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Friday, September 16, 2016

The Honorable Teresa Jacobs, Mayor
Orange County Board of County Commissioners
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Orlando, Florida 32801
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VIA EMAIL

Re: The Grow, Lake Pickett South, Rezoning LUP-16-01-002

Dear Mayor Jacobs and Commissioners,

1000 Friends of Florida, Inc. (1000 Friends) is a statewide not-for-profit membership organization which provides public advocacy related to planning and growth management issues in Florida. As you know, 1000 Friends provided written comments to Orange County on the already held comprehensive plan amendment hearings for the text amendment and map amendments facilitating the Lake Pickett North and Lake Pickett South developments. This correspondence provides additional comments on rezoning petition LUP-16-01-002 to facilitate Lake Pickett South, also referred to as The Grow, which is scheduled for September 20, 2016.

1000 Friends requests the Orange County Board of County Commissioners postpone its hearing on The Grow so that the applicant may provide additional traffic analysis. Should the Board of County Commissioners consider the rezoning petition on September 20, 1000 Friends urges the county to deny LUP-16-01-002 because the proposed rezoning is not consistent with the Orange County comprehensive plan. This letter also proposes modifications to the proposed rezoning for the county's consideration which would reduce negative external impacts of the project.

I. Background

Rezoning petition LUP-16-01-002 is an application made by Project Finance & Development, LLC (the Applicant) which would change the zoning designation of approximately 1,190 acres in eastern Orange County located north of East Colonial Drive, south of Lake Pickett Road and east of the Econlockhatchee River to the Planned Development District. The rezoning would facilitate a proposed development comprising 2,078 residential dwelling units and 172,000 square feet of commercial development. The proposed project is outside of the Orange County Urban Service Area.

II. Orange County should postpone rezoning hearing

If the Board of County Commissioners approves Rezoning petition LUP-16-01-002, the proposed development would be governed in part by The Grow PD Regulating Plan Form Based Standards dated June 2016 (Regulating Plan).

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2016-09-20 Public Hearing D5 EX-05 Thomas Hawkins

Section 3.0 Street Types of the Regulating Plan includes a street hierarchy diagram showing the location of roads within the proposed The Grow development. Since June 2016—the date of the Regulating Plan’s finalization—Orange County and the applicant have discussed the proposed street hierarchy leading to possible changes to the road network which the Board of County Commissioners is likely to discuss as part of the hearing on petition LUP-16-01-002.

Paragraph (5) of Section 38-1205, “Land use plan requirements,” of the Orange County Code of Ordinances requires proposed changes in zoning to the Planned Development District designation to include the “location of collector and arterial streets and highways proposed in the development, right-of-way widths, the location of access points to abutting streets and highways, and projected traffic generation based on established standards.” Paragraph (6) of Section 38-1205 requires applicants to identify “planned right-of-way lines” for proposed developments when changing zoning to the Planned Development District.

Because the proposed street hierarchy may not represent the proposed development of The Grow, the Board of County Commissioners should postpone its hearing so that the Applicant may provide additional traffic analysis showing the anticipated traffic generation and distribution onto surrounding roadways.

III. The Grow is not consistent with comprehensive plan

The proposed The Grow development is not consistent with Orange County Comprehensive Plan 2010-2030. The county’s comprehensive plan employs an urban service area concept as a policy tool to facilitate cost-effective provision of urban services and to control the desired development pattern of Orange County. Future Land Use Element Policy 1.1, literally the first policy in the Orange County Comprehensive Plan, states “Urban uses shall be concentrated within the Urban Service Area.” The Grow, however, is urban development outside of the Urban Service Area. The proposed rezoning does not further this central principal of the comprehensive plan. Instead, it runs contrary to the “big idea” for organizing urban development in Orange County.

Further, the proposed rezoning is not consistent with the following comprehensive plan provisions:

- Future Land Use Element Policy 1.1.4, paragraph H, which describes the development allowed in the rural service area as “appropriate for locations in which residents prefer a rural lifestyle with limited services.”
- Future Land Use Element Goal 6 which states that Orange County “will manage land uses within the Rural Service Area, including agricultural lands, [and] environmental land ... so as to conserve these assets and their values.”
- Future Land Use Element Objective 8.2 which states “[c]ompatibility will continue to be the fundamental consideration in all land use and zoning decisions” and Future Land Use Element Policy 8.2.1 which states “[I]and use changes shall be required to be compatible with the existing development and development trend in the area.”

Because of these inconsistencies, the Board of County Commissioners should deny rezoning petition LUP-16-01-002, The Grow.

IV. Proposed condition to protect wetlands, surface waters and habitat

Should the Board of County Commissioners not deny rezoning petition LUP-16-01-002, 1000 Friends urges the county to condition its approval so as to limit the proposed development’s adverse environmental impacts.

The land subject to rezoning petition LUP-16-01-002 includes wetlands, surface waters and significant animal habitat. According to the Orange County Environmental Protection Division, “developing portions

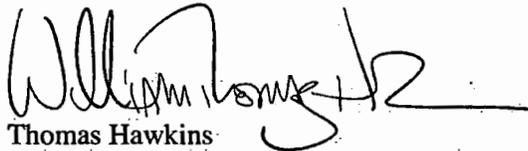
of this area of ecological significance would diminish the functionality of the area as a greenway and move the land use from a state of higher sustainability to a state of lower sustainability... .”

To limit this expected environmental harm, the Board of County Commissioners should add the following paragraph to the list of conditions under which it considers approving rezoning petition LUP-16-01-002:

- “The Grow PD includes surface water bodies and approximately 351 acres of wetlands. Regardless of wetland size and without exception, development in The Grow PD shall not impact wetlands. Uplands shall be provided to buffer development from wetlands and surface waters as follows: (1) for wetlands and surface waters which are less than 1/2 acre in size, the buffer width shall be a minimum of 35 feet and an average of 50 feet, (2) for wetlands and surface waters which are greater than 1/2 acre in size, the buffer width shall be a minimum of 50 feet and an average of 75 feet, and (3) for wetlands or surface waters where federally and/or state regulated vertebrate wetland or aquatic dependent animal species have been documented within 300 feet of a surface water or wetland, the buffer width shall be a minimum of 75 feet and an average of 100 feet.”

Again, 1000 Friends greatly appreciates your attention to these comments. Should you have any questions, please do not hesitate to contact me at (352) 377-3141 or thawkins@1000fof.org.

Sincerely,



Thomas Hawkins
Policy and Planning Director

Cc: Orange County Planning Division, planning@ocfl.net