



**Planning and Zoning Commission
January 20, 2022
Council Chambers
6:00 PM**



- I. Call to Order
- II. Pledge of Allegiance
- III. Approval of Minutes of Previous Meeting
 1. Minutes of the January 6, 2022 Planning and Zoning Commission Meeting
- IV. Public Period
- V. Public Hearing
 1. Community Meetings
 2. Recommendations
 - A. City of Maitland Land Development Code Update
 - B. Petition 2022 -02 (AZ) Amendment of the Official Zoning Map Consistent with Land Development Code Update
 3. Decisions
- VI. Old Business
- VII. New Business
- VIII. Any Other Business the Board Deems Advisable
- IX. Adjournment

More than one member of the City Council may be present and speak at this meeting.

Notice: Any person who desires to appeal any decision made at this meeting or hearing will need a record of the proceedings and, for this purpose, may need to ensure that a verbatim record of the proceedings is made which includes testimony and evidence upon which the appeal is to be based. Persons with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk's office (407-539-6219) 48 hours in advance of the meeting.

Appeals: Pursuant to Florida Statutes 286.0105, if an individual decides to appeal any decision made by the Planning and Zoning Commission with respect to any matter considered at this meeting, a record of the proceedings will be required and the individual will need to ensure that a verbatim transcript of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. Such a person must provide a method for recording the proceedings

MEETING DATE		AGENDA
January 20, 2022		Section: Approval of Minutes of Previous Meeting
Department/Office : Community Development	AGENDA REPORT	Item #: 1.
Subject: Minutes of the January 6, 2022 Planning and Zoning Commission Meeting		
Requested Action or Motion: Approve the minutes of the January 6, 2022 meeting of the Planning and Zoning Commission		
Summary Explanation & Background:		
Fiscal Impact: NA		
Exhibits: 1. PZ Minutes Jan 6 2022		
Commission/Board: Planning and Zoning Commission		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney No		



**Planning and Zoning
Commission Minutes
January 6, 2022
Council Chambers
6:00 PM**



I. CALL TO ORDER

Chairman Holloway called the meeting to order at 6:00 p.m.

Present: 5 Chairman Keith Holloway, Vice-Chair Matthew Lamb, Commissioner Jamie Kay Bennett, Commissioner Kathleen McIver, Commissioner Glen S. Jaffee

Remote: 0

Absent: 0

Also present were Dan Matthys, Community Development Director; Barrett Chaix, Senior Planner, and Drew Smith, City Attorney.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

1. APPROVAL OF MINUTES OF PREVIOUS MEETING

A motion was made to approve the September 2, 2021 minutes as drafted.

RESULT: Approved

MOVER: Commissioner Glen S. Jaffee

SECONDER: Vice-Chair Matthew Lamb

AYES: Bennett, McIver, Jaffee, Lamb, Holloway

NAYS: None

IV. PUBLIC PERIOD

Chairman Holloway requested public comment. There being no one who wished to be heard, Chairman Holloway closed the public comment period.

Senior Planner Chaix requested the agenda be modified to move Petition 2020-01 (AZ-PD) Maitland West Lot 2 to the front of the agenda to allow the applicants to be heard without having to stay for the preceding public hearings. Chairman Holloway and the Commission agreed.

V. PUBLIC HEARING

1. PUBLIC HEARING**A. PUBLIC HEARING****Petition No. 2021-01 (AZ-PD) Maitland West Lot 2**

Senior Planner Chaix gave an overview of the request and the changes that have been made based on the P&Z community meeting.

Chairman Holloway opened the floor to the public. The following members of the public spoke:

- Dale McDonald, 108 Tangelo Court, asked if the City was reviewing the stormwater concerns and if the proposed apartments were sharing parking with the existing apartments to the south (Tiffany).
- Ian McCook, representing the property owner, responded to questions from the Commission.

Seeing no one else wishing to speak, Chairman Holloway closed the public period and brought it back to the Commission for a recommendation.

A motion was made to forward Petition No. 2021-01 (AZ-PD) to Council with a recommendation of approval subject to the conditions outlined in the DRC staff report.

RESULT:	Approved
MOVER:	Commissioner Glen S. Jaffee
SECONDER:	Commissioner Jamie Kay Bennett
AYES:	Jaffee, Bennett, McIver, Lamb, Holloway
NAYS:	None

2. PUBLIC HEARING**A. PUBLIC HEARING****Petition No. 2021-01 (ALU) CDP Amendment - Maitland Concourse North (MCN) Lot 1**

Senior Planner Chaix introduced the requested amendment and clarified the separation between the CDP amendment and the following case (PD amendment). Micky Grindstaff, attorney representing the applicant, added a few comments on the project history and request for the CDP amendment.

The following members of the public spoke in opposition, citing concerns about traffic, safety, and drive-through uses.

- William Brown (307 W. Lake Faith Drive)
- Matina Vourropoulos (285 W. Lake Faith Drive)
- Susan Furrer (121 W. Lake Faith Drive)
- Amanda Teran (211 W. Lake Faith Drive)
- Stephanie Henley (no address provided)
- Christine Davies (no address provided)
- Heidi Barry (1314 Druid Isle Road)
- Sara Davies (319 W. Lake Faith Drive)
- Jody Bowman (369 W. Lake Faith Drive)
- Jasmine Perris (301 W. Lake Faith Drive)
- Dale McDonald (108 Tangelo Court)

The Commission received 2 emails in opposition and 1 letter not in opposition to the request.

Seeing no one else wishing to speak, Chairman Holloway closed the public hearing and brought it back to the Commission for questions and a motion. After discussion, the following motions occurred:

A motion was made by Vice-Chair Lamb to recommend approval of the proposed CDP amendment but died for a lack of second. A motion was then made by Commissioner Jaffee to recommend denial of the proposed CDP amendment but died for a lack of second.

A motion was made by Vice-Chair Lamb and seconded by Commissioner Bennett to recommend approval of the proposed CDP.

RESULT:	Denied
MOVER:	Vice-Chair Matthew Lamb
SECONDER:	Commissioner Jamie Kay Bennett
AYES:	Lamb, Bennett
NAYS:	McIver, Jaffee, Holloway

After passing the gavel to Vice-Chair Lamb, a motion was made by Chairman Holloway and seconded by Commissioner McIver to recommend denial of the proposed CDP.

RESULT:	Approved
MOVER:	Chairman Keith Holloway
SECONDER:	Commissioner Kathleen McIver
AYES:	Holloway, McIver, Jaffee, Bennett
NAYS:	Lamb

B. PUBLIC HEARING

Petition No. 2021-03 (AZ-PD) MCN Lot 1

Senior Planner Chaix introduced the requested PD amendment and clarified the need to still send comments on the requested application to DRC to consider in their review as the outcome of the CDP amendment is still pending. Micky Grindstaff, attorney representing the applicant, and Jonathan Martin, project engineer, added a few comments on the project and answered questions.

The following members of the public spoke in opposition, citing concerns about traffic, safety and drive-through uses, road access, billboards, and outdoor noise.

- Matina Vourropoulos (285 W. Lake Faith Drive)
- Tom Owens (no address provided)
- Stephanie Henley (no address provided)
- Heidi Barry (1314 Druid Isle Road)
- Dale McDonald (108 Tangelo Court)

Seeing no one else wishing to speak, Chairman Holloway closed the public hearing and brought it back to the Commission for questions and a motion.

A motion was made to forward the following comments to DRC to consider in their review and then bring it back to P&Z for a recommendation to Council:

1. Consider eliminating all or some of the drive-through uses;
2. Consider 'curbside takeout' style digital ordering (specifically on Building 4, which seems well suited for it);
3. Enhance landscaping on the eastern property boundary as a buffer for residences;
4. Develop a sidewalk on Lake Faith Drive/relocate NE corner sidewalk to along the perimeter (Lake Faith Drive);
5. Review the potential impacts of trucks and buses on Lake Faith Drive;
6. Accommodate the existing OCPS bus stop;
7. Develop pedestrian access north of Building 5;

8. Consolidate or relocate refuse areas;
9. Utilize fully enclosed dumpsters;
10. Study patterns of existing and likely pedestrian circulation and match with proposed pathways;
11. Consider if pathways accommodate bikes or other non-motorized transit as well as pedestrians;
12. Analyze the percentage of area dedicated to drive-through uses, consider the percentage of frontage on Maitland Blvd dedicated to drive-through uses;
13. Review additional trip generation of drive-through uses, including consideration of proximity to Interstate 4;
14. Consider the noise impacts of outdoor dining; and
15. Examine whether NE access point is too close to the existing E-W drive.

RESULT:	Approved
MOVER:	Commissioner Glen S. Jaffee
SECONDER:	Commissioner Jamie Kay Bennett
AYES:	Jaffee, Bennett, Lamb, Holloway
NAYS:	McIver

3. PUBLIC HEARING

VI. OLD BUSINESS

1. OLD BUSINESS

Prior to discussion Barry Kalmanson (500 N. Maitland Avenue # 305) requested permission to make a few comments about the draft LDC. Chairman Holloway agreed. Mr. Kalmanson voiced concerns about the following:

- Need for more parking
- Need to increase FAR and reduce open space requirements
- Concerns about cross access easements between non-residential properties.

Staff and P&Z discussed and clarified final refinements made by staff during the final review and comments based on comments from the Joint Council/P&Z Workshop.

VII. NEW BUSINESS

Community Development Director Matthys updated P&Z on the January 20th agenda items and urged members to schedule briefings ahead of the meeting.

VIII. ANY OTHER BUSINESS THE BOARD DEEMS ADVISABLE

Community Development Director Matthys reminded P&Z of the January 8th Volunteer Appreciation Celebration scheduled for 6:30 p.m. at the Germain Marvel Building.

IX. ADJOURNMENT

There being no further business to come before the Commission, the meeting adjourned at 10:12 PM.

Chairperson

Date

Attest

Date

DRAFT

MEETING DATE		AGENDA
January 20, 2022		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: A.

Subject:

City of Maitland Land Development Code Update

Requested Action or Motion:

After holding a public hearing, make a recommendation to City Council of approval of the proposed ordinance updating the Land Development Code, certifying consistency with the Comprehensive Development Plan.

Summary Explanation & Background:

The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately in a ten-article document that will be adopted as the Land Development Code (LDC) of the City of Maitland. The City's development goals were set forth in the Comprehensive Development Plan 2035, adopted in March, 2019. These included a focus on creating a vibrant mix of uses in Downtown Maitland and on the City's west side, while respecting and maintaining the City's many high-quality single family neighborhoods.

In the summer of 2019, the City issued a national Request for Qualifications to select a consultant team to assist the City in its update to the LDC. A team led by Clarion Associates was selected from several interested firms. The Project was initiated in fall of 2019, when the consultants reviewed the existing long term plans and interviewed many local stakeholders, including City Staff and elected and appointed officials. Next, they evaluated the existing City Code and produced an annotated outline for the proposed LDC document and a Code Assessment Document that described detailed goals and objectives for the LDC update.

Based on these discussions, City Council directed staff and the consultant team to prioritize an update of the Downtown Maitland zone district as its first priority. This was completed in March of 2020, and was adopted by City Council after a recommendation by City Staff and the Planning and Zoning Commission, along with an accompanying Zoning Map amendment.

The remainder of the draft Land Development Code update was written, edited, and refined in a collaborative effort between the consultant team, city staff (including Community Development, Public Works, and Administration), and the Planning and Zoning Commission. The LDC was drafted out of sequence in four portions (referred to as 'modules') which were first reviewed separately as they were available, and then in total as a "joint workshop draft" which was reviewed and discussed at a joint workshop by City Council and the Planning and Zoning Commission in December, 2020.

Some refinements were proposed and implemented from input received at the joint workshop, and those edits are reflected in the 'Adoption Draft' which is the version of the LDC document that is the subject of the Planning and Zoning Commission recommendation to City Council.

The current draft of the Land Development Code is available for download here: <https://cityof.files.com/f/686dd5df3679a9bf>

The Planning and Zoning Commission is being asked to hold a public hearing on this ordinance, and then make a recommendation to City Council of approval. City Staff will make a recommendation on the document at the Development Review Committee Meeting on January 26. City Council introduction will be February 14th, and Council action date is set for February 28th, 2022.

Fiscal Impact:

NA

Exhibits:

1. LDC Update DRC Report
2. LDC Ordinance 2022 FINAL

Commission/Board: Planning and Zoning Commission

Contact Person: Barrett Chaix 407-539-6213

Reviewed by City Attorney

YES



**DEVELOPMENT REVIEW COMMITTEE
2022-01 (AZ) Maitland Land Development Code Update
January 26, 2022**

The Development Review Committee forwards the ordinance amending the Maitland Land Development Code to the City Council with a recommendation of approval and determines that the proposed amendment is consistent with the Comprehensive Development Plan and is consistent with applicable ordinances and regulations.

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

1. Draft Ordinance.

II. THE FOLLOWING FINDINGS ARE INCLUDED:

Background

The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately in a ten-article document that will be adopted as the Land Development Code (LDC) of the City of Maitland. The Maitland City Council is authorized to adopt the LDC in accordance with Article VII, Section 2(b) of the Florida Constitution; the charter of the City of Maitland (adopted July 17, 1885, and amended July 1, 1970 and occasionally thereafter); Ch. 166, Florida Statutes (the Municipal Home Rules Powers Act), Section 163.3202.3202, Florida Statutes, etc. Maitland's LDC has not been comprehensively updated since 1971. Over that time, almost all the City's land has been built on, so that current land development activity increasingly consists of infill redevelopment.

The City's development goals were set forth in the Comprehensive Development Plan 2035, adopted in March, 2019. These included a focus on creating a vibrant mix of uses in Downtown Maitland and on the City's west side, while respecting and maintaining the City's many high-quality single family neighborhoods. The existing LDC did not adequately support the City's ambitions for its development future.

The Comprehensive Development Plan, adopted in 2019, forms the legal basis for community development and redevelopment at all levels. The CDP, through its Goals, Objectives, Policies and Standards, is used as a guide to adopt regulations and standards that implement the City's vision. The proposed LDC is designed from the outset to implement the vision set out in the CDP to promote the City's neighborhoods, enhance the vibrancy of its downtown, and encourage redevelopment and new investment west of I-4 and to respect the capacity of its transportation network. The LDC rewrite is intended to balance residential and non-residential land uses consistent with changing market demands and emerging new development patterns, while protecting Maitland's lakes and promoting sustainable development practices.

In the summer of 2019, the City issued a national Request for Qualifications to select a consultant team to assist the City in its update to the LDC. A team led by Clarion Associates was selected from several interested firms. The Project was initiated in fall of 2019, when the consultants reviewed the existing long term plans including Downtown Master Plan, Parks and Recreation Master Plan 2.0, CDP 2035, Bicycle-Pedestrian Master Plan, and Maitland West Side Redevelopment Plan. The

consultant team interviewed many local stakeholders, including City Staff and elected and appointed officials. Next, they evaluated the existing City Code and produced an annotated outline for the proposed LDC document and a Code Assessment Document that described detailed goals and objectives for the LDC update. These documents were reviewed, discussed and shared by staff and elected and appointed officials.

Based on these discussions, City Council directed staff and the consultant team to prioritize an update of the Downtown Maitland zone district as its first priority. This was completed in March of 2020, and was adopted by City Council after a recommendation by City Staff and the Planning and Zoning Commission, along with an accompanying Zoning Map amendment.

The rest of the draft Land Development Code Update was written, edited, and refined in a collaborative effort between the consultant team, city staff (including Community Development, Public Works, and Administration), and the Planning and Zoning Commission. The LDC was drafted out of sequence in four portions (referred to as 'modules') which were first reviewed separately as they were available, and then in total as a "joint workshop draft" which was reviewed and discussed at a joint workshop by City Council and the Planning and Zoning Commission in December, 2020.

Some refinements were proposed and implemented from input received at the joint workshop, and those edits are reflected in the 'Adoption Draft' which is the version of the LDC document that is the subject of the Planning and Zoning Commission recommendation to City Council.

Staff finds that the proposed update of the Maitland Land Development Code (LDC) is consistent with the Comprehensive Development Plan 2035 and recommends approval of the ordinance amending the LDC.

Dan Matthys, AICP, CPM
Development Review Committee
City of Maitland, Florida

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, AMENDING THE MAITLAND CITY CODE OF ORDINANCES RELATING TO AN UPDATE OF THE CITY OF MAITLAND LAND DEVELOPMENT CODE WITH AN ASSOCIATED REPEAL AND REPLACEMENT OF THE OBSOLETE SECTIONS OF THE CODE OF ORDINANCES; PROVIDING FOR GENERAL PROVISIONS; PROVIDING FOR ADMINISTRATION OF DEVELOPMENT REVIEW; PROVIDING FOR ZONING DISTRICTS; PROVIDING FOR USE REGULATIONS; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING FOR SUBDIVISION STANDARDS; PROVIDING FOR PUBLIC FACILITY FUNDING; PROVIDING FOR NONCONFORMITIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR DEFINITIONS AND RULES FOR CONSTRUCTION, INTERPRETATION, AND MEASUREMENT; DELETING PROVISIONS THAT WILL BECOME MOOT UPON THE ADOPTION OF THE UPDATED LAND DEVELOPMENT CODE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR EFFECTIVE DATES.

WHEREAS, on March 11, 2019 the City Council of the City of Maitland adopted *Maitland Comprehensive Development Plan 2035*, pursuant to Chapter 163, Florida Statutes; and

WHEREAS, the City of Maitland CDP 2035 included amendments identified as part of the City's Evaluation and Appraisal Report process; and

WHEREAS, the CDP included development goals and policies that provide guidance for the proposal and adoption of regulations and standards that implement the framework developed in the CDP 2035; and

WHEREAS, the Maitland Land Development Code has not been comprehensively updated in several decades after which time nearly all of the undeveloped land in the City has been built on; and

WHEREAS, the proposed LDC update addresses the development goals and policies outlined in the City of Maitland CDP 2035; and

WHEREAS, the City retained a nationally recognized team of planning consultants to collaborate with City Staff to take stakeholder input, assess the strengths and weaknesses of the existing LDC, draft new LDC text and graphics; and incorporate comment and feedback from the Planning and Zoning Commission; and

WHEREAS, the planning consultants conducted meetings with elected and appointed officials, staff, and other stakeholders and created a document titled the "Land Development Code Assessment" which diagnosed the existing code, established key goals and themes for the new LDC, and provided an annotated outline for a proposed updated LDC which was presented to the Maitland Local Planning Agency and City Council in November of 2019; and

WHEREAS, the Maitland City Council, at its meeting on April 13, 2020 adopted new zoning district regulations for Downtown Maitland developed and drafted by City Staff and the consultant team in advance of the rest of the LDC; and

WHEREAS, the consultants and staff drafted portions of the code in several separate installments, which were reviewed by the Planning and Zoning Commission in detail who then provided detailed comments for revisions; and

WHEREAS, the draft Land Development Code was presented to the Maitland Local Planning

48 Agency and City Council in advance of a Joint Public Workshop held on December 6, 2021 where
49 the draft LDC was extensively discussed in detail; and

50 **WHEREAS**, the Maitland Local Planning Agency, at its meeting on January 20, 2022
51 recommended approval of the Land Development Code and found the proposed amendment of the
52 Maitland City Code to be consistent with the CDP 2035; and

53 **WHEREAS**, the Development Review Committee reviewed the proposed amendment at its
54 meeting on January 26, 2022, recommended approval of the Land Development Code and
55 amendment of the Maitland City Code and found that factors listed within Section 7.5-133. IV of
56 the Maitland City Code were met; and

57 **WHEREAS**, the Maitland City Council introduced this Ordinance on February 14, 2022 and
58 subsequently in accordance with Section 166.041, Florida Statutes the Maitland City Council
59 advertised and held two public hearings on this ordinance on February 14, 2022 and February 28,
60 2022 to take public input; and

61 **WHEREAS**, the Maitland City Council adopts the foregoing “Whereas” clauses as its
62 legislative findings and finds that the proposed amendments to the Maitland City Code will
63 promote the public health, safety, welfare, economic order and aesthetics of both the region and
64 the community.

65
66 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
67 **MAITLAND, FLORIDA THAT:**
68

69 **SECTION 1.** The Land Development Code shall be approved and adopted consistent with
70 the document evidenced in Exhibit “A” attached hereto and incorporated herein; and
71

72 **SECTION 2.** The following portions of the Maitland City Code are repealed: Secs. 4.7-2.
73 through Sec. 4.7-7, Secs. 4.7-13 through Sec. 4.7-24, and Secs 4.7-30 of Chapter 4.7 BOARDS
74 AND COMMITTEES; Sec. 5-95 through Sec. 5-151 of Chapter 5 – BUILDINGS,
75 CONSTRUCTION REGULATIONS, AND PROPERTY MAINTENANCE; Chapter 6.5 FLOOD
76 DAMAGE PREVENTION in its entirety; Chapter 7.5 LAND DEVELOPMENT PROCEDURES
77 in its entirety; Chapter 8 LANDSCAPE, STREETSCAPE, TREESCAPE in its entirety; Secs. 11-
78 78 through Sec. 11-101 of Chapter 11 PARKS, RECREATION, AND BOATING; Sec. 12-100
79 through 12-121 of Chapter 12 PLANNING AND DEVELOPMENT GENERALLY; Chapter 16
80 SUBDIVISIONS in its entirety; Chapter 21 ZONING in its entirety; and Chapter 23 SPECIAL
81 DISTRICTS in its entirety.

82
83 **SECTION 3. CODIFICATION.** It is the intent of the City Council of the City of
84 Maitland that the provisions of this Ordinance shall be codified. The codifier is granted broad and
85 liberal authority in codifying the provision of this Ordinance.
86

87 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word or portion of
88 this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall
89 not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
90 word or portion of this Ordinance not otherwise determined to be invalid, unlawful or
91 unconstitutional.
92

SECTION 5. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

SECTION 6. EFFECTIVE DATE. With the exception of Section 1 which shall become effective as provided specifically therein, all other Sections of this Ordinance shall become effective immediately upon passage and adoption of this Ordinance.

ADOPTED by the City Council of the City of Maitland, Florida, this ____ day of _____, 2022.

CITY OF MAITLAND, FLORIDA

BY: _____
JOHN P. LOWNDES, MAYOR

ATTEST: _____
LISA HOLLINGSWORTH, CITY CLERK

MEETING DATE		AGENDA
January 20, 2022		Section: Public Hearing
Department/Office : Community Development	AGENDA REPORT	Item #: B.
Subject: Petition 2022 -02 (AZ) Amendment of the Official Zoning Map Consistent with Land Development Code Update		
Requested Action or Motion: After holding a public hearing, forward Petition 2022 -02 (AZ) Amendment of the Official Zoning Map Consistent with Land Development Code Update to City Council with a recommendation of approval, certifying consistency with the comprehensive development plan, and that satisfactory provision and arrangement has been made concerning the factors itemized for review by the development review committee in their draft report.		
Summary Explanation & Background: <u>Background</u> The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately as the Land Development Code (LDC) of the City of Maitland. This map amendment is necessary to reflect the consolidation of the existing twenty-four (24) zone districts and three (3) temporary zone districts on the map for land annexed with Orange County zoning into twelve(12) base zone districts and one overlay district codified in the updated Land Development Code. <u>Staff Recommendation</u> Staff recommends P&Z forward the proposed Ordinance amending the Official Zoning Map to City Council with a recommendation of approval.		
Fiscal Impact: None		
Exhibits: 1. MAP DRC Report 2. LDC MAP Ordinance FINAL 3. Official Zone District Map		
Commission/Board: Planning and Zoning Commission		
Contact Person: Barrett Chaix 407-539-6213		
Reviewed by City Attorney Yes		



**DEVELOPMENT REVIEW COMMITTEE
2022-02 (AZ) Official Zoning Map Amendment
January 26, 2022**

Consistent with Section 7.5, Article XIV, Zoning Amendment Process, of the Maitland City Code, the Development Review Committee forwards Petition No. *2022-02 (AZ) Official Zoning Map Amendment* to the City Council with a recommendation of approval and determines;

- A. That the proposed amendment is consistent with the Comprehensive Development Plan and is consistent with applicable ordinances and regulations;
- B. That the proposed amendment will not lower the applicable levels of service below the levels adopted in the Comprehensive Development Plan; and
- C. That satisfactory provision and arrangement has been made concerning the findings established below.

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

- 1. Draft Ordinance.**

II. THE FOLLOWING FINDINGS ARE INCLUDED:

Background

The City of Maitland is comprehensively reorganizing and updating the Land Development portions of the Code of Ordinances, to be codified separately in a ten-article document that will be adopted as the Land Development Code (LDC) of the City of Maitland. The proposed official zoning map amendment is necessary to reflect the consolidation of the existing twenty-four (24) zone districts on the map and three (3) 'temporary' zone districts on the map that were annexed from Orange County into twelve (12) base zones and one overlay district codified in the Land Development Code update.

A. THE NEED AND JUSTIFICATION FOR THE CHANGE

The purpose of the Land Development Code update was to follow the guidance established in the Comprehensive Development Plan 2035 (CDP), adopted in March of 2019, to implement the community goals described therein. One important aspect of this was to modernize, simplify, and tailor the zone districts to implement the comprehensive plan and achieve other community goals.

Zone districts are key components of a land development code. They establish the development character and what uses can occur in different geographic areas of the City. Based on policy direction in the CDP and input during stakeholder meetings, a restructuring of the zoning districts is proposed in the LDC update that incorporates national best practices, simplifies and modernizing the zoning structure, makes the zone district section of the LDC more user-friendly, and clarifies uses allowable within each district. Staff finds that consideration of this factor supports a recommendation of approval.

B. THE EFFECT OF THE CHANGE, IF ANY, ON THE PARTICULAR PROPERTY AND ON SURROUNDING PROPERTIES;

The revised zone district structure follows the same general organization as the existing zone districts. However, many districts have been consolidated, with development standards adopted with the intent of preventing or minimizing the creation of nonconformities. The Table below describes the changes to the zone district structure.

Current Zone District	Proposed Zone District	CDP Future Land Use Map Designation implemented by District
RS-1: Residential Single-family RS-1A: Residential Single-family	RSF-1 Residential Single Family 1 District	Traditional Neighborhood, Employment Center
RS-2: Residential Single-family RS-3: Residential Single-family	RSF-2 Residential Single Family 2 District	Traditional Neighborhood
RS-5: Residential Single-family	RSF-3 Residential Single Family 3 District	Employment Center
UU: Undeveloped Urban	DELETE (not used)	[District not currently applied in the City and not needed due to absence of undeveloped land]
RS-D: Residential Single-family and Duplex RS-D1: Residential Single-family and Duplex	RSF-D Residential Single Family and Duplex	Traditional Neighborhood, New Neighborhood
RS-4: Residential Single-family RG-1: Residential Multi-family PO-1: Professional & Office PO-2: Professional & Office PO-3: Professional & Office	R-MX Residential Mixed, Duplex and Multi-Family	New Neighborhood, Employment Center, Corridor District
OC: Office & Commercial OC-1: Office & Commercial OC-3: Office & Commercial	WEC West Side Employment Center (New Market subdistrict and Research and Technology subdistrict)	Employment Center
DM: Downtown Maitland (Core subdistrict and Edge subdistrict)	No Change	Main Street
CC: Cultural Corridor	CHA-O Culture, History, and Arts Overlay	Corridor District, Main Street
	GAP Government Arts and Public	Public/Parks/City Property, Main Street
PD: Planned Development DM-PD: Downtown Planned Development	No Change	Any, Main Street

As noted above, where use and dimensional standards of the districts are similar, districts have been consolidated. Because of the minor differences between the districts proposed to be consolidated, these changes should not make any property that meets the current zone district standards nonconforming. Staff finds that consideration of this factor supports a recommendation of approval.

C. THE AMMOUNT OF UNDEVELOPED LAND IN THE GENERAL AREA AND IN THE CITY HAVING THE SAME CLASSIFICATION AS THAT IS REQUESTED.

This is not a rezoning of any particular land, but is an amendment of the Official Zoning Map of the City of Maitland. As stated in the analysis of factor B above, the intent is not to change classification of land, but rather reflect a consolidation of similar zone districts. The changes should not impact the amount of undeveloped land in the city with any particular zoning classification. Staff finds that consideration of this factor supports a recommendation of approval.

D. THE RELATIONSHIP OF THE PROPOSED AMENDMENT TO THE PURPOSES OF THE CITY'S COMPREHENSIVE DEVELOPMENT PLAN, WITH APPROPRIATE CONSIDERATION AS TO WHETHER THE PROPOSED CHANGE WILL FURTHER THE COMPREHENSIVE DEVELOPMENT PLAN.

The City's development goals were set forth in the Comprehensive Development Plan 2035, adopted in March, 2019. These included a focus on creating a vibrant mix of uses in Downtown Maitland and on the City's west side, while respecting and maintaining the City's many high-quality single family neighborhoods. It was determined that the existing LDC did not adequately support the City's ambitions for its development future, and needed to be comprehensively updated to better implement the vision described in the CDP. The consolidation of the zone districts that is proposed with this zone amendment is a critical component of the LDC update which is designed in its entirety to implement the Comprehensive Development Plan. Staff finds that consideration of this factor supports a recommendation of approval.

E. WHETHER THE PROPOSED DEVELOPMENT WILL LOWER THE APPLCIABLE LEVELS OF SERVICE BELOW THE LEVELS ADOPTED IN THE CITY'S COMPREHENSIVE DVELOPMENT PLAN, AND WHETHER THE PROPOSED DEVELOPMENT IS PHASED TO BE CONSTRUCTED AT A TIME WHEN THE ADOPTED SERVICE LEVELS ARE MET.

This is not a rezoning of any particular land, but is an amendment of the Official Zoning Map of the City of Maitland. As detailed in the analysis of factor B above, with the exception of small parcels modified to avoid 'spot' zoning and to match their current uses, the zone changes are to reflect consolidation of districts with similar or identical uses and development standards to present. The amendment will not therefore affect the adopted Levels of Service. Staff finds that consideration of this factor supports a recommendation of approval.

F. WHETHER THERE HAS BEEN A CHANGE IN CIRCUMSTANCES OR CONDITIONS IN THE VICINITY OF THE PROPERTY WHICH WOULD PREVENT ITS REASONABLE USE AS CURRENTLY ZONED.

This is not a rezoning of any particular land, but is an amendment of the Official Zoning Map of the City of Maitland. The last comprehensive rezoning of the City was carried out through Ordinance 763 adopted on November 26, 1990 to implement the *1990-2010 Comprehensive*

Development Plan. The changes in circumstances and conditions within the City of Maitland since that time, are described in great detail in the City's most recently adopted *Comprehensive Development Plan 2035*. As described in analyses above, the LDC update to which this zoning map amendment is linked, is intended to implement the goals, objectives, policies and standards outlined in the CDP, which themselves are established to respond to changes in circumstances and conditions throughout the city, such as changes in demography and local economics. Staff finds that consideration of this factor supports a recommendation of approval.

Dan Matthys, AICP, CPM
Development Review Committee
City of Maitland, Florida

Date

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MAITLAND, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF MAITLAND TO CONFORM TO THE UPDATED CITY OF MAITLAND LAND DEVELOPMENT CODE BY AMENDING THE ZONING DISTRICT BOUNDARIES AND CHANGING THE ZONING MAP CLASSIFICATION OF PROPERTIES AS FOLLOWS: PRIVATELY OWNED PROPERTIES CURRENTLY ZONED RS-1 AND RS-1A (SINGLE FAMILY RESIDENTIAL DISTRICTS) CHANGED TO RSF-1 (RESIDENTIAL SINGLE FAMILY 1 DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED RS-1 AND RS-1A (SINGLE FAMILY RESIDENTIAL DISTRICTS) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED RS-2, RS-3, TEMPORARY DISTRICT R1-AA (SINGLE FAMILY RESIDENTIAL DISTRICTS) AND TEMPORARY DISTRICT C-3 (COMMERCIAL DISTRICT) [EXCEPT FOR THE PROPERTY KNOWN AS THE KING OF KINGS EVANGELICAL LUTHERAN CHURCH] CHANGED TO RSF-2 (RESIDENTIAL SINGLE FAMILY 2 DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED RS-2 AND RS-3 (SINGLE FAMILY RESIDENTIAL DISTRICT) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED RS-5 (SINGLE FAMILY RESIDENTIAL DISTRICT) CHANGED TO RSF-3 (RESIDENTIAL SINGLE FAMILY 3 DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED RS-5 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED RS-D AND RS-D1 (RESIDENTIAL SINGLE FAMILY AND DUPLEX DISTRICTS) CHANGED TO RSF-D (RESIDENTIAL SINGLE FAMILY AND DUPLEX DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED RS-D AND RS-D1 (RESIDENTIAL SINGLE FAMILY AND DUPLEX DISTRICTS) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED RG-2 AND RG-3 (MULTIPLE FAMILY RESIDENTIAL DISTRICTS) CHANGED TO R-MF (RESIDENTIAL MULTIFAMILY DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED RG-2 AND RG-3 (MULTIPLE FAMILY RESIDENTIAL DISTRICTS) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED PO-1, PO-2, PO-3 (PROFESSIONAL OFFICE DISTRICTS), RSF-4 (SINGLE FAMILY RESIDENTIAL DISTRICT), RG-1 (MULTIPLE FAMILY RESIDENTIAL DISTRICT), AND THE PROPERTY KNOWN AS THE KING OF KINGS EVANGELICAL LUTHERAN CHURCH CURRENTLY ZONED TEMPORARY DISTRICT R1-AA CHANGED TO MX (MIXED MULTIFAMILY DISTRICT); CITY OWNED PROPERTIES CURRENTLY ZONED PO-1, PO-2, PO-3 (PROFESSIONAL OFFICE DISTRICTS), RSF-4 (SINGLE FAMILY RESIDENTIAL DISTRICT), AND RG-1 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT); PRIVATELY OWNED PROPERTIES CURRENTLY ZONED OC, OC-1, AND OC-3 (OFFICE, COMMERCIAL DISTRICTS) AND TEMPORARY DISTRICT R-1 (SINGLE FAMILY RESIDENTIAL) CHANGED TO WS-RT (WEST SIDE RESEARCH TECHNOLOGY SUBDISTRICT)

47 **AND WS-NM (WEST SIDE NEW MARKET SUBDISTRICT); CITY OWNED**
48 **PROPERTIES CURRENTLY ZONED OC, OC-1, AND OC-3 (OFFICE, COMMERCIAL**
49 **DISTRICTS) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT);**
50 **PRIVATELY OWNED PROPERTIES CURRENTLY ZONED CC (CULTURAL**
51 **CORRIDOR DISTRICT) [EXCEPT FOR THE CIVIC CENTER PROPERTY]**
52 **CHANGED TO MX (MIXED MULTIFAMILY DISTRICT); CITY OWNED PROPERTY**
53 **AND THE CIVIC CENTER PROPERTY CURRENTLY ZONED CC (CULTURAL**
54 **CORRIDOR) CHANGED TO GAP (GOVERNMENT, ARTS, AND PUBLIC DISTRICT);**
55 **ESTABLISHING AND ASSIGNING A CHA-O (CULTURE, HISTORY, AND ARTS)**
56 **OVERLAY UPON ALL PROPERTIES CURRENTLY IDENTIFIED IN THE 1994**
57 **MASTER PLAN AS “CITY OF MAITLAND CULTURAL CORRIDOR SPECIAL**
58 **DISTRICT”; PROVIDING INSTRUCTIONS TO THE CITY CLERK; REPEALING**
59 **ALL CONFLICTING ORDINANCES; AND PROVIDING A SEVERABILITY CLAUSE;**
60 **AND PROVIDING FOR AN EFFECTIVE DATE.**

61
62 **WHEREAS**, by previous ordinance, the Maitland City Council adopted the City of Maitland
63 Land Development Code; and

64 **WHEREAS**, on March 11, 2019 the City Council of the City of Maitland adopted *Maitland*
65 *Comprehensive Development Plan 2035* (CDP), pursuant to Chapter 163, Florida Statutes; and

66 **WHEREAS**, the CDP included policies that describe Future Land Use designations which
67 promote and implement the Downtown Maitland and Maitland West Side Master Plans to provide
68 focal points for the city, promotes an open space system, and promotes the city’s historical and
69 cultural identity ; and

70 **WHEREAS**, the Maitland Land Development Code provides for Zone Districts that
71 implement the policies adopted in the CDP and encourages quality development through
72 appropriate standards in each zone district; and

73 **WHEREAS**, properties with the Downtown Maitland and Planned Development zone districts
74 will be not have their classification changed by this amendment due to these properties having
75 been amended by previous ordinances; and

76 **WHEREAS**, the Development Review Committee reviewed the proposed amendment of the
77 zoning district boundaries and changing the zoning map classification of properties on the Official
78 Zoning Map; and at its meeting of January 26, 2022 recommended approval of the amendment and
79 found that factors listed within Section 7.5-133. IV of the Maitland City Code were met; and

80 **WHEREAS**, the Planning and Zoning Commission also sitting as the Local Planning Agency
81 and Land Development Regulation Commission advertised and held a public hearing on January
82 20, 2022, to take public comment regarding the proposed ordinance; and

83 **WHEREAS**, the Planning and Zoning Commission also sitting as the Local Planning Agency
84 and Land Development Regulation Commission, at its meeting on January 20, 2022 recommended
85 approval of the amendment; and found the proposed amendment to be consistent with the CDP
86 2035; and

87 **WHEREAS**, the Maitland City Council introduced this Ordinance on February 14, 2022 and
88 subsequently in accordance with Section 166.041, Florida Statutes the Maitland City Council
89 advertised and held two public hearings on this ordinance on February 14, 2022 and February 28,

2022 to take public input; and

WHEREAS, the Maitland City Council adopts the foregoing “Whereas” clauses as its legislative findings and finds that the proposed amendments will promote the public health, safety, welfare, economic order and aesthetics of both the region and the community.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAITLAND, FLORIDA THAT:

SECTION 1. Zoning Map Amendment. Upon the effective date of this Ordinance, the City Clerk or designee shall amend the Official Zoning Map of the City of Maitland to change the classifications of all parcels shown on Exhibit ‘A’, attached hereto, from their current respective zoning classifications of RS-1, RS-1A, RS-2, RS-3, RS-4, and RS-5 (Single-family residential districts), RS-D and RS-D1 (Residential single-family and duplex districts), RG-1, RG-2, and RG-3 (Multiple family residential districts), PO-1, PO-2, and PO-3 (Professional office districts), OC, OC-1, and OC-3 (Office, commercial districts), CC (Cultural corridor district), Temporary District C-3, Temporary District R-1, and Temporary District R-1AA to RSF-1 (Residential Single Family 1 District), RSF-2 (Residential Single Family 2 District), RSF-3 (Residential Single Family 3 District), RSF-D (Residential Single Family and Duplex District), R-MF (Residential Multifamily District), MX (Mixed Multifamily District), WS (West Side District), GAP (Government, Arts, and Public District). The CHA-O (Culture, History, and Arts) Overlay is established over the properties identified in the 1994 Master Plan ‘City of Maitland Cultural Corridor Special District.’

SECTION 2. Ordinances in Conflicts. All ordinances or parts thereof, which may be determined to be in conflict herewith, are hereby repealed and superseded by this Ordinance, to the extent of such conflict.

SECTION 3. Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon its passage and adoption.

ADOPTED by the City Council of the City of Maitland, Florida, this ____ day of _____, 2022.

CITY OF MAITLAND, FLORIDA

BY: _____
JOHN P. LOWNDES, MAYOR

ATTEST: _____
LORI HOLLINGSWORTH, CITY CLERK

City of Maitland Official Zone District Map

