




Interoffice Memorandum

DATE: July 12, 2023

TO: Mayor Jerry L. Demings
-AND-
County Commissioners

THROUGH: Andres J. Salcedo, P.E., Acting Director
Planning, Environmental, and Development Services Department

FROM: Alberto A. Vargas, MArch., Manager, Planning Division 

SUBJECT: Adoption Public Hearing – July 25, 2023, Small-Scale Future Land Use Map Amendment and Concurrent Planned Development Rezoning Request
Applicant: Richard Templin
SS-23-01-094 and LUP-23-03-076 (Vietnam and All Veterans of Central Florida PD)

Please find the attached staff report and associated back-up material for the Small-Scale Future Land Use Map Amendment and Concurrent Rezoning Request scheduled for a Board adoption public hearing on July 25, 2023.

The subject property is located at 3400 N. Tanner Road, generally located on the west side of N. Tanner Road, approximately 3,000 feet north of Lake Pickett Road. The request is to change the Future Land Use Map designation from LDR (Low Density Residential) to Institutional (INST) and rezone the property from R-1 (Single-Family Dwelling District) to PD (Planned Development District) (Vietnam and All Veterans of Central Florida Planned Development / Land Use Plan). The applicant is proposing to allow for the continued operation of the National Vietnam War Museum and associated office, outdoor events and the outdoor storage of materials related to support the museum. The request is associated with three waivers from Orange County Code related to building setbacks for the existing structures and allowing grass parking in lieu of parking on an improved surface.

A community meeting was held on April 25, 2023, with twenty residents in attendance with general questions about the request.

The adoption public hearing was conducted before the Planning and Zoning Commission / Local Planning Agency on June 15, 2023, where the request was recommended for approval.

If the Board adopts the proposed amendment, the Small-Scale Development Amendment will become effective 31 days after the public hearing, provided no challenges are brought forth for this amendment.

Any questions concerning this document should be directed to Alberto A. Vargas, MArch, Manager, Planning Division, at 407-836-5802 or Alberto.Vargas@ocfl.net, or Jason Sorensen, AICP, Chief Planner, at 407-836-5602 or Jason.Sorensen@ocfl.net.

ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and ADOPT the Institutional (INST) Future Land Use Map designation, APPROVE the associated ordinance, and APPROVE the PD (Planned Development District) zoning, subject to the twelve conditions listed in the staff report including three waivers from Orange County Code. District 5

TB/JHS/sw

c: Jon V. Weiss, P.E., Deputy County Administrator
Joel Prinsell, Deputy County Attorney
Whitney Evers, Assistant County Attorney
Roberta Alfonso, Assistant County Attorney
Jason Sorensen, AICP, Chief Planner, Planning Division
Olan D. Hill, AICP, Assistant Manager, Planning Division
Nicolas Thalmueller, AICP, Planning Administrator, Planning Division

Small-Scale Future Land Use Map Amendment & Rezoning Staff Report
Orange County Planning Division
BCC Hearing Date: July 25, 2023

CASE # SS-23-01-094
LUP-23-03-076

Commission District: #5

GENERAL INFORMATION

APPLICANT	Richard Templin, Vietnam and All Veterans of Central Florida
OWNER	Orange County BCC
HEARING TYPE	Small-Scale Future Land Use Map (FLUM) Amendment / Rezoning
PROJECT NAME	Vietnam and All Veterans of Central Florida Land Use Plan
FLUM REQUEST	Low Density Residential (LDR) to Institutional (INST)
ZONING REQUEST	R-1 (Single-Family Dwelling District) to PD (Planned Development District)

A request to rezone 2.34 acres from R-1 to PD to allow for the existing and future use of the property, including a museum, office/admin, and outdoor events.

In addition, three (3) waivers are requested from Orange County Code:

1. A waiver from Sec. 38-1272(a)(3) to allow existing Structures A, B, C, and D as shown on the Land Use Plan to remain with a PD Boundary setback of 3.9 ft. in lieu of 25 ft. from the north PD Boundary.

Applicant Justification: This waiver allows for existing structures along the rear property line to remain. Where possible, building permits will be requested retroactively for these existing structures. New structures proposed on the site shall meet the required 25 ft. PD Boundary setback and receive a building permit prior to construction, as applicable.

2. A waiver from Sec. 38-1272(a)(3) to allow existing Structures D, E, F, M, P and Q as shown on the Land Use Plan to remain with a PD Boundary setback of 3.3 ft. in lieu of 25 ft. from the east PD Boundary.

Applicant Justification: This waiver allows for existing structures along the side property line to remain. Where possible, building permits will be

**Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023**

requested retroactively for these existing structures. New structures proposed on the site shall meet the required 25 ft. PD Boundary setback and receive a building permit prior to construction, as applicable.

3. A waiver from Sec. 38-1479(a) to allow parking on unimproved surface (grass), in lieu of parking on an improved surface.

Applicant Justification: *The site provides a small amount of improved parking in close proximity to the Museum building (Structure N) and the Pavilion (Structure H) including paved ADA parking spaces and regular parking spaces. The main parking area on the west side of the site is mostly surrounded by various landscaping materials, including hedges, canopy and understory trees, and bamboo. The two existing parking areas have functioned successfully for many years.*

LOCATION	3400 N. Tanner Road; generally bounded by Tanner Road to the east, Rensselaer Road to the west, and Lake Pickett Road to the south.
PARCEL ID NUMBERS	12-22-31-0000-00-066; and 12-22-31-1466-00-001 (portion of)
TRACT SIZE	2.34 gross acres
PUBLIC NOTIFICATION	The notification area for this public hearing was 1000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Two hundred ninety-one (291) notices were mailed to those property owners in the mailing area.
COMMUNITY MEETING	A community meeting was held on April 25, 2023.
PROPOSED USE	To allow the continued operation of a museum, office, outdoor events / fundraisers and the outdoor storage of material items directly related to support of the museum in association with a fraternal organization.

STAFF RECOMMENDATION

PLANNING

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Institutional (INST) Future Land Use.

Rezoning

Development Review Committee – (May 24, 2023)

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the Vietnam and All Veterans of Central Florida Planned Development (PD) Planned Development / Land Use Plan (PD/LUP), dated “Received May 3, 2023”, subject to the following conditions:

1. Development shall conform to the Vietnam and All Veterans of Central Florida Planned Development Land Use Plan Amendment dated “Received May 3, 2023” and shall comply with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. Accordingly, the PD may be developed in accordance with the uses, densities, and intensities described in such Land Use Plan, subject to those uses, densities, and intensities conforming with the restrictions and requirements found in the conditions of approval and complying with all applicable federal, state, and county laws, ordinances, and regulations, except to the extent that any applicable county laws, ordinances, or regulations are expressly waived or modified by any of these conditions. If the development is unable to achieve or obtain desired uses, densities, or intensities, the County is not under any obligation to grant any waivers or modifications to enable the developer to achieve or obtain those desired uses, densities, or intensities. In the event of a conflict or inconsistency between a condition of approval and the land use plan dated "Received May 3, 2023", the condition of approval shall control to the extent of such conflict or inconsistency.
2. This project shall comply with, adhere to, and not deviate from or otherwise conflict with any verbal or written promise or representation made by the applicant (or authorized agent) to the Board of County Commissioners ("Board") at the public hearing where this development received final approval, where such promise or representation, whether oral or written, was relied upon by the Board in approving the development, could have reasonably been expected to have been relied upon by the Board in approving the development, or could have reasonably induced or otherwise influenced the Board to approve the development. In the event any such promise or representation is not complied with or adhered to, or the project deviates from or otherwise conflicts with such promise or representation, the County may withhold (or postpone issuance of) development permits and / or postpone the recording of (or refuse to record) the plat for the project. For purposes of this condition, a "promise" or "representation" shall be deemed to have been made to the Board by the applicant (or authorized agent) if it was expressly made to the Board at a public hearing where the development was considered and approved.
3. Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit, or any other development order, if the

Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023

applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant shall obtain all other applicable state or federal permits before commencement of development.

4. Developer / Applicant has a continuing obligation and responsibility from the date of approval of this land use plan to promptly disclose to the County any changes in ownership, encumbrances, or other matters of record affecting the property that is subject to the plan, and to resolve any issues that may be identified by the County as a result of any such changes. Developer / Applicant acknowledges and understands that any such changes are solely the Developer's / Applicant's obligation and responsibility to disclose and resolve, and that the Developer's / Applicant's failure to disclose and resolve any such changes to the satisfaction of the County may result in the County not issuing (or delaying issuance of) development permits, not recording (or delaying recording of) a plat for the property, or both.
5. Property that is required to be dedicated or otherwise conveyed to Orange County (by plat or other means) shall be free and clear of all encumbrances, except as may be acceptable to County and consistent with the anticipated use. Owner / Developer shall provide, at no cost to County, any and all easements required for approval of a project or necessary for relocation of existing easements, including any existing facilities, and shall be responsible for the full costs of any such relocation prior to Orange County's acceptance of the conveyance. Any encumbrances that are discovered after approval of a PD Land Use Plan shall be the responsibility of Owner / Developer to release and relocate, at no cost to County, prior to County's acceptance of conveyance. As part of the review process for construction plan approval(s), any required off-site easements identified by County must be conveyed to County prior to any such approval, or at a later date as determined by County. Any failure to comply with this condition may result in the withholding of development permits and plat approval(s).
6. If applicable, an Acknowledgement of Contiguous Sustainable Agricultural Land pursuant to Section 163.3163, Florida Statutes, must be executed and recorded in the Public Records of Orange County, Florida, prior to final approval of this plan and a copy of such Acknowledgment shall be submitted with all future permit applications for this project.
7. Pursuant to Article XII, Chapter 30, Orange County Code, unless documentation to the County's satisfaction has been provided proving that a property is exempt or vested, each property must apply for and obtain concurrency. Unless required at a different time (by agreement, condition of approval, etc.), residential, and non-residential properties which are required to plat, must obtain concurrency prior to approval of the plat and non-residential properties that are not required to plat must obtain concurrency prior to obtaining the first building permit. Concurrency may be obtained earlier than plat or building permit, but it is ultimately the responsibility of the applicant to obtain concurrency, including any proportionate share agreement, as applicable, in a timely fashion. Should an applicant wait to obtain concurrency until

Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023

later in the development process, the County will not be responsible for any delays caused by the applicant's failure to obtain concurrency in a timely fashion.

8. Prior to mass grading, clearing, grubbing or construction, the applicant is hereby noticed that this site must comply with habitat protection regulations of the U.S. Fish and Wildlife Service (USFWS) and the Florida Fish and Wildlife Conservation Commission (FWC).
9. The developer shall obtain water and wastewater service from Orange County Utilities subject to County rate resolutions and ordinances.
10. Prior to construction plan approval, hydraulic calculations shall be submitted to Orange County Utilities demonstrating that proposed and existing water, wastewater, and reclaimed water systems have been designed to support all development (including hydraulically dependent development) within the PD.
11. Pole signs and billboards shall be prohibited, all other signage shall comply with Chapter 31.5 of Orange County Code.
12. The following waivers are granted from Orange County Code:
 - a. A waiver from Sec. 38-1272(a)(3) to allow existing Structures A, B, C, and D as shown on the Land Use Plan to remain with a PD Boundary setback of 3.9 ft. in lieu of 25 ft. from the north PD Boundary.
 - b. A waiver from Sec. 38-1272(a)(3) to allow existing Structures D, E, F, M, P and Q as shown on the Land Use Plan to remain with a PD Boundary setback of 3.3 ft. in lieu of 25 ft. from the east PD Boundary.
 - c. A waiver from Sec. 38-1479(a) to allow parking on unimproved surface (grass), in lieu of parking on an improved surface.

SUBJECT PROPERTY ANALYSIS

Overview

Through this request, the applicant is seeking a Small-Scale Future Land Use Map (FLUM) Amendment to change the Future Land Use of the 2.34-acre subject property, from Low Density Residential (LDR) to Institutional (INST). Additionally, the applicant is requesting a concurrent rezoning from R-1 (Single-Family Dwelling District) to PD (Planned Development District). The subject property is owned by the Orange County Board of County Commissioners and has been leased to the Vietnam and All Veterans of Central Florida (VVCF) organization since 1992.

The applications have been requested to bring consistency between the property's zoning classification and Future Land Use Map designation, and to validate existing and proposed uses. The VVCF operates the Corporal Larry E. Smedley National Vietnam War Museum on site and uses the property for meeting space, outdoor events and

Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023

fundraisers, and the outdoor storage of material items directly related to the support of the museum. Existing site improvements include two (2) one-story buildings, eight (8) outdoor sheds, an outdoor pavilion and outdoor military vehicle displays.

The subject property is adjacent to a single-family residence to the east, N. Tanner Road to the south, and Orange County stormwater retention properties to the north and west.

Existing FLUM Development Program

The property’s R-1 (Single-Family Dwelling District) zoning is consistent with the LDR Future Land Use Map designation. Current and proposed uses for the subject property under the VVCF’s lease agreement with Orange County Government requires a change to the zoning and Future Land Use Map Designation.

Proposed FLUM Development Program

The proposed PD zoning with the Future Land Use Map designation of INST will allow the VVCF to continue operation of existing and proposed uses. If this request is approved with the requested waivers, it will allow for the site to remain as currently developed.

Land Use Compatibility

The INST Future Land Use and PD zoning would allow for use of the property in a manner that is compatible with the existing museum and the VVCF’s lease with Orange County Government, and would not adversely impact adjacent properties.

Site Analysis

	Yes	No	Information
Rural Settlement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Joint Planning Area (JPA)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Overlay District Ordinance	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Airport Noise Zone	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Code Enforcement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Comprehensive Plan (CP) Consistency

The subject property has an underlying Future Land Use Map (FLUM) designation of Low Density Residential (LDR) which allows for a density of up to four (4) dwelling units per acre. The proposed PD zoning district and development program is inconsistent with the LDR FLUM designation. However, through concurrent FLUM amendment # SS-23-01-094, the applicant is seeking to change the FLUM designation to Institutional (INST). Additionally, the request is consistent with the following CP provisions:

FLU8.1.1 states that the zoning and future land use correlation shall be used to determine consistency with the Future Land Use Map. Land use compatibility, the location, availability and capacity of services and facilities, market demand, and environmental features shall also be used in determining which specific zoning district

Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023

is most appropriate. Density is restricted to the maximum and minimum allowed by the Future Land Use Map designation regardless of zoning.

OBJ FLU8.2 states that compatibility will continue to be the fundamental consideration in all land use and zoning decisions.

FLU8.2.1 states that land use changes shall be required to be compatible with existing development and development trend in the area. Performance restrictions and/or conditions may be placed on property through the appropriate development order to ensure compatibility. No restrictions or conditions shall be placed on a Future Land Use Map change.

FLU8.2.11 states that compatibility may not necessarily be determined to be a land use that is identical to those uses that surround it. Other factors may be considered, such as the design attributes of the project, its urban form, the physical integration of a project and its function in the broader community, as well its contribution toward the Goals and Objectives in the CP. The CP shall specifically allow for such a balance of considerations to occur.

SITE DATA

Existing Use

Corporal Larry E. Smedley National Vietnam War Museum

Adjacent	FLUM	Zoning
North	Low Density Residential (LDR) (1991)	R-1 (Single-Family Dwelling District) (1957)
South	Low Density Residential (LDR) (1991)	R-1 (Single-Family Dwelling District) (1957)
East	Low Density Residential (LDR) (Year)	R-1 (Single-Family Dwelling District) (Year)
West	Low Density Residential (LDR) (1991)	R-1 (Single-Family Dwelling District) (1957)

Adjacent Land Uses

- N: Orange Count Stormwater Retention
- E: Single-Family Residence
- W: Orange Count Stormwater Retention
- S: Right-of-way (N. Tanner Rd.)

APPLICABLE PD DEVELOPMENT STANDARDS

Maximum Building Height: 50 feet; 35 feet within 100 feet of residential district

Minimum Building Setbacks

Front Setback: 25 feet

Rezoning Case # LUP-23-03-076
Small-Scale Amendment # SS-23-01-094
Orange County Planning Division
BCC Hearing Date: July 25, 2023

Rear Setback: 20 feet when abutting residential district
 Side Setback: 25 feet when abutting residential district

SPECIAL INFORMATION

Staff Comments

	Yes	No	Information
Environmental	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Transportation / Access	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
Schools	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Parks and Recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sheriff's Department	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Fire Rescue	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Environmental Protection Division Comments:

Demolition: Prior to demolition or construction activities associated with existing structures, provide a Notice of Asbestos Renovation or Demolition form to the Orange County Environmental Protection Division (EPD). For more information, or to determine if an exemption applies, contact the EPD Air Quality Management staff at 407-836-1400. Reference OC Code Chapter 15 Environmental Control, Article III Air Quality Control, Division 4 Asbestos requirements, Sec.108 Notification procedure and requirements, Subsection A(1)

Erosion Control: Use caution to prevent erosion during construction along the boundary of the property, into wetlands and buffers, and into all drainage facilities and ditches. Construction will require Best Management Practices (BMPs) for erosion control. Minimize the extent of area exposed at one time, apply perimeter controls where necessary, and perform maintenance checks every seven (7) days and after every 1/2 inch rain. The construction entry area shall be designed to prevent trucks from tracking soil onto local roads and the affected storm drainage system shall be protected. This may require periodic street sweeping. Reference OC Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

Solid Waste Disposal: Any miscellaneous garbage, hazardous waste, yard waste (including excess fertilizers, herbicides and pesticides), and construction or demolition debris shall be disposed of off-site according to the solid waste and hazardous waste regulations. Recycling of materials is encouraged if applicable. Call the Orange County Solid Waste Hotline at 407-836-6601 for information.

Septic Systems: If septic is required, the lots shall be configured to accommodate requirements of the Individual On-Site Sewage Disposal Ordinance regarding setbacks, lot size, soils, distance to potable water supply wells, and elevations. Especially note setbacks: no less than 75 feet from jurisdictional wetlands and the design high water

level of normally wet stormwater retention areas. Reference OC Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal, Section 37-540.

Econ River Ordinance: This site is located within the Econlockhatchee River Protection Ordinance area. Basin-wide regulations may apply. Reference Orange County Code Chapter 15 Article XI.

Transportation Comments:

Based on the Concurrency Management database (CMS) dated 09/14/2022, capacity exists within the project's impact area. A Capacity Encumbrance Letter (CEL) application will be required prior to permit approval and a traffic study may be required prior to building permit approval.

Utilities

Water:	Orange County Utilities
Wastewater:	Orange County Utilities
Reclaim Water:	Not currently available

Detailed Utility Information:

This property is within Orange County Utilities Water, Wastewater, and Reclaimed Water Service Areas. In accordance with Orange County Code Chapter 37:

Potable Water: Development within this property will be required to connect to Orange County Utilities Water system. The connection points will be assessed during Final Engineering/Construction Plan permitting.

Wastewater: This site is currently served by septic system. Future improvements, including new structures and/or modification/expansion to existing structures, would require the entire property to connect to Orange County Utilities wastewater.

Reclaimed water: There are no reclaimed water mains within the vicinity of this property. Reclaimed water is considered not available. Connection is not required.

Community Meeting Summary

A community meeting was held at East Lake Elementary School on the evening of April 25, 2023. A total of twenty (20) residences attended the meeting and provided feedback on the continued operation of a museum, office, outdoor events/fundraisers and the outdoor storage of material items directly related to support of the museum in association with a fraternal organization. Questions were asked about the purpose of the applications, how the site is currently used by the VVCF, and how it would be used in the future. The overall tone of the meeting was positive.

State of Florida Notice

Pursuant to Section 125.022, Florida Statutes, issuance of this development permit by the County does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. Pursuant to Section 125.022, the applicant

shall obtain all other applicable state or federal permits before commencement of development.

Specific Project Expenditure Report and Relationship Disclosure Form

The original Specific Project Expenditure Report and Relationship Disclosure Form are currently on file with the Planning Division.

ACTION REQUESTED

Planning and Zoning Commission (PZC) Recommendation – June 15, 2023

Future Land Use Map Amendment

Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Institutional (INST) Future Land Use.

Rezoning

Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested PD (Planned Development District) zoning, subject to twelve (12) conditions of approval listed under the DRC Recommendation.

PLANNING AND ZONING COMMISSION (PZC) PUBLIC HEARING SYNOPSIS

The staff report was presented to the PZC with the recommendation that they make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of both applications for the requested Institutional (INST) Future Land Use Designation, and the PD (Planned Development District) zoning, subject to twelve (12) conditions of approval. The applicant was present and agreed with the staff recommendation.

Staff indicated that two hundred ninety-one (291) notices were mailed to those property owners in the mailing area extending 1,000 feet of the surrounding property, and that staff received two responses in opposition and none in-favor. During public comments, one member of the public was present to speak in-favor of the request.

After a brief discussion regarding the request and the existing structures, a motion was made on the Future Land Use Map Amendment and rezoning by Commissioner Spears, and seconded by Commissioner Wiggins to recommend ADOPTION of the requested Institutional (INST) Future Land Use Map designation and APPROVAL of the requested PD (Planned Development District) zoning, subject to the twelve conditions of approval including three waivers from Orange county Code. The motion carried on a 6-0 vote.

Motion / Second

Gordon Spears / George Wiggins

Voting in Favor

Michael Arrington, George Wiggins, Camille Evans, Eddie Fernandez, Gordon Spears, and Evelyn Cardenas

Voting in Opposition

None

Absent

David Boers, Nelson Pena, and Walter Pavon

SS-23-01-094/LUP-23-03-076



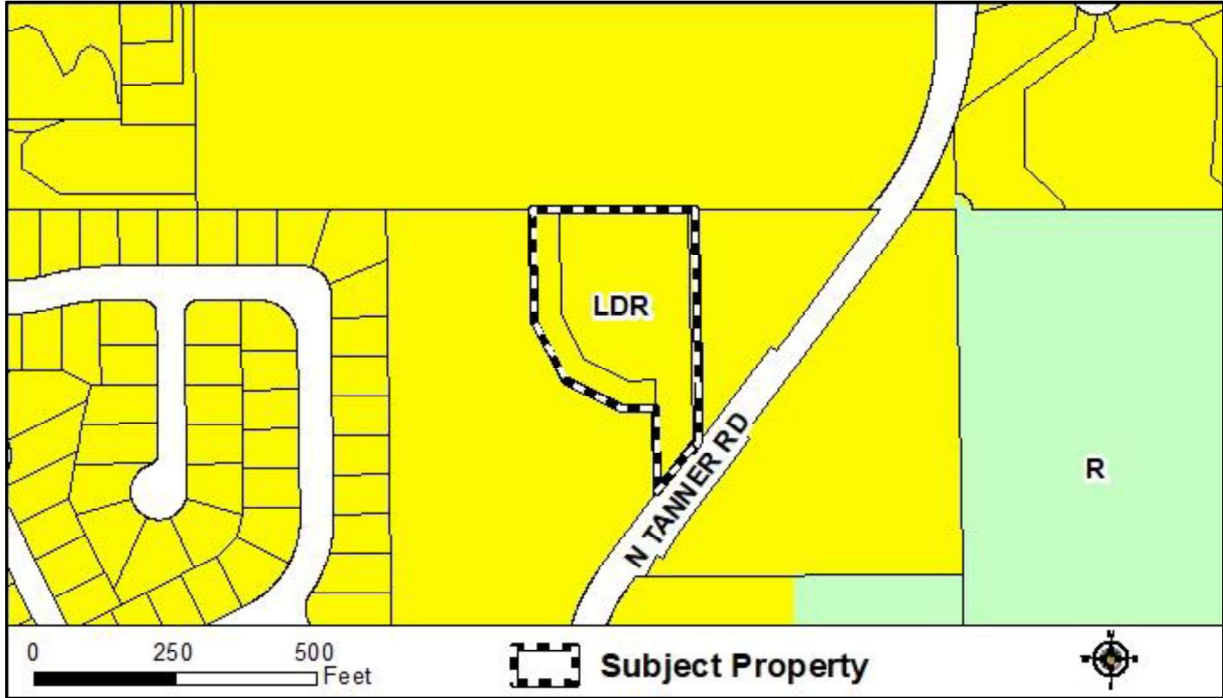
 Subject Property



0 150 300
Feet

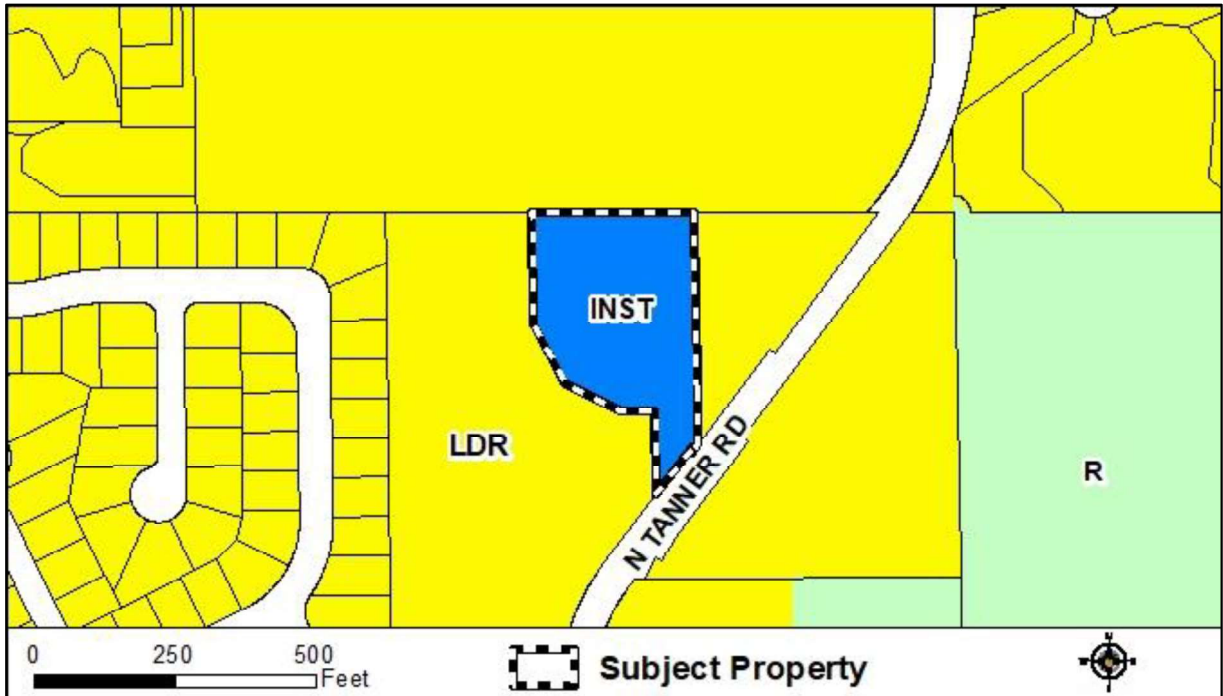
FUTURE LAND USE - CURRENT

Low Density Residential (LDR)



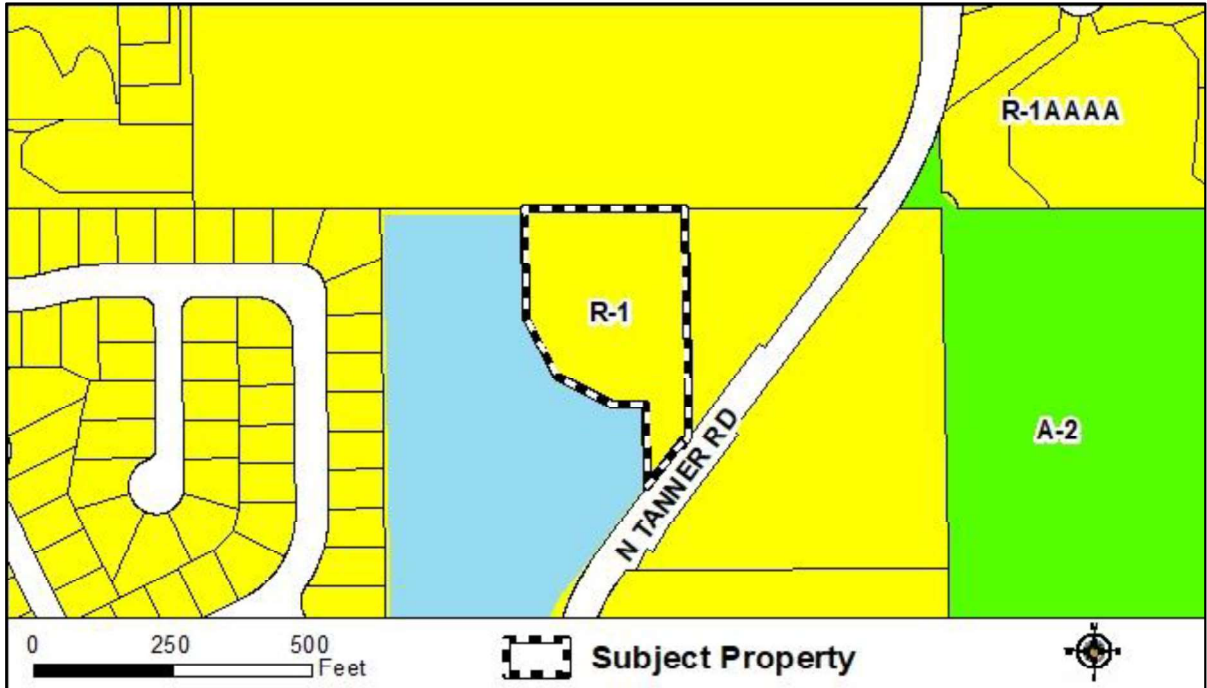
FUTURE LAND USE - PROPOSED

Institutional (INST)



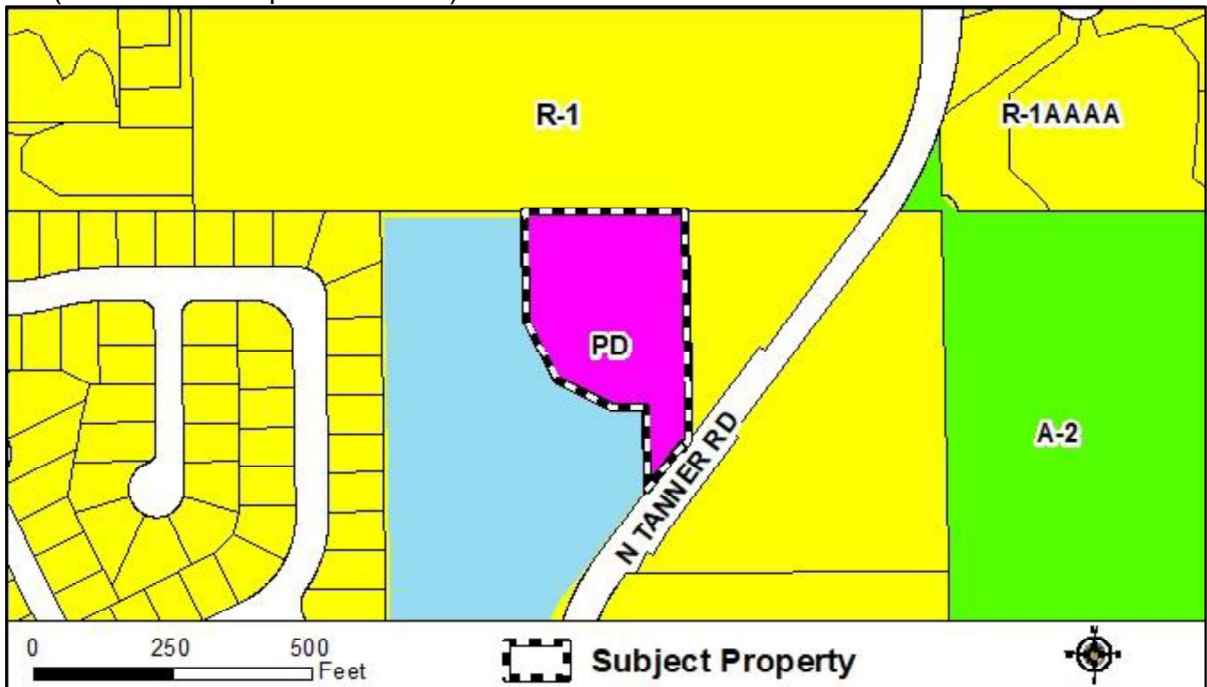
ZONING – CURRENT

R-1 (Single-Family Dwelling District)

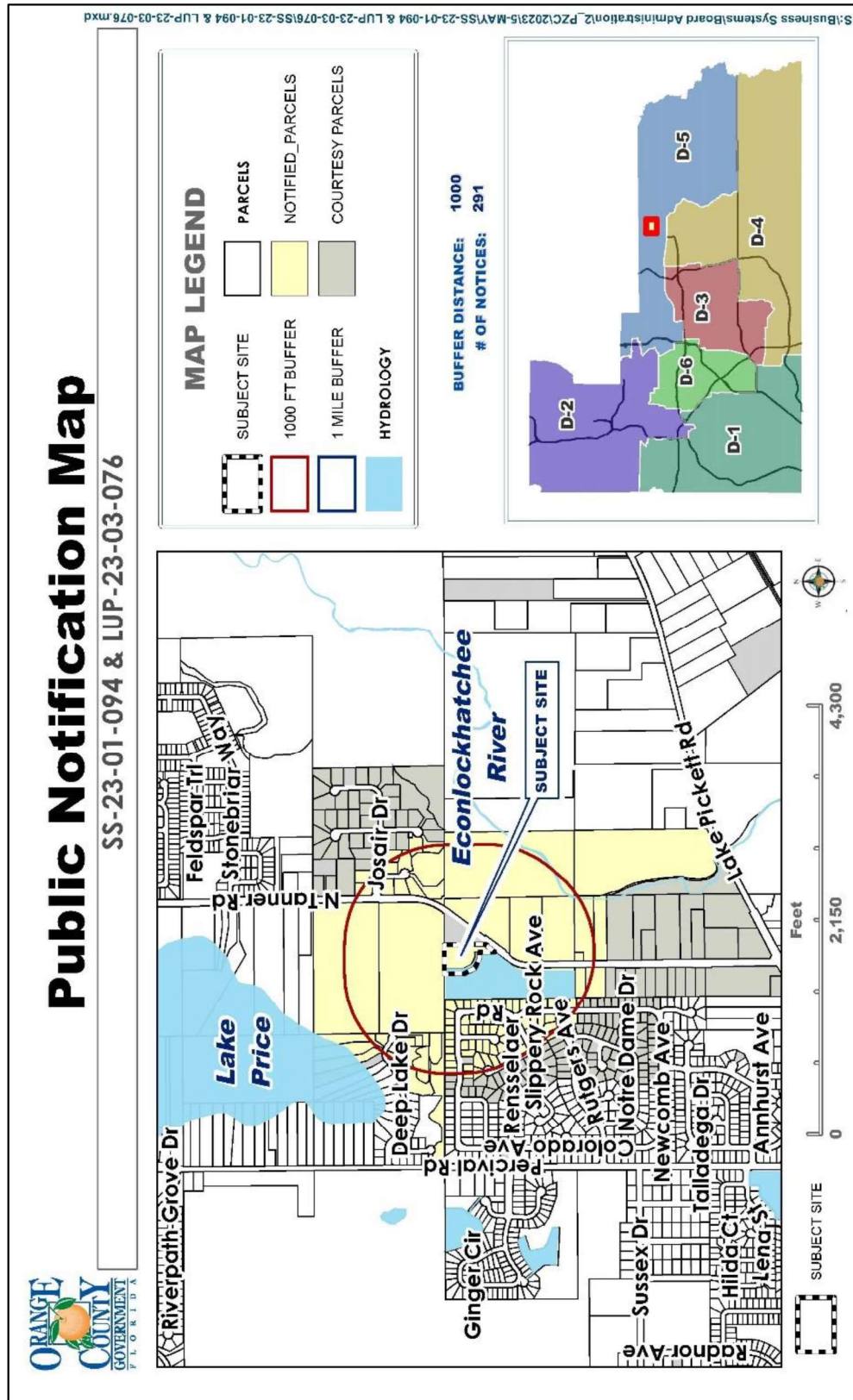


ZONING – PROPOSED

PD (Planned Development District)



Notification Map



ORDINANCE NO. 2023-_____

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 A SMALL SCALE DEVELOPMENT AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES; 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 25, 2023, 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. Amendment to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designation as described at **Appendix “A,”**

31 attached hereto and incorporated herein.

32 * * *

33 ***Section 4. Effective Dates for Ordinance and Amendment.***

34 (a) This ordinance shall become effective as provided by general law.

35 (b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development
36 amendment adopted in this ordinance may not become effective until 31 days after adoption.
37 However, if an amendment is challenged within 30 days after adoption, the amendment that is
38 challenged may not become effective until the Department of Economic Opportunity or the
39 Administration Commission issues a final order determining that the adopted amendment is in
40 compliance.

41 (c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning
42 changes approved by the Board are contingent upon the related Comprehensive Plan amendment
43 becoming effective. Aside from any such concurrent zoning changes, no development orders,
44 development permits, or land uses dependent on this amendment may be issued or commence
45 before the amendment has become effective.

46

47

48 ADOPTED THIS 25th DAY OF JULY, 2023.

49

50

51

52

53

54

55

56

57

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Jerry L. Demings
Orange County Mayor

58
59
60
61
62
63
64
65

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

By: _____
Deputy Clerk

66
67
68
69
70

APPENDIX "A"
FUTURE LAND USE MAP AMENDMENT

<i>Appendix A*</i>		
<i>Privately Initiated Future Land Use Map Amendment</i>		
Amendment Number	Future Land Use Map Designation FROM:	Future Land Use Map Designation TO:
SS-23-01-094	Low Density Residential (LDR)	Institutional (INST)
*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.		

71