BCC Mtg. Date: February 11, 2020

EFFECTIVE DATE: August 27, 2020

ORDINANCE NO. 2020-04

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 2019 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;

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

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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 amendment 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 amendment to the Comprehensive Plan, as described in this ordinance; and

g. On November 12, 2019, the Board opened a public hearing on the adoption of the proposed amendment to the Comprehensive Plan, as described in this ordinance, and decided to continue the hearing on the adoption to February 11, 2020; and

h. On February 11, 2020, the Board 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 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.)

* * *

FLU1.1.2

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G. Community Residential Homes and Similar Facilities. A Community Residential Home (CRH) is defined in Section 419.001(1)(a), Florida Statutes (2019) as "a dwelling unit licensed to serve residents who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Families or licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents". The definition of a Community Residential Home (CRH) may include uses such as Assisted Living Facilities, Adult Family Care Homes, group homes, and other similar uses; alternatively, these uses may consist of similar facilities with fewer or greater than 7 to 14 unrelated residents.

(1) A dwelling unit that serves six (6) or fewer residents, that otherwise meets the definition of a CRH, shall be deemed a noncommercial, residential use and shall be permitted in any residential or rural/agricultural Future Land Use (FLU) designation or zoning district, provided that the dwelling unit meets all requirements of Section 419.001, Florida Statutes (2019).

(2) A CRH (serving seven (7) to fourteen (14) residents) shall be permitted in the Low-Medium Density Residential (LMDR) and all higher-density residential FLU designations and the Office and Commercial FLU designations, provided that the CRH meets all requirements of Section 419.001, Florida Statutes (2019).

(3) A facility serving greater than fourteen (14) residents shall be permitted in any residential FLU designation that allows multi-family uses, as well as the Commercial and Office designations. In residential districts, density for such uses shall be calculated based on the number of beds, with two (2) beds equal to one (1) residential unit. Facilities located in nonresidential districts shall be regulated based on the Floor Area Ratio (FAR) consistent with the FLU designation.

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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 11th DAY OF FEBRUARY, 2020.
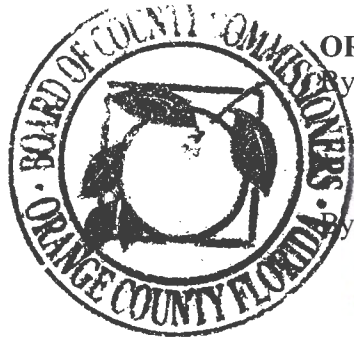
ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _Bymm. Broks_
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

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