

ORDINANCE NO. 1281

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, AMENDING THE CITY OF MAITLAND FUTURE LAND USE MAP SERIES – MAP 1 AND MAP 2-YEAR 2030, FUTURE LAND USE MAP, TO REFLECT ANNEXATION OF PROPERTY LOCATED WEST OF SUMMIT CENTRE WAY AND SOUTH OF MAITLAND BOULEVARD, WHICH IS MORE SPECIFICALLY DESCRIBED AS, LOT 2, SUMMIT SOUTH-PHASE 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 31, PUBLIC RECORDS OF ORANGE COUNTY, FLORIDA; AND TO AMEND THE ORANGE COUNTY FUTURE LAND USE CATEGORY ON THE PROPERTY FROM A MEDIUM DENSITY RESIDENTIAL LAND USE CATEGORY TO A CITY OF MAITLAND MIXED OFFICE/ RESIDENTIAL/COMMERCIAL LAND USE CATEGORY; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 163.3187, Florida Statutes, provides for a local government to amend a local government comprehensive plan; and

WHEREAS, on September 27, 2010, the City Council adopted a comprehensive plan by Ordinance No. 1201, entitled Maitland Comprehensive Development Plan 2030, pursuant to Chapter 163, Florida Statutes; and

WHEREAS, on December 8, 2014, the City Council annexed Lot 2 (Conservation) Summit South-Phase 5, by Ordinance 1262, pursuant to Chapter 171, Florida Statutes; and

WHEREAS, the City of Maitland must establish a City of Maitland Future Land Use Category for the site to transition from an Orange County Future Land Use Category, following the annexation; and

WHEREAS, it is the desire of the City of Maitland to ensure that future development balances land use and transportation and future development is directed in a harmonious pattern with existing development and the natural environment; and

WHEREAS, the Local Planning Agency held a public hearing on April 16, 2015, to provide for public comment; and

WHEREAS, the Maitland Local Planning Agency, at its meeting on May 7, 2015, recommended approval of the amendment (subject to the Planning and Zoning Commission Recommendation Report for Petition No. 2015-02 (ALU) dated May 7, 2015); and

WHEREAS, the Maitland Local Planning Agency has found the amendment to the Comprehensive Development Plan to be internally consistent, and that the revised plan will promote the public health, safety, welfare, economic order and aesthetics of both the region and the community; and

WHEREAS, the City Council concurs in the foregoing findings; and

WHEREAS, in accordance with Sections 163.3184, 163.3187 and 166.041, Florida Statutes, the City has advertised and held two public hearings, on April 16, 2015, and June 22, 2015 to consider the adoption of the amendment to the Future Land Use Map; and

NOW THEREFORE, BE IT ENACTED by the City Council, that:

SECTION 1. The Future Land Use Map - Map 1, 2030 CDP is amended to:

1. Change the Land Use Category of Lot 2, Summit South-Phase 5, recorded in Plat Book 38, page 31, Public Records of Orange County, Florida, also described with an Orange County Property Appraiser parcel identification number of 27-21-29-8618-00-020; from an Orange County Medium

Density Residential Land Use Category (MDR) to a City of Maitland Mixed Office/Residential/Commercial (MORC) Land Use Category as evidenced on Exhibit A, attached hereto and incorporated herein.

SECTION 2. Future Land Use Map Series - Map 2, Year 2030, Future Land Use Map. Unincorporated Planning Area is amended to remove the land use category for the property described herein as the property is no longer unincorporated, as evidenced on Exhibit B, attached hereto and incorporated herein.

SECTION 3. Severability Clause. In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal or unenforceable term, provision, clause, sentence or section did not exist.

SECTION 4. Ordinances and Resolutions in Conflict. All ordinances or resolutions or parts thereof, which may be determined to be in conflict herewith, are hereby repealed.

SECTION 5. Effective Date. The effective date of this plan amendment shall be the date a final order is issued by the DEO or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the DEO.

ADOPTED by the City Council of the City of Maitland, Florida, on the 13th day of July, 2015.

CITY OF MAITLAND, FLORIDA

By:

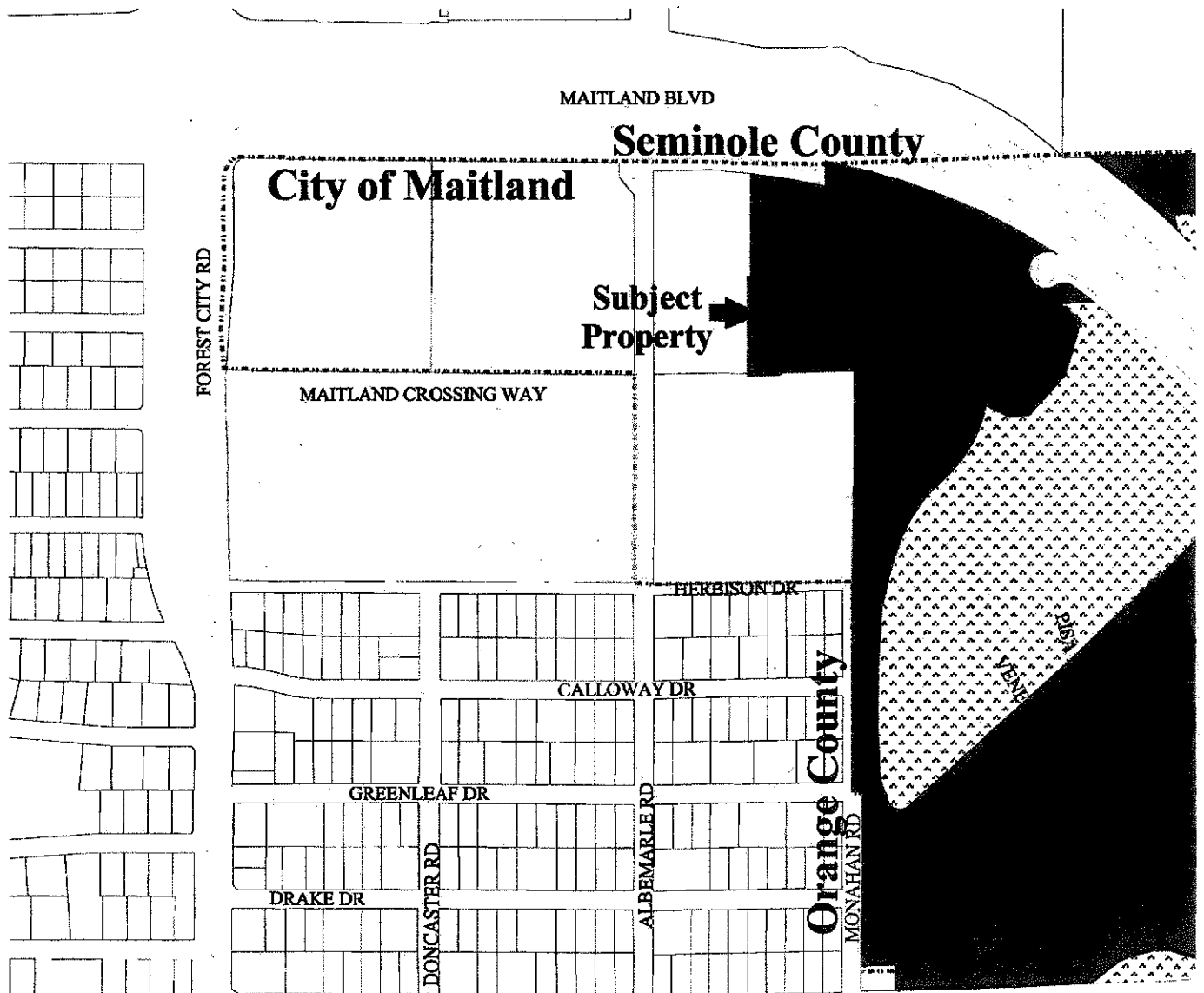
A. Dale McDonald, Mayor

Attest:

Maria Waldrop, City Clerk



Exhibit A
Future Land Use Map
Parcel 27-29-29-8618-00-020
2015-02(ALU)

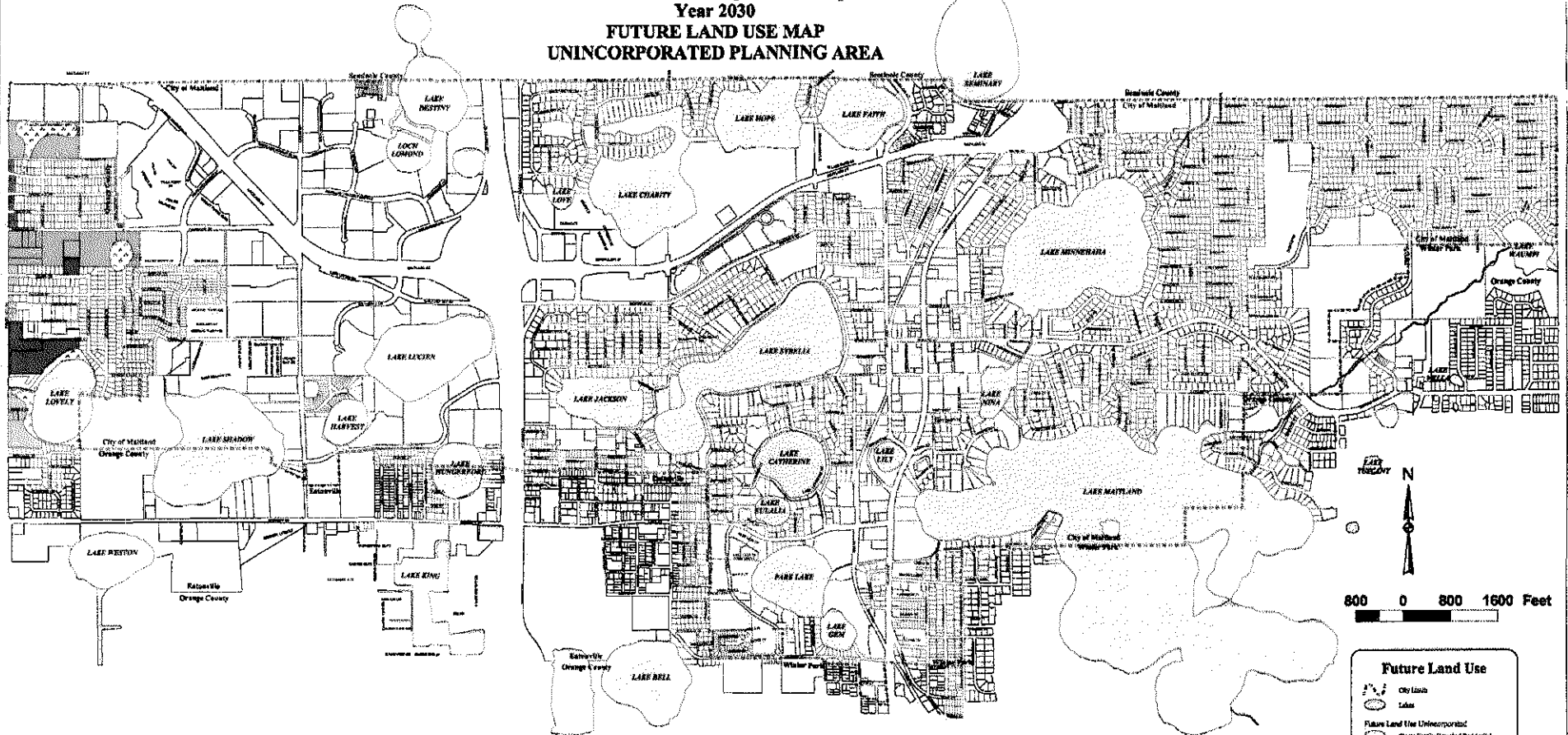


Future Land Use Legend

Maitland Future Land Use

-  **Mixed Office/ Residential/ Commercial**
-  **Conservation**

EXHIBIT B
Future Land Use Map Series - Map 2
Year 2030
FUTURE LAND USE MAP
UNINCORPORATED PLANNING AREA



Future Land Use

- City Limits
- Lakes
- Future Land Use Unincorporated**
- Single Family Detached Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Office Commercial (Professional Office)
- County Commercial
- Public/Local Public
- Cemetery

This map is prepared for planning purposes only and is not a survey. Every effort has been made to produce and publish the most accurate information possible. No warranty, expressed or implied, is provided for the data herein, in use or in interpretation. Contact the City of Maitland Community Development Department for all Future Land Use verification.

Conservation areas depicted on the Future Land Use Map are not intended for official regulatory purposes and shall require site specific analysis and protection measures consistent with the Conservation Elements of the City of Maitland's Comprehensive Development Plan.

Please note: The Office Commercial north of Maitland Boulevard, east of I-4, shall be developed only for Professional Office use, and shall have a maximum height of thirty-five (35) feet.

Source: City of Maitland Community Development Department, October 2004, 2010
 Orange County Property Appraiser (2015-2016)

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 Layout: EXHIBIT B
 Plotted: 05.18.15 12:00pm





City of Maitland
1776 Independence Lane
Maitland, Florida 32751
407-539-6212

Conservation Tract

PETITION FOR AMENDMENT TO THE COMPREHENSIVE DEVELOPMENT PLAN

CONTENTS:

- 1) Application Requirements
- 2) Petition Form

Application Requirements

1. The A complete written application for an amendment to the Comprehensive Development Plan shall be submitted to the zoning administrator by no later than the close of business on the last regular City business day in December to be considered for cycle one review and no later than the close of business by the last regular City business day in June for cycle two amendment process. Cycle two processing will commence following adoption of cycle one amendment(s), unless otherwise approved by City Council. Cycle two will follow all sequential review, application material submission and processing requirements specified herein for Cycle one, with the exception of exact review months for each step may be adjusted depending on the adoption date for Cycle one amendment(s).

The Zoning Administrator will examine the application and request that the applicant supply additional information or clarify ambiguities, if any, in the application within five (5) working days of application submittal. If corrections are requested, the applicant shall have five (5) working days to make all requested changes. Incomplete applications will not be accepted.

The applicant can find specific information with regard to this process in Chapter 7.5. Land Development Procedures. Article IV. Comprehensive Development Plan of the Maitland City Code. **You may also refer to the attached flow chart for processing guidance.**

(The City Code may be accessed via the internet at http://www.itsmymaitland.com/city_documents.aspx.)

2. A \$5,000 review deposit, payable to the City of Maitland, must accompany this application, as specified in Article XVI, Chapter 7.5¹ (Section 7.5-143) of the City Code. *[The review deposit shall be utilized by the City to reimburse the City for the actual expenses incurred by the City as a result of the review of the development application. A waiver of this requirement may be acceptable under certain conditions, as specified in Section 7.5-143 (c).]* The balance of any unused part of the review deposit shall be returned to the applicant as provided for in Article XVI, Chapter 7.5 (Section 7.5-144 Project Account) of the City Code. Application fees must be submitted at the time of application. Submittals without applicable fees will not be reviewed. The application fee is \$500.

If waiver of the review deposit is approved, a minimum payment of the application fee plus \$300 for advertisement costs for Board reviews and postage cost per mailing item must be submitted with the application. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.

***Please Note: Once a hearing is scheduled and advertised, the deadline for cancellation is no later than five (5) working days prior to the hearing. There is a \$50 fee in addition to postage cost for each mailing item, as well as payment for the hearing cancellation notice in the newspaper and for re-advertising the hearing at a later date.**

¹ A copy of Ordinance No. 1160 creating Part II, Chapter 7.5, Article XVI, Section 7-5.2 - Pass-Through Fees is located via the internet at www.itsmymaitland.com (On-line Forms - Petition Application Forms).



City of Maitland
1776 Independence Lane
Maitland, Florida 32751

Petition Number _____
(office use only)

PETITION FOR COMPREHENSIVE DEVELOPMENT PLAN AMENDMENT

PART I. APPLICANT INFORMATION (Part I to be submitted in triplicate)

Please check box for those who should receive all correspondence relating to this petition.

1. APPLICANT'S NAME City of Maitland ☐

Address 1776 Independence Lane
Maitland, FL 32751

Telephone No. (407) 539.6212 Fax No. _____

E-mail Address _____

(If more than one applicant, please attach list and signatures.)

2. CURRENT PROPERTY OWNER'S NAME(S) _____ ☐

Maitland Summit Property Owner's Association Inc.

Address c/o CBRE, 1145 Town Park Avenue, Suite 2245, Lake Mary, FL 32746

Telephone No. (_____) _____ Fax No. _____

E-mail Address _____

(Provide for each owner of real property that is subject to petition; please attach list and signatures.)

3. AGENT'S NAME _____ ☐

Address _____

Telephone No. (_____) _____ Fax No. _____

E-mail Address _____

(If more than one agent, please attach list.)

4. Gross Acreage .87 acres Net Acreage _____ Parcel I.D. 27-21-29-8618-00-020

Existing and Proposed Land Use: Orange County MDR to City MORC

5. STATEMENT OF REQUEST:

(I) (We) _____ of _____
hereby petition the City of Maitland, Florida to amend the Land Use Plan Element of its
Comprehensive Development Plan as follows:

- A. Move a District Boundary Line _____
- B. Change a Policy _____
- C. Change Land Use within a District Boundary X
- D. Other _____

NOTE: Any desire to amend or withdraw application must be submitted in writing to the Community Development Department. The Community Development Department shall be advised immediately in writing if ownership of any part of, or all of, the real property subject to the petition changes during the pendency of the petition.

PART II. CERTIFICATION OF APPLICATION (Part II to be submitted in triplicate.)

All owners of real property specific to the petition shall execute the petition under oath taken or administered before a notary public, and each such owner shall attest to the truth of the statements on the petition or that to the best of the owner's knowledge and belief the statements on the petition are true and correct.

Petitions executed under corporate property ownership shall be executed under corporate seal and by an authorized vice-president or superior corporate officer. Petitions executed by a partnership shall be executed by an authorized general partner.

Should the application for amendment be submitted as a text amendment that does not amend the future land use map, signatures of at least one, but not all owners of property specific to the amendment shall be required.

☐ I certify that, to the best of my knowledge, the submitted information and statements are true and correct.

Witness

Owner

Date

Witness

Owner

Date

Witness

Owner

Date

STATE OF FLORIDA
COUNTY OF ORANGE

The foregoing instrument was acknowledged before me by _____

who is (are) personally known to me or who has (have) produced _____

as identification.

WITNESS my hand and official seal, this _____ day of _____, 20____.

Notary Public
State of Florida at Large

PART III. REQUIRED CDP AMENDMENT INFORMATION**1. FEES.** (Payment required upon application submission)

- A \$5,000 review deposit, payable to the City of Maitland, as specified in Article XVI, Chapter 7.5 (Section 7.5-143) of the City Code. *(The review deposit shall be utilized by the City to reimburse the City for the actual expenses incurred by the City as a result of the review of the development application. A waiver of this requirement may be acceptable under certain conditions as specified in Article XVI, Chapter 7.5, Section 7.5-143 (c) of the City Code.)*
- The application fee is \$500.
- If waiver of the review deposit is approved, a minimum payment of the application fee plus \$300 for advertisement costs for Board reviews and postage cost per mailing item must be submitted with the application. If additional fees exceeding \$300 are incurred, you will be billed under separate cover.

2. To be considered sufficient and complete, in conjunction with properly identified exhibits and supporting materials, the CDP amendment supplemental information must be supplied as follows: Submit **2 sets** of all plans (if applicable) and supplemental materials until application has been deemed sufficient. When sufficient, **all plan sets (if applicable)** shall be submitted in sets of twenty-two (22) copies, with **12 full-size** and **10 half-sheet** sets. All other supplemental information shall be submitted in sets of twenty-two (22). (A CD of all application materials is requested in conjunction with the application submittal.)

- (a) *Completed application form for CDP amendment.* A completed application form for Comprehensive Development Plan amendment with the name, address and telephone number of applicant(s), property owner(s), and development plan, and appropriate signatures. All owners of real property specific to the petition shall be required to execute the petition under oath taken or administered before a notary public, and each such owner shall attest to the truth of the statements on the petition or that to the best of the owner's knowledge and belief the statements on the petition are true and correct.

Petitions executed under corporate property ownership shall be executed under corporate seal and by an authorized vice-president or superior corporate office. Petitions executed by a partnership shall be executed by an authorized general partner. If ownership of any part of or all of the real property specific to the petition shall change during the pendency of the petition, the petitioning owner who has conveyed such parcel of real property shall be required to immediately advise the community development department in writing. Any desire to amend or withdraw the application must be submitted in writing by the signatory(ies) of the application to the Community Development Department.

Should the application for amendment to the Comprehensive Development Plan be submitted as a text amendment that does not amend the future land use map, signatures of at least one, but not all owners of property specific to the amendment shall be required.

- (b) *List of property owners.* If a future land use map change is requested, a list of the names and mailing addresses of all property owners of real property within five hundred (500) feet of outer perimeter of property proposed for amendment, taken from most recent tax rolls in Orange or Seminole Counties. The five-hundred-foot distance shall be measured by a straight line from the point of the boundary of the subject property nearest to the point of the boundary of any property within five hundred (500) feet thereof.
- (c) *Authorizations.* The name, address and telephone number of any agent who is authorized to represent the owner(s) of parcels of real property proposed for amendment for a land use map amendment. If the agent is other than the property owner(s), the applicant shall provide a notarized letter of authorization for each from the property owner(s).

PART III. REQUIRED CDP AMENDMENT INFORMATION (Continued)

For a text amendment, the applicant may provide a notarized letter of authorization for an agent to represent the property owner whose signature appears on the application form pursuant to (a) *Completed application form for CDP amendment above.*

(d) *Supplemental information.*

1. *Survey/legal description.* A boundary survey and legal description for each parcel of property, or an exterior boundary survey if the amendment involves more than one property, for which a land use map amendment is proposed. Such survey shall be prepared by a surveyor registered by the state under a surveyor's seal with the date of certification not in excess of one year. If applicable, provide net and gross land area which may be provided on a separate sheet.

Parcel Identification Number: 27-21-29-8616-00-020

2. *Vicinity map.* A vicinity map (if the proposed amendment involves a specific property) drawn to a noted scale and showing:
 - a. The location of the subject property(ies);
 - b. Relationship to surrounding streets; and
 - c. Existing zoning and land use on the site and surrounding areas (within five hundred (500) feet).

See attached maps.

3. *Analysis. (See Attached Analysis Section)*
 - a. An analysis of the degree of consistency of the proposed amendment with the City's Comprehensive Development Plan and whether an internal inconsistency between provisions might be created.

The proposed Future Land Use amendment follows annexation of the parcel from Orange County into the City of Maitland on December 8, 2014. The existing future land use designation is Orange County Medium Density Residential (MD) and the existing zoning designation is Orange County PD (Maitland Summit). The parcel was annexed in conjunction with the adjacent apartment complex to the north and east, The Estates at Maitland, which was contiguous to the most westerly boundary of the Maitland city limits. Annexation of this parcel was necessary to provide contiguity for the MMI Annexation and to eliminate an enclave. This undeveloped parcel is part of an Orange County PD which includes the Estates at Maitland apartment complex. The parcel is designated as a conservation tract within the planned development.

The proposed future land use amendment from Orange County MD to Maitland Mixed Office/Residential/Commercial (MORC) is consistent with the land use designations east of the property. The MORC Future Land Use designation is predominantly located west of Interstate 4 and north and south of Maitland Boulevard. Assigning this parcel a MORC land use designation is consistent with the following goals, objectives, policies, and standards of the Intergovernmental Coordination Element of the Comprehensive Development Plan:

Objective 5: To coordinate Land Use policies with other jurisdictions, to ensure that proposed uses in Maitland do not adversely impact other jurisdictions, and to ensure that proposed uses in other jurisdictions do not adversely impact Maitland.

Policy 5.1: The City shall notify other jurisdictions of proposed developments which impact that respective jurisdiction.

Policy 5.2: The City shall negotiate agreements with adjacent jurisdictions providing for notification of proposed developments or regulatory changes which may impact the City.

Policy 5.3: The City shall maintain its joint planning area interlocal agreement with Orange County to coordinate land development activities in the Planning Areas, so long as the agreement is adhered to by the County.

Objective 5 and its associated policies support the proposed application by the City to amend the future land use designation. The application is consistent with the 13th Amended Joint Planning Agreement with Orange County which recognizes the subject parcel as appropriate for annexation into the City of Maitland. Additionally, no internal inconsistencies will be created with the Comprehensive Development Plan's goals, objectives, policies and standards.

- b. An analysis of the fiscal impact of the proposed amendment on the City's finances.

This amendment will result in virtually no fiscal impact as the assessed value of the parcel is \$100 and the tract will not be developed as it is a designated conservation tract.

- c. An analysis of the impact of the amendment on all levels of service, including data to illustrate that all adopted levels of service affecting the property are met or, if any service levels are not met, including maps of existing and proposed major sewer and water lines and stormwater outfalls, and the proposed extensions of these systems necessitated by the annexation. Data shall include, but not limited to, traffic, stormwater drainage, water, sewer and parks, and shall be in a format acceptable to the community development director.

The proposed Future Land Use amendment will result in any additional impacts to the City's infrastructure (i.e., traffic, stormwater drainage, water, sewer, or parks).

- d. An analysis of the impact of the amendment on the environmental, historical, or natural resource areas within the City.

The proposed Future Land Use amendment will not result in any additional impacts to the City's environmental, historical, or natural resources are anticipated above that which currently exists. Additionally, no environmental, historical, or natural resources will be negatively affected as the parcel will not be developed.

- e. An analysis of the City's ability to provide adequate public services with regard to the amendment (e.g., police, fire, garbage, etc.).

As the site will remain undeveloped, it is unlikely that there will be any impact to the city's public services.

- f. If the application involves a specific parcel of real property, an analysis of the compatibility and impacts of the proposed amendment on surrounding neighborhoods and land uses.

Subject Property: The subject property consists of a single parcel comprising approximately .87 acres. The parcel is designated as a conservation tract within an existing Orange County PD and will remain undeveloped.

North:

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
The Estates of Maitland, 272 dwelling units*	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD

*The CDP Amendment for this property will be processed with this amendment.

South:

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
Undeveloped (MMI parcel)*	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD
*It is anticipated that the future land use and zoning amendments for the undeveloped MMI parcel will occur with the 2015 second cycle of comprehensive plan amendments.		

East:

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
The Estates of Maitland, 272 dwelling units*	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD
*The CDP Amendment for this property will be processed with this amendment.		

West:

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
Undeveloped (MMI parcel)*	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD
*It is anticipated that the future land use and zoning amendments for the undeveloped MMI parcel will occur with the 2015 second cycle of comprehensive plan amendments.		

Based on the above land uses, the amendment is compatible and consistent with the surrounding uses.

4. *Statement of appropriateness.* A general description of the proposed amendment to the Comprehensive Development Plan, explaining why the amendment is necessary or appropriate. (See Attached Analysis Section)

The proposed future land use amendment from unincorporated Orange County Medium Density Residential to the Maitland MORC Future Land Use designation is consistent with the surrounding area and use restrictions associated with this parcel. This amendment is being processed administratively.

5. *Phasing plan.* Estimated timetable and method of financing for each public facility improvement necessitated by the Comprehensive Development Plan amendment. (See Attached Analysis Section)

The site will remain undeveloped.

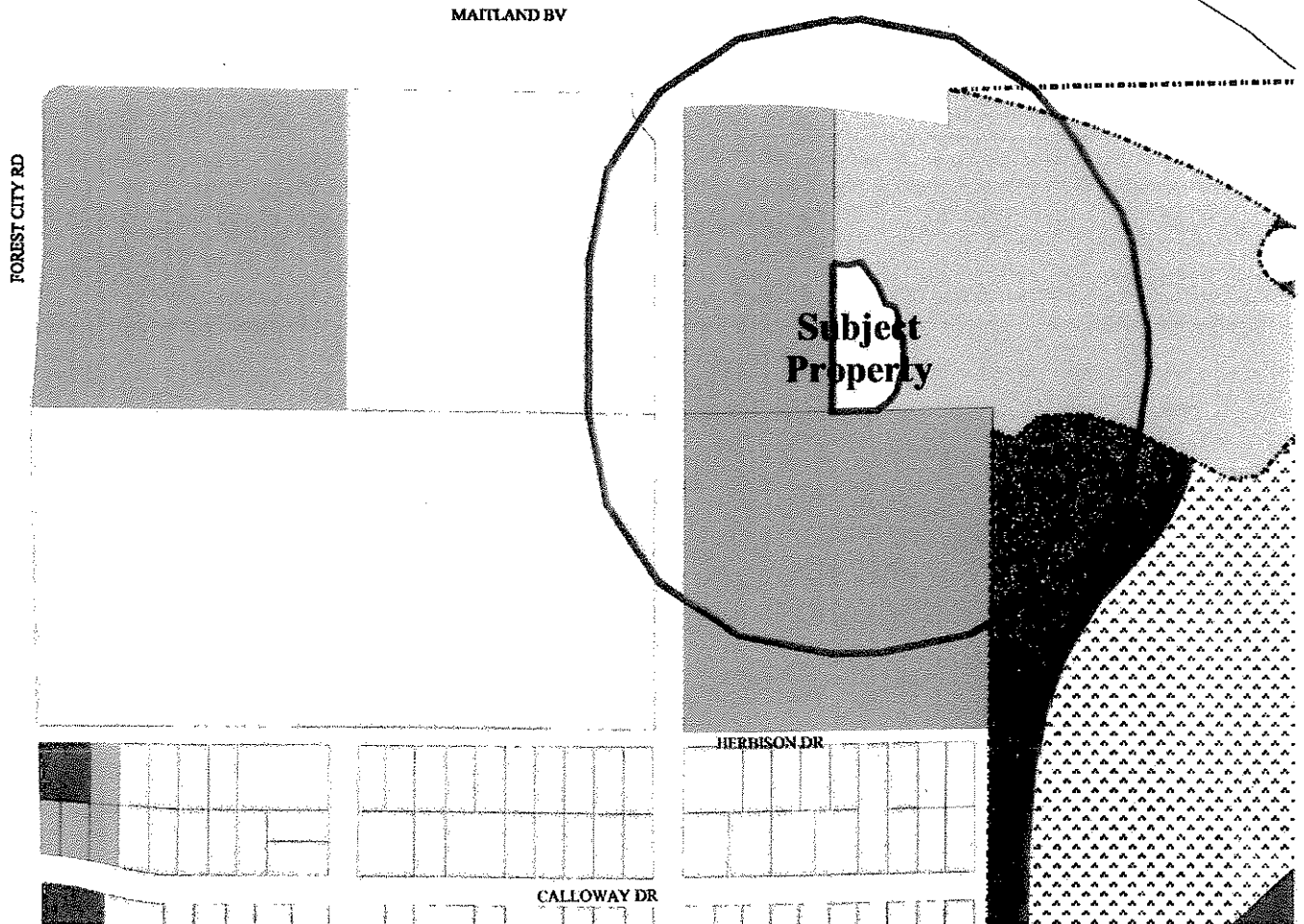


Future Land Use Map

Parcel 27-29-29-8618-00-020

Conservation Tract 2

2015-02(ALU)



Future Land Use Legend

Future Land Use Orange County

	Commercial
	Low Density Residential
	Medium Density Residential
	Office
	Planned Development

Maitland Future Land Use

	Mixed Office/ Residential/ Commercial
	Conservation
	500 ft Buffer
	9000 Summit Centre Way

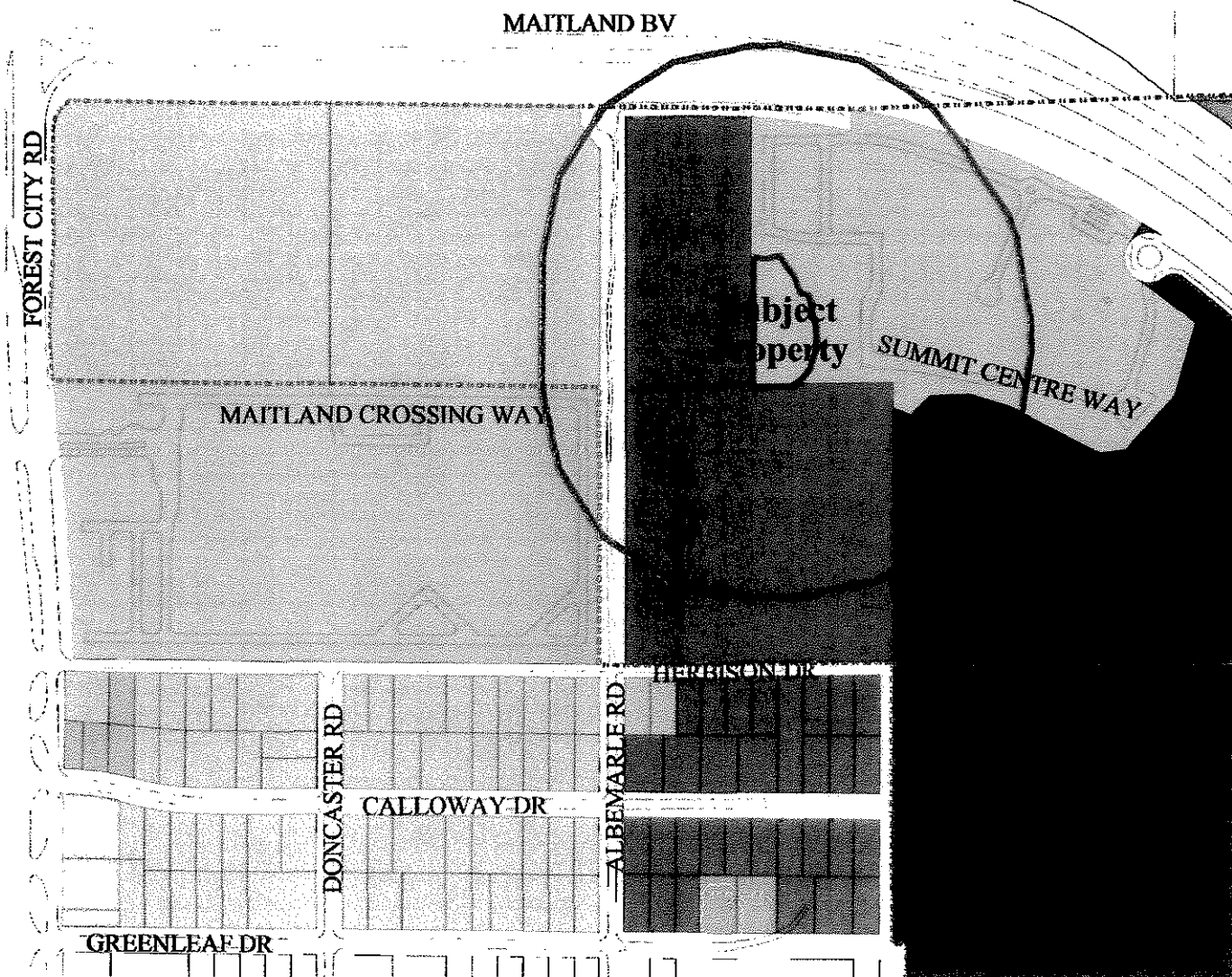


Zoning Map

Parcel 27-29-29-8618-00-020

Conservation Tract 2

2015-02(ALU)



Zoning Legend

City Limits	
Orange County Zoning	
	A-1
	C-1
	P-O
	PD
	R-1
	R-1A
Maitland Zoning	
	PD-RES
	500 ft Buffer
	Conservation Tract 2
	Parcel 27-21-29-8618-00-020

PETITION NO. 2015-02 (ALU) 27-21-29-8616-00-020
CONSERVATION TRACT
DEVELOPMENT REVIEW COMMITTEE RECOMMENDATION
APRIL 30, 2015

Based on the requirements of Section 7.5, Article IV. Comprehensive Development Plan Amendments process, of the Maitland City Code, the Development Review Committee at its meeting on April 30, 2015, recommends that the Planning and Zoning Commission recommend approval of Petition No. 2015-02 (ALU) 27-21-29-8616-00-020 (Conservation Tract), including all supplementary materials listed below, and determines;

- A. That the proposed amendment will not have a negative effect on the City's budget;
- B. That the proposed development will not diminish the service level of the City's transportation system;
- C. That there will be no negative impact on the environment as a result of the proposed amendment;
- D. That the proposed amendment is consistent with the Maitland Comprehensive Development Plan;
- E. That the City is able to provide adequate public services to the affected property, and that service levels will not be reduced to below adopted service levels if the amendment is granted; and
- F. That the amendment is not incompatible with surrounding neighborhoods and land uses.

I. THE FOLLOWING SUPPLEMENTARY APPLICATION MATERIALS ARE INCLUDED IN THE RECOMMENDATION FOR APPROVAL:

Petition for Comprehensive Development Plan Amendment and supplemental materials.

II. THE APPLICATION AND SUPPLEMENTARY MATERIALS ARE RECOMMENDED FOR APPROVAL

Summary

This proposed administrative Future Land Use amendment follows annexation of the property on December 8, 2014. The subject property was annexed into the city with the annexation of The Estates at Maitland apartment complex. Annexing these two properties were necessary to provide contiguity to enable annexation of approximately 36 acres of undeveloped property to the west. The property comprises approximately .87 acres and is designated as a conservation tract within the Maitland Summit PD. The property currently has Orange County Maitland Summit PD zoning with an Orange County Medium Density Residential future land use designation. The application is requesting to amend the current land use to Maitland Mixed Office/Residential/Commercial (MORC) which is consistent the surrounding area. There are no current or future plans to develop this property.

III. FOLLOWING FINDINGS ARE INCLUDED IN THESE RECOMMENDATIONS FOR APPROVAL:

(a) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget or the economy of the city or the region;

At this initial stage of the CDP amendment review, the budgetary impact is believed to be favorable, but negligible. The assessed value for the property in 2014 was \$100. If the property had been within the City's jurisdiction for all of 2014, the proportionate share of gross tax total revenue generated from this property for the City of Maitland would have been \$0.40 (23% of the total gross tax).

A Fiscal Impact Analysis for this property is not necessary as this is a platted conservation tract.

(b) Whether the proposed amendment will diminish the service level of the city's transportation system and, if it will, whether an adequate agreement between the property owner(s) and the city

has been consummated that will provide for improvement of the city's transportation system in such a way that the proposed amendment will not diminish the level of service and will incur no cost to the city;

A trip generation analysis for this property is not necessary as the property is a platted conservation tract.

(c) Whether there will be a favorable or unfavorable impact on the environment or the natural or historical resources of the city or the region as a result of the proposed amendment;

There are no known historical resources on the site. There are no plans for development of the property as this is a platted conservation tract.

(d) Whether the proposed amendment is consistent with the comprehensive development plan;

The subject property is merely being assigned a Maitland land use post-annexation. The proposed future land use amendment from Orange County MD to Maitland Mixed Office/Residential/Commercial (MORC) is consistent with the land use designations east of the property. The MORC Future Land Use designation is predominantly located west of Interstate 4 and north and south of Maitland Boulevard.

(e) Whether the city is able to provide adequate public services to the affected property, if the amendment is granted, and whether the amendment will promote the efficient use of or decrease the service levels to unacceptable standards for water, sewer, solid waste disposal, recreational facilities, or other facilities;

As there are no plans for development of the property, there will be no impacts to public services.

(f) Whether the amendment is incompatible with surrounding neighborhoods and land uses;

The subject property consists of a single parcel totaling approximately 0.87 acres. The existing Orange County Future Land Use designation is Maitland Summit PD and the proposed land use is Maitland MORC. The MORC land use designation was selected for the proposed amendment as it is the predominant land use in the area. A MORC designation is consistent with the surrounding area. The subject site is currently a platted conservation tract and there are no plans for development. Following is a table of the adjacent land use and zoning designations to assess the compatibility with surrounding neighborhoods and land uses.

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
North:		
The Estates of Maitland, 272 dwelling units	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD
East:		
The Estates of Maitland, 272 dwelling units	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD
South:		
Undeveloped (MMI parcel)	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD
West:		
Undeveloped (MMI parcel)	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD

Based on the above land uses, the amendment is compatible and consistent with the surrounding uses.

(g) Whether approval of the amendment will cause the comprehensive development plan to be internally inconsistent;

The proposed amendment will not cause the comprehensive development plan to be internally inconsistent.

(h) Whether the amendment will have a favorable or adverse effect on the ability of workers to find adequate housing reasonably accessible to their places of employment;

The amendment would not have any effect on the ability of workers to find adequate housing accessible to their place of employment.

(i) Whether the proposed amendment will promote or adversely affect the public health, safety, welfare, economic order, or aesthetics of the region or the city; and

The proposed amendment will not have any effect on the public health, safety, welfare, economic order, or aesthetics of the region or the city.

(j) The contents of any evaluation and appraisal report prepared pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 et seq.).

This is not an EAR-based CDP Amendment.

IV. THE APPLICATION AND SUPPLEMENTARY MATERIALS ARE RECOMMENDED FOR APPROVAL. THE COMMENTS BELOW ARE OFFERED FOR FUTURE DEVELOPMENT PURPOSES.

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No comments at this time.

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No comments at this time.

Building Department (Contact: Allen Johnson, 407-539-6151)

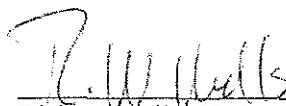
No comments at this time.

Sanitation (Contact: Roxanne Long, 407-539-1629)

No comments at this time.

Police (Contact: Dawn D'Ambrosio, 407-875-2810)

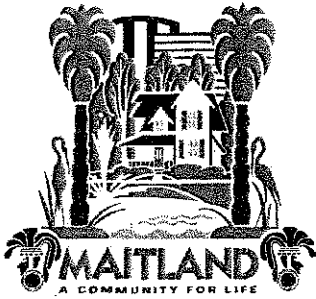
No comments at this time.



Richard Wells, Chairman
Development Review Committee
City of Maitland, Florida



Date



PETITION NO. 2015-02 (ALU) 27-21-29-8616-00-020
CONSERVATION TRACT
PLANNING AND ZONING COMMISSION RECOMMENDATION
MAY 7, 2015

City Manager
James S. Williams, P.E.
407 539-6222
Fax 407 539-6283

**Assistant
City Manager**
Sharon M. Anselmo, CPA
407 539-6221
Fax 407 539-6283

City Clerk
Maria Waldrop, MMC
407 539-6219
Fax 407 539-6283

**Community
Development
Director**
Richard W. Wells, AICP
407 539-6212
Fax 407 539-6275

CRA Director
Verl Emrick
407 539-1255
Fax 407 539-6283

Fire Chief
Kimberly Neisler
407 539-6229
Fax 407 599-0858

**Parks And Recreation
Leisure Services
Director**
Chuck Jordan
407 539-6264
Fax 407 539-6283

Police Chief
Douglas M. Ball
407 539-6242
Fax 407 539-2712

**Public Works
Director**
Rick Lemke, P.E., P.T.O.E.
407 539-6252
Fax 407 660-1677

Based on the requirements of Section 7.5, Article IV. Comprehensive Development Plan Amendments process, of the Maitland City Code, the Planning and Zoning Commission, acting as the Local Planning Agency and Land Development Regulation Commission, at its meeting on May 7, 2015, recommends that City Council approve Petition No. 2015-02 (ALU) 27-21-29-8616-00-020 (Conservation Tract), including all supplementary materials listed below, and determines;

- A. That the proposed amendment will not have a negative effect on the City's budget;
- B. That the proposed development will not diminish the service level of the City's transportation system;
- C. That there will be no negative impact on the environment as a result of the proposed amendment;
- D. That the proposed amendment is consistent with the Maitland Comprehensive Development Plan;
- E. That the City is able to provide adequate public services to the affected property, and that service levels will not be reduced to below adopted service levels if the amendment is granted; and
- F. That the amendment is not incompatible with surrounding neighborhoods and land uses.

I. THE FOLLOWING SUPPLEMENTARY APPLICATION MATERIALS ARE INCLUDED IN THE RECOMMENDATION FOR APPROVAL:

Petition for Comprehensive Development Plan Amendment and supplemental materials.

II. THE APPLICATION AND SUPPLEMENTARY MATERIALS ARE RECOMMENDED FOR APPROVAL

Summary

This proposed administrative Future Land Use amendment follows annexation of the property on December 8, 2014. The subject property was annexed into the city with the annexation of The Estates at Maitland apartment complex. Annexing these two properties were necessary to provide contiguity to enable annexation of approximately 36 acres of undeveloped property to the west. The property comprises approximately .87 acres and is designated as a conservation tract within the Maitland Summit PD. The property currently has Orange County Maitland Summit PD zoning with an Orange County Medium Density Residential future land use designation. The application is requesting to amend the current land use to Maitland Mixed Office/Residential/Commercial (MORC) which is consistent the surrounding area. There are no current or future plans to develop this property.

III. FOLLOWING FINDINGS ARE INCLUDED IN THESE RECOMMENDATIONS FOR APPROVAL:

(a) Whether the proposed amendment will have a favorable or unfavorable effect on the city's budget or the economy of the city or the region;

At this initial stage of the CDP amendment review, the budgetary impact is believed to be favorable, but negligible. The assessed value for the property in 2014 was \$100. If the property had been within the City's jurisdiction for all of 2014, the proportionate share of gross tax total revenue generated from this property for the City of Maitland would have been \$0.40 (23% of the total gross tax).

A Fiscal Impact Analysis for this property is not necessary as this is a platted conservation tract.

(b) Whether the proposed amendment will diminish the service level of the city's transportation system and, if it will, whether an adequate agreement between the property owner(s) and the city has been consummated that will provide for improvement of the city's transportation system in such a way that the proposed amendment will not diminish the level of service and will incur no cost to the city;

A trip generation analysis for this property is not necessary as the property is a platted conservation tract.

(c) Whether there will be a favorable or unfavorable impact on the environment or the natural or historical resources of the city or the region as a result of the proposed amendment;

There are no known historical resources on the site. There are no plans for development of the property as this is a platted conservation tract.

(d) Whether the proposed amendment is consistent with the comprehensive development plan;

The subject property is merely being assigned a Maitland land use post-annexation. The proposed future land use amendment from Orange County MD to Maitland Mixed Office/Residential/Commercial (MORC) is consistent with the land use designations east of the property. The MORC Future Land Use designation is predominantly located west of Interstate 4 and north and south of Maitland Boulevard.

(e) Whether the city is able to provide adequate public services to the affected property, if the amendment is granted, and whether the amendment will promote the efficient use of or decrease the service levels to unacceptable standards for water, sewer, solid waste disposal, recreational facilities, or other facilities;

As there are no plans for development of the property, there will be no impacts to public services.

(f) Whether the amendment is incompatible with surrounding neighborhoods and land uses;

The subject property consists of a single parcel totaling approximately 0.87 acres. The existing Orange County Future Land Use designation is Maitland Summit PD and the proposed land use is Maitland MORC. The MORC land use designation was selected for the proposed amendment as it is the predominant land use in the area. A MORC designation is consistent with the surrounding area. The subject site is currently a platted conservation tract and there are no plans for development. Following is a table of the adjacent land use and zoning designations to assess the compatibility with surrounding neighborhoods and land uses.

Use	Land Use (Existing/Proposed)	Zoning (Existing/Proposed)
North:		
The Estates of Maitland, 272 dwelling units	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD
East:		
The Estates of Maitland, 272 dwelling units	(E) Orange County Office (P) MORC	(E) Orange County PD (Maitland Summit) (P) PD
South:		
Undeveloped (MMI parcel)	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD
West:		
Undeveloped (MMI parcel)	(E) Orange County PD-HDR (P) MORC	(E) Orange County A-1 (Agricultural) (P) PD

Based on the above land uses, the amendment is compatible and consistent with the surrounding uses.

(g) Whether approval of the amendment will cause the comprehensive development plan to be internally inconsistent;

The proposed amendment will not cause the comprehensive development plan to be internally inconsistent.

(h) Whether the amendment will have a favorable or adverse effect on the ability of workers to find adequate housing reasonably accessible to their places of employment;

The amendment would not have any effect on the ability of workers to find adequate housing accessible to their place of employment.

(i) Whether the proposed amendment will promote or adversely affect the public health, safety, welfare, economic order, or aesthetics of the region or the city; and

The proposed amendment will not have any effect on the public health, safety, welfare, economic order, or aesthetics of the region or the city.

(j) The contents of any evaluation and appraisal report prepared pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act (F.S. § 163.3161 et seq.).

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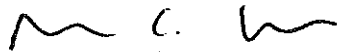
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Planning and Zoning Commission

5/7/15
Date