APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 06 2011 CAS/BS

EFFECTIVE DATE
JAN 21 2012

ORDINANCE NO. 2011-16

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "2010-2030 COMPREHENSIVE PLAN," BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3187(1), FLORIDA STATUTES, FOR THE 2011 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

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

Section 1. Legislative Findings, Purpose, and Intent.

a. On July 1, 1991, the Orange County Board of County Commissioners adopted a new comprehensive plan pursuant to Sections 163.3161-163.3215, Florida Statutes, known as the "Local Government Comprehensive Planning and Land Development Act" ("Act"), which 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. The Board of County Commissioners ("Board") adopted this comprehensive plan, known as the "1990-2010 Comprehensive Policy Plan" ("1990-2010 CPP") by Ordinance No. 91-16;

c. The Board amended the 1990-2010 CPP numerous times between 1992 and 2000;

d. On December 5, 2000, the Board adopted Ordinance No. 2000-25, which, inter alia, renamed the 1990-2010 CPP as the "2000-2020 Comprehensive Policy Plan ("2000-2020 CPP");

e. The Board amended the 2000-2020 CPP a number of times between 2000 and 2009;

f. On May 19, 2009, pursuant to Chapter 163, Florida Statutes, the Board adopted the Evaluation and Appraisal Report amendments by Ordinance No. 2009-15, which, *inter alia*, renamed the 2000-2020 CPP as the "2010-2030 Comprehensive Plan" ("2010-2030 Comprehensive Plan," or "Comprehensive Plan");

g. On August 30, 2011, the Orange County Local Planning Agency ("LPA") held a public hearing on transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance, and recommended transmittal of those proposed amendments to the Department of Economic Opportunity ("DEO") and other reviewing agencies;

h. On August 30, 2011, the Board held a public hearing on transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance, and decided to transmit those proposed amendments to DEO;

i. On October 12, 2011, the County staff received a letter from DEO relating to its review of the proposed amendments to the Comprehensive Plan as described in this ordinance;

j. On November 17, 2011, the LPA held a public hearing at which it reviewed and made recommendations regarding adoption of the proposed amendments to the Comprehensive Plan as described in this ordinance; and

k. On December 6, 2011, the Board held a public hearing on adoption of the proposed amendments as described in this ordinance, and decided to adopt them.

Section 2. ***Authority.*** This ordinance is adopted in compliance with and pursuant to the Act, now known as the "Community Planning Act," Sections 163.3161-163.3217, Florida Statutes, as amended.

Section 3. ***Amendments to Future Land Use Map.*** The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at Appendix "A," attached hereto and incorporated herein;

Section 4. ***Amendments to the Text of the Future Land Use Element.*** The Comprehensive Plan is hereby further amended by amending the text of the Future Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words:

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

Amendment Number	**Adopted FLUM designation**	**Maximum Density/ Intensity**	**Ordinance Number**
2006-1-D-4-1 Innovation Place	Planned Development (PD)-Low Medium Density Residential (LDR)/ Medium Density Residential (MDR)/ Innovation Way Activity Center (IWAC)/Urban Service Area Expansion	Single family residential – 665 dwelling units on 154.85 acres Multi-family residential – 377 dwelling units on 17.03 acres Innovation Way Activity Center – consists of 476.28 acres containing up to 729 single family dwelling units and up to 3,729 multi-family dwelling units at a maximum density of 100 dwelling units per acre Retail – 1,235,000 square feet Office – 2,267,000 square feet Hotel – 200 rooms Institutional – 32.45 acres	2007-11

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
		Parks/open space/undeveloped uplands – 114.36 acres Roads – 66.5 acres Easements – 7 acres Future Interchange ROW – 13 acres Preserved wetland areas – 382.4 acres Surface waters – 40.4 acres Total = 1,284 acres for the entire DRI	
2007-2-A-1-1 Northeast Resort Parcel	PD-Low Density Residential/ Commercial (Timeshare)	Low density residential – 241 acres with a maximum density of 4 dwelling units per acre and a maximum development program of 573 dwelling units; Commercial (Timeshare) – 8 acres with a maximum density of 3.0 Floor Area Ratio (FAR) and a maximum development program of 60 units	2007-18
2007-2-A-2-5 Clarcona Ocoee Rd	PD-Low Medium Density Residential (LMDR)	8.84 acres with a maximum density of 10 dwelling units per acre for a maximum development program of 57 dwelling units	2007-18
2007-2-A-4-1 Sadler Rd	PD-Low Density Residential	100 acres with a maximum density of 4 dwelling units per acre for a maximum development program of 400 dwelling units	2007-18
2007-2-A-6-1 Swiss and LeGrange	PD-Medium Density Residential (MDR)	10.23 acres with a maximum density of 20 dwelling units per acre for a maximum development program of 205 multi-family	2007-18

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
		dwelling units.	
2007-1-A-1-1 Black Lake Rd	Growth Center-Commercial (Urban Service Area Expansion (USA)) (Tourist Commercial)	Commercial – minimum 0 square feet to maximum of 150,000 square feet hotel/ timeshare/age-restricted multi-family – minimum 363 units to maximum of 1,354 units Maximum trip generation for the project is 12,081 ADT (Average Daily Trips) and may be achieved by a single use or a combination of uses within the above minimum/maximum range	2008-05
2007-1-A-4-1 Boggy Creek Rd	Planned Development (PD) – Commercial (USA Expansion)	Commercial – 170,000 square feet	2008-05
2007-1-A-5-3 Addison Place	PD-High Density Residential (HDR)/ Student Housing	418 student housing units	2008-05
2008-1-A-1-1 Bay Ct/Reams Rd	Village Specific Area Plan – Townhome/ Apartment; Greenbelt/ APF Park and Conservation	Residential development at a maximum density of 12 dwelling units per acre on 12.5 net developable acres for a maximum development program of 72 units	2008-09
2008-1-A-4-1 Starwood	Planned Development (PD)-Low-Medium Density Residential (LMDR) / Medium Density Residential (MDR) / Innovation Way	4,700 single family, townhome and multi-family residential dwelling units on approximately 800 acres; Innovation Way Activity Center on approximately 897 acres	2008-09

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
	Activity Center (IWAC) / Urban Service Area Expansion	containing up to 4,300 townhome and multi-family dwelling units at a maximum density of 100 dwelling units per acre; approximately 1,475,000 square feet of retail; approximately 2,200,000 square feet of office; approximately 2,200,000 square feet of high-tech/flex industrial; approximately 1,350,000 square feet of light industrial; and 500 hotel rooms Additional acreage will be used for institutional uses, park / open space / undeveloped uplands; roads, preserved wetlands and buffers	
2008-1-A-4-2 Fieldstream	PD-Office/ Commercial/ Institutional/ Industrial/ Conservation	150,000 square feet of non-residential development specifically consisting of 72,500 square feet of commercial/retail and 77,500 square feet of office -and- 140,000 square feet of non-residential development specifically consisting of 112,000 square feet of flex space/light industrial/ warehousing and office support uses which are limited to 20% of the total equaling 28,000 square feet	2008-09
2008-1-A-4-3	PD-Institutional/	1,000,000 square feet of hospital and internalized or physically	2008-09

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
Boggy Creek Rd	Conservation	connected support uses; 450 dwelling units of multi-family residential; 250 rooms of hotel; 100,000 square feet of retail; 299,000 square feet of office; heliport; cell tower and related facilities. A maximum of 1,399,000 square feet of hospital; hospital support, office and retail uses; 450 dwelling units of multi-family uses and 250 hotel rooms or their equivalent shall be allowed without a further amendment to the CP. Land uses may be converted from one use to another based on equivalent trips, provided that the revised development program continues to comply with adopted County standards and does not exceed any development of regional impact threshold.	
2008-1-A-4-5 Gondola (TOD)	PD-C/O/MDR	239 single family/multi-family dwelling units 19,000 square feet office 19,000 square feet commercial	2008-09
2008-1-A-4-4 Morgran	Planned Development–Commercial/Low-Medium Density Residential/Parks and Recreation/ Open Space	237,400 square feet commercial 250 m/f units 6,000 square feet clubhouse	2008-21

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
	(PD-C/LMDR/PR/OS)	26 acre park	
2008-2-A-3-1 Dean Rd Partnership	Planned Development – Commercial (PD-C)	251,690 square feet of commercial with a 0.60 FAR	2008-21
2010-1-A-1-2 East Crown Point	Planned Development-Industrial (PD-IND)	546,214 s.f. light industrial 96,389 s.f. office	2010-07
2010-1-A-2-1 Lake Apopka Growth Center	Creation of a new Growth Center (GC)-Planned Development-Aviation/Industrial/ Commercial/Office (PD-Aviation/ IND/C/O)	750,000 s.f. aviation 2,800,000 s.f. industrial 50,000 s.f. commercial 150,000 s.f. office All impacts to the Lake County transportation network shall be mitigated. Transportation impacts on Lake County's transportation network shall be addressed prior to PD/LUP.	2010-07
2010-1-A-4-1 Lake Barton	Planned Development – Commercial/Low Density Residential (PD-C/LDR)	49,530 s.f. commercial 10 single family dwelling units	2010-07
2010-1-A-4-3 Bonnemaison	Planned Development – Commercial/Office/ Medium Density Residential (PD-C/O/LMDR)	50,000 s.f. commercial 100,000 s.f office 86 dwelling units	2010-07

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
2010-1-A-4-5 Tyson's Corner	Planned Development – Commercial/Office/ Religious/Assisted Living Facility (PD-C/OREL/ALF)	Commercial – 163,000 s.f.* Office – 110,000 s.f.* And one of or a combination of the following: Assisted Living – up to 150 units** or Church – 50,000 s.f. plus 10,000 s.f. of ancillary uses** *Maximum ADT for the 20.19 acre C/O portion of the project is 10,765 ADT. **Maximum trip generation for the 8.70 acre REL/ALF portion of the project is 1,600 ADT, which may be achieved by a single use or a combination of uses listed above.	2010-07
2010-2-A-1-1 US 192 Growth Center Addition (Lake Gifford)	Growth Center/ Resort/PD (GC/R/PD)	97 resort housing/timeshare units 8,820 sq. ft commercial	2010-13
2010-1-A-2-2 The Parks at Mount Dora	Planned Development – Office/ Low Medium Density Residential (PD-O/LMDR) and Expansion of the Northwest Growth Center (GC)	75,000 sq .ft. office 280 multi-family senior housing units	2010-13
2010-2-A-2-1	Planned Development-	Commercial – 1,281,000 sq. ft.	2010-13

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
Maitland FDOT	Commercial (PD-C)		
2010-2-A-2-2 Maitland Blvd. Apartments	Planned Development-High Density Residential (PD-HDR)	Multi-family dwelling units – 560	2010-13
2010-2-A-4-1 Boggy Creek Land Holdings	Planned Development-Low Density Residential (PD-LDR)_	N/A (stormwater pond)	2010-13
2010-2-A-4-2 Avalon Park Blvd.	Planned Development-Commercial/Low Density Residential (PD-C/LDR)	Commercial - 50,000 sq. ft. Townhomes - 19	2010-13
2010-1-A-4-3 Pioneers Development	Planned Development-Commercial/Office/Medium Density Residential /Rural Settlement 1/2(PD-C/O/MDR/RS 1/2)	Office – 30,000 sq. ft. Commercial –125,000 sq . ft. Multi-family dwelling units – 275 Religious Institution – 120,000 sq. ft	2010-13
2010-1-A-5-2 Ravaudage	Planned Development-Commercial/Office/Medium Density Residential/ Institutional/Parks and Recreation/ Open Space (PD-C/ O/MDR/INST/	Multi-family – 390 dwelling units Hotel – 320 rooms Commercial – 265,169 sq. ft. Office – 772,737 sq. ft. Fire station	2010-13

Amendment Number	Adopted FLUM designation	Maximum Density/ Intensity	Ordinance Number
	PR/OS)		
2011-2-A-1-1	***Planned Development – Assisted Living Facility (PD-ALF)***	***120 beds***	***2011-__***
2011-2-A-1-2 ***Chancellor Investments***	***Planned Development – Commercial/Office(PD-C/O) Rural Settlement (RS)***	***Commercial/Office – 40,000 sq. ft.*** ***Office 9,999 sq. ft.***	***2011-__***

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

* * *

C1.2.16 Orange County shall develop a street sweeping plan that addresses the routine collection and disposal of nutrient laden leaf litter, sediment, trash and other debris within Orange County. When applicable the street sweeping plan shall take into account any Total Maximum Daily Load, Basin Management Action Plan (BMAP), or National Pollution Discharge Elimination System (NPDES) requirements. ~~In order to prevent these materials from entering the stormwater systems that drain to our surface waters, the activities should be performed at a minimum frequency of monthly for commercial/industrial areas and bi weekly in residential areas.~~

Section 11. Effective Dates for Ordinance and Amendments. This ordinance shall become effective as provided by general law, but if any plan amendments described in this

ordinance are challenged, pursuant to Section 163.3184(5)(e), Florida Statutes, the challenged plan amendments shall not become effective until the Department of Economic Opportunity or the Administration Commission issues a final order determining the adopted amendments to be in compliance. However, no development orders, development permits, or land uses dependent on these amendments may be issued or commence before these amendments have become effective.

ADOPTED THIS 6th DAY OF December, 2011.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

Teresa Jacobs
Orange County Mayor

ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

Deputy Clerk

s:\vmonaco\ordres\2011-2 comp plan reg cycle bcc ordinance final.docx

APPENDIX "A"

FUTURE LAND USE MAP AMENDMENTS

APPENDIX "B"

FUTURE LAND USE ELEMENT MAP SERIES ADDITION

MAP 21: WEKIVA INTERCHANGE LAND USE PLAN OVERLAY

Appendix A*

Privately Initiated Future Land Use Map Amendments

Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2011-2-A-1-1	Low Density Residential (LDR)	Planned DevelopmentPlanned Development - Assisted Living Facility (PD-ALF)
2011-2-A-1-2	Rural Settlement 1/1 (RS 1/1)	Planned Development-Commercial/Office(PD-C/O) Rural Settlement (RS)

Staff Initiated Map Amendments

Amendment Number	Future Land Use Map Amendments:
2011-2-B-FLUM-1	(Countywide-Multiple Parcels) Map amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County and assigning Future Land Use Map designations for those that were inadvertently removed
2011-2-B-FLUM-2	(Countywide-Multiple Parcels) Map amendment to the Future Land Use Map consistent with Conservation Element Policy C1.4.4 to change the designations for Green PLACE properties from Rural (R) and/or Parks and Recreation/Open Space (PR/OS) to Preservation (PRES)

*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.

ABBREVIATIONS: LDR - Low Density Residential; LMDR - Low Medium Density Residential; MDR - Medium Density Residential; O - Office; C - Commercial; IND - Industrial; PD - Planned Development; R - Rural / Agricultural; RS - Rural Settlement; GC- Growth Center; REL - Religious; ALF - Assisted Living Facility; EDU - Education; PR/OS - Parks and Recreation/Open Space; PRES - Preservation; USA - Urban Service Area; FLUM - Future Land Use Map

01-30-12A03:10 RCVD

ORANGE COUNTY GOVERNMENT FLORIDA

INTEROFFICE MEMORANDUM

Date: January 25, 2012

To: Barbara Snell, Document Coordinator
Comptroller Clerk of the BCC

From: R. Wayne Bennett, Chief Planner RWB
Comprehensive Planning Section

Subject: Effective Date of 2011-2 Regular Cycle Development Comprehensive Plan Amendments

Attachment: DEO Letter of Receipt

On **December 6, 2011** the Board of County Commissioners adopted the 2011-2 Regular Cycle Amendments to the Orange County Comprehensive Plan.

The Florida Department of Economic Opportunity (DEO) notified the Planning Division that they reviewed the adopted amendments in accordance with the expedited state review process and did not identify any provision that necessitated a challenge of the Ordinance adopting the amendments.

- 2011-2-A-1-1
- 2011-2-A-1-2
- 2011-2-B-FLUM-1
- 2011-2-B-FLUM-2
- 2011-2-B-FLUE-2
- 2011-2-B-B-CONS-1

Therefore, in accordance with the 31-day appeal period, the effective date for the 2011-2 Regular Cycle Amendments adopted by **Ordinance #2011-16** is **January 21, 2012**.

Please contact me if you have any questions or need additional information.

RWB/bd

cc: Susan E. Caswell, AICP, Manager, Planning Division
2011-2 Regular Cycle Amendment File
Read File

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Doug Darling
EXECUTIVE DIRECTOR

December 21, 2011

RECEIVED
DEC 27 2011
Planning Manager

Ms. Susan E. Caswell, AICP
Planning Manager
Orange County Planning Division
201 South Rosalind Avenue, 2nd Floor
Orlando, Florida 32802-1393

Dear Ms. Caswell:

Thank you for submitting the **Orange County's** plan amendment No. **11-1ESR** adopted by **Ordinance No. 2011-16 on December 6, 2011,** for our review pursuant to the Expedited State Review process. The adopted package was received by the Department on **December 20, 2011.**

We have conducted a preliminary inventory of the plan amendment package to verify the inclusion of all required materials. The submission package was determined to be complete on **December 21, 2011**, and your adopted plan amendment will be reviewed pursuant to the process set forth in Chapter 163.3184(3), Florida Statutes. Once the review is underway, you may be asked to provide additional supporting documentation by the review team to ensure a thorough review.

If you have any questions, please contact James Stansbury, Regional Planning Administrator who will be overseeing the review of the amendments (850) 717-8512.

Sincerely,

D. Ray Eubanks, Administrator
Plan Review and Processing

DRE/ts

cc: Andrew Landis, Regional Planner III, East Central Florida RPC

Rick Scott
GOVERNOR

FLORIDA DEPARTMENT of ECONOMIC OPPORTUNITY

Doug Darling
EXECUTIVE DIRECTOR

January 19, 2012

The Honorable Teresa Jacobs
Mayor, Orange County
201 South Rosalind Avenue
Orlando, Florida 32802

Dear Mayor Jacobs:

The State Land Planning Agency (the Agency) has completed its review of the comprehensive plan amendment adopted by Orange County on December 21, 2011 (Amendment No. 11-1ESR). We have reviewed the amendment in accordance with the expedited state review process set forth in Sections 163.3184(2), (3) and (5), Florida Statutes (F.S.), and have identified no provision that necessitates a challenge of the Ordinance adopting the amendment, pursuant to Section 163.3184(3), F.S.

If this plan amendment is not challenged by an affected person, the amendment will become effective 31 days after the Agency notified the local government that the plan amendment package was complete. If this plan amendment is challenged by an affected person, the amendment will not become effective until the State Land Planning Agency or the Administration Commission enters a final order determining the amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

We appreciate the opportunity to work with the County staff in the review of the amendment. If you have any questions relating to this review, please contact Ashley Porter, at (850) 717-8502, or by email at Ashley.Porter@deo.myflorida.com.

Sincerely,

James D. Stansbury
Regional Planning Administrator

JDS/ap

cc: Susan Caswell, AICP, Planning Manager, Orange County
Cathy Foerster, AICP, Intergovernmental Planner, St. Johns River Water Management District
George Kinney, Acting Executive Director, East Central Florida Regional Planning Council

RECEIVED
JAN 23 2012
Planning Manager

An equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TDD equipment via the Florida Relay Service at 711