

ORDINANCE NO. 2017-____

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 AMENDMENTS PURSUANT TO SECTION 163.3184(3), FLORIDA STATUTES, FOR THE 2017 CALENDAR YEAR (SECOND CYCLE); AND PROVIDING EFFECTIVE DATES.

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 ("Comprehensive Plan");

c. On June 15, 2017, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance;

d. On July 11, 2017, the Board of County Commissioners ("Board") held a public hearing on the transmittal of the proposed amendments to the Comprehensive Plan as described in this ordinance;

e. On August 25, 2017, the DEO issued a letter to the County relating to the DEO's review of those proposed amendments;

f. On October 19, 2017, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of the proposed amendments to the Comprehensive Plan as described in this ordinance; and

g. On November 14, 2017, the Board held a public hearing on adoption of the proposed amendments as described in this ordinance, and decided to adopt them.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to Part II of Chapter 163, Florida Statutes.

Section 3. Amendments to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix "A,"** attached hereto and incorporated herein.

Section 4. Amendments to Text of 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Land Use Element to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words.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 2017-2-B-FLUE-2:]

FLU1.1.4 In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.

A. OTHER URBAN RELATED OPTIONS – The following are non-residential Future Land Use designations that are predominately found in the Urban Service

Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within Chapter 5).

| FLUM Designation | General Description | Density/Intensity |
|---|--|--|
| Urban Non-Residential – Predominantly urban in use | | |
| Office (O) | Office uses include professional office and office park-style development. Office uses can be considered as a transitional use between two different types of land use or land use intensities. | 3.0 <u>1.25</u> FAR (<u>0.15 FAR for Rural Settlements per FLU6.2.9</u>) unless otherwise restricted or increased for specific locations pursuant to adopted County Comprehensive Plan policy or land development code |
| Commercial (C) | Commercial uses include neighborhood and commercial scale commercial and office development that serves neighborhood or community or village needs. Examples include neighborhood center, community center and village commercial. | 3.0 <u>1.50</u> FAR (<u>0.15 FAR for Rural Settlements per FLU6.2.9</u>) unless otherwise restricted or increased for specific locations pursuant to adopted by County Comprehensive Plan policy or land development code |
| *** | *** | *** |

FLU1.4.6 The following guidelines illustrate different types of commercial and retail development consistent with the Orange County Comprehensive Plan. It is the goal of the 2030 CP to increase densities and intensities in the Urban Service Area in order to accommodate projected growth. The Commercial floor area ratio (FAR) shall be ~~3.0~~ 1.50 unless otherwise restricted or increased for specific locations pursuant to adopted by County Comprehensive Plan policy or land development code (See FLU1.1.4A, FLU2.2.4 – FLU2.2.7, and FLU3.2.1 – FLU3.2.13). The basis for increasing densities and intensities is the finding that productive use of vacant land within the Urban Service Area is critical to the County's future urban form. Therefore, with respect to new development and redevelopment, the County is seeking more integrated forms of commercial and non-residential development, including vertical mixed use design and complementary land uses in close proximity to one another, in its desired development pattern for the County's Urban Service Area.

FLU8.1.1 (a) The following 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. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). Orange County's **Zoning and Future Land Use Correlation** is referenced herein as follows:

| <i>Zoning and Future Land Use Correlation</i> | | |
|--|--|-------------------------|
| FLUM Designation | Density/Intensity | Zoning Districts |
| *** | | |
| <i>Urban and/ or Non-Residential</i> | | |
| Office (O) | 3-0 <u>1.25 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased by County policy or code</u> | P-O, PD |
| Commercial (C) | 3-0 <u>1.50 FAR (0.15 FAR for Rural Settlements per FLU6.2.9) unless otherwise restricted or increased by County policy or code</u> | C-1, C-2, C-3, P-O, PD |
| *** | *** | *** |

[Amendment 2017-2-B-FLUE-4:]

- FLU1.1.2 A. The Future Land Use Map shall reflect the most appropriate maximum and minimum densities for residential development. Residential development in Activity Centers and Mixed Use Corridors, the Horizon West Village and Innovation Way Overlay (Scenario 5) and Growth Centers may include specific provisions for maximum and minimum densities. The densities in the International Drive Activity Center shall be those indicated in the adopted Strategic Development Plan.
- B. The following are the maximum residential densities permitted within the Urban Service Area for all new single use residential development or redevelopment. Future Land Use densities for the following categories shall be:

| FLUM Designation | General Description | Density |
|---|---|----------------------|
| Urban Residential – Urban Service Area | | |
| Low Density Residential (LDR) | Intended for new residential projects within the USA where urban services such as water and wastewater facilities are present or planned. This category generally includes suburban single family to small lot single family development. | 0 to 4 du/ac |
| Low Medium Density Residential (LMDR) | Recognizes low- to medium-density residential development within the USA, including single family and multi-family residential development. | 0 to 10 du/ac |
| Medium Density Residential (MDR) | Recognizes urban-style multifamily residential densities within the USA. | 0 to 20 du/ac |
| <u>Medium High Density Residential (MHDR)</u> | <u>Recognizes a transition in density between highly urbanized areas and medium density residential development that support public transit and neighborhood serving amenities within a reasonable pedestrian walk shed.</u> | <u>0 to 35 du/ac</u> |
| High Density Residential (HDR) | Recognizes high-intensity urban-style development within the USA. | 0 to 50 du/ac |

- F. Student housing may be permitted only on property with a future land use designation of Medium Density Residential, Medium-High Density Residential, High Density Residential, or Planned Development (in which medium or high density student housing is included as a single use or part of a mix of uses). A Planned Development zoning classification shall be required for all student housing projects.

- FLU8.1.1 (a) The following 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. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). Orange County's **Zoning and Future Land Use Correlation** is referenced herein as follows:

| Zoning and Future Land Use Correlation | | |
|---|---|--|
| FLUM Designation | Density/Intensity | Zoning Districts |
| <i>Urban Residential</i> | | |
| Low Density Residential (LDR) | (0 to 4 du/ac) | R-CE* R-1, R-2**, R-1A, R-1AA, R-1AAA, R-1AAAA, RT-1, R-T-2, R-L-D, PD, U-V* R-CE is not available as a rezoning request in USA. |
| Low-Medium Density Residential (LMDR) | (0 to 10 du/ac) + workforce housing bonus | R-1, <u>R-1A</u> , R-2, R-T, R-T-1, PD, U-V |
| Medium Density Residential (MDR) | (0 to 20 du/ac) + workforce housing bonus | R- 3 <u>2</u> , R- 2 <u>3</u> , UR-3, PD, U-V |
| <u>Medium-High Density Residential (MHDR)</u> | <u>(0 to 35 du/ac) + workforce housing bonus</u> | <u>R-2, R-3, UR-3, PD, U-V</u> |
| High Density Residential (HDR) | (0 to 50 du/ac) + workforce housing bonus | R- 3 <u>2</u> , R- 2 <u>3</u> , UR-3, PD, U-V |
| *** | | |
| <i>Area Specific</i> | | |
| Neighborhood Center (NC) Neighborhood Activity Corridor (NAC) Neighborhood Residential (NR) | 40 DU/AC (2.0) 25 DU/AC (1.0) 20 DU/AC (.40) Study required per FLU8.3.1 | NC NAC NR |
| Village Classification (V) (Horizon West) | See SAP | PD within adopted Specific Area Plan (SAP) Densities and Intensities determined at PD based on the adopted SAP. |
| Traditional Neighborhood Development | | PD |

| | | |
|-------------------------------------|--|---|
| (TND) | | |
| Growth Center (GC) | See FLUE | PD |
| Innovation Way Overlay (Scenario 5) | See Chapter 4 | PD within adopted Detailed Area Plan (DAP) or PD consistent with DRI Development Order or Future Land Use Map amendment. Compliance with FLU8.1.4. <u>Innovation Way – Planned Development – Regulating Plan (IW-PD-RP)</u> |
| I-Drive District Overlay | See Conceptual Regulating Plan, Map 23 of Future Land Use Map Series | PD, C-1, C-2, I-2/I-3 |

[Amendment 2017-2-B-FLUE-5:]

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

| Amendment Number | Adopted FLUM Designation | Maximum Density/ Intensity | Ordinance Number |
|---|--|---|--|
| *** | *** | *** | *** |
| <u>2017-2-A-5-1</u> <u>15169 E.</u> <u>Colonial Dr.</u> | <u>Planned Development / Commercial / Conservation (PD/C/CONS)</u> | <u>Up to 60,000 square feet of C-1 uses</u> | <u>2017-</u> <u>[insert</u> <u>ordinance</u> <u>number]</u> |

[Amendment 2017-2-B-FLUE-6:]

FLU1.2.4 The County will continue to monitor the Urban Service Area allocation. Through this process, the following applicants have satisfied these requirements and are recognized as expansions to the Urban Service Area.

| Amendment Number | Name | Size (acres) | Ordinance Number |
|---------------------|------------------------------|--------------|---------------------------------------|
| *** | *** | *** | *** |
| <u>2017-2-A-5-1</u> | <u>15169 E. Colonial Dr.</u> | <u>12.1</u> | <u>2017-[insert ordinance number]</u> |

[Amendment 2017-2-B-CP-1:]

FLU1.1.4 In addition to FLU1.1.2(B), permitted densities and/or intensities for residential and non-residential development can be established through additional Future Land Use designations. Density and Floor Area Ratio (FAR) calculation shall be defined as the language specified in Future Land Use Element Policy FLU1.1.2(C). The Future Land Use and Zoning Correlation is found in FLU8.1.1.

A. OTHER URBAN RELATED OPTIONS – The following are non-residential Future Land Use designations that are ~~predominately~~ predominantly found in the Urban Service Area. These may also be located within Rural Settlements on a limited basis. (See specific policies within ~~Chapter 5~~ OBJ FLU6.2). Also, Institutional and Educational designations may be located within the Rural Service Area on a limited basis as may be expressly allowed by other goals, objective and/or policies in this Comprehensive Plan.

| FLUM Designation | General Description | Density/Intensity |
|----------------------|--|-------------------|
| *** | *** | *** |
| Institutional (INST) | Institutional uses recognize <u>include</u> local, regional, state or Federal <u>public and private utilities.</u> | 2.0 FAR |

| | | |
|-------------------|---|---------|
| | facilities, structures and lands <u>that serve a public or quasi-public purpose. Public schools that have been designated Institutional may continue to maintain that designation.</u> | |
| Educational (EDU) | Educational-recognizes includes public elementary, <u>K-8</u> , middle, and high schools and ninth grade centers. Future Land Use change required for all schools proposed for RSA, and for high schools and ninth grade centers proposed in Rural Settlements. | 2.0 FAR |

* * *

FLU1.4.22 Utilities and public facilities, and all pipes and lines associated with such utilities and facilities, shall be allowed in all Future Land Use designations, subject to complying with applicable laws and regulations, including zoning restrictions. Utilities and public facilities, except associated pipes and lines, shall have a Future Land Use Map designation of Institutional. ~~If permitted to locate in or through conservation areas, mitigation shall be required consistent with County, State and Federal regulations.~~

* * *

FLU6.2.12 Any proposed use within a Rural Settlement intended for the new construction of a structure(s) with a Gross Buildable Area of 50,000 ~~SF~~square feet (on a cumulative basis) or more or projected to have a weekly trip rate of 10,000 total trips may be considered inappropriate for a Rural Settlement if the following conditions exist:

- The proposed use is located in a Rural Settlement that has maintained a rural and historic character, consistent with the intent of Rural Settlements.
- It is determined that the proposed use(s) by size, massing and traffic, will unduly impact the historic and rural character of the Rural Settlement;

- 172 ▪ The use, as determined by a market study, is
173 primarily intended for those whose daily life
174 activities do not occur within the Rural Settlement.
175 ▪ It is not demonstrated that other potential sites were
176 evaluated as being suitable.

177
178 * * *
179

180 **OBJ FLU8.7** **PUBLIC SCHOOLS.** Orange County shall promote safe and
181 adequate public school site locations. (For purposes of this
182 Comprehensive Plan, the terms “public schools,” “schools,” “public
183 school facilities,” “educational facilities,” and the like, shall mean (1)
184 traditional, publicly supported and controlled schools under the
185 jurisdiction of the Orange County School Board, consisting of
186 kindergarten, elementary and/or secondary school grades, and (2)
187 schools organized as a nonprofit organization that have applied for
188 and received authorization from the School Board to operate a
189 charter school for kindergarten, elementary and/or secondary school
190 grades in accordance with Florida Statutes pertaining to charter
191 schools, which became law in 1996, as that statute may be amended or
192 replaced, but only where the permanent student capacity is 550 or
193 greater.)

194 **POLICIES**

195 FLU8.7.1 Orange County shall support and encourage the location of new
196 elementary, K-8, and middle schools, ~~unless otherwise required~~, internal
197 to residential neighborhoods, unless otherwise prohibited.

198 * * *

199 FLU8.7.4 To the extent feasible, Educational facilities ~~public schools~~ shall be
200 accessible from sidewalks and bikeways.

201 FLU8.7.5 Within the Urban Service Area, elementary, K-8, middle, high schools,
202 and ninth-grade centers developed in conjunction with high schools shall
203 be allowed as permitted uses or may be allowed as special exceptions as
204 stated in the Public School Siting Regulations of Article XVIII, Chapter
205 38, Orange County Code in each of the following future land use
206 designations: Low Density Residential, Low-Medium Density Residential,
207 Medium Density Residential, High Density Residential, Institutional,
208 Activity Center Residential, and Educational. High schools and ninth-
209 grade centers developed in conjunction with high schools shall also be

allowed as permitted uses or may be allowed as special exceptions as
 stated in the Public School Siting Regulations in each of the following
 future land use designations: Office, Commercial, and Industrial. ~~Public~~
~~elementary schools shall be allowed as permitted uses in the following~~
~~land use categories located in the Urban Service Area: Low Density~~
~~Residential, Low Medium Density Residential, Medium Density~~
~~Residential, High Density Residential, Institutional, Activity Center~~
~~Residential and Educational. Public middle schools and free standing~~
~~ninth-grade centers shall be allowed as permitted uses in the following~~
~~land use categories located in the Urban Service Area: Medium Density~~
~~Residential, High Density Residential, Institutional Activity Center~~
~~Residential and Educational. Public middle schools and free standing~~
~~ninth-grade centers shall be allowed as special exceptions in the following~~
~~land use categories located in the Urban Service Area: Low Density~~
~~Residential and Low Medium Density Residential. Public elementary~~
~~schools, middle schools, and free standing ninth-grade centers shall be~~
~~allowed as special exceptions in the following land use categories located~~
~~in the Rural Settlement Areas: 1/1, 1/2, 1/5, Low Density Residential,~~
~~Low Medium Density Residential, and Institutional. In addition to the~~
~~locations identified above, public elementary schools, middle schools and~~
~~freestanding ninth-grade centers shall be allowed as a permitted uses or~~
~~may be allowed as special exceptions in all future land use categories if~~
~~identified in an area-specific Future Land Use overlay, regulating plan,~~
~~special planning area, (e.g. Horizon West, Innovation Way, Holden~~
~~Heights, International Drive, etc.) or a Planned Development Land Use~~
~~Plan approved by the Board of County Commissioners.~~

FLU8.7.6

Within a Rural Settlement, elementary, K-8, middle schools, and
freestanding ninth-grade centers may be allowed within Planned
Development Land Use Plans or as special exceptions in any Rural
Settlement Future Land Use designation described in Policy FLU1.1.4H.
Any such school in a Rural Settlement is exempt from Policy FLU6.2.12.
High schools shall not be permitted in a Rural Settlement. Public high
~~schools and ninth-grade centers developed in conjunction with high~~
~~schools shall be allowed as permitted uses in the following land use~~
~~categories located in the Urban Service Area: Commercial, Industrial,~~
~~Institutional, Activity Center Mixed Use and Educational. Public high~~
~~schools and ninth-grade centers developed in conjunction with high~~
~~schools shall be allowed as special exceptions in the following land use~~
~~categories located in the Urban Service Area: Low Density Residential,~~
~~Low Medium Density Residential, Medium Density Residential, High~~

250 ~~Density Residential, Office and Activity Center Residential. Public high~~
251 ~~schools and ninth-grade centers, developed in conjunction with high~~
252 ~~schools, shall be allowed as a special exception in the following land use~~
253 ~~categories located in the Rural Settlement Areas: 1/1, 1/2, 1/5, Low~~
254 ~~Density Residential, Low Medium Density Residential, Office,~~
255 ~~Commercial, Industrial, and Institutional. In addition to the locations~~
256 ~~identified above, public high schools and ninth-grade centers developed in~~
257 ~~conjunction with high schools shall be allowed as a permitted use in all~~
258 ~~future land use categories if identified in a Planned Development Land~~
259 ~~Use Plan approved by the Board of County Commissioners.~~

260 FLU8.7.7 In the event ~~that~~ the School Board determines a public school facility is
261 required in an area designated Rural/Agricultural on the Future Land Use
262 Map, an amendment to the Future Land Use Map as EDU shall be
263 required. The School Board may request an amendment to the Future Land
264 Use Map at no cost.

265 FLU8.7.8 All new public school locations shall be subject to the terms and
266 limitations established in the ~~sSchool sSiting Regulations ordinance~~
267 developed jointly by Orange County and the School Board, as it may be
268 amended from time to time. The expansion of water and wastewater
269 facilities in a Rural Settlement to serve public school sites shall not be the
270 justification or impetus for future development in a Rural Settlement.

271
272 FLU8.7.9 Public educational facilities shall be allowed in future land use
273 designations specified in Policies FLU8.7.5 through FLU8.7.7 ~~as~~
274 ~~amended~~. Subsequent to their construction of those facilities, the Future
275 Land Use Map ~~shall~~ may be amended to reflect an Educational (EDU)
276 designation. Any plan amendments required under FLU8.7.6 in the Rural
277 Service Area or under FLU8.7.7 in a Rural Settlement shall be designated
278 EDU.

279 FLU8.7.10 ~~Reserved. Orange County shall implement the School Siting Criteria~~
280 ~~contained in the Land Development Code.~~

281 * * *

282 *Section 5. Amendments to Text of Public Schools Facilities Element.* The
283 Comprehensive Plan is hereby further amended by amending the text of the Public Schools
284 Facilities Element to read as follows, with underlines showing new numbers and words, and

285 strike-throughs indicating repealed numbers and words. (Words, numbers and letters within
286 brackets identify the amendment number and editorial notes, and shall not be codified.)

287 [Amendment 2017-2-B-CP-1:]

288 **GOAL PS2 Make public schools the cornerstones of community planning and design.**
289 **(See OBJ FLU8.7 for the meaning of the terms “public schools,” “schools,”**
290 **public school facilities,” “educational facilities,” and the like.)**

291 * * *

292

293 PS2.2.1 Work ~~with the School Board and charter school sponsors~~ to identify new school
294 sites that ~~would be in location to~~ will provide logical focal points for community
295 activities and serve as the cornerstone for innovative urban design standards.

296 * * *

297 PS2.2.3 Support and encourage the location of new elementary, K-8, and middle schools;
298 ~~unless otherwise required, internal to residential neighborhoods, unless otherwise~~
299 prohibited.

300 * * *

301 PS5.1.3 The Board of County Commissioners and the Orange County School Board shall
302 endeavor to meet annually, and at least once every two years, shall meet annually
303 ~~and publicly~~ to review and discuss ~~the Public School Facilities Element and~~
304 ~~other~~any issues of ~~mutual~~ concern.

305 * * *

306 PS5.1.5 Orange County shall ~~a~~Assign a County representative to serve as an ex-officio
307 member on the School Board Advance Planning Committee~~Facilities Review~~
308 ~~Committee~~. Also, pursuant to Section 163.3174(1), Florida Statutes, Orange
309 County’s Local Planning Agency shall include a representative of OCPS
310 appointed by the School Board as a nonvoting member of the LPA to attend those
311 meetings at which the LPA considers comprehensive plan amendments and
312 rezonings that would, if approved, increase residential density of the property that
313 is the subject of the application.

314 * * *

315

316 PS5.1.10 Pursuant to the ~~adopted~~ First Amended and Restated Interlocal Agreement for
317 Public School Facility Planning and Implementation of School Concurrency,
318 adopted in 2011, as it may be amended from time to time (“Interlocal
319 Agreement”), a Technical Advisory Committee comprised of representatives from
320 the County, Municipalities, OCPS and the Regional Planning Council shall be
321 established to discuss issues of mutual concern. OCPS shall be responsible for
322 ~~making arranging~~ meetings ~~arrangements~~, providing notification and maintaining
323 a written summary of meeting actions.

324 * * *

325
326 PS5.1.12 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange
327 County shall provide ~~an update of~~ information on approved developments, phases
328 of development and estimated build out by phase to the OCPS Planning
329 Department on an ~~annual~~ as needed basis.

330 * * *

331 PS5.2.1 Within the Urban Service Area, public schools shall be allowed as set forth in
332 Policy FLU8.7.5. Public elementary schools shall be allowed as permitted uses in
333 the following land use categories located in the Urban Service Area: Low Density
334 Residential, Low Medium Density Residential, Medium Density Residential,
335 High Density Residential, Institutional, and Activity Center Residential. Public
336 middle schools and free-standing ninth-grade centers shall be allowed as
337 permitted uses in the following land use categories located in the Urban Service
338 Area: Medium Density Residential, High Density Residential, Institutional, and
339 Activity Center Residential. Public middle schools and free-standing ninth-grade
340 centers shall be allowed as special exceptions in the following land use categories
341 located in the Urban Service Area: Low Density Residential and Low Medium
342 Density Residential. Public elementary schools, middle schools, and free-standing
343 ninth-grade centers shall be allowed as special exceptions in the following land
344 use categories located in the Rural Settlement Areas: 1/1, 1/2, 1/5, Low Density
345 Residential, Low Medium Density Residential, and Institutional. In addition to
346 the locations identified above, public elementary schools, middle schools, and
347 free-standing ninth-grade centers shall be allowed as a permitted use in all future
348 land use categories if identified in a Planned Development Land Use Plan
349 approved by the Board of County Commissioners.

350

351 PS5.2.2 Within a Rural Settlement or the Rural Service Area, public schools shall be
352 allowed as set forth in Policy FLU8.7.6 and Policy FLU8.7.7, respectively. Public
353 high schools and ninth-grade centers developed in conjunction with high schools
354 shall be allowed as permitted uses in the following land use categories located in
355 the Urban Service Area: Commercial, Industrial, Institutional, and Activity Center
356 Mixed Use. Public high schools and ninth-grade centers developed in conjunction
357 with high schools shall be allowed as special exceptions in the following land use
358 categories located in the Urban Service Area: Low Density Residential, Low-
359 Medium Density Residential, Medium Density Residential, High Density
360 Residential, Office, and Activity Center Residential. Public high schools and
361 ninth-grade centers developed in conjunction with high schools shall be allowed
362 as a special exception in the following land use categories located in the Rural
363 Settlement Areas: 1/1, 1/2, 1/5, Low Density Residential, Low Medium Density
364 Residential, Office, Commercial, Industrial, and Institutional. In addition to the
365 locations identified above, public high schools and ninth-grade centers developed
366 in conjunction with high schools shall be allowed as a permitted use in all future
367 land use categories if identified in a Planned Development Land Use Plan
368 approved by the Board of County Commissioners.

369 * * *

370 PS5.2.4 All new public school locations shall be subject to the terms and limitations
371 established in the Public School Siting Regulations ordinance developed jointly
372 by Orange County and the School Board, as they may be amended from time to
373 time.

374 PS5.2.5 ReservedOrange County shall amend the Land Development Regulations to allow
375 schools as permitted uses and special exceptions in appropriate categories,
376 consistent with Future Land Use Element Policies 3.2.21, 3.2.21.1 and 3.2.21.2.

377 * * *

378 PS5.3.5 Where central water and sewer service is not available to a public school site, a
379 temporary on-site water and sewer system may be approved consistent with
380 Potable Water Policy PW1.2.8 and Wastewater Policy WW1.2.9, provided that
381 connection to public supply shall be required when utilities are available to the
382 site. Schools located in a Rural Settlement shall also be subject to FLU8.7.8.

383 * * *

384 PS6.1.4 Any changes or modifications to the adopted LOS shall follow the process and
385 guidelines as outlined in Section 13 of the Interlocal Agreement referenced in
386 Policy PS5.1.10.

* * *

PS6.1.7 Any changes or modifications to the adopted school concurrency service areas (“CSAs”) shall follow the process and guidelines as outlined in Section 14 of the Interlocal Agreement referenced in Policy PS5.1.10 [9J-5.025(3)(c)1, FAC].

OBJ PS6.2 OCPS, in conjunction with the County, consistent with ~~Section 14 of the Interlocal Agreement~~ referenced in Policy PS5.1.10, shall establish, and annually review, school ~~Concurrency Service Areas (CSAs)~~, which will be used to evaluate capacity of schools available to accommodate students generated by proposed development.

* * *

PS6.3.7 Consistent with ~~Section 16.2 of the Interlocal Agreement~~ referenced in Policy PS5.1.10, the following residential uses shall be exempt from the requirements of school concurrency:

- a. Any proposed residential development considered de minimis as defined by PSFE Policy PS6.3.5.
- b. One single-family house, one ~~(4)~~-duplex, and/or one accessory dwelling unit being developed on an existing platted residential lot of record.
- c. Any building or structure that has received a building permit as of the effective date of the Interlocal Agreement, or is described in section 163.3167(8), Florida Statutes.
- d. Any new residential development that has site plan approval for a site pursuant to a specific development order approved prior to the effective date of school concurrency, including the portion of any project that has received final subdivision plat approval as a residential subdivision into one ~~(4)~~-dwelling unit per lot.
- e. Any amendment to any previously approved residential development, which does not increase the number of dwelling units or change the type of dwelling units (e.g., converts single-family to multi-family, etc.).
- f. Any age-restricted community that qualifies as one of the three types of communities designed for older persons as “housing for older persons” in the Housing for Older Persons Act, 42 USC §3607(b). This exemption shall be applied in conformity with the principles set forth in Volusia County v. Aberdeen at Ormond Beach, L.P., 760 So.2d, 126 (Fla. 2000).

421 Provided, however, that any senior housing community or dwelling unit
422 that loses its qualification as housing for older persons shall be required to
423 meet applicable school concurrency requirements in effect at the time the
424 qualification as housing for older persons is lost.

425 g. Alterations or expansion of an existing dwelling unit where no additional
426 dwelling units are created.

427 h. The construction of accessory buildings or structures which will not create
428 additional dwelling units.

429 i. The replacement of a dwelling unit where no additional dwelling units are
430 created and where the replacement dwelling unit is located on the same
431 lot. If the type of dwelling unit is different from the original dwelling unit
432 type, the exemption shall be limited to an exemption based on the current
433 student generation rate for the original dwelling unit type, documentation
434 of the existence of the original dwelling unit must be submitted to the
435 concurrency management official.

436 j. School concurrency shall not apply to property within a Development of
437 Regional Impact (DRI) for which a Development Order was issued prior
438 to July 1, 2005, or for which a DRI application was submitted prior to
439 May 1, 2005, unless the developer elects otherwise or unless the developer
440 files a Notice of Proposed Change (NOPC) and/or Substantial Deviation to
441 increase the total number of residential dwelling units; however, such
442 exemption shall expire upon withdrawal, denial, or expiration of the
443 application for a Development Order. If such Development of Regional
444 Impact has been approved, or is approved, through a development order,
445 such exemption shall expire for any phase of the Development Order
446 upon expiration of the Development Order build-out date for such phase,
447 or for the entire Development Order upon expiration of the Development
448 Order, or upon any material default of the school mitigation conditions of
449 the Development Order or a related development agreement, unless such
450 project, or portions of such project, remains exempt pursuant to another
451 exemption provision.

452 k. The portion of any residential development that, prior to July 1, 2005, is
453 the subject of a binding and enforceable development agreement or
454 Capacity Enhancement Agreement designated as a Capacity Commitment
455 Agreement by resolution of the School Board; however, such exemption
456 shall expire upon expiration of the development agreement, Capacity
457 Enhancement Agreement, or upon any material default of the school

impact mitigation conditions of such development agreement or Capacity Enhancement Agreement, unless such project, or portions of such project, remains exempt pursuant to another exemption provision.

l. Any residential development with a letter vesting it for purposes of complying with school concurrency, or which would be vested at common law for purposes of such concurrency requirement implemented by this Agreement, provided that the School Board may contest a vested rights determination as provided in the land development regulations.

m. Group living facilities that do not generate students and including residential facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse sleeping quarters, dormitory-type facilities for post-secondary students, and religious non-youth facilities, regardless of whether such facilities may be classified as residential uses.

* * *

PS6.4.3 Proportionate Share Mitigation may include payments of money, construction of schools, donations of land, expansion of permanent capacity of existing school campuses, payment of funds necessary to advance schools contained in the ten (10) year DCOP, establishment of charter schools that meet State Requirements for Educational Facilities (SREF) standards, payments into mitigation banks, establishment of an Educational Facilities Benefit District, Community Development District, or other methods identified in ~~Section 17.6(b)~~ of the Interlocal Agreement referenced in Policy PS5.1.10 and as may be negotiated between developer and OCPS and, as appropriate, Orange County.

* * *

Section 6. Amendments to Text of Capital Improvements Element. The Comprehensive Plan is hereby further amended by amending the text of the Capital Improvements 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 2017-2-B-CP-1:]

CIE1.3.18 Consistent with ~~Section 15 of the First Amended and Restated~~ Interlocal Agreement referenced in Policy PS5.1.10, the LOS standards shall be applied consistently within Orange County and by the School Board to all schools of the same type. All CSAs must achieve the adopted LOS standards identified in CIE1.3.16 and PS6.1.3 by the end of the 5th year of the Capital Improvements Schedule, with the exception of the backlogged CSAs which have been placed in a long term concurrency management system. Each backlogged CSA must meet the adopted LOS within the 10-year period identified within the respective adopted Long Term Concurrency Management System for Schools (LTCMSS). The backlogged CSAs are identified in Table A and Table B, along with the existing LOS and projected 5-year and 10-year LOS. Table A reflects the LTCMSS adopted by Amendment 2010-1-BCIE-1 on April 20, 2010. Table B reflects the LTCMSS adopted by Amendment 2011-1-BCIE-1 on April 5, 2011:

| School Type | Adopted LOS |
|--------------------|---|
| Elementary | <p>110% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 13 of the Data, Inventory and Analysis.</p> <p>The following elementary school CSAs is designated as backlogged facilities: A, DD, U, and Arbor Ridge.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 6 of the Data, Inventory and Analysis, and must achieve a LOS of 110% by 2017.</p> |
| Middle | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 14 of the Data, Inventory and Analysis.</p> <p>The following middle school CSAs are designated as backlogged facilities: Apopka MS, Chain of Lakes MS, Gotha MS, Meadow Woods MS, and Walker MS.</p> <p>The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 8 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017.</p> |
| High | <p>100% of Adjusted FISH Capacity by 2011.</p> <p>The interim LOS for backlogged facilities is shown in Figure 15 of the Data, Inventory and Analysis.</p> <p>The following high school CSAs are designated as backlogged facilities: Freedom HS and University HS.</p> |

| | |
|--|---|
| | The utilization of these CSAs may not increase beyond its level of April 1, 2008, as designed in Figure 10 of the Data, Inventory and Analysis, and must achieve a LOS of 100% by 2017. |
| | |

505

506 **[Amendment 2017-2-B-CIE-1:]**

507 CIE1.1.1 Orange County shall ~~annually continue to~~ prepare ~~an annual~~ a 5-year schedule of
508 capital improvements, also referred to as a Capital Improvements Program (CIP),
509 for County departments, and those authorities and special districts which depend
510 on funds allocated by the Board of County Commissioners to guide the timing
511 and location of capital expenditures. The CIP shall be consistent with and
512 prepared pursuant to Section 163.3177(3)(a)4. and 5., Florida Statutes.

513 ***

514 CIE1.1.5 All County capital improvements shall be made in accordance with ~~the~~ this
515 adopted Capital Improvements Program, including amendments, and as outlined
516 in the comprehensive plan.

517 CIE1.1.6 The County ~~annually~~ shall annually review and update the Capital Improvements
518 Element in order to maintain a 5-year schedule of capital improvements, or
519 Capital Improvements Program. The Capital Improvements Budget will be based
520 on the multi-year Capital Improvements Program. Future capital improvements
521 expenditures necessitated by changes in population, changes in real estate
522 development, or changes in economic base will be calculated and included in
523 capital improvements budget projections.

524 ***

525 CIE1.1.13 The Capital Improvements Budget will be adopted and incorporated into the
526 annual Orange County Budget. ~~Orange County's (2015-16) Capital Improvements~~
527 ~~Program adopted on September 17, 2015, as modified by the Transportation 5-~~
528 ~~Year Capital Improvements Schedule and the Water and Wastewater CIE CIP, is~~
529 ~~hereby adopted as part of the annual update to the Capital Improvements Element.~~
530 ~~The Long Term Transportation Concurrency Management System Capital~~
531 ~~Improvements Schedule is also hereby adopted into the Capital Improvements~~
532 ~~Element.~~

533 CIE1.1.14 The ~~Orange County~~ Capital Improvements Program for each five year period
534 shall be adopted by the Board of County Commissioners concurrently with
535 approval of the annual budget. Modifications and Ddeviations from the adopted
536 Capital Improvements Budget or Capital Improvements Program will require
537 approval by the Board of County Commissioners. Copies of the Capital

538 Improvements Program as adopted by the Board concurrently with the budget,
539 and as modified from time to time, shall be made available to the public at
540 www.orangecountyfl.net/PlanningDevelopment.aspx.

541 CIE1.1.15 Reserved.

542 CIE1.1.16 Consistent with s.163.3177(3)(b), FS, the following modifications ~~changes~~ may
543 be adopted by ~~local~~ ordinance, provided they are consistent with the
544 Comprehensive ~~Policy~~ Plan, and such modifications may not be deemed to be
545 amendments to the Comprehensive Plan:

- 546 • Corrections and modifications of the cost of a project already included in
547 the Capital Improvements Program,
- 548 • Corrections and modifications to revenue sources identified in the Capital
549 Improvements Program, and/or
- 550 • The acceptance of facilities pursuant to dedications

551 ***

552 ***Section 7. Amendments to Text of Intergovernmental Coordination Element.*** The
553 Comprehensive Plan is hereby further amended by amending the text of the Intergovernmental
554 Coordination Element to read as follows, with underlines showing new numbers and words, and
555 strike-throughs indicating repealed numbers and words. (Words, numbers and letters within
556 brackets identify the amendment number and editorial notes, and shall not be codified.)

557 **[Amendment 2017-2-B-CP-1:]**

558 ICE1.14.4 The County shall comply with the ~~Amended~~ Interlocal Agreement referenced in
559 Policy PS5.1.10 for Public School and Implementation of Concurrence ~~adopted in~~
560 ~~2008.~~

561 * * *

562 ICE1.15.1 Orange County shall use the Interlocal Agreement referenced in Policy PS5.1.10
563 to satisfy the applicable requirements ~~Pursuant to the requirement of Section~~
564 ~~163.3177(6)(h)2, Florida Statutes. FS, Orange County and OCPS entered into the~~
565 ~~Interlocal Agreement for Public School Facility Planning and Implementation of~~
566 ~~Concurrence in 2008.~~

567 ICE1.15.2 The County shall meet regularly with OCPS and municipal representatives to plan
568 for the location of future public educational facilities and the needed
569 infrastructure necessary to support future public education facilities, per the

570 requirements of the ~~Amended~~ Interlocal Agreement referenced in Policy
571 PS5.1.10, for Public School Facility Planning and the Implementation of
572 Concurrency.

573 ICE1.15.3 The County shall continue to coordinate joint population projections, public
574 school siting and the timing of infrastructure with the ~~Orange County School~~
575 Board, per the requirements of the ~~Amended~~ Interlocal Agreement referenced in
576 Policy PS5.1.10, for Public School Facility Planning and the Implementation of
577 Concurrency.

578 * * *

579 ICE1.16.3 Pursuant to the ~~adopted Amended~~ Interlocal Agreement referenced in Policy
580 PS5.1.10 for Public School Facility Planning and Implementation of Concurrency,
581 a Technical Advisory Committee (TAC) comprised of representatives from the
582 County, Municipalities, OCPS and the Regional Planning Council shall be
583 established to discuss issues of mutual concern. TAC shall meet quarterly, or as
584 needed, to discuss issues and formulate recommendations regarding coordination
585 of land use and school facilities. (~~Also See also~~ Public Schools Facilities Element,
586 Policies PS5.1.10 and PS5.1.11.)

587 ICE1.16.4 Pursuant to the Interlocal Agreement referenced in Policy PS5.1.10, Orange
588 County shall provide an update of approved developments, phases of
589 development and estimated build out by phase to the OCPS Planning Department
590 on an annual basis. (~~Also See also~~ Public Schools Facilities Element, Policy
591 PS5.1.12.)

592 * * *

593 ICE1.16.6 The County and OCPS, consistent with ~~Section 14 of the~~ Interlocal Agreement
594 referenced in Policy PS5.1.10, shall establish, and annually review, school
595 ~~Concurrency Service Areas (CSAs),~~ which will be used to evaluate capacity of
596 schools available to accommodate students generated by proposed development.
597 (~~Also See also~~ Public Schools Facilities Element, Objective PS6.2.)

598 ICE1.16.7 Orange County and OCPS shall develop and maintain throughout the planning
599 period a joint process for the implementation of School Concurrency as provided
600 for in the ~~adopted~~ Interlocal Agreement referenced in Policy PS5.1.10. (~~Also See~~
601 also Public Schools Facilities Element, Objective PS6.3.)

602 * * *

603 ***Section 8. Amendments to Text of Potable Water, Wastewater and Reclaimed***
604 ***Water Element.*** The Comprehensive Plan is hereby further amended by amending the text of the
605 Potable Water, Wastewater and Reclaimed Water 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 2017-2-B-CP-1:]

PW1.4.2 Potable water service shall not be extended to areas outside the Urban Service Area except in the following circumstances:

- A. The facilities to be extended will serve a Growth Center, public school, or other exception areas as provided in the Comprehensive Plan ~~(CP)~~;
- B. The Board of County Commissioners has made an affirmative finding that a public health hazard exists for existing development. Such facilities shall not serve as the basis for additional new development;
- C. The facilities are to be extended to provide adequate fire flows to existing developments which are located within one-half (1/2) mile of an existing water transmission main;
- D. For approved sector plans as provided for in the CP; and
- E. The circumstances described under Policy PW1.5.2 and Policy PW1.5.3.

This policy is not intended to preclude the use of conservation or rural areas for withdrawal or treatment facilities.

* * *

PW1.5.2 When the provision of central water facilities for a Rural Settlement~~(s)~~ is proposed, the Board of County Commissioners shall approve such a proposal~~(s)~~ only ~~when~~ if the Board is able to makes the following two findings: ~~First, the Board shall make~~ a finding of need of central water facilities for the particular Rural Settlement; ~~and~~ Second, the Board shall make a finding of consistency with the Comprehensive Plan, including the policies of the Potable Water and Future Land Use Elements. The provision of water services to a school located in a Rural Settlement is also subject to FLU8.7.8.

WW1.4.3 Central wastewater facilities, consisting of wastewater treatment facilities, pump stations, force and gravity mains shall not be extended beyond the boundary of the Urban Service Area except in the following circumstances:

- 637 A. The facilities to be extended will serve a Growth Center, public school, or
638 other exception areas within Specific Area Plan (SAP) boundaries as
639 provided for in the Comprehensive Plan (CP);
640 B. The Board of County Commissioners has made an affirmative finding that
641 a public health hazard exists for existing development. Such extended
642 facilities shall not serve as a basis for additional new development;
643 C. For approved sector plans as provided for in the CP;
644 D. Those circumstances described under Policy WW1.5.2 herein.
645 This policy is not intended to preclude the use of conservation or rural areas for
646 wastewater treatment facilities or the interconnecting of the overall system.

647 * * *

648
649
650 WW1.5.2 New central wastewater facilities shall not be constructed and existing facilities
651 shall not be expanded to serve Rural Settlements except under the following
652 circumstances:

- 653
654 A. The Board of County Commissioners has made an affirmative finding that
655 the facilities are necessary to support existing future land use designations
656 on the adopted Future Land Use (FLU) map consistent with the Future
657 Land Use Objective FLU2.1. The future land use designations referenced
658 in this policy are those reflected on the adopted FLU map as of the date of
659 adoption of this policy. Facility expansion under this policy must be
660 incorporated into the County's five-year Capital Improvements Program
661 (CIP); or
662 B. The Rural Settlement has experienced a State documented economic
663 decline as a result of the loss of a major area employer. The central
664 wastewater facilities may be expanded for the purpose of revitalizing the
665 area by attracting new commercial and industrial businesses and offering
666 incentives to existing businesses to remain in the area. This policy shall
667 apply only to the Zellwood Rural Settlement, consistent with the Future
668 Land Use Element.
669 C. The Board of County Commissioners has made an affirmative finding that
670 the facilities are necessary and available to remedy or prevent
671 contamination of ground or surface water within the Wekiva Study Area.
672 D. The provision of wastewater services to a school located in a Rural
673 Settlement is also subject to FLU8.7.8.

674 ***

675 ***Section 9. Effective Dates for Ordinance and Amendments.***

- 676 (a) This ordinance shall become effective as provided by general law.
677 (b) In accordance with Section 163.3184(3)(c)4., Florida Statutes, no plan
678 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 any of these amendments may be issued or commence before the amendments have become effective.

ADOPTED THIS 14th DAY OF NOVEMBER, 2017.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: _____
Teresa Jacobs
Orange County Mayor

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

Deputy Clerk

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721
722
723

APPENDIX "A"
FUTURE LAND USE MAP AMENDMENTS

| <i>Appendix A *</i> | | |
|---|--|---|
| <i>Privately Initiated Future Land Use Map Amendments</i> | | |
| Amendment Number | Future Land Use Map Designation FROM: | Future Land Use Map Designation TO: |
| 2017-2-A-1-1 | Activity Center Mixed Use (ACMU) | Education (EDU) |
| 2017-2-A-3-1 | Commercial (C) | Industrial (IND) |
| 2017-2-A-5-1 | Rural (R) | Planned Development - Commercial/Conservation (PD-C/CONS) and Urban Service Area (USA) Expansion |
| The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective. | | |

724

ORDINANCE NO. 2017-_____

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 SMALL SCALE DEVELOPMENT
AMENDMENTS AND RELATED TEXT AMENDMENTS
PURSUANT TO SECTION 163.3187, FLORIDA STATUTES;
AND PROVIDING EFFECTIVE DATES.

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 October 19, 2017, the Orange County Local Planning Agency (“LPA”) held a
public hearing at which it reviewed and made recommendations regarding the adoption of the
proposed amendments to the Comprehensive Plan as described in this ordinance; and

d. On November 14, 2017, the Board held a public hearing on the adoption of the
proposed amendments as described in this ordinance, and decided to adopt them.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to
Part II of Chapter 163, Florida Statutes.

Section 3. Amendments to Future Land Use Map. The Comprehensive Plan is hereby amended by amending the Future Land Use Map designations as described at **Appendix “A,”** attached hereto and incorporated herein.

Section 4. Amendments to Text of 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.

FLU8.1.4 The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations that have been adopted subsequent to January 1, 2007.

| Amendment Number | Adopted FLUM Designation | Maximum Density/ Intensity | Ordinance Number |
|--|--|--|---------------------------------------|
| <u>2017-2-S-1-4</u> <u>CERTUS Senior Living</u> | <u>Planned Development-Commercial (PD-C)</u> | <u>Approximately 46,000 sq. ft. assisted living facility with 64 beds</u> | <u>2017-[insert ordinance number]</u> |
| <u>2017-2-S-5-3</u> <u>Dr. Chau ALF</u> | <u>Planned Development-Office/Commercial (PD-O/C) (Assisted Living Facility)</u> | <u>Approximately 29,000 sq. ft. assisted living facility with fifty-six (56) beds and up to 35,435 sq. ft. office uses</u> | <u>2017-[insert ordinance number]</u> |

Such policy allows for a one-time cumulative density or intensity differential of 5% based on ADT within said development program.

Section 5. Effective Dates for Ordinance and Amendments.

- (a) This ordinance shall become effective as provided by general law.
- (b) Pursuant to Section 163.3187(5)(c), Florida Statutes, the small scale development amendments adopted in this ordinance may not become effective until 31 days after adoption.

51 However, if an amendment is challenged within 30 days after adoption, the amendment that is
52 challenged may not become effective until the Department of Economic Opportunity or the
53 Administration Commission issues a final order determining that the adopted amendment is in
54 compliance.

55 (c) In accordance with Section 163.3184(12), Florida Statutes, any concurrent zoning
56 changes approved by the Board are contingent upon the related Comprehensive Plan amendment
57 becoming effective. Aside from any such concurrent zoning changes, no development orders,
58 development permits, or land uses dependent on any of these amendments may be issued or
59 commence before the amendments have become effective.

60
61 ADOPTED THIS 14th DAY OF NOVEMBER, 2017.

62
63 **ORANGE COUNTY, FLORIDA**
64 By: Board of County Commissioners

65
66
67
68 By: _____
69 Teresa Jacobs
70 Orange County Mayor
71

72
73 ATTEST: Phil Diamond, CPA, County Comptroller
74 As Clerk to the Board of County Commissioners

75
76
77
78 By: _____
79 Deputy Clerk
80

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82
83 S:\EHartigan\2017\ORDINANCES\Comp Plan Amendments\2017 Second Cycle\2017-2 Small Scale Development Ordinance_CAO draft
84 11.2.17
85

APPENDIX “A”

FUTURE LAND USE MAP AMENDMENTS

| <i>Appendix A*</i> | | |
|---|--|--|
| <i>Privately Initiated Future Land Use Map Amendments</i> | | |
| Amendment Number | Future Land Use Map Designation FROM: | Future Land Use Map Designation TO: |
| 2017-2-S-1-1 | Low Density Residential (LDR) | Commercial (C) |
| 2017-2-S-1-4 | Low Density Residential (LDR) | Planned Development-Commercial (PD-C) |
| 2017-2-S-1-5 | Office (O) | Commercial (C) |
| 2017-2-S-2-1 | Industrial (IND) | Low Density Residential (LDR) |
| 2017-2-S-2-3 | Low Density Residential (LDR) | Commercial (C) |
| 2017-2-S-2-4 | Low Density Residential (LDR) | Medium Density Residential (MDR) |
| 2017-2-S-2-5 | Commercial (C) and Low-Medium Density Residential (LMDR) | Commercial (C) |
| 2017-2-S-2-6 | Low Density Residential (LDR) | Commercial (C) |
| 2017-2-S-3-1 | Low-Medium Density Residential (LMDR) | Commercial (C) |
| 2017-2-S-4-1 | Commercial (C) and Medium Density Residential (MDR) | Commercial (C) |
| 2017-2-S-4-2 | Low Density Residential (LDR) and Commercial (C) | Rural Settlement 1/1 (RS 1/1) |
| 2017-2-S-4-3 | Medium Density Residential (MDR) | Commercial (C) |

| | | |
|--|---------------------------------------|--|
| 2017-2-S-5-2 | Low-Medium Density Residential (LMDR) | Commercial (C) |
| 2017-2-S-5-3 | Office (O) | Planned Development-Office/Commercial (PD-O/C) (Assisted Living Facility) |
| 2017-2-S-6-1 | Institutional (INST) | Industrial (IND) |
| *The Future Land Use Map (FLUM) shall not depict the above designations until such time as they become effective. | | |