




Interoffice Memorandum

DATE: October 2, 2024

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

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

**CONTACT PERSON: Jason Sorensen, AICP, Chief Planner
407-836-5602**

SUBJECT: Public Hearing – Zoning in Progress Ordinance

On October 17, 2024, staff will present a new Zoning in Progress Ordinance to repeal and replace the current ordinance, which was adopted as Ordinance 2024-10 by the Board on May 21, 2024. The existing Zoning in Progress Ordinance was intended to remain in effect for six months, with an expiration date of November 28, 2024. However, due to delays in the adoption timeline for Vision 2050 (now expected in June, 2025) the ordinance requires an update. To address this, staff is proposing a new ordinance that would repeal and replace the current Zoning in Progress Ordinance. The new ordinance would create a brief window, from its adoption October 29, 2024, to December 11, 2024, during which applications for small-scale Comprehensive Plan Text and Map Amendments, Rezoning, and Special Exceptions will be accepted. After this period, applications will be suspended again in anticipation of the adoption of Orange Code and Vision 2050.

This temporary pause is necessary to minimize conflicts between the old and new regulations, and to give staff time to complete and finalize Vision 2050 and Orange Code. Additionally, the typical timeline for processing applications ranges from three to six months, with some cases requiring more time, such as when a Conservation Area Determination is involved. Without the pause, these applications could extend beyond the adoption of Vision 2050 and Orange Code.

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, Current Planning Section, at 407-836-5602 or Jason.Sorensen@ocfl.net.

ACTION REQUESTED: **Make a finding of consistency with the Comprehensive Plan; and repeal the existing Zoning in Progress Ordinance 2024-10; and adopt the current Zoning in Progress Ordinance.
Countywide**

TW/DM/jhs

ORDINANCE NO. 2024-____

AN ORDINANCE REPEALING ORANGE COUNTY ORDINANCE NO. 2024-10, KNOWN AS THE “ZONING IN PROGRESS ORDINANCE” PERTAINING TO LAND USE IN ORANGE COUNTY; ENACTING A TEMPORARY SUSPENSION TO PROHIBIT THE PROCESSING OF CERTAIN COMPREHENSIVE PLAN TEXT AND MAP AMENDMENTS, REZONINGS, AND SPECIAL EXCEPTIONS; TO ALLOW FOR EXCEPTIONS FOR EXISTING APPLICATIONS RECEIVED BY DECEMBER 11, 2024, FOR EXISTING BUSINESSES AND OTHER EXCEPTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section l(g), Florida Constitution, Section 125.01, Florida Statutes and the Orange County Charter, the Orange County Board of County Commissioners (the “Board”) is authorized to enact ordinances not inconsistent with general law and to establish development and zoning regulations as are necessary for the protection of the public; and

WHEREAS, the Board determines that it is in the best interest of its residents, businesses and visitors to enact sufficient development and zoning regulations to ensure their health, safety and welfare; and

WHEREAS, Orange County (“County”) adopted its original Land Development Code in 1957 and its original Comprehensive Plan in 1991; and

WHEREAS, the Land Development Code and Comprehensive Plan guide decision-making by setting policies for future land use, mobility, and public services and have since been amended to reflect the growth and changing dynamics of the area; and

WHEREAS, in recognition that Vision 2050 will largely be implemented through the adoption of Orange Code and the pending changes to various aspects of certain land development regulations, a temporary suspension on the processing of certain comprehensive plan text and map amendments, rezonings, and special exceptions will provide county staff with time to inspect, analyze, and draft the necessary provisions to complete both updates and contemplate the consideration of these revisions; and

WHEREAS, the Board supported the initiation and development of Orange Code, which prompted various county departments to study, review, and provide amendments to portions of the Orange County Code of Ordinances that will result in new land development regulations that focus on placemaking standards and context-based regulations; and

WHEREAS, on May 21, 2024, the Board adopted Ordinance No. 2024-10, which created a six-month suspension on the processing of certain comprehensive plan text and map

amendments, rezonings, and special exceptions in the unincorporated areas of Orange County to provide county staff with additional time to inspect, analyze, and draft the necessary provisions to complete the updates to Orange Code and Vision 2050 and contemplate the consideration of these revisions; and

WHEREAS, on September 10, 2024, the County extended the timeline for the adoption of Orange Code and Vision 2050 to June 2025, to allow staff additional time to advance various policy directives from the Board and other reconciliation efforts regarding Orange Code and Vision 2050; and

WHEREAS, based on the extension to the Orange Code and Vision 2050 adoption timeline, the Board finds it necessary to repeal Ordinance No. 2024-10 and enact a new ordinance that temporarily suspends the processing of all comprehensive plan text and map amendments, rezonings, and special exceptions, but provides a window of time for the acceptance of small-scale comprehensive plan text and map amendments, rezonings, and special exceptions until December 11, 2024; and

WHEREAS, after December 11, 2024, the acceptance of all comprehensive plan text and map amendments, rezonings, and special exceptions will be temporarily suspended until the adoption of Orange Code and Vision 2050.

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
ORANGE COUNTY:**

Section 1. *Repeal of Ordinance No. 2024-10.* Ordinance No. 2024-10, known as the Zoning in Progress Ordinance, is hereby repealed in its entirety.

Section 2. *Enactment of a New Zoning in Progress Ordinance.* A new Zoning in Progress Ordinance is enacted to read as follows:

(a) *Purpose and Intent.* The purpose of this ordinance is to enact an ordinance that will suspend all comprehensive plan text and map amendments, rezonings, and special exceptions, but provide a window of time for the acceptance of small-scale comprehensive plan text and map amendments, rezonings, and special exceptions. The temporary suspension of these land development and permitting processes will allow county staff sufficient time to review, study, hold public hearings, and prepare and adopt an amendment or amendments to the Orange County Comprehensive Plan and Orange County Code of Ordinances as a part of Vision 2050 and Orange Code.

88 **(b) Temporary Suspension of Certain Processes.** The County
hereby imposes a suspension of eight months from the effective date
90 of this ordinance, unless rescinded sooner, in which the County will
not process new applications for comprehensive plan text and map
92 amendments, rezonings, and special exceptions, except for those
applications allowed by subsections (c) and (d), as expressed herein.
During this suspension, the County will not accept any new
94 applications for the land development approvals as described herein.

96 **(c) Exceptions for Existing Applications and Businesses.** The
temporary suspension shall not apply to existing applications for
98 comprehensive plan text and map amendments, rezonings and
special exceptions. New applications for small-scale comprehensive
100 plan amendments, rezonings and special exceptions submitted and
received by December 11, 2024, shall be considered exceptions and
102 will be excluded from the temporary suspension. Additionally,
existing planned developments will be unaffected, and as such,
104 change determination requests will be processed. This temporary
suspension shall not affect any existing business, as of the effective
106 date of this ordinance, that is lawfully operating within the
unincorporated areas of the County, pursuant to valid permits and
108 approvals, and is compliant with all applicable county, state and
federal laws, codes, ordinances, rules, regulations and policies.

110 **(d) Other Exceptions.** Comprehensive plan text and map
112 amendments, rezonings, and special exceptions occurring inside the
master planned communities, identified below, will not be included
114 in the temporary suspension:

- 116 (1) Horizon West Special Planning Area (Map 2 – Future
Land Use Map 3 of the Comprehensive Plan);
- 118 (2) Avalon Park (Avalon Park Development of Regional
Impact, Ordinance No. 93-20, Orange County Code
120 of Ordinances);
- 122 (3) Innovation Way (Map 4 – Future Land Use Map 5 of
the Comprehensive Plan); and
- 124 (4) I-Drive District Conceptual Regulating Plan (Map 23
– Future Land Use Map 24 of the Comprehensive
126 Plan).

Section 3. Non-Codification. The provisions of this ordinance shall not be included

128 and incorporated within the Orange County Code of Ordinances.

Section 4. Effective date. This ordinance shall take effect pursuant to general law.

130

ADOPTED THIS _____ DAY OF _____, 2024.

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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

Orange County Mayor

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ATTEST: Phil Diamond, CPA, County Comptroller

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As Clerk of the Board of County Commissioners

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By: _____

Deputy Clerk

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CERTAIN COMPREHENSIVE PLAN TEXT AND MAP
AMENDMENTS, REZONINGS, AND SPECIAL
EXCEPTIONS; TO ALLOW FOR EXCEPTIONS FOR
EXISTING APPLICATIONS RECEIVED BY DECEMBER 11,
2024, FOR EXISTING BUSINESSES AND OTHER
EXCEPTIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Article VIII, Section 1(g), Florida Constitution, Section 125.01, Florida Statutes and the Orange County Charter, the Orange County Board of County Commissioners (the “Board”) is authorized to enact ordinances not inconsistent with general law and to establish development and zoning regulations as are necessary for the protection of the public; and

WHEREAS, the Board determines that it is in the best interest of its residents, businesses and visitors to enact sufficient development and zoning regulations to ensure their health, safety and welfare; and

WHEREAS, Orange County (“County”) adopted its original Land Development Code in 1957 and its original Comprehensive Plan in 1991; and

WHEREAS, the Land Development Code and Comprehensive Plan guide decision-making by setting policies for future land use, mobility, and public services that have since been amended to reflect the growth and changing dynamics of the area; and

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50 provide county staff with additional time to inspect, analyze, and draft the necessary provisions to
complete the updates to Orange Code and Vision 2050 and contemplate the consideration of these
revisions; and

52
54 **WHEREAS**, on September 10, 2024, during a regularly held public hearing, staff advised
the Board that the timeline for the adoption of Orange Code and Vision 2050 would be extended
56 from December 2024 to June 2025, to allow staff additional time to clarify outstanding issues,
advance various policy directives from the Board and finalize other reconciliation efforts regarding
Orange Code and Vision 2050; and

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60 **WHEREAS**, based on the extension to the Orange Code and Vision 2050 adoption
timeline, the Board finds it necessary to repeal Ordinance No. 2024-10 and enact a new ordinance
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