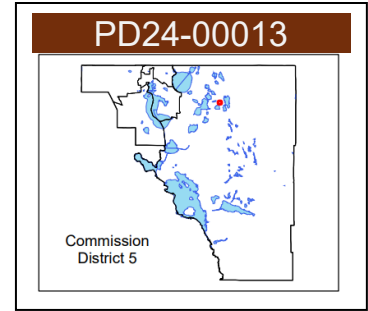




Osceola County Staff Report PD24-00013



ITEM SUMMARY

PD24-00013 (Harmony): Request to amend and restate the previously approved Planned Development (PD23-00019) by requesting alternative standards to the Land Development Code, Chapter 3, Article 3.7 - Institutional Use Siting Standards, 3.7.1 - Institutional Uses, F. Communication Towers for a camouflaged (monopine) Communication Tower. The planned development is comprised of approximately 11,030.9 acres, with the subject property (parcel 182632000000200000) consisting of approximately 11.78 acres of land north and east of East Irlo Bronson Memorial Highway, south and west of Old Melbourne Highway.

Applicant: Jen Frost, Anthemnet, Inc

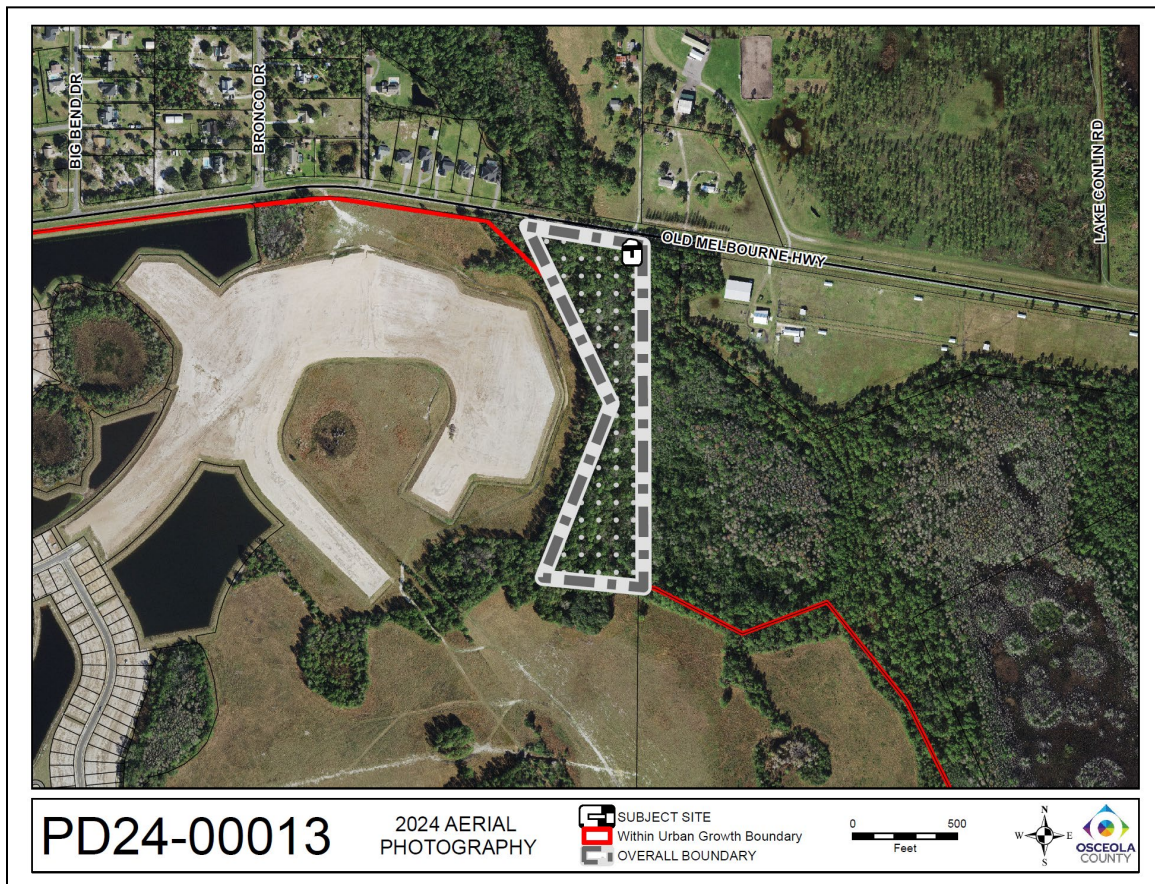
Owners: CAT LAKE OSCEOLA, LLC

Commission District 5: Ricky Booth

Project Planner: Mandy Warwick

Staff Recommendation: Approval, subject to special conditions

Meeting Dates: September 3, 2024, Development Review Committee/ September 4, 2024, Planning Commission / September 16, 2024, Board of County Commissioners



PUBLIC NOTICE

Notice of public hearing will be advertised as required by state statutes prior to the public hearing. No written comments have been received at the time of this report’s distribution. Additional public comments may be available at the public hearing. Should this item be on the regular agenda or should this item be pulled for discussion by the Board, it must be performed as a Quasi-Judicial item at the Board of County Commissioners meeting.

PROJECT DESCRIPTION

The applicant requests approval of a major Planned Development (PD) Amendment PD24-00013 (Harmony) to amend and restate PD23-00019. More specifically, the amendment requests the following changes to parcel 182632000000200000:

- Establish a communication tower use with development standards in the Rural/Agricultural (RA) Future Land Use designation and within the Conservation/Mitigation Easement in the Conservation District of the Harmony Planned Development.
- Establish a maintenance easement for the Communication Tower with direct access to public right-of-way.
- Incorporate communication tower plans and elevations (Exhibit L) into the narrative to establish standards. The tower standards will include a reduction in separation from 150 feet to 59 feet separation from the tower to State Road 500 A (Old Melbourne Highway) right-of-way line to the north and a reduction in tower separation from 150 feet to 50 feet from adjacent Rural/Agricultural (RA) Future Land Use to the east that is under the same ownership as the tower parcel and also in the Conservation District. (The Land Development Code requires separation from public road rights-of-way and any adjacent or surrounding agriculturally zoned land 100% of tower height for camouflaged towers.)
- Identify Communication Structural Standards (Exhibit K) for the Communication Tower development site.

Compatibility with surrounding area

The uses proposed with this application are consistent and compatible with the surrounding Future Land Use designations, zoning districts, and existing uses. The following table summarizes adjacent Future Land Use Map (FLUM) designations, zoning districts, and existing uses:

<i>Direction of Adjacency</i>	<i>Future Land Use Designation</i>	<i>Zoning</i>	<i>Existing Use</i>
<i>North</i>	<i>Rural/Agricultural & Rural Settlement</i>	<i>Rural Settlement (RS) & Agricultural Development and Conservation (AC)</i>	<i>Pastureland and Mobile Home</i>
<i>East</i>	<i>Rural/Agricultural</i>	<i>Planned Development (PD)</i>	<i>Vacant</i>

South	<i>Harmony</i>	<i>Planned Development (PD)</i>	<i>Single Family Residences</i>
West	<i>Harmony</i>	<i>Planned Development (PD)</i>	<i>Single Family Residences</i>

REQUEST

This major Planned Development (PD) amendment (PD23-00019) is requesting to establish development standards for a communication tower and to allow for a communication tower structure to be permitted in the Rural/Agricultural land use designation outside the Urban Growth Boundary (UGB). This request is limited to one communication tower with ancillary tower equipment compound on parcel 18263200000020000.

With the exception of a reduction in the separation from the right-of-way and east property line, the communication tower and equipment compound will be developed in accordance with the Land Development Code (LDC) 3.7.1.F, specifically siting standards for Communication Towers. Per the LDC, Section 3.7.1.F.3 - Within a Planned Development, communication towers may be permitted within a planned development if the tower requested is being placed on commercial, industrial, or institutional lands within the PD. Per the LDC, Table 3.4 – Use Table, Communication Towers are a permitted use within the Agricultural Development and Conservation (AC) zoning district outside the UGB. The subject site is located on a parcel that is within the Conservation District designation of the Harmony PD and within the Rural/Agricultural future land use which is consistent with AC zoning districts outside the UGB.

The applicant is requesting a communication tower to be allowed in a Rural/Agricultural Future land Use designation consistent with AC zoning districts outside the UGB.

The subject property is within the Conservation District of the Harmony Planned Development. Although the property is located in the Conservation District., the towers development area is located in the northeast area of the site. Research of the property indicates, to the best of our knowledge, that the northeast area does not include wetlands. The applicant will be required to address any potential wetland impacts at the time of development.

The applicant is also requesting a reduction in the minimum separation requirements from public rights-of-way from 150 feet to 59 feet and from adjacent property to the east from 150 feet to 50 feet. The camouflaged tower will meet the separation requirements from all other property lines. Note: the adjacent parcel 172632000000200000 to the east is under the same ownership as the tower parcel (Cat Lake Osceola, LLC) and the eastern tower separation when measured from the eastern boundary of parcel 172632000000200000 meets separation requirements consistent with camouflaged towers.

Towers outside the UGB may be placed at a maximum height of 1000 feet and the design is not limited. With the reduction in separation, the applicant is proposing a tower that is limited to 150 feet overall height and with a "camouflaged" design that will blend in with the surrounding environment. The tower will be designed as a monopine tower and will visually look like a tall tree.

The tower will provide communication services to the surrounding area. Communication towers located within the Rural/Agricultural future land use are exempt from landscaping and buffering requirements. The applicant is proposing standards that exceed the LDC requirements which include a 5-foot-wide buffer to the south, east and west of the equipment compound with an 8 feet tall chain-link fence surrounding the tower equipment compound. Along the west and south property lines there is an existing wetland tract and a proposed 25-foot-wide buffer between the proposed single-family development and the subject tower development property. The buffer is established in the overall site development plan for the property to the west and south (SDP24-0052) that is currently under review. Additionally, the existing wetlands and vegetation abutting the tower equipment compound to the south, east, and west on the subject tower parcel will provide buffering and screening of the tower development.

In reviewing this request, staff evaluated the open space requirements for the Harmony Planned Development. The Harmony Planned Development requires a minimum of 70 percent open space. The tower development with the equipment compound and driveway access will not exceed 3,800 square feet. Currently the Harmony open space on approximately 7,799.01 acres is over 70 percent. With the reduction of 3,800 square feet (approximately .09 acres) from the overall approximately 11,030.9 acre Harmony Planned Development, the Harmony Planned Development open space will be maintained at approximately 70.7 percent and approximately 7,799 acres.

Analysis

Osceola County Comprehensive Plan and Land Development Code

In preparing the recommendation, staff reviewed the request for consistency with the Goals, Objectives, and Policies of the Osceola County 2040 Comprehensive Plan. Considerations were made in the evaluation of this planned development request in regard to land use compatibility, location, availability and capacity of services and facilities, market demand, and environmental features. Planned Development is a consistent zoning district within Rural/Agricultural future land use. The proposed amended PD zoning district provides a unified development plan, provides standards that exceed the minimum LDC requirements, and allows for flexibility and unique design.

Future Land Use Element Policy 1-1.2.25: - Harmony Rural Community

The Harmony Rural Community Future Land Use Map designation is adopted to establish a long-range vision, goals, objectives and policies, and a future land use map for a portion of Osceola County. Development Standards for Harmony are identified within the Special Development Areas herein.

**Per the Land Development Code, Article 3.11 - Planned Developments,
Section 3.11.1 - Planned Developments**

A. PURPOSE AND INTENT. It is the intent of this Section to provide a mechanism to promote development of the highest quality. Planned development districts, through flexible design guidelines, are intended to afford a developer the latitude to achieve a design quality superior to that possible through the utilization of standard development practices. By allowing land utilization to be more efficient, planned developments are also intended to result in an increased level of amenities for its inhabitants.

Planned developments are to function as integrated units, not unrelated uses or lots. The development sites within the planned development districts are intended to provide a high quality living and/or working environment by being pedestrian and bicycle friendly, being environmentally sensitive, appearing visually pleasing to the community, containing adequate recreation and functional open space, and being compatible with surrounding land use.

To enable compliance with the aforementioned intent, the County may, through the planned development district, allow deviation from standard zoning requests, including lot size, setbacks, lot coverage and height. Other deviations which may be allowed include signage, parking and infrastructure. Approval will only be granted to provide a vehicle for creativity and innovation, which are necessary to ensure that departure from conventional development standards will result in the quality of design that the County is seeking. Alternatively, planned development districts are not intended to serve as a vehicle which merely allows variances to standard development regulations.

This proposal is for an amendment to an existing planned development and meets the purpose and intent of a planned development as defined in the Land Development Code, Article 3.11 - Planned Developments. The applicant has proposed standards that exceed the minimum LDC requirements and staff has included special conditions to mitigate potential impacts.

Previous Planned Development Conditions of Approval

1. PD23-00019 superseded PD21-00008 and all previous approvals.

The following Special Conditions imposed from PD21-0008 are being carried forward with this approval:

2. Site Development Plan (SDP) is required for the maintenance and storage site. All proposed structures shall be shown on the SDP.
3. Access and Drive aisles for vehicle storage must be paved for the increase in use and shall provide details during the Site Development Plan (SDP) process.
 - The proposed alternative surface for the access road is not approved as part of this amendment. Any proposed alternative surface will be evaluated at the SDP review and require compliance with applicable codes.

The following Special Conditions imposed by the Osceola County Board of County Commissioners on this development at their meeting on November 5, 2018 are being carried forward with this approval:

4. A major PD amendment will be required if the open space is less than 70% of the total gross acreage.
5. The applicant will include an internal trail that connects the Harmony Central and Harmony East developments to the Town Center subject to agency permitting. This trail may be a raised boardwalk. If the trail cannot be permitted the applicant will construct a Multi-Purpose Trail within the US Hwy 192 right-of-way to accommodate the pedestrian and bicycle access from these neighborhoods to the Town Center.
6. Garages at Galt's Landing shall be architecturally compatible with and ancillary to the primary structure, to be submitted at SDP and subject to staff approval.
7. Operational and intersection improvements shall be required for the intersection of the proposed Taxiway and Old Melbourne Highway. Pavement design, roadway signage, signal beacon(s), and/or markings, etc. shall be reviewed at SDP stage and must comply with all appropriate permitting agencies and the Osceola County Land Development Code.
8. The Developer shall record and enforce a Noise Abatement Zone over the existing residential areas of Harmony prior to any aircraft use for residents of Galt's Landing.
9. Any aircraft utilizing the approved taxiway shall not exceed 40,600 lbs. and shall not be larger than the super mid-size classification of business jets.
10. The Galt's Landing development shall be responsible for the cost of any future improvements to the Taxiway and its safety features resulting from future improvements of Old Melbourne Highway.
11. Aircraft uses shall be limited to personal recreation only. Commercial uses, including but not limited to pilot/flight lessons, are prohibited.
12. Alterations to this PD to increase the approved sizes/weight of aircraft or approved aircraft uses shall require a Major PD amendment.

The following Special Conditions imposed by the Osceola County Board of County Commissioners on this development at their meeting on June 17, 2013 are being carried forward with this approval:

13. In accordance with the LDC and the PD narrative, an interconnected pedestrian and bicycle master plan for the Harmony Rural Community must be provided.
14. A sufficient buffer along U.S. 192/41 abutting residential areas shall be incorporated and shown on associated SDPs. The buffer must provide both visual screening from vehicle lights and noise reduction components.
15. Pursuant the Development Order condition #53 of the Third Amended and Restated Development Order. Future development tracts will connect to the pedestrian/bike path to the school as part of their infrastructure.
16. Parking, landscaping and fencing are to be included in SDPs for recreation tracts.

17. Location of the gas line easement on residential parcels shall be reviewed as part of the preliminary subdivision plans but must remain outside of individual single-family residential lots.
18. Each garage apartment unit that is on a separate utility meter from the primary structure and has been approved by the Harmony Architectural Review Board shall count as “one unit” toward overall DRI/PD density thresholds.
19. Hydrant system must be on a looped water system. No more than 1 hydrant will be allowed on an 8-inch dead end main unless required flow can be substantiated and certified by the engineer of record.

Attachments:

- Attachment A – Application Packet
- Attachment B – Planned Development Narrative in Strikethrough/underline
- Attachment C – Planned Development Final Narrative (Clean Narrative) and Exhibits

STAFF RECOMMENDATION

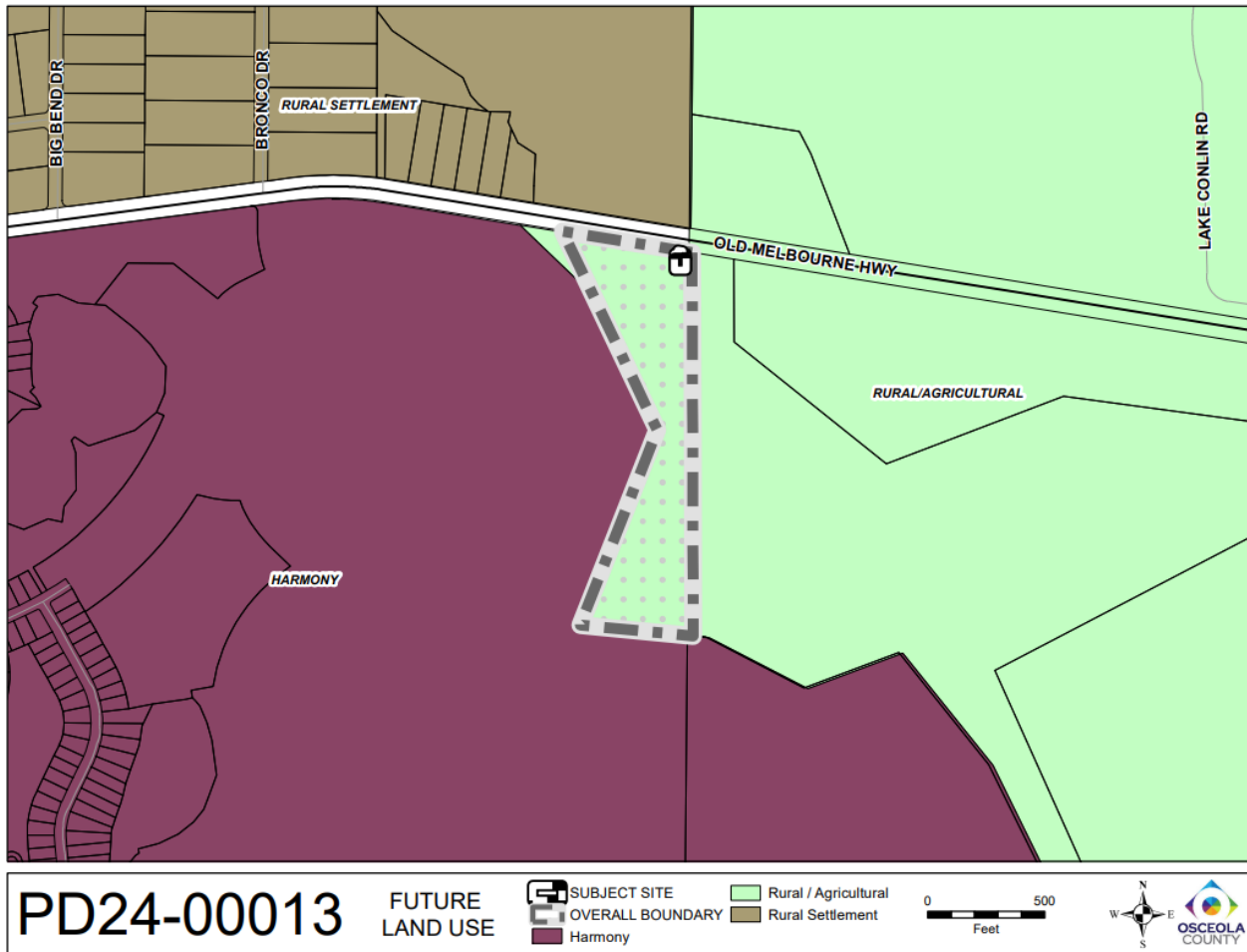
Approval, subject to the following special conditions:

1. Approval of PD24-00013 shall supersede PD23-00019.
2. Wetlands and buffers shall be evaluated at Site Development Plan (SDP). Should any buffer requirements be non-compliant with the approved buffers for Harmony, Location may need to be adjusted to accommodate the required buffers.
3. The Plans entitled NOVA RD 532 submitted are for reference only and not approved by this Planned Development (PD) amendment. Submittal of an SDP will be required showing compliance with the PD standards and the Land Development Code (LDC).
4. If Communication Tower standards are not addressed in the Planned Development, then the Land Development Code (LDC) standards shall apply.
5. Site Development Plan (SDP) is required for the maintenance and storage site. All proposed structures shall be shown on the SDP.
6. Access and Drive aisles for vehicle storage must be paved for the increase in use and shall provide details during the Site Development Plan (SDP) process.
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Future Land Use



Zoning

