

BCC Mtg. Date: October 29, 2024

ORDINANCE NO. 2024-30

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 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

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

STATE OF FLORIDA, COUNTY OF ORANGE
I HEREBY CERTIFY this is a copy of a document
approved by the BCC on October 29, 2024
PHIL DIAMOND, COUNTY COMPTROLLER
By: Rafael Encarnacion November 7, 2024
for Deputy Clerk Date



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, 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 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

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 from October 29, 2024 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.

(b) Temporary Suspension of Certain Processes. The County hereby imposes a suspension of eight months from the effective date of this ordinance, unless rescinded sooner, in which the County will not process new applications for comprehensive plan text and map 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 applications for the land development approvals as described herein.

(c) Exceptions for Existing Applications and Businesses. The temporary suspension shall not apply to existing applications for comprehensive plan text and map amendments, rezonings and special exceptions. New applications for small-scale comprehensive plan amendments, rezonings and special exceptions submitted and received between October 29, 2024, and December 11, 2024, shall be considered exceptions and will be excluded from the temporary suspension. Additionally, existing planned developments will be unaffected, and as such, change determination requests will be processed. This temporary suspension shall not affect any existing business, as of the effective date of this ordinance, that is lawfully operating within the unincorporated areas of the County, pursuant to valid permits and approvals, and is compliant with all applicable county, state and federal laws, codes, ordinances, rules, regulations and policies.

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

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

Section 3. Non-Codification. The provisions of this ordinance shall not be included and incorporated within the Orange County Code of Ordinances.

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

ADOPTED THIS 29TH DAY OF OCTOBER, 2024.



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 of the Board of County Commissioners

By: *Jennifer Ann Kinney*
Deputy Clerk