Area (not in a Rural Settlement).

Within the Urban Service Area in the Wekiva Study Area, any sensitive resource elements shall be permanently protected. Minimum open space shall be provided as follows:

- 1) Development with an overall size less than or equal to 100 acres – open space shall be 35% or greater;

Neighborhood Element

- OBJ N1.1** Maintain the residential character of neighborhoods through land use regulations.

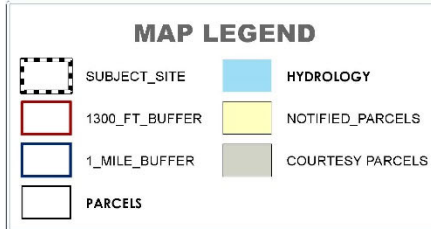
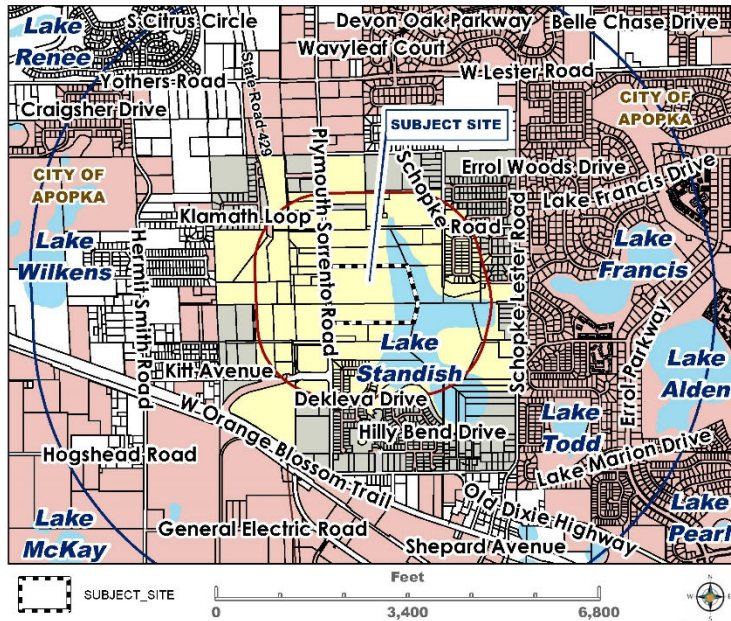
Site Visit Photos

Subject Site	Subject Site
	
North of Subject Site	South of Subject Site
	
East of Subject Site	West of Subject Site
	

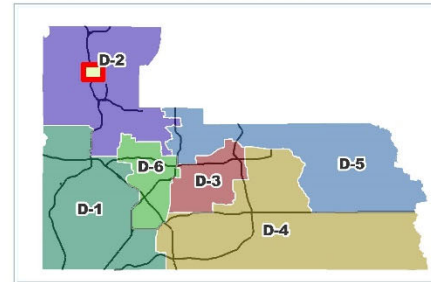


Public Notification Map

2022-1-A-2-1 (Plymouth Sorrento)



BUFFER DISTANCE: 1300
OF NOTICES: 434



S:\Business Systems\Board Administration\3_FLUA\2022\2022-1\2022-1-A-2-1 (Plymouth Sorrento)\2022-1-A-2-1.mxd

Notification Area

- 1300' buffer
- 434 notices sent

"THE MIRA" MULTIFAMILY & "THE WATERS" SENIOR LIVING

LAND USE PLAN
CASE NUMBER LUP-22-01-009
PARCEL ID: 06-21-28-7172-05-050; 28-21-06-7172-04-010
CERTIFIED AFFORDABLE HOUSING
ORANGE COUNTY, FL
APRIL 2022

LINE	BEARING	DISTANCE
L1	N02° 42' 20" W	1002.87
L2	N89° 39' 39" E	1412.13
L3	S12° 44' 50" E	696.47
L4	S12° 42' 31" W	346.57
L5	S89° 44' 59" W	1477.63

LINE TABLE

LOCATION MAP (N.T.S.)

SOIL LEGEND

- 1. UNDESIGNED FLOOD PLAIN
- 2. UNDESIGNED FLOOD PLAIN
- 3. UNDESIGNED FLOOD PLAIN
- 4. UNDESIGNED FLOOD PLAIN
- 5. UNDESIGNED FLOOD PLAIN

SOIL INDEX

C-1 LAND USE PLAN

LEGAL DESCRIPTION

LOTS 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

SITE DATA TABLE

NAME OF PROPERTY	APPLICANT	PROJECT TYPE	DATE
"THE MIRA" MULTIFAMILY	BOHLER & ASSOCIATES, INC.	RESIDENTIAL	04/2022
"THE WATERS" SENIOR LIVING	BOHLER & ASSOCIATES, INC.	RESIDENTIAL	04/2022

CONSERVATION AREA DETERMINATION:

CONSERVATION AREA DETERMINATION: 28.33 ACRES

STORMWATER MANAGEMENT:

STORMWATER MANAGEMENT: 116,000 GPD

CONTACTS:

- BOHLER & ASSOCIATES, INC.
- BOHLER & ASSOCIATES, INC.
- BOHLER & ASSOCIATES, INC.
- BOHLER & ASSOCIATES, INC.
- BOHLER & ASSOCIATES, INC.

NOTES:

1. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE FLORIDA LAND USE REGULATORY CODE (FLDRC) AND THE FLORIDA ZONING REGULATORY CODE (FZRC).
2. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE FLORIDA LAND USE REGULATORY CODE (FLDRC) AND THE FLORIDA ZONING REGULATORY CODE (FZRC).
3. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE FLORIDA LAND USE REGULATORY CODE (FLDRC) AND THE FLORIDA ZONING REGULATORY CODE (FZRC).
4. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE FLORIDA LAND USE REGULATORY CODE (FLDRC) AND THE FLORIDA ZONING REGULATORY CODE (FZRC).
5. THE SITE IS TO BE DEVELOPED IN ACCORDANCE WITH THE FLORIDA LAND USE REGULATORY CODE (FLDRC) AND THE FLORIDA ZONING REGULATORY CODE (FZRC).

LEGEND:

- RESIDENTIAL
- RESIDENTIAL
- RESIDENTIAL
- RESIDENTIAL
- RESIDENTIAL

SCHOOL AGE POPULATION:

SCHOOL AGE POPULATION: 116,000

TRIP GENERATION CALCULATION:

USE	Land Use	Area	Rate	Trips	Peak Hour
RESIDENTIAL	Single-Family Residential	100,000	0.42	42,000	100
RESIDENTIAL	Multi-Family Residential	100,000	0.42	42,000	100
RESIDENTIAL	Senior Housing	100,000	0.42	42,000	100
RESIDENTIAL	Other Residential	100,000	0.42	42,000	100
RESIDENTIAL	Commercial	100,000	0.42	42,000	100
RESIDENTIAL	Industrial	100,000	0.42	42,000	100
RESIDENTIAL	Office	100,000	0.42	42,000	100
RESIDENTIAL	Public	100,000	0.42	42,000	100
RESIDENTIAL	Other	100,000	0.42	42,000	100
RESIDENTIAL	Net Change in Trips	1,160,000	0.42	483,120	116

REVISIONS:

REV#	DATE	COMMENT
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

BOHLER & ASSOCIATES, INC.

BOHLER & ASSOCIATES, INC.

LAND USE PLAN

LAND USE PLAN

DOMINIUM

DOMINIUM

RECEIVED

RECEIVED

ORDINANCE NO. 2022-_____

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2022 CALENDAR YEAR (FIRST CYCLE); AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan;

c. On July 12, 2022, the Board of County Commissioners held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendment to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

31 attached hereto and incorporated herein.

32 * * *

33
34 ***Section 4. Effective Dates for Ordinance and Amendment.***

35 (a) This ordinance shall become effective as provided by general law.

36 (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment
37 adopted under this ordinance becomes effective until 31 days after the DEO notifies the County
38 that the plan amendment package is complete. However, if an amendment is timely challenged,
39 the amendment shall not become effective until the DEO or the Administration Commission issues
40 a final order determining the challenged amendment to be in compliance.

41 (c) No development orders, development permits, or land uses dependent on this
42 amendment may be issued or commence before the amendment has become effective.

43

44

45 ADOPTED THIS 12th DAY OF JULY, 2022.

46

47

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

48

49

50

51

By: _____
Jerry L. Demings
Orange County Mayor

52

53

54

55

56 ATTEST: Phil Diamond, CPA, County Comptroller
57 As Clerk to the Board of County Commissioners

58

59

60

61 By: _____
62 Deputy Clerk

63
64
65
66
67

APPENDIX “A”
FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately-Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2022-1-A-2-1	Low Density Residential (LDR)	Medium Density Residential (MDR)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		

68