

ORDINANCE NO. 2019-18

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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2019 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

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;
- c. On July 18, 2019, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and
- d. On August 6, 2019, the Orange County Board of County Commissioners ("Board") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

e. On September 20, 2019, the Florida Department of Economic Opportunity (“DEO”) issued a letter to the County relating to the DEO’s review of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

f. On October 17, 2019, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance; and

g. On November 12, 2019, the Board held a public hearing on the adoption of the proposed amendments to the Comprehensive Plan, as described in this ordinance, and decided to adopt them.

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

Section 3. Amendments to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix “A,”** attached hereto and incorporated herein.

Section 4. Amendments to the Text of the Future Land Use Element. The Comprehensive Plan is hereby further 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 2019-2-B-FLUE-1:]

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) and Lake Pickett (LP) Future Land Use designations that have been adopted subsequent to January 1, 2007.

Amendment Number	Adopted FLUM Designation	Maximum Density/Intensity	Ordinance Number
* * *	* * *	* * *	* * *
2013-2-A-1-3 Groves of West Orange	Growth Center (GC) — Planned Development-Low-Medium Density Residential (PD-LMDR)	Single-Family — 139 dwelling units	2013-22
2016-1-A-1-8 Island Reef	Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR)	220 single-family dwelling units and/or townhomes and up to 20,000 square feet of C-1 (Retail Commercial District uses)	2016-15
* * *	* * *	* * *	* * *
<u>2019-2-A-1-1</u> <u>Avalon Groves</u>	<u>Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)</u>	<u>Up to 300 short-term rental units and 300 multi-family dwelling units</u>	<u>2019-18</u>
<u>2019-2-A-4-2</u> <u>12400 E. Colonial Drive</u>	<u>Planned Development-Medium-High Density Residential (PD-MHDR)</u>	<u>Up to 256 multi-family dwelling units</u>	<u>2019-18</u>

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

* * *

[Amendment 2019-2-B-FLUE-3:]

FLU1.1.2

- A. The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.

- B. The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

FLUM Designation	General Description	Density
Urban Residential – Urban Service Area		
Low Density Residential (LDR)	Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single-family development.	0 to 4 du/ac
Low-Medium Density Residential (LMDR)	Recognizes low- to medium-density residential development within the USA, including single-family and multi-family residential development.	0 to 10 du/ac
Medium Density Residential (MDR)	Recognizes urban-style multifamily residential densities within the USA.	0 to 20 du/ac
Medium-High Density Residential (MHDR)	Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood-serving amenities within a reasonable pedestrian walkshed.	0 to 35 du/ac
High Density Residential (HDR)	Recognizes high-intensity urban-style development within the USA.	0 to 50 du/ac

- C. Density and Floor Area Ratio (FAR) calculation is determined by dividing the total number of units/square footage by the net developable land area. Accessory Dwelling Units (ADUs) shall not be included in density calculations. The net developable land area for density and FAR calculation (intensity) is defined as the gross land area, excluding surface waters and certain conservation areas from the land area calculations. In order to include new Class I, II and III conservation areas in the density and FAR calculations, the parcels shall have an approved Conservation Area Determination (CAD) and an approved Conservation Area Impact permit from the Orange County Environmental Protection Division.

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APPENDIX "A"

FUTURE LAND USE MAP AMENDMENTS

Appendix A*		
<i>Privately-Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
2019-2-A-1-1	Growth Center-Planned Development-Commercial/Low-Medium Density Residential (GC-PD-C/LMDR) and Growth Center-Planned Development-Low-Medium Density Residential (GC-PD-LMDR)	Growth Center-Planned Development-Commercial/Medium Density Residential (GC-PD-C/MDR)
2019-2-A-4-2	Commercial (C)	Planned Development-Medium-High Density Residential (PD-MHDR)
<i>Staff-Initiated Future Land Use Map Amendments</i>		
Amendment Number	Future Land Use Map Amendments	
2019-2-B-FLUM-1	Map amendment removing Future Land Use Map designations for parcels previously annexed by incorporated jurisdictions within Orange County	
2019-2-B-FLUM-2 (fka 2019-2-A-5-1)	Rural/Agricultural (R)	Preservation (PRES)
*The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective.		

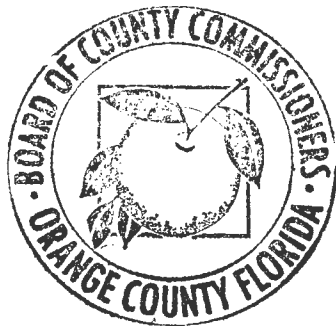
Section 5. Effective Dates for Ordinance and Amendments.

(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 any of these amendments may be issued or commence before the amendments have become effective.

ADOPTED THIS 12th DAY OF NOVEMBER, 2019.



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: *Jessie Vaupal*
for Deputy Clerk

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