

BCC Mtg. Date: Apr. 5, 2022

Effective Date: August 27, 2022

ORDINANCE NO. 2022-11

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE “2010-2030 COMPREHENSIVE PLAN,” AS AMENDED, BY ADOPTING AN AMENDMENT PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2021 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Legislative Findings, Purpose, and Intent.

a. Part II of Chapter 163, Florida Statutes, sets forth procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. Orange County has complied with the applicable procedures and requirements of Part II of Chapter 163, Florida Statutes, for amending Orange County’s 2010-2030 Comprehensive Plan; and

c. On April 5, 2022, the Board of County Commissioners held a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to adopt it.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendments to Text of the Future Land Use Element. The Comprehensive Plan is hereby amended by amending the text of the Future Land Use Element to

read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words. (Words, numbers, and letters within brackets identify the amendment number and editorial notes, and shall not be codified.)

* * *

[Amendment 2021-2-C-FLUE-2:]

FLU6.2.7 Amendments to the residential densities of the Rural Settlement shall not allow residential densities greater than one dwelling unit per acre, except for those exemptions listed below:

- A. Land designated Low Density Residential ~~and/or~~ Low-Medium Density Residential at the time of the July 1, 1991, Comprehensive Plan adoption;
- B. Land meeting the location and/or size criteria established in Policy FLU6.2.8;
- ~~B.C.~~ County-certified affordable housing projects that are rural in character and meet the Small Scale ~~FLUM~~Future Land Use Map Amendment criteria and requirements. (Added 6/94, Ord. 94-13; Amended 12/00, Ord. 00-25, Policy 2.1.10)

FLU6.2.8 Residential development in a Rural Settlement may be permitted ~~up to a~~ maximum density of two (2) dwelling units per acre under the Rural Settlement Low Density (RSLD 2/1) Future Land Use Map designation in limited-an areas that are adjacent to higher density or intensity urban development located in adjacent municipal jurisdictions, or on an individual parcel of more than 100 gross acres situated within and along the perimeter of a Rural Settlement and adjacent to unincorporated land outside that Rural Settlement and designated Low Density Residential or Low-Medium Density Residential on the Future Land Use Map, provided such individual parcel is recognized by the Orange County Property Appraiser’s official records as in existence on April 5, 2022.

Land designated RSLD 2/1 is intended to serve as a buffer and transition, provided with site design standards—including those otherwise required pertaining to minimum open space and environmentally-sensitive land—are provided to ensure compatibility with the surrounding Rural Settlement development. This provision is intended to serve as a buffer and transition. The Future Land Use designation of Rural Settlement Low Density Residential shall be restricted to no more than 2 DU/AC: “Adjacent” per this Policy shall mean at least 25 percent parcel perimeter contiguity, excluding separation by a public right-of-way. An area or Pparcels greater than 25 Acres benefitting from this Policy must be approved as a PD. Higher density shall only be considered if existing or vested development.

~~Adjacency requires a minimum of 25% contiguity.~~ Such increased density shall not be an impetus for the provision of central services elsewhere within the Rural Settlements. (Added 6/94, Ord. 94-13, 12/00, Ord. 00-25, Policy 2.1.17-r)

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Section 4. Effective Dates for Ordinance and Amendment.

- (a) This ordinance shall become effective as provided by general law.
- (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan amendment adopted under this ordinance becomes effective until 31 days after the DEO notifies the County that the plan amendment package is complete. However, if an amendment is timely challenged, the amendment shall not become effective until the DEO or the Administration Commission issues a final order determining the challenged amendment to be in compliance.
- (c) No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective.

ADOPTED THIS 5th DAY OF APRIL, 2022.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk