



Interoffice Memorandum

DATE: May 1, 2023

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

THROUGH: Tim Boldig, Interim Director  
Planning, Environmental, and Development Services Department

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

SUBJECT: Adoption Public Hearing – May 23, 2023, Small-Scale Future Land Use Map Amendment and Concurrent Rezoning Request  
Applicant: Saki S. Middleton, John Stanley, Inc.  
SS-23-01-128 and RZ-23-01-129

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 May 23, 2023.

The subject property is located at 3311 N. Powers Dr.; generally located on the east side of N. Powers Dr., south of Indian Hill Rd., north of Sunshine St., and west of Pioneer Rd. The request is to change the Future Land Use Map designation from LDR (Low Density Residential) to Medium Density Residential (MDR) and rezone the property from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District). The applicant is proposing to construct up to 85 senior housing multi-family dwelling units on ~4.28 acres of the 9.80-acre subject parcel. The existing 24,196-square-foot Religious Institution, the 23,895-square-foot Recreation/Meeting building, and the 11,398-square-foot Recreation/Meeting building will remain on ~5.52 acres of the 9.80-acre subject parcel.

A community meeting was held on February 9, 2023, with twenty-four residents in attendance. Residents expressed concerns about the proposed use, the height of the proposed apartment building (three stories), access, safety, the maintenance of the existing tree buffer, and traffic. Some of the residents were in support of the proposed apartments but were opposed to the height (three stories). They prefer two-story buildings.

The adoption public hearing for Small-Scale Development Amendment SS-23-01-128 and Rezoning RZ-23-01-129 was conducted before the Planning and Zoning Commission / Local Planning Agency on April 20, 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](mailto:Alberto.Vargas@ocfl.net), or Jason Sorensen, AICP, Chief Planner, at 407-836-5602 or [Jason.Sorensen@ocfl.net](mailto:Jason.Sorensen@ocfl.net).

**ACTION REQUESTED: Make a finding of consistency with the Comprehensive Plan and ADOPT the Medium Density Residential (MDR) Future Land Use Map designation, APPROVE the associated ordinance, and APPROVE the R-3 Restricted (Multiple-Family Dwelling District) zoning, subject to the three (3) restrictions listed in the staff report.  
District 2**

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

**CASE # SS-23-01-128**  
**RZ-23-01-129**

Commission District: #2

**GENERAL INFORMATION**

<b>APPLICANT</b>	Saki S. Middleton, John Stanley, Inc.
<b>OWNER</b>	New Life Ministries of Orlando, Inc.
<b>HEARING TYPE</b>	Small-Scale Future Land Use Map (FLUM) Amendment / Rezoning
<b>FLUM REQUEST</b>	<b>Low Density Residential (LDR) to Medium Density Residential (MDR)</b>
<b>ZONING REQUEST</b>	<b>R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District)</b>
<b>LOCATION</b>	3311 N. Powers Dr.; generally located on the east side of N. Powers Dr., south of Indian Hill Rd., north of Sunshine St., and west of Pioneer Rd.
<b>PARCEL ID NUMBER</b>	12-22-28-5844-00-891
<b>TRACT SIZE</b>	9.80 gross acres
<b>PUBLIC NOTIFICATION</b>	The notification area for this public hearing was 1,000 feet [Chapter 30-40(c)(3a) of the Orange County Code requires 300 feet]. Six hundred eighty-four (684) notices were mailed to property owners and residents in the mailing area.
<b>COMMUNITY MEETING</b>	A community meeting was held on February 9, 2023, and is summarized in this report.
<b>PROPOSED USE</b>	Up to 85 senior housing multi-family dwelling units on ~4.28 acres of the 9.80-acre subject parcel. The existing 24,196-square-foot Religious Institution, the 23,895-square-foot Recreation/Meeting building, and the 11,398-square-foot Recreation/Meeting building will remain on ~5.52 acres of the 9.80-acre subject parcel.

**STAFF RECOMMENDATION**

**PLANNING**

**Future Land Use Map Amendment**

**Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Medium Density Residential (MDR) Future Land Use.**

**Rezoning**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-3 Restricted (Multiple-Family Dwelling District) zoning, subject to the following restriction:**

- 1) Residential development shall be allowed only in the southern half of the 9.80-acre subject parcel and shall be limited to 85 senior multi-family dwelling units; and
- 2) This project shall not impact the Orange County Public School system through the attendance of any school-aged children in grades K-12. Any proposed future conversion of this project from age-restricted housing to any other designation that would generate school-aged children shall require a rezoning. Should such rezoning be approved, the project shall pay any school impact fees in effect at that time as well as comply with any school capacity or school concurrency requirements then in effect.

**SUBJECT PROPERTY ANALYSIS**

**Overview**

Through this request, the applicant is seeking a Small-Scale Future Land Use Map Amendment to change the Future Land Use Map (FLUM) designation of the 9.80-acre subject property from Low Density Residential (LDR) to Medium Density Residential (MDR) and to rezone from R-1A (Single-Family Dwelling District) to R-3 Restricted (Multiple-Family Dwelling District). The applicant is proposing to develop up to 85 senior housing multi-family dwelling units on ~4.28 acres of the 9.80-acre subject parcel. The proposed multi-family units will be an affordable age-restricted (55+ years old) apartment complex consisting of one three (3) story building to be located on the eastern portion of the property. The MDR Future Land Use Map designation allows for a net density of up to 20 units per acre. The existing 24,196-square-foot Religious Institution, 23,895-square-foot Recreation/Meeting building, and 11,398-square-foot Recreation/Meeting building will remain on ~5.52 acres of the 9.80-acre subject parcel.

The subject property is currently developed with a 24,196-square-foot Religious Institution, a 23,895-square-foot Recreation/Meeting building, and an 11,398-square-foot Recreation/Meeting building. The site is located on the east side of N. Powers Drive and is surrounded by single-family residences to the north, south, and east. A church and single-family residences are located across the street on N. Powers Drive, west of the subject site. A 320-unit apartment complex, Terra at Highgate, and Oak Shadows, a 179-unit residential condominium complex, are both located less than a quarter mile south of the subject property. Both properties have MDR Future Land Use Map designations, and both have corresponding R-3 zoning classifications.

Lastly, if the FLUM Amendment and rezoning applications are approved, a Special Exception through the Orange County Board of Zoning Adjustment (BZA) will be required for the multifamily residential buildings in excess of one story in height within 100 feet of the property line of any single-family dwelling district and use (exclusive of two (2) story single family and two (2) story two-family dwellings).

**Existing FLUM Development Program**

The existing development program for the subject site consists of a 24,196-square-foot Religious Institution, a 23,895-square-foot Recreation/Meeting building, and an 11,398-square-foot Recreation/Meeting building, which will remain on ~5.52 acres of the total 9.80-acre site. The remaining ~4.28 acres of the site would allow for the construction of 17 single-family dwelling units under the current R-1A zoning classification, consistent with the present LDR Future Land Use Map designation.

**Proposed FLUM Development Program**

The proposed R-3 (Multiple-Family Dwelling District) zoning classification allows multi-family dwelling units, as well as churches and associated ancillary uses. Approval of the R-3 zoning classification and the corresponding Future Land Use Map designation of Medium Density Residential (MDR) will allow the applicant to develop up to 85 senior housing multi-family dwelling units on ~4.28 acres of the 9.80-acre subject parcel.

**Land Use Compatibility**

The MDR Future Land Use Map designation and R-3 zoning classification would allow for development that is compatible with the character of the surrounding area 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"/>	
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wekiva Study Area

**Comprehensive Plan (CP) Consistency**

As mentioned previously, the underlying Comprehensive Plan Future Land Use Map designation of the subject property is Low Density Residential (LDR), which is consistent with the R-1A zoning category. The requested R-3 zoning classification is consistent with the proposed Medium Density Residential (MDR) Future Land Use Map designation. The request is consistent with the following Comprehensive Plan provisions:

**FLU1.4.2** states that Orange County shall ensure that land uses changes are compatible with and serve existing neighborhoods.

**FLU1.4.1** states that Orange County shall promote a range of living environments and employment opportunities in order to achieve a stable and diversified population and community.

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**Rezoning Case # RZ-23-01-129**  
**Orange County Planning Division**  
**BCC Hearing Date: May 23, 2023**

**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 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.

**FLU8.2.2** states that continuous stretches of similar housing types and density of units shall be avoided. A diverse mix of uses and housing types shall be promoted.

**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.

**OBJ H 1.3** states that Orange County shall provide for the development of affordable housing, dispersed throughout the County.

**H1.3.8** states that in order to stabilize and improve existing neighborhoods, Orange County shall continue to support compatible infill development in existing neighborhoods where infrastructure already exists.

**SITE DATA**

**Existing Use**

**Religious Institution and Recreation/Meeting**

<b>Adjacent</b>	<b>FLUM</b>	<b>Zoning</b>
<b>North</b>	Low Density Residential (LDR) (1991)	R-1A (Single-Family Dwelling District) (10/7/1957)
<b>South</b>	Low Density Residential (LDR) (1991)	R-1A (Single-Family Dwelling District) (10/7/1957)
<b>East</b>	Low Density Residential (LDR) (1991)	R-1A (Single-Family Dwelling District) (10/7/1957)

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<b>West</b>	Low Density Residential (LDR) (1991)	R-1A (Single-Family Dwelling District) (10/7/1957)
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**Adjacent Land Uses**

N: Single-family residences  
E: Single-family residences  
W: Church and single-family residences  
S: Single-family residences

**R-3 (Multiple-Family Dwelling District) Development Standards**

Min. Lot Area: 15,000 sq. ft. (Four or more dwelling units)  
Min. Lot Width: 85 ft. (attached units); 45 ft. (detached units)  
Max. Height: 35 ft.  
Min. Floor Area: 500 sq. ft. (per dwelling unit)  
Building Setbacks:

*Front:* 20 ft.  
*Rear:* 30 ft.  
*Side:* 10 ft.; 30 ft. (if adjacent to single-family district)

*\* These regulations may not reflect the actual requirements for all situations; see the Orange County Zoning Code for actual regulations for site requirements for this zoning district.*

**Intent, Purpose, and Uses**

The areas included in R-3 multiple-family dwelling districts are primarily residential in character. Residential uses are permitted at high population densities.

Specific uses shall be identified by the letter "P" in the use table set forth in Section 38-77 of the Orange County Code.

**SPECIAL INFORMATION**

**Staff Comments**

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

**Environmental Comments:**

**Wekiva Study Area** - This site is located within the Wekiva Study Area, as established by the Wekiva Parkway and Protection Act, Section 369.316 F.S. Additional applicable environmental regulations include, but are not limited to, septic tank criteria, open space, stormwater treatment and conservation, and increased buffer widths. Reference Orange County Code Chapter 15 Environmental Control, Article XIII Wekiva River Protection.

**Wekiva Priority Focus Area** - This site is located within the Wekiva Priority Focus Area. If a septic system is required, the Springs and Aquifer Protection Act (section 373.811(2) F.S.) requires advanced treatment of Onsite Sewage Treatment and Disposal System (OSTDS) loads in the Wekiwa Spring and Rock Springs Basin Management Plan (BMAP) of June 2018. Per this requirement, lots less than one acre within the Priority Focus Area must comply with the OSTDS Remediation Plan that requires systems with nitrogen reducing enhancements within the BMAP. Contact the Florida Department of Health (FDOH) for details of advanced septic treatment system requirements.

**Existing Septic and Well** - If any existing septic tanks or wells are required or in use, the applicant shall notify the Florida Department of Health (FDOH) and local Water Management District about the system permit application, modification, or abandonment prior to earthwork or construction. Permits shall be applied for and issued by the appropriate agencies. Contact the FDOH for the septic system and both FDOH and the Water Management District for wells. Refer to Orange County Code Chapter 37 Water and Wastewater, Article XVII Individual On-Site Sewage Disposal for details on Individual On-Site Sewage Disposal.

**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.

**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 Orange County Code Chapter 34 Subdivision Regulations, Article VII Stormwater Management, Division 2 General Design Criteria, Sec. 250 Open Drainage Facilities, (g).

**Transportation Comments:**

The applicant is requesting to change ~4.28 acres of the 9.80-acre subject parcel from Low Density Residential to Medium Density Residential and rezone from R-1A to R-3 to construct 85 senior housing multi-family dwelling units. Analysis of the project trips from the currently-approved future land use designation versus the requested classification indicates that the proposed 85 senior housing multi-family dwelling units will result in a decrease of 6 p.m. peak trips and, therefore, will not impact the area roadways.

**Roadway Capacity Analysis:**

A Traffic Study was submitted with the case for review and comment. The subject property is generally bounded by N. Powers Drive to the west, Indian Hill Road to the north, Pioneer Road to the east, and Sunshine Street to the south. The following roadway segment is currently operating at Level of Service F: Powers Drive from Silver Star Road to North Lane. Based on the Concurrency Management (CMS) database, there is one failing roadway segment within the project's impact area: Powers Drive from Silver Star Road to North Lane (Segment 1).

Final permitting of any development on this site will be subject to review and approval under the capacity constraints of the County's Transportation Concurrency Management System. Such approval will not exclude the possibility of a proportionate share payment to mitigate any transportation deficiencies. Finally, to ensure that there are no revisions to the proposed development beyond the analyzed use, the land use will be noted on the County's Future Land Use Map or as a text amendment to the Comprehensive Plan.

### **Community Meeting Summary**

A community meeting was held on February 9, 2023, at Ridgewood Park Elementary School. Twenty-four residents were in attendance. The residents expressed concerns about the proposed use, the height of the proposed apartment building (three stories), access, safety, the maintenance of the existing tree buffer, and traffic. Some of the residents were in support of the proposed apartments but were opposed to the height (three stories). They prefer two-story buildings. The applicant stated that he would consider the possibility of having more than one building to break up the units. He also stated that the existing tree buffer will remain along the eastern and southern boundaries. Also, he communicated that the proposed apartments will be built in partnership with New Life Church (the owner of the subject property), and that they could provide transportation for the residents of the complex. The overall tone of the meeting was neutral.

### **Utilities**

Water: Orlando Utilities Commission

Wastewater: Orange County Utilities

Reclaimed Water: Orange County Utilities

### **Detailed Utility Information:**

This property is within Orlando Utilities Commission's (OUC) water service area.

This property is within Orange County Utilities' Wastewater and Reclaimed Water Service Areas.

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

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

### **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 – (April 20, 2023)**

**Future Land Use Map Amendment**

**Make a finding of consistency with the Comprehensive Plan and recommend ADOPTION of the requested Medium Density Residential (MDR) Future Land Use.**

**Rezoning**

**Make a finding of consistency with the Comprehensive Plan and recommend APPROVAL of the requested R-3 Restricted (Multiple-Family Dwelling District) zoning, subject to the following restrictions:**

1. Residential development shall be allowed only in the southern half of the 9.80-acre subject parcel and shall be limited to 85 senior multi-family dwelling units;
2. This project shall not impact the Orange County Public School system through the attendance of any school-aged children in grades K-12. Any proposed future conversion of this project from age-restricted housing to any other designation that would generate school-aged children shall require a rezoning. Should such rezoning be approved, the project shall pay any school impact fees in effect at that time as well as comply with any school capacity or school concurrency requirements then in effect; and
3. The building height of the proposed apartment building(s) shall be a maximum of two (2) stories within 100 feet of adjacent properties zoned R-1 or R-1A.

**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 MDR (Medium Density Residential) Future Land Use Designation, and the R-3 Restricted (Multiple-Family Dwelling District) zoning, subject to two (2) restrictions. The applicant was present and agreed with the staff recommendation.

**Small Scale Amendment # SS-23-01-128**  
**Rezoning Case # RZ-23-01-129**  
**Orange County Planning Division**  
**BCC Hearing Date: May 23, 2023**

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Staff indicated that six hundred eighty-four (684) notices were mailed to those property owners in the mailing area extending 1,000 feet of the surrounding property, and that staff received two comments in favor and two commentaries in opposition. During public comments, one member of the public was present to speak. The resident expressed concerns about the height of the proposed apartment building, traffic, access, and drainage. She stated she was opposed to a three-story building as well as opposed to the proposed change. The applicant stated that he was willing to not exceed three stories or even to go to two stories. He also stated that he could move the building closer to the church that has a similar height of three stories. After discussion about compatibility and the height of the proposed building, the PZC added an additional restriction and the applicant agreed:

The building height of the proposed apartment building(s) shall be a maximum of two (2) stories within 100 feet of adjacent properties zoned R-1 or R-1A.

A motion was made on the Future Land Use Map Amendment by Commissioner Gordon Spears, and seconded by Commissioner Eddie Fernandez to recommend ADOPTION of the requested Medium Density Residential (MDR) Future Land Use Map designation and APPROVAL of the requested R-3 Restricted (Multiple-Family Dwelling District) zoning, subject to the three restrictions. The motion carried on a 5-0 vote.

<b>Motion / Second</b>	<i>Gordon Spears / Eddie Fernandez</i>
<b>Voting in Favor</b>	<i>David Boers, Eddie Fernandez, Gordon Spears, Nelson Pena, and Evelyn Cardenas</i>
<b>Voting in Opposition</b>	<i>None</i>
<b>Absent</b>	<i>George Wiggins, Walter Pavon, Camille Evans, and Michael Arrington</i>

Small Scale Amendment # SS-23-01-128  
Rezoning Case # RZ-23-01-129  
Orange County Planning Division  
BCC Hearing Date: May 23, 2023

SS-23-01-128 & RZ-23-01-129



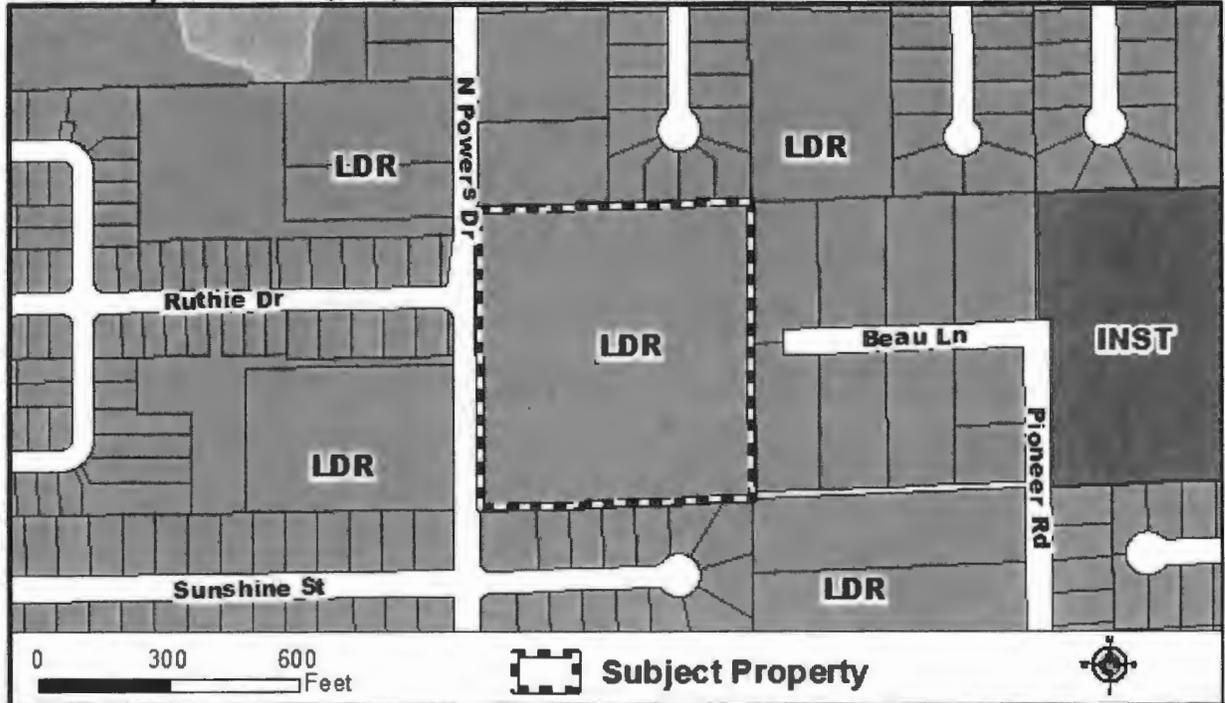
 Subject Property



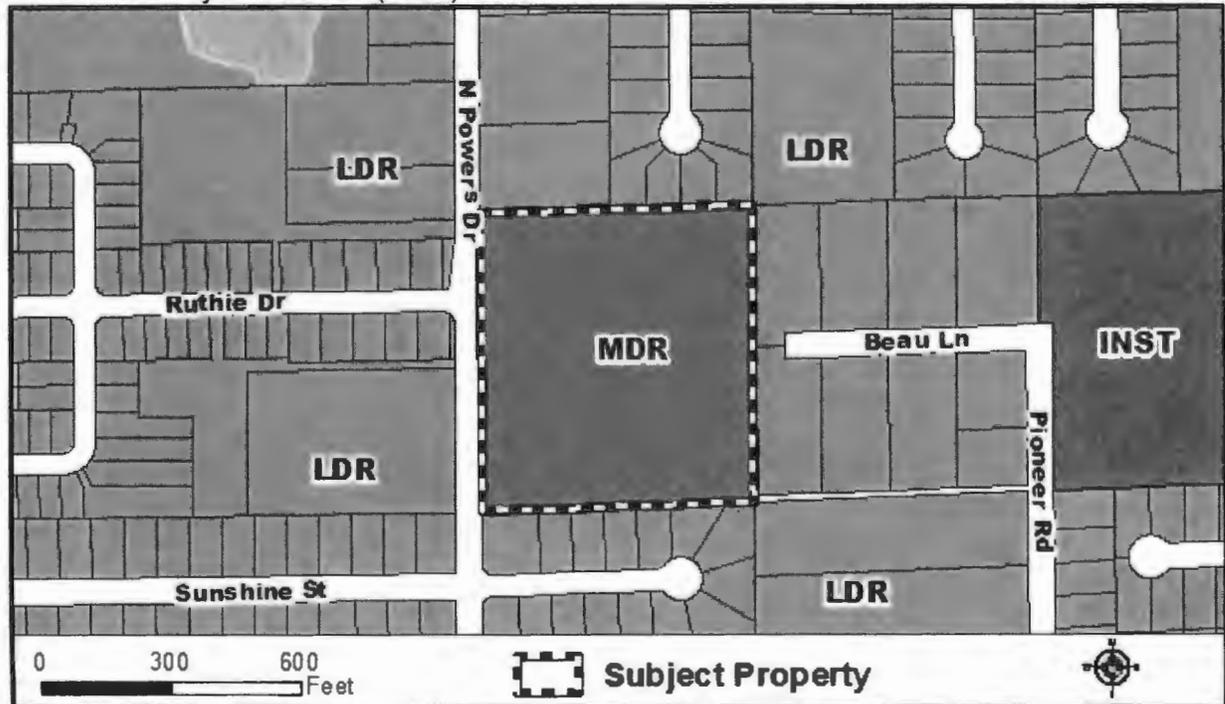
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**FUTURE LAND USE – CURRENT**  
Low Density Residential (LDR)

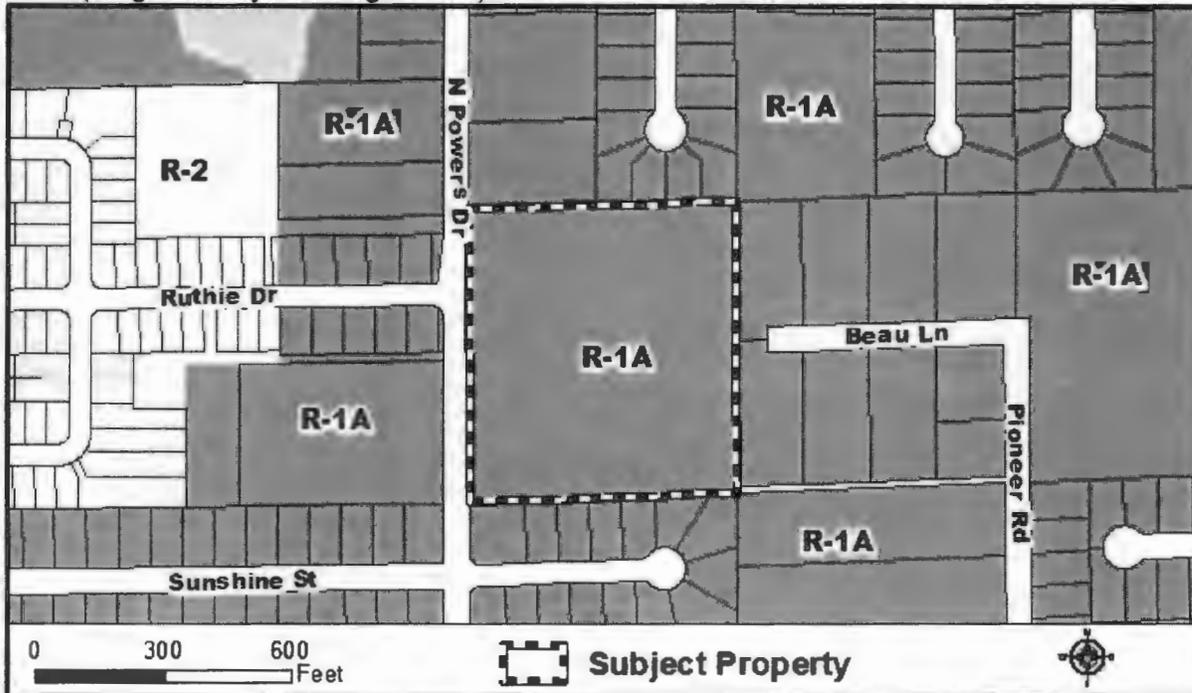


**FUTURE LAND USE - PROPOSED**  
Medium Density Residential (MDR)



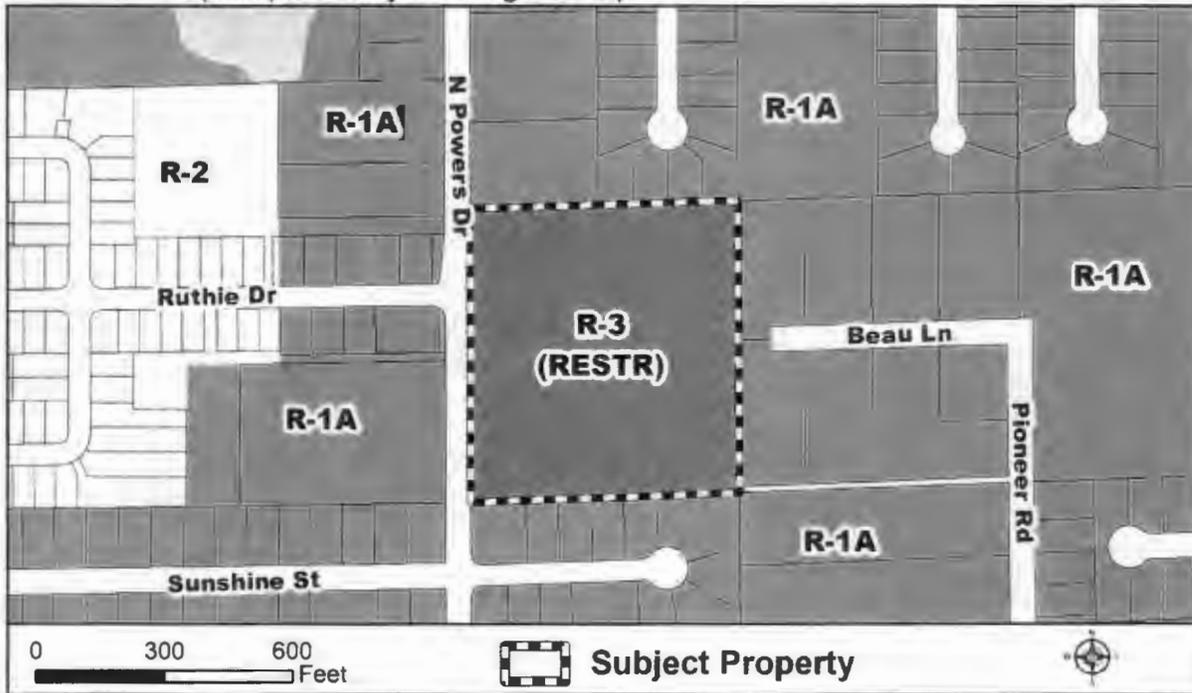
**ZONING – CURRENT**

R-1A (Single-Family Dwelling District)



**ZONING – PROPOSED**

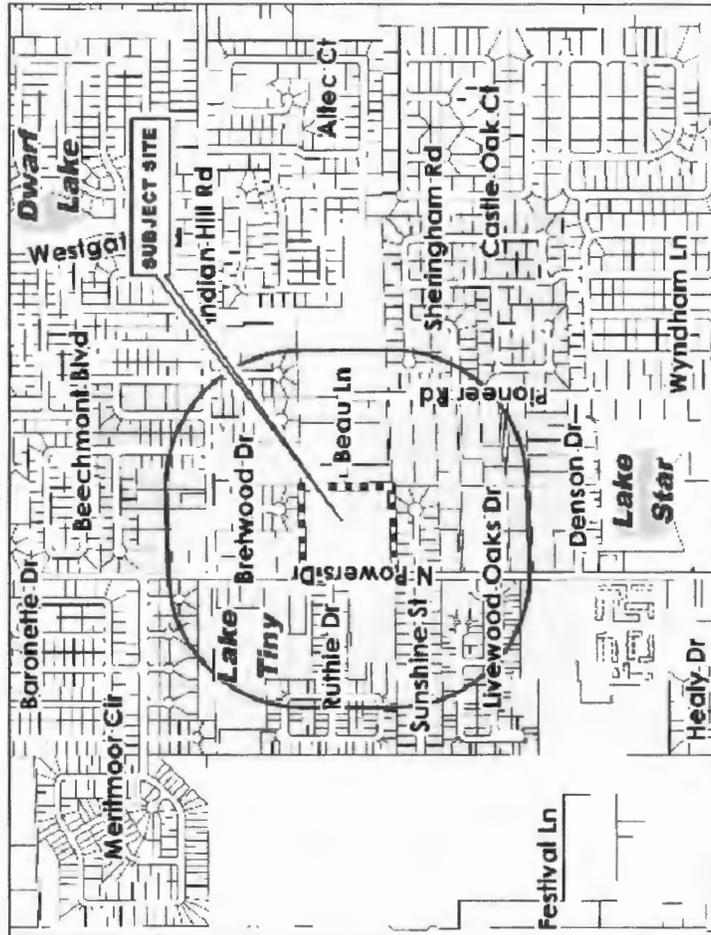
R-3 Restricted (Multiple-Family Dwelling District)



## Notification Map

# Public Notification Map

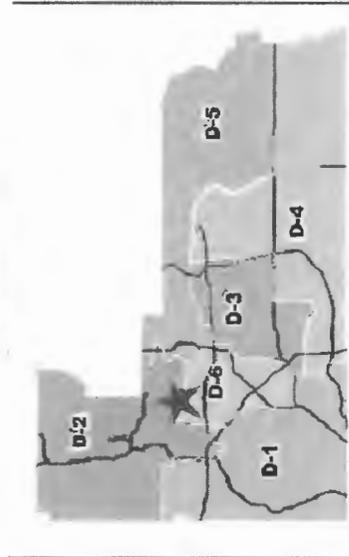
SS-23-01-128 & RZ-23-01-129



### MAP LEGEND

-  SUBJECT SITE
-  1000 FT BUFFER
-  1 MILE BUFFER
-  PARCELS
-  NOTIFIED PARCELS
-  COURTESY PARCELS
-  HYDROLOGY

BUFFER DISTANCE: 1000  
 # OF NOTICES: 884



C:\Users\james\Documents\Projects\SS-23-01-128 & RZ-23-01-129\SS-23-01-128 & RZ-23-01-129.mxd

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 May 23, 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.

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

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

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(b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development

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amendment adopted in this ordinance may not become effective until 31 days after adoption.

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However, if an amendment is challenged within 30 days after adoption, the amendment that is

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challenged may not become effective until the Department of Economic Opportunity or the

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Administration Commission issues a final order determining that the adopted amendment is in

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compliance.

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(c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning

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changes approved by the Board are contingent upon the related Comprehensive Plan amendment

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becoming effective. Aside from any such concurrent zoning changes, no development orders,

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development permits, or land uses dependent on this amendment may be issued or commence

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before the amendment has become effective.

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ADOPTED THIS 23rd DAY OF MAY, 2023.

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**ORANGE COUNTY, FLORIDA**

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By: Board of County Commissioners

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By: \_\_\_\_\_

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Jerry L. Demings

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Orange County Mayor

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

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64 By: \_\_\_\_\_  
65 Deputy Clerk

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**APPENDIX "A"**

**FUTURE LAND USE MAP AMENDMENT**

<i>Appendix A*</i>		
<i>Privately Initiated Future Land Use Map Amendment</i>		
<b>Amendment Number</b>	<b>Future Land Use Map Designation FROM:</b>	<b>Future Land Use Map Designation TO:</b>
<b>SS-23-01-128</b>	<b>Low Density Residential (LDR)</b>	<b>Medium Density Residential (MDR)</b>
<b>*The Future Land Use Map (FLUM) shall not depict the above designation until such time as it becomes effective.</b>		

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