

BCC Mtg. Date: November 30, 2021

EFFECTIVE DATE: January 16, 2022

ORDINANCE NO. 2021-45

**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 2021 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 November 30, 2021, 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. Amendments to Text of the Future Land Use Element. The Comprehensive Plan is hereby 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read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.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.)

* * *

[Amendment 2021-2-C-FLUE-1:]

FLU8.8.2 A Requests for a Future Land Use Map amendments and and/or a text amendments to the Comprehensive Plan shall be considered only upon the submittal of an a completed application meeting satisfying the County's application requirements. Prior to submittal of the application, the applicant Proposed map and text amendments must be reviewed prior to submittal as part of shall participate in a pre-application meeting with the appropriate County staff. Staff shall have the authority to request additional information and documentation related to amendment applications. (Added 6/94, Ord. 94-13, Policy 3.2.23-r, 3.2.23.1-r; Amended 6/14, Ord. 2014-12)

Per Sec. 163.3187(1), F.S., Orange County will continue its practice of processing amendments involving a use of 10 acres or fewer as small scale development amendments, subject to processing any such amendments as regular cycle amendments instead when circumstances warrant, and continue its practice of processing those of larger acreage, including those of up to 50 acres, as regular cycle amendments. However, upon consultation with the applicable District Commissioner, the Planning Division may determine that certain amendments involving a use of greater than 10 acres and no more than 50 acres may be processed instead as small scale development amendments when circumstances warrant. Except for amendments involving a use of greater than 10 acres and no more than 50 acres, the Planning Division shall have the authority to determine the appropriate review cycle for each proposed amendment and shall develop publicly available criteria for making such determinations that is consistent with Sec. 163.3187(1), F.S. For any application, the County staff shall have the authority to request pertinent additional information and/or documentation related to an application during the course of its review. (Added 6/14, Ord. 2014-12)

- A. The County shall be entitled to charge a reasonable application fee for ~~Future Land Use Map and text amendments to the Comprehensive Plan~~. An application fee waiver policy shall be adopted by the County, with any such waivers request reviewed and approved by the Board of County Commissioners (BCC) on a case-by-case basis. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)
- B. The Orange County staff may deem a submitted application that has not been transmitted to the ~~State Land Planning Agency Department~~

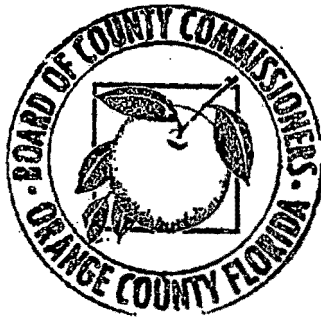
of Economic Opportunity (DEO) withdrawn if it remains inactive for two consecutive cycles. Consistent with Sec. 163.3184(3)(c)1, F.S., if the County has transmitted the amendment to the ~~Department of Economic Opportunity-DEO~~ and the amendment is not adopted within 180 days after the County receives ~~State Land Planning Agency and other review agency~~ comments from the DEO and other reviewing agencies, the application will be considered withdrawn unless extended by agreement with notice to the ~~state land planning agency-DEO~~ and any affected person that may have provided comments on the proposed amendment. The 180-day limitation does not apply to an amendments processed pursuant to Sec. 380.06, F.S. (Added 6/14, Ord. 2014-12, Policy FLU8.8.2-r)

* * *

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 30th DAY OF NOVEMBER, 2021.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for 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