



Interoffice Memorandum

AGENDA ITEM

September 3, 2015

TO: Mayor Teresa Jacobs
—AND—
Board of County Commissioners

FROM: Jon V. Weiss, P.E., Director *JVW*
Community, Environmental and Development
Services Department

**CONTACT PERSON: Alberto Vargas, MArch., Manager
Planning Division
407 836-5354**

SUBJECT: September 22, 2015 — Consent Item
City of Orlando / Orange County Interlocal Agreement

In November of 2013, Orange County objected to the City of Orlando's proposed annexation and the growth management plan amendment, related to the Southeastern Oaks area located east of Narcoossee Road and immediately north of the Osceola County boundary. Subsequently, the County initiated a conflict resolution procedure with the City, which resulted in the adoption of an Interlocal Agreement for the Southeastern Oaks and Narcoossee Road Corridor Study Area (the "SE Oaks ILA") on March 25, 2014.

The SE Oaks ILA included a provision that within an 18-month period, the City and County would negotiate in good faith and enter into a separate interlocal agreement implementing certain general planning principles for the Narcoossee Roadway Corridor Study Area. The 18-month period ends on September 25, 2015.

County and the City staff have worked closely together and developed the Interlocal Agreement providing general development guidelines and standards for the Narcoossee Roadway Corridor Study Area. The Agreement covers properties fronting the eastern side of Narcoossee Road from Kirby Smith Road to Tyson Road. The proposed standards ensure maintaining a transition from higher densities and intensities along the properties immediately abutting the east side of Narcoossee Road to lower densities and intensities abutting the Lake Hart/Lake Whippoorwill Rural Settlement.

Page Two
September 22, 2015 — Consent Item
City of Orlando / Orange County Interlocal Agreement

The proposed Interlocal Agreement is scheduled to be considered for approval by the Orlando City Council at its meeting on September 21, 2015.

ACTION REQUESTED: Approval of Interlocal Agreement for a Joint Planning Area between the City of Orlando and Orange County. District 4

JVW/AV:js

Attachments

SEP 22 2015 *CAS/LC*



Interlocal Agreement for a Joint Planning Area between the City of Orlando and Orange County

This Interlocal Agreement for Joint Planning Area (the "Agreement") is made by and between the City of Orlando, a municipality existing under Florida Law ("City") and Orange County, Florida, a charter county and political subdivision of the State of Florida ("County").

WHEREAS, the City and County agreed to enter into an interlocal agreement as described in the Interlocal Agreement Between Orange County, Florida, and the City Of Orlando, Florida, Regarding the Southeastern Oaks Area and the Narcoossee Roadway Corridor Study Area (Doc. 140317C22); and

WHEREAS, more specifically, the City and the County agreed in that earlier Interlocal Agreement to enter into an interlocal agreement to provide certain general planning principles for the Narcoossee Roadway Corridor Study Area as described herein; and

WHEREAS, it is the intent of the City and County to work together in a spirit of cooperation to avoid contention with respect to future lawful annexations in the Study Area, and the County will not object to annexations that comply with Chapter 171, Florida Statutes.

NOW, THEREFORE, in consideration of the Interlocal Agreement Between Orange County, Florida, and the City Of Orlando, Florida, Regarding the Southeastern Oaks Area and the Narcoossee Roadway Corridor Study Area (Doc. 140317C22), the City and County agree as follows:

1. Joint Planning Area. The Narcoossee Roadway Corridor Study Area (the "Study Area") is generally the land lying east of Narcoossee Road between Tyson Road on the south and Kirby Smith Road on the north, and bounded by Lake Whippoorwill to the east, as more particularly depicted in **Exhibit A** to this Agreement.
2. Lake Hart/Lake Whippoorwill Rural Settlement and Lake Whippoorwill. The City and the County recognize the importance of protecting the visual, residential and environmental character of the Lake Hart/Lake Whippoorwill Rural Settlement (the "Rural Settlement") and Lake Whippoorwill, which both adjoin the Study Area to the east. Accordingly, in the event the City annexes or has annexed any portion of this Study Area and considers an application to amend the City's Growth Management Plan (the "GMP") or an application for a development order for the area annexed, the City will provide and maintain a transition from higher densities and intensities along the properties immediately abutting the east side of Narcoossee Road to lower densities and intensities abutting the Rural Settlement and Lake

Whippoorwill. The City's GMP is the City's "Comprehensive Plan" for purposes of Florida's Community Planning Act, Part II, Chapter 163, Florida Statutes.

3. North-South Street. The City and the County will plan for and establish a north-south connector street or cross-access corridor running roughly parallel to Narcoossee Road connecting Kirby Smith Road on the north and Tyson Road on the south (the "north-south street"), with the ultimate alignment generally matching the alignment of the segments of the north-south street shown on planned development land use plans, as adopted by the County or the City. The north-south street shall be generally located at the transition between the higher and lower intensity of development, as depicted on **Exhibit B**, and it shall accommodate vehicular and pedestrian traffic and, when feasible, on-street parking.
4. Buffer Areas. A minimum 100 foot wide buffer from the mean high water line of Lake Whippoorwill shall remain undeveloped, as depicted in **Exhibit A**. The area may be planted with native species, and invasive species must be removed as a condition of any future development order. A minimum 25 foot wide buffer shall be required along any property line adjacent to a property within the Rural Settlement, as also depicted in **Exhibit A**. If such adjacent property is ever annexed or removed from the Rural Settlement before the 25 foot wide buffer is established, the 25 foot wide buffer requirement may be eliminated, but the property being developed will remain subject to the regular buffering requirements of the applicable land development code.
5. Lake Whippoorwill. To reduce potential adverse water quality impacts to Lake Whippoorwill resulting from urban development within the Study Area, stormwater retention and detention designed to serve development shall not be permitted within the 100 foot wide buffer area. However a secondary system, such as a bioswale, may be allowed in order to prevent overland stormwater flow from discharging into Lake Whippoorwill. In addition, the use of one or more Low Impact Development (LID) techniques, as described in the Orange County LID Manual, shall be strongly encouraged for all future urban development on properties within the Study Area.
6. Design Guidelines. In order to create a cohesive area, the following design guidelines shall be addressed at the time of zoning or site plan approval: Narcoossee Road frontage and setbacks, architectural details, street cross sections, pedestrian connections, block length, lighting, signage, location and type of stormwater facilities, and building height and orientation.
7. Comprehensive Plan Amendments to be Adopted. By not later than March 31, 2016, the City agrees to hold a public hearing to consider adopting a GMP amendment substantially similar or preferably identical to **Exhibit C** and the County likewise agrees to hold a public hearing to consider adopting a Comprehensive Plan amendment substantially similar or preferably identical to **Exhibit D**. Both amendments shall reference this Agreement. However, nothing in this Agreement is intended to unlawfully impair the future legislative discretion of either the City

Council or the County Commission. Both parties recognize that comprehensive plan amendments are legislative decisions that must be made in accordance with the procedures provided by Florida and local law. Nothing herein shall be construed to bind either the City Council or County Commission to make any particular legislative decision, but if either party does not adopt its substantially similar or identical plan amendment by the March 31, 2016 deadline, then either party may invoke the dispute resolution procedures described in Section 10 of this Agreement.

8. **Development Plans.** Property owners within the Study Area may submit plans for development prior to the effective date of the Comprehensive Plan or GMP amendments referenced in Section 7 above. However, these plans may not be approved if they are not consistent with this Agreement or before the proposed Comprehensive Plan or GMP amendments referenced in **Exhibit C** and **Exhibit D** have been adopted.
9. **Notices of Annexations, Comprehensive Plan Amendments, Rezoning, and Other Development Applications.** The County shall provide the City with specific notice for any proposed comprehensive plan amendment, rezoning, subdivision or site development plan application for all unincorporated lands in the Study Area. Likewise, the City shall provide the County with specific notice for any annexations, growth management plan amendments, rezonings, subdivision or site development plan application for all lands in the Study Area. The required notice shall be provided at least 10 business days prior to any public hearing. Upon written request, either party may obtain a copy of the relevant application or proposal and the staff report. Notices shall be sent to the following officials and addresses:

As to County: County Administrator
Orange County Administration Building
201 S. Rosalind Avenue, 5th Floor
Orlando, Florida 32801
Chris.Testerman@ocfl.net

With copy to: Planning Manager
Orange County Planning Division
Orange County Administration Building
201 S. Rosalind Avenue, 5th Floor
Orlando, Florida 32801
Alberto.Vargas@ocfl.net

As to City: City of Orlando
Chief Administrative Officer
400 South Orange Avenue
Orlando, Florida 32801
Byron.Brooks@cityoforlando.net

With a copy to: City of Orlando

Director of Economic Development
Economic Development Department
400 South Orange Avenue
Orlando, Florida 32801
Brooke.Bonnett@cityoforlando.net

Either party may change its address or contact information by written notice to the other party.

10. Dispute Resolution. The City and the County shall utilize the alternative dispute resolution process provided by the Florida Governmental Conflict Resolution Act (Chapter 164, Florida Statutes) to resolve any irreconcilable dispute between them that may arise from the implementation of this Agreement.
11. Termination Date. The term of the Agreement is 15 years from its recording in the official records of Orange County, but shall automatically extend beyond that date for consecutive one year terms unless either the City or County delivers a written notice of nonrenewal to the other party at least nine months prior to the applicable termination date.
12. Effective Date. This Agreement shall take effect upon the recordation of the Agreement in the official records of Orange County.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates written below.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: Teresa Jacobs
Teresa Jacobs, Mayor

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

By: Craig Stopynka
Deputy Clerk

Date: SEP 22 2015, 2015

CITY OF ORLANDO, FLORIDA

By: Buddy Dyer
Buddy Dyer, Mayor

ATTEST: Celeste Brown
Orlando City Clerk

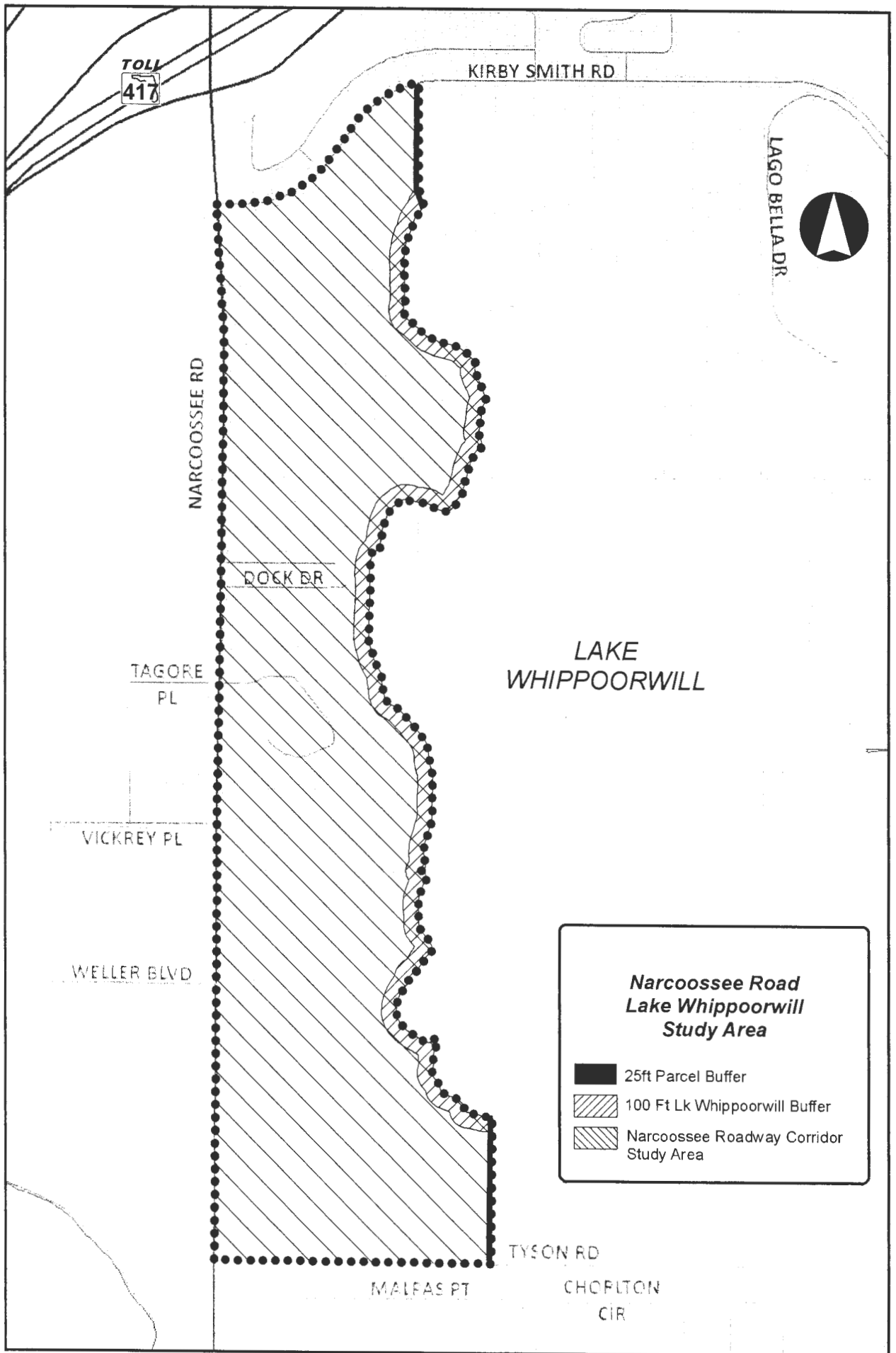
By: Celeste Brown

Date: 10/13/2015, 2015



Exhibit A

EXHIBIT A



**Narcoossee Road
Lake Whippoorwill
Study Area**

- 25ft Parcel Buffer
- 100 Ft Lk Whippoorwill Buffer
- Narcoossee Roadway Corridor Study Area

Exhibit B

EXHIBIT B

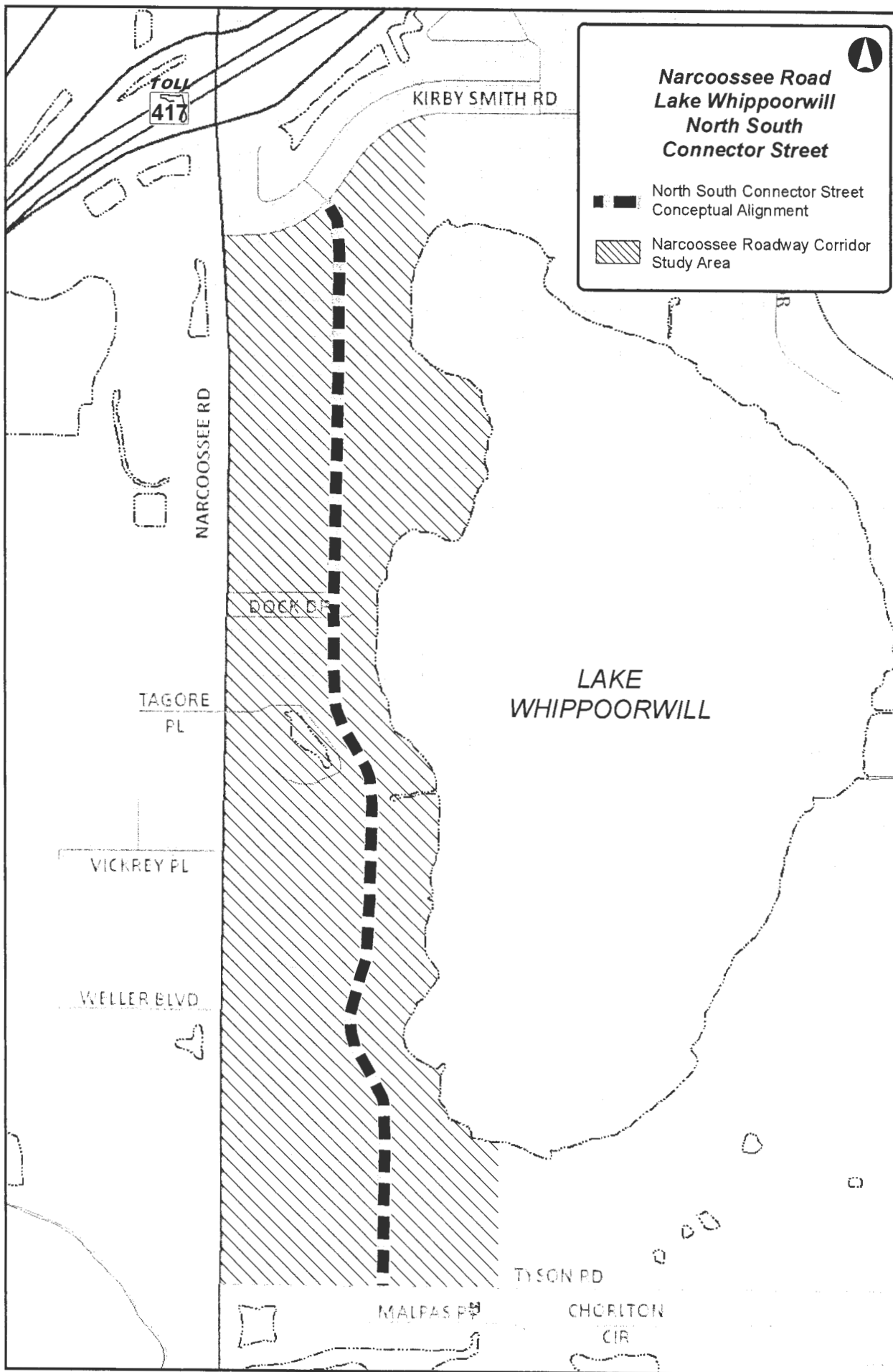


Exhibit C

EXHIBIT C

City of Orlando Growth Management Plan Proposed Subarea Policy Narcoossee Road/Lake Whippoorwill Area

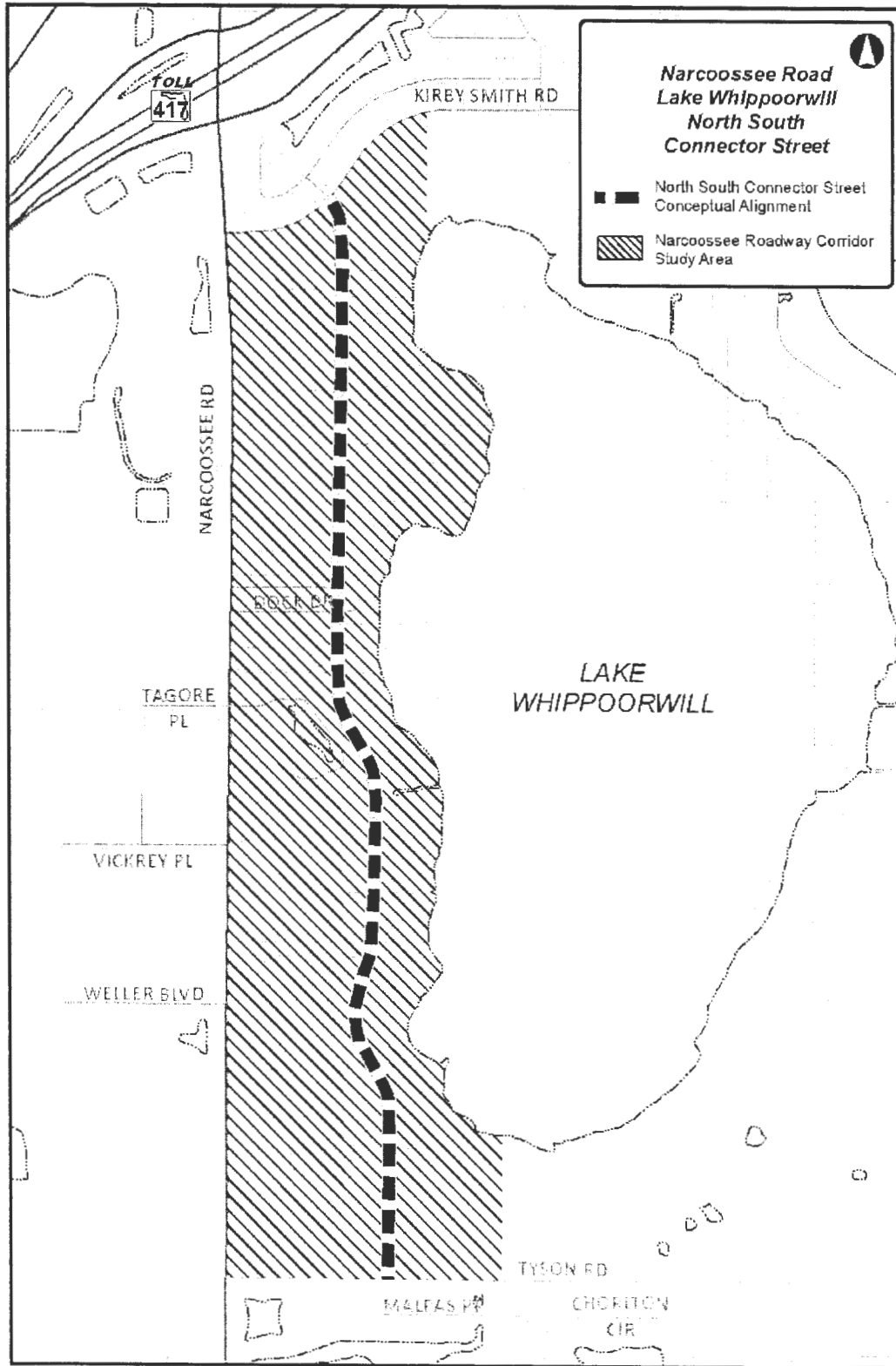
Subarea Policy S.40.6: Narcoossee Road/Lake Whippoorwill Area

In order to create an area of transition in intensity and density from urban uses to the west, to rural uses in the east, properties within this subarea that are annexed into the City shall be zoned Planned Development (PD). The PD zoning ordinance(s) shall be consistent with the following principles. Additional site-specific conditions of approval may also be included in the PD.

1. A minimum 100 foot wide buffer from the mean high water line of Lake Whippoorwill shall remain undeveloped. The area may be planted with native species, and invasive species must be removed.
2. A minimum 25 foot wide buffer is required along any property line adjacent to a property within the Orange County rural settlement area. If such adjacent property is annexed or removed from the rural settlement, the buffer may be eliminated, but may be subject to further site plan review or a PD amendment.
3. Docks may be limited or prohibited by zoning ordinance, depending on the intensity of the use.
4. To minimize potential adverse water quality impacts to Lake Whippoorwill resulting from urban development within the Study Area, stormwater retention and detention designed to serve development shall not be permitted within the 100 foot buffer area. However a secondary system, such as a bioswale, may be allowed in order to prevent overland stormwater flow from discharging into Lake Whippoorwill. In addition, the use of one or more Low Impact Development (LID) techniques, as described in the Orange County LID manual shall be required.
5. The height limit within 400 feet of the Lake Whippoorwill mean high water line shall not exceed two stories. In all other areas, the maximum height shall not exceed four stories. This will accomplish a building height transition downward from west to east, with the highest structures and density/intensity fronting Narcoossee Road.
6. Development plans of adjacent properties shall be carefully coordinated to ensure that a road or cross-access drive connects each property along Narcoossee Road to a property with a signalized intersection or a full median opening. At least one new north/south road, shown on Exhibit 1, will be required in addition to cross access drives. If adjacent properties have not yet redeveloped, stub-outs will be required. Pedestrian connections shall also be required.
7. A maximum number of generated daily trips shall be included in each PD. Projects which are projected to generate more than 1,000 daily trips shall still be required to submit a traffic impact study meeting the methodology established by Transportation Planning Division staff at the time of application as per City Code.
8. Each PD that includes a residential component shall meet the neighborhood parks level of service (LOS) on-site. Multi-use trails that meet City standards, pool/clubhouse areas, active park space, or other use as approved in a PD may count toward LOS. Passive recreation or natural areas do not count toward LOS but are encouraged as open space.
9. The mix of uses shall adhere to Exhibit 2 and may be further defined in a growth management plan amendment or a zoning application. The allowable uses may be amended within the Planned Development zoning application in order to deal with site specific constraints or transitioning of uses.
10. If the County adopts a community signage program the City shall consider participating.

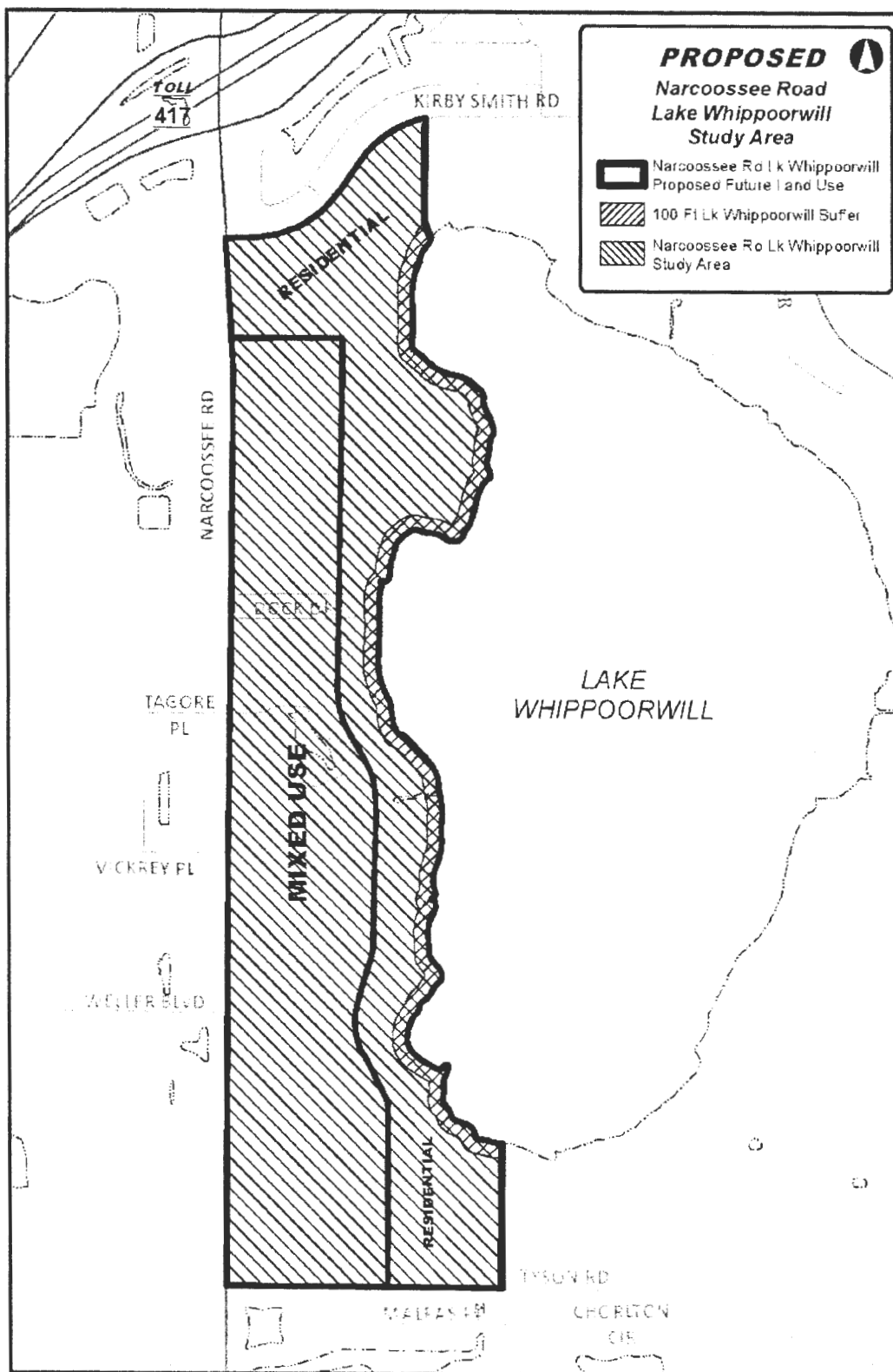
11. Prohibited uses. The following land uses are prohibited:
 - a. Labor pools and labor halls as defined by Chapter 448, Florida Statutes.
 - b. Any business in which a material part of its service includes loaning money secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance, and retail installment lenders.
 - c. Any business commonly known as "check cashing" establishment, or any business in which a material part of its service includes offering loans secured by future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies.
 - d. Tattoo, body art, and body piercing establishments.
 - e. Pawnshops, as defined by the Florida Pawnbroking Act.
 - f. Bail bond agencies, as defined by Chapter 648, Florida Statutes.
 - g. Flea markets.
 - h. Automobile sales and rentals.
 - i. Fortune tellers, tarot card readers, palm readers, psychics, and like establishments.
 - j. Mobile food vending.
 - k. Bottle clubs, as defined by the Florida Beverage Law.
 - l. Parking, principal use.
 - m. Personal storage.
 - n. Retail, intensive.
 - o. Service, intensive.
 - p. Service, automotive.
 - q. Service, major vehicle.
12. Notice of Annexations, Comprehensive Plan Amendments and Rezonings. The County shall provide the City with specific notice for any proposed comprehensive plan amendment or rezoning for all unincorporated lands in the joint planning area. The City shall provide the County with such specific notice for any annexations, growth management plan amendments and rezonings for all lands in the joint planning area. Notice shall be provided fifteen (15) business days prior to any public hearing. Upon written request, either part may obtain a copy of the application or proposal and the staff report.
13. This Subarea Policy is in accordance with the Interlocal Agreement for a Joint Planning Area between City of Orlando and Orange County (effective _____).

Exhibit 1



City of Orlando, Economic Development Department, August, 2015

Exhibit 2



City of Orem, Economic Development Department, May 13, 2015

Exhibit D

EXHIBIT D

Orange County Comprehensive Plan Proposed Future Land Use Element Policies Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area

- FLU6.3.1** Orange County shall continue to address development impacts to the **Lake Hart/Lake Whippoorwill Rural Settlement** from adjacent properties in the City of Orlando via agreements or studies.
- FLU6.3.1.1** The Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study refers to properties fronting the eastern side of Narcoossee Road from Kirby Smith Road to Tyson Road. A map depicting this Study Area shall be incorporated into the Future Land Use Element Map Series as Map 19.
- FLU6.3.1.2** To recognize the importance of protecting the visual, residential and environmental character of the Lake Hart/Lake Whippoorwill Rural Settlement and Lake Whippoorwill, which both adjoin the Study Area to the east, Orange County and the City of Orlando have entered into an interlocal agreement to provide certain general planning principles for the Narcoossee Roadway Corridor Study Area (depicted on Map 19 of the Future Land Use Map Series) in the event the City annexes or has annexed any portion of this Study Area and considers an application to amend the City's Growth Management Plan or an application for a development order for the area annexed. The interlocal agreement provides standards that ensure maintaining a transition from higher densities and intensities along the properties immediately abutting the east side of Narcoossee Road to lower densities and intensities abutting the Rural Settlement and Lake Whippoorwill, which are generally similar to standards outlined in Policies FLU6.3.2 through FLU6.3.4.2.
- FLU6.3.2** On November 18, 2008, the Narcoossee Road-Lake Hart/Lake Whippoorwill Rural Settlement Study was presented to the Board of County Commissioners (BCC). The study's intent was to provide sound planning guidelines along the east side of Narcoossee Road in keeping with development occurring in the City of Orlando to the west, and to transition the intensity of land uses from Narcoossee Road east to the Rural Settlement in order to protect the Rural Settlement and Lake Whippoorwill. Policies FLU6.3.2 through FLU6.3.4.2 shall apply only to properties with direct frontage on the east side of Narcoossee Road between Kirby Smith Road and Tyson Road in the Lake Hart/Lake Whippoorwill Rural Settlement. Nothing in these policies shall be construed to convey entitlements of development rights.
- To address the specific and unique issues affecting the Lake Hart/Lake Whippoorwill Rural Settlement, applications for development approval for property fronting on Narcoossee Road in the Lake Hart/Lake Whippoorwill Rural Settlement shall be processed as Planned Developments (at both the Comprehensive Plan amendment and the rezoning stage) to ensure compatibility with the Rural Settlement.
- FLU6.3.2.1** Upon adoption by the Board of County Commissioners, a property which is granted a future land use change to Planned Development (PD) pursuant to Policy FLU6.3.2 will be included in the Urban Service Area (with the exception of the portion of the PD that retains a rural settlement designation pursuant to policies FLU6.3.2 and FLU6.3.2.2, which will remain in the Rural Settlement). As part of the application

submittal, the applicant must demonstrate that the request is consistent with Orange County's goals for the Narcoossee Road corridor and must identify three development zones: a 'frontage zone' which abuts Narcoossee Road; a 'transition zone' which is the area east of the 'frontage zone', and the third development zone which is the 'rural settlement zone' adjacent to Lake Whippoorwill.

FLU6.3.2.2 Compatibility requirements shall address transitional uses, appropriate mass and scale of structures, architectural features, increased buffers, and other performance standards deemed appropriate during review by the Development Review Committee.

Proposed future land use changes that include commercial uses also shall be consistent with the requirements of FLU1.4.3 through FLU1.4.15.

To provide transition between development occurring on Narcoossee Road and the land adjacent to the lake that will remain in the Rural Settlement, development standards shall be incorporated into the land development code to address the following:

- A. Building Height Transition.** Building heights and density and intensity of land uses within this Study Area shall transition downward from west to east, with the highest structures and highest density and intensity fronting Narcoossee Road, and development on the eastern boundary of the Study Area remaining compatible with the Rural Settlement, consistent with Policy FLU6.2.14.
- B. Cross Access.** To minimize ingress and egress onto Narcoossee Road from the Study Area, and/or to provide access to properties remaining within the Rural Settlement, development within the Study Area shall construct an accessway. The accessway shall generally be oriented north and south and located at the transition between the higher and lower intensity of development. It shall accommodate vehicular and pedestrian traffic and, when feasible, on-street parking. The accessway will also be included within a cross-access easement to adjacent developments, consistent with approved land use plans. Additionally, shared parking may be approved by Orange County on a case-by-case basis.
- C. Access Management.** Any access to Tyson Road or Kirby Smith Road shall be designed to discourage trips heading east into the rural settlement.
- D. Physical Buffering.** Development on the eastern boundary of the Study Area must remain compatible with the Rural Settlement. A minimum of 300 feet from the normal high water elevation of Lake Whippoorwill shall be retained and included in the 'rural settlement zone'. The western boundary of the 'rural settlement zone' shall generally align with the approved Rural Settlement boundary of the adjacent Planned Developments within the Study Area (if any), consistent with the approved land use plans. This land may be utilized for: single family detached housing at a maximum density of one (1) dwelling unit per two (2) acres of developable land; passive open space incorporating walks or trails; or, conservation through protective covenants running with the land. Along with this transitional use, buffers between Study Area development and adjacent Rural Settlement properties shall be similar to those required in the Code between residential and non-residential uses.

E. Management and Protection of Rural Settlement Lands and Resources. Those portions of the Study Area that will be preserved as part of the Lake Hart/Lake Whippoorwill Rural Settlement shall be protected and managed to preserve the natural resources and vegetation that provides wildlife habitat and a visual buffer between urban and rural land uses. All Planned Development-Land Use Plans shall incorporate natural resource inventories and land management practices designed to:

1. Maintain, and supplement where possible, the height and opacity of existing tree canopy and understory vegetation;
2. Remove or manage invasive vegetation; and
3. Reduce the direct flow and increase the quality of stormwater to Lake Whippoorwill.

F. Stormwater Management. Stormwater retention and detention facilities designed to serve urban development may be permitted in the 'rural settlement zone', providing that all design standards for stormwater management facilities are met and such facilities are not located closer than 100 feet from the normal high water elevation of Lake Whippoorwill. However a secondary system, such as a bioswale, may be allowed within that 100 feet in order to prevent overland stormwater flow from discharging into Lake Whippoorwill. In addition, the use of one or more Low Impact Development (LID) techniques approved by the County shall be strongly encouraged for all urban development within the Study Area. The purpose of utilizing Low Impact Development stormwater design techniques is to reduce pollutants entering Lake Whippoorwill by: capturing those pollutants close to the source; utilizing existing natural features and resources as stormwater filtering systems; and ensuring that stormwater retention and detention facilities are integrated into the overall project plan and designed, constructed, and maintained as project amenities.

FLU6.3.2.3 (Moved - Delete policy but include reference in GOPS as deleted)

FLU6.3.2.4 Allowable uses as part of the Planned Development shall be as follows:

- A. Office.** P-O (Professional Office) uses for offices including, but not limited to, doctor's offices, attorney's offices, real estate offices, mortgage and finance offices and tax consultant services;
- B. Commercial.** Limited C-1 (Retail Commercial District) uses for neighborhood commercial and community-scale commercial and office development, such as small neighborhood-serving retail, eating and drinking places, and personal services.

Professional office (P-O) and retail commercial (C-1) uses may be allowed subject to the following:

1. The maximum intensity (Floor Area Ratio) for any site where professional office and/or retail commercial may be allowed shall be limited to 0.35;
2. Retail commercial uses shall be restricted to sites within the 'frontage zone' that have direct access (one of the approaches to the intersection is either

internal to the subject property or abuts the subject property) to: an existing signalized intersection with Narcoossee Road; or direct access to an intersection that is consistent with minimum spacing standards for signalized intersections;

3. Retail commercial uses shall be limited to the amount of square feet of non-residential use consistent with a neighborhood center, as defined through Comprehensive Plan Policy FLU1.4.6.
 4. Strip commercial shall be prohibited;
 5. Professional office uses shall be permitted to locate anywhere within a Planned Development outside of the 'rural settlement zone' and may be developed in conjunction with retail commercial uses; however, office uses will not count toward the square footage limitation identified in Policy FLU1.4.6; and
 6. The size and shape of sites where professional office/retail commercial uses may be allowed shall be compact and oriented to a signalized intersection.
- C. **Residential.** Residential uses shall be permitted consistent with the following criteria:
1. The maximum density within the 'frontage zone' and 'transition zone' shall be limited to that permitted under the Low Medium Density Residential (LMDR) future land use designation. The maximum density within the 'frontage zone' may be increased to the Medium Density Residential (MDR) when the 'transition zone' is used as a sending area and the units are transferred out of the 'transition zone' to the 'frontage zone' using the conversion matrix identified in corresponding overlay district. Once the units are transferred out of the 'transition zone' that area can only be used for stormwater, parking, or open space.
 2. The total number of dwellings that would be permitted under the Medium Density Residential (MDR) and Low Medium Density Residential (LMDR) future land use designations may be developed as single family detached, attached or multifamily housing types, subject to the limitations described below.
 - a. Multifamily three stories or higher shall be restricted to the 'frontage zone'.
 - b. Where residential dwellings are planned in the 'transition zone' to abut lands remaining within the 'rural settlement zone', single family detached or attached dwellings are permitted. The number of attached units within a single building shall be limited, and buildings shall generally be oriented toward the 'rural settlement zone'. In addition, attached dwelling buildings shall be spaced in a manner compatible with the spacing of residential dwellings within the Rural Settlement.

FLU6.3.3 Development of property in the Lake Hart/Lake Whippoorwill Rural Settlement consistent with Policy FLU6.3.2 and/or existing or planned central utility services on

or near Narcoossee Road or in the Lake Hart Planned Development shall not be the sole justification to allow increased land use intensity. Future adjacent uses with greater density or intensity shall be designed to produce minimal impact on local roads within the Lake Hart/Lake Whippoorwill Rural Settlement.

- FLU6.3.4** New development fronting on Lakes Hart or Whippoorwill shall take into consideration existing tree canopy and wetland areas in project design. The County may apply reasonable performance standards to address impacts of building height and lighting on adjacent development and on view corridors from the lake. The County also may require connectivity of recreational facilities, such as equestrian and multi-use trails, between the properties included in the Study Area and development north and south of the study area. Orange County shall impose restrictions on the use of watercraft and access to lakes. Restrictions on lake access are not intended to apply to the development of a single-family home on a lot of record in the Rural Settlement, so long as applicable Land Development Code and State standards are met.
- FLU6.3.4.1** The County will establish a community identification signage program for the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area that will recognize the physical boundaries of the area and will be used for identification of landmarks and historically significant features. The signage program shall be adopted by ordinance and shall apply to properties within the Study Area Boundary, as identified in Policy FLU6.3.2.
- FLU6.3.4.2** Planned Development – Land Use Plans (PD-LUP) within the Narcoossee Road – Lake Hart/Lake Whippoorwill Rural Settlement Study Area Boundary, as identified in Map 19 of the Future Land Use Map Series, approved prior to November 19, 2013 have been determined to be consistent with Policies FLU6.3.1.1 – FLU6.3.4.2 as approved by Ordinance 2009-28 and shall not be subject to revisions of the specified policies after that date with the following two exceptions: (a) a future land use map amendment is requested on a parcel for which a PD-LUP had been previously approved; or (b) a change to a previously approved PD-LUP is requested that increases density or intensity of an approved use. Subject to approval by the Board of County Commissioners, the County may determine to limit the scope or applicability of revised plan policies to the subject property based on the type and characteristics of the proposed future land use map amendment or PD-LUP change.