

Interoffice Memorandum

DATE: July 2, 2025

TO: Mayor Jerry L. Demings and County Commissioners

THROUGH: N/A



FROM: Tanya Wilson, AICP, Director Planning, Environmental, and Development Services Department

CONTACT: Jason Sorensen, AICP, Chief Planner, Current Planning

PHONE: (407) 836-5602

DIVISION: Planning Division

ACTION REQUESTED:

APPROVE and ADOPT an Ordinance repealing portions of Ordinance No. 2025-13 pertaining to the Rural Boundary and Rural Area. Countywide.

PROJECT: Repeal Ordinance – Rural Boundary and Rural Area

PURPOSE: The Board of County Commissioners adopted amendment 2024-2-B-CP-3 (Rural Boundary and Rural Area) by Ordinance No. 2025-13 on May 20, 2025. The staff-initiated text and map amendment pertained to the Future Land Use Element and Future Land Use Map Series of the Comprehensive Plan, amending policies to reflect the enactment of Section 506 (Rural Boundary and Rural Area), into the Orange County Charter. On June 26, 2025, Florida Governor Ron DeSantis signed Senate Bill 180 (Chapter 2025-190) into law. Portions of the new law prohibit a local government from adopting a more restrictive or burdensome amendment to its comprehensive plan. The prohibition applies retroactively to August 1, 2024. Section 28 of Chapter 2025-190 also provides that a resident or the owner of a business may bring a civil action against the County for a violation of the law. However, attorney's fees and costs may not be awarded if the local government repeals the comprehensive plan amendment.

On June 30, 2025, the County received written notice from Theriaque and Spain Law Firm, challenging Ordinance No. 2025-13 under the provisions of Chapter 2025-190. The proposed Ordinance for consideration on July 15, 2025, repeals portions of Ordinance No. 2025-13 to be compliant with portions of the new law.

BUDGET: N/A