

BCC Mtg. Date: January 10, 2023

Effective Date: March 4, 2023

ORDINANCE NO. 2023-04

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 2022 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; and

c. On January 10, 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. Amendments to the Future Land Use Map. The Comprehensive Plan is hereby amended by adding Map 5a as described at **Appendix “A,”** attached hereto and

incorporated herein, and by adding Map 25(e) to the Future Land Use Map Series as described at **Appendix “B,”** attached hereto and incorporated herein.

Section 4. Amendments to the Text of the Future Land Use Element. The Comprehensive Plan is hereby further 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Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.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 2022-2-B-FLUE-7:]

FLU1.2.2 Urban development during the 2007-2030 planning period, as identified in FLU1.2.1, will occur only in the Urban Service Area (USA) and the established boundary for the Horizon West ~~SPA (Special Planning Area)~~ Special Planning Area (SPA) (identified depicted on Map 2 in the Future Land Use Element of the Comprehensive Plan of the Future Land Use Map Series); the Innovation Way Overlay (depicted on Map 4 of the Future Land Use Map Series); ~~and~~ Growth Centers where urban services are available, as specified by Joint Planning Area Agreement or other agreement(s); and, upon Future Land Use Map amendment and associated USA boundary approval for urban land uses, the Boggy Creek USA Expansion Area (depicted on Map 5a of the Future Land Use Map Series).

OBJ FLU1.3 APPLICATION FOR URBAN SERVICE AREA EXPANSION. No new expansions to the Urban Service Area boundary, except for those planned for Horizon West, ~~and~~ the Innovation Way Overlay, and the Boggy Creek USA Expansion Area shall be permitted unless supported by data and analysis demonstrating consistency with Objectives FLU1.2 and FLU1.3 and associated policies. Orange County shall use the following process to evaluate Urban Service Area expansions; and as a means for achieving its goals with respect to accommodating growth within the USA and implementing the Comprehensive Plan.

FLU1.3.2 An application to expand the Urban Service Area shall be approved only when the application is found to be consistent with the Comprehensive Plan and complies with the following procedural steps and additional criteria, with the exception of those planned for Horizon West, ~~and~~ the Innovation Way Overlay, and the Boggy Creek USA Expansion Area.

* * *

FLU2.5.4

Properties within Rural Residential Enclaves shall be subject to the minimum net developable land area* requirements and corridor guidelines as specified below, and as depicted on Maps 25(a) through ~~25(d)~~ 25(e) of the Future Land Use Map Series.

<i>Rural Residential Enclave</i>	<i>Minimum Net Developable Land Area Requirement</i>	<i>Identified Rural Residential Corridors</i>	<i>FLU Map Reference</i>
<i>Lake Mabel</i>	<i>1.0 Ac. Min.</i>	<i>None</i>	<i>25(a)</i>
<i>Berry Dease</i>	<i>2.0 Ac. Min.</i>	<i>Berry Dease Road Sunderson Road Gregory Road</i>	<i>25(b)</i>
<i>Chickasaw</i>	<i>1.0 Ac. Min.</i>	<i>S Chickasaw Trail Chickasaw Farms Lane</i>	<i>25(c)</i>
<i>Rocking Horse</i>	<i>2.0 Ac. Min.</i>	<i>Rocking Horse Road Tamanaco Trail Koi Road</i>	<i>25(d)</i>
<i><u>Orlando-Kissimmee Farms</u></i>	<i><u>2.0 Ac. Min.</u></i>	<i><u>New Hope Road</u> <u>Beth Road</u> <u>Whispering Pines Road</u> <u>Happy Lane</u> <u>Bicky Road</u> <u>Seth Road</u> <u>Hidden Trail</u></i>	<i><u>25(e)</u></i>

*Minimum Net Developable Land Area as defined by Policy FLU1.1.2B

FLU8.1.3.1

Development proposals within the area between Boggy Creek Road and Happy Lane, located in the Boggy Creek USA Expansion area depicted on Map 5a of the Future Land Use Map Series, shall require the concurrent consideration of a Planned Development (PD) Future Land Use Map (FLUM) amendment application and a corresponding Planned Development/Land Use Plan (PD/LUP) rezoning request. Such proposals shall be consistent with the Boggy Creek Road Corridor Development Standards in Table FLU8.1.3.1 below.

Table FLU8.1.3.1 Boggy Creek Road Corridor Development Standards

Standards	Urban Corridor (Transition Zone 5)	Traditional Neighborhood (Transition Zone 4)	Suburban Neighborhood (Transition Zone 3)
Land Use <i>Development shall include a mix of integrated urban land uses that support a broad range of mobility options along the corridor</i>	Medium to high density residential, retail, office, and limited light industrial uses within multi-story buildings oriented around transit, and with a vertical mix encouraged	Low-medium to medium density residential and complimentary mix of neighborhood serving retail and services	Low density single-family (attached and detached) residential
Block Configuration <i>A combination of square and elongated blocks shall be formed by an interconnected street network</i>	Smaller blocks formed between interconnected mixed-use corridors and primary streets	Blocks formed between interconnected primary and secondary streets	Larger blocks formed between primary and secondary streets
Density / Intensity <i>A transition from higher to lower densities and intensities shall occur from the corridor eastward</i>	Max. 35 du/ac & 3.0 FAR	Max. 20 du/ac & 1.5 FAR	Max. 6 du/ac* <i>*Areas within a 150' linear depth along the western edge of Happy Lane shall be limited to min. 150' lot widths that front Happy Lane.</i>
Open & Civic Space <i>Functional public open space sized in the context of its surroundings (including civic uses and structures) shall be located along pedestrian pathways or adjacent to meaningful destinations</i>	Min. 15% [Subject to the qualifying open space requirements of Sec. 38-1234, except for 38-1234(3)]	Min. 20% [Subject to the qualifying open space requirements of Sec. 38-1234, except for 38-1234(3)]	Min. 30% [Subject to the qualifying open space requirements of Sec. 38-1234, except for 38-1234(3)]
Building Placement <i>Primary façades shall be oriented towards the corridor or primary street with setbacks or build-to-lines that result in a more predictable setting</i>	Building façades placed adjacent to sidewalk (subject to applicable setbacks)	Building façades placed generally close to sidewalks, but subject to applicable setbacks	Residential structures moderately setback from primary street (per Code), with some accessory dwelling units or garages recessed from rear lot line or alley
Building Frontage <i>Building frontage types vary by use and transition zone, but shall be designed to activate and shape the desired public realm</i>	70% min. frontage occupation, with use of terraces, stoops, common entries, arcades/colonnades, and galleries	60% min. frontage occupation, with use of porches, stoops, common entries, arcades/colonnades, and galleries	No min. frontage occupation. Use of porches and stoops

Standards	Urban Corridor (Transition Zone 5)	Traditional Neighborhood (Transition Zone 4)	Suburban Neighborhood (Transition Zone 3)
Building Height <i>Buildings shall transition in height from multi-story structures along the corridor to primarily one or two-story structures in single-family residential areas</i>	<u>5 stories maximum</u>	<u>3 - 4 stories maximum*</u> <u>*3 story maximum building height within 550' of the Happy Lane right-of-way</u>	<u>2 stories maximum</u>
Access & Connectivity <i>Strong vehicular, bicycle, and pedestrian access and connectivity shall be provided within and between development projects, with an emphasis on safe and convenient pedestrian access to corridor transit stops</i>	<u>Full, controlled, or emergency-only vehicular access to adjacent primary and secondary streets, and alleys, along with an integrated bicycle and pedestrian network</u>	<u>Direct and/or emergency-only vehicular access to adjacent primary and secondary streets, and alleys, along with an integrated bicycle and pedestrian network</u>	<u>Direct and/or emergency-only vehicular access to adjacent primary and secondary streets, and public sidewalks</u>
Parking <i>Vehicular parking areas shall be located on the street, located behind or between buildings, or in parking structures with "liner" units or buildings at street level</i>	<u>Any combination of on-street angled and/or parallel parking, surface parking, and structured parking</u>	<u>Any combination of on-street angled and/or parallel parking, surface parking, and structured parking</u>	<u>Primarily on-site / parcel parking enhanced with on-street angled or parallel parking</u>

FLU8.1.5.2 Those properties within the Boggy Creek Urban Service Area (USA) Expansion Area, as depicted on Map 5a of the Future Land Use Map Series, have been determined to be consistent with the adopted USA, Objective FLU1.3, and associated policies and may apply for a Future Land Use Map (FLUM) amendment for urban land use designations consistent with FLU1.1.2 and FLU1.1.4A. Those properties along the Boggy Creek Road Corridor between Boggy Creek Road and Happy Lane shall submit a privately-initiated Planned Development (PD) FLUM amendment application and corresponding Planned Development/Land Use Plan (PD/LUP) rezoning request, as established in Policies FLU1.1.4B. and FLU8.1.3.1, and shall be consistent with the Boggy Creek Road Corridor Development Standards in Table FLU8.1.3.1.

* * *

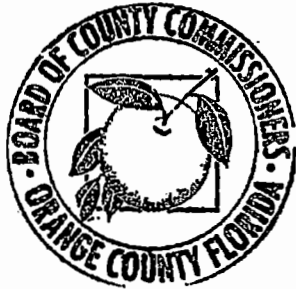
Section 5. Effective Dates for Ordinance and Amendment.

- (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 10th DAY OF JANUARY, 2023.



ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: *Jerry L. Demings*
for Jerry L. Demings
Orange County Mayor

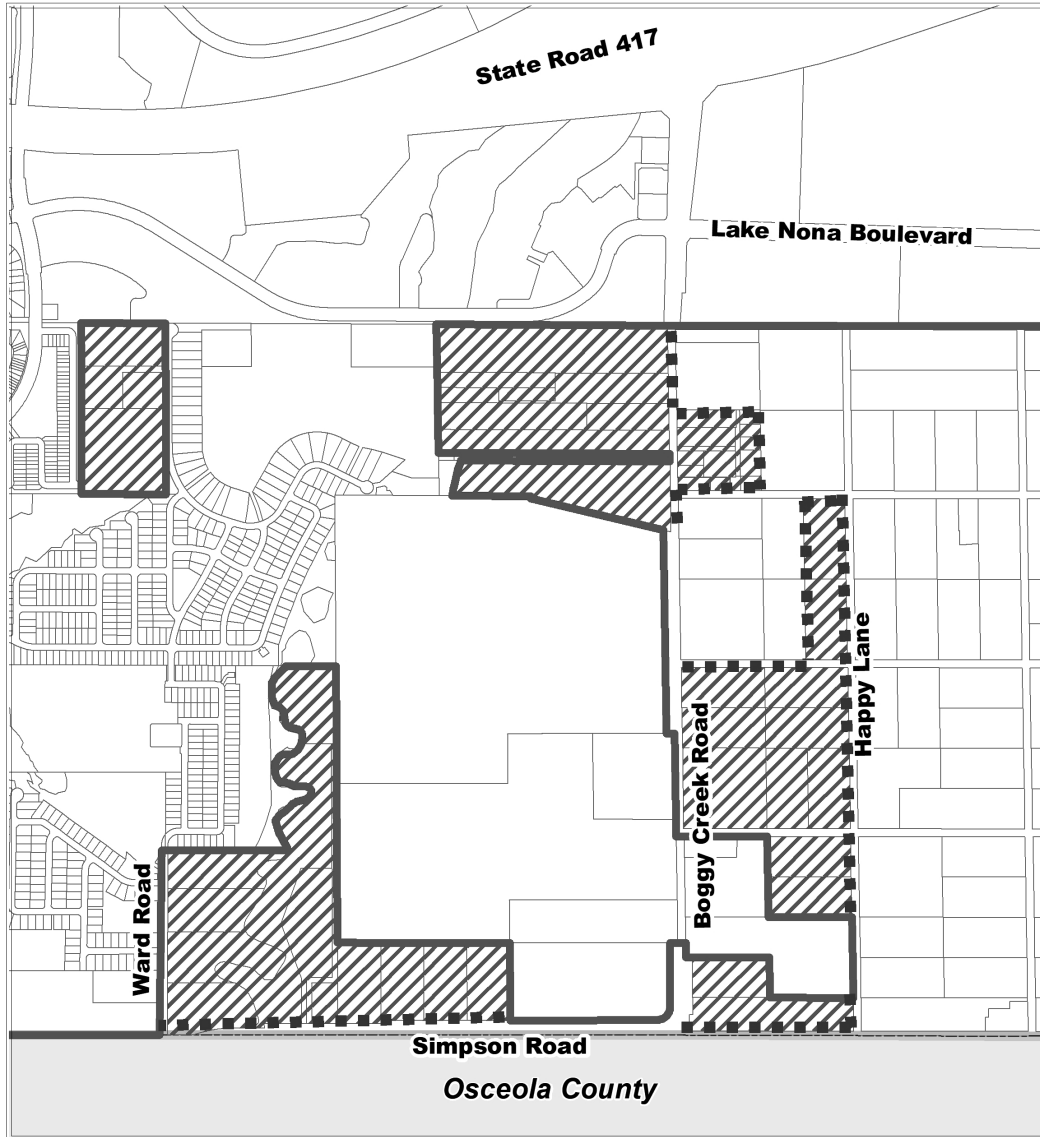
ATTEST: Phil Diamond, CPA, County Comptroller
As Clerk to the Board of County Commissioners

By: *Katie Smith*
Deputy Clerk




APPENDIX "A"

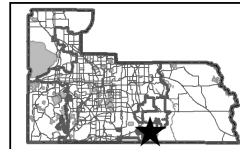
MAP 5a OF THE FUTURE LAND USE MAP SERIES
BOGGY CREEK USA EXPANSION AREA

Map 5a
Boggy Creek USA Expansion Area



Legend

-  Proposed Boggy Creek USA Expansion Area
-  Urban Service Area Boundary
-  County Boundary



APPENDIX "B"

MAP 25(e) OF THE FUTURE LAND USE MAP SERIES ORLANDO-KISSIMMEE FARMS RURAL RESIDENTIAL ENCLAVE

