

**Sec. 38-78. Special exception criteria.**

Subject to section 30-43 of this Code, in reviewing any request for a special exception, the following criteria shall be met:

- (1) The use shall be consistent with the comprehensive plan.**
- (2) The use shall be similar and compatible with the surrounding area and shall be consistent with the pattern of surrounding development.
- (3) The use shall not act as a detrimental intrusion into a surrounding area.
- (4) The use shall meet the performance standards of the district in which the use is permitted.**
- (5) The use shall be similar in noise, vibration, dust, odor, glare, heat producing and other characteristics that are associated with the majority of uses currently permitted in the zoning district.
- (6) Landscape buffer yards shall be in accordance with section 24-5 of the Orange County Code. Buffer yard types shall track the district in which the use is permitted.

**In addition to demonstrating compliance with the above criteria, all applicable conditions set forth in section 38-79 shall be met.**

#### **Sec. 38-1. Definitions.**

**Odor compliance and compatibility study** shall mean a study prepared by a qualified professional that through modeling and/or field study demonstrates that under the **most adverse conditions expected the proposed project**, including any proposed odor abatement plan, will comply with the objectionable odor regulations in [Chapter 15](#), Article III, and provides a **comparison to background dilution-to-threshold (D/T) odor levels, hedonic tone, and odor descriptors (e.g. using an odor wheel) within surrounding properties, and also other properties within the same zoning district.**

([Ord. No. 2023-46](#), § 2, 12-12-23)

- Chapter 15, Article III aka "Orange County Air Quality Rules"
- See also FAC 62-296.320(2) – FDEP Odor Prohibition Rule