APPROVED
BY ORANGE COUNTY BOARD
OF COUNTY COMMISSIONERS
DEC 1 8 2007
EFFECTIVE DATE
MAR 2 1 2008

ORDINANCE NO. 2007-18

AN ORDINANCE PERTAINING TO COMPREHENSIVE PLANNING IN ORANGE COUNTY, FLORIDA; AMENDING THE ORANGE COUNTY COMPREHENSIVE POLICY PLAN, COMMONLY KNOWN AS THE "2000-2020 COMPREHENSIVE POLICY PLAN," AS AMENDED, BY ADOPTING AMENDMENTS PURSUANT TO SECTION 163.3187(1), FLORIDA STATUTES, FOR THE 2007 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. On July 1, 1991, the Orange County Board of County Commissioners adopted a new comprehensive plan pursuant to Sections 163.3161 - 163.3243, Florida Statutes, known as the "Local Government Comprehensive Planning and Land Development Regulation Act" ("Act"), which sets forth the procedures and requirements for a local government in the State of Florida to adopt a comprehensive plan and amendments to a comprehensive plan;

b. The Board of County Commissioners ("Board") adopted this comprehensive plan, known as the "1990-2010 Comprehensive Policy Plan" ("1990-2010 CPP") by Ordinance No. 91-16;

c. The Board amended the 1990-2010 CPP numerous times between 1992 and 2000;

d. On December 5, 2000, the Board adopted Ordinance No. 2000-25, which, inter alia, renamed the 1990-2010 CPP as the "2000-2020 Comprehensive Policy Plan ("CPP");

e. The Board has amended the CPP a number of times since December 5, 2000;

f. Orange County has complied with the requirements of the Act of amending the CPP again;

g. On June 21, 2007, the Orange County Local Planning Agency ("LPA") held a public hearing on the transmittal of proposed amendments to the CPP, and recommended the transmittal of those proposed amendments to the Florida Department of Community Affairs ("DCA");

h. On July 10, 2007, the Board held a public hearing on the transmittal of proposed amendments to the CPP, and decided to transmit those proposed amendments to the DCA;

i. On September 21, 2007, the County staff received the DCA's "Objections, Recommendations, and Comments Report" concerning the proposed amendments to the CPP;

j. On November 15, 2007, the LPA held a public hearing at which it reviewed and made recommendations regarding the adoption of proposed amendments to the CPP; and

k. On December 18, 2007, the Board held a public hearing on the adoption of proposed amendments, and decided to adopt them as described in this ordinance.

Section 2. Authority. This ordinance is adopted in compliance with and pursuant to the Local Government Comprehensive Planning and Land Development Regulation Act, Sections 163.3161 - 163.3243, Florida Statutes, as amended.

Section 3. Amendments to Future Land Use Element Map. The CPP, as amended, is hereby further amended by amending the Future Land Use Element Map designations as summarized at **Appendix "A,"** a document entitled "*2007-2 Second Regular Cycle and Small*

Scale Cycle Amendments to the 2000-2020 Comprehensive Policy Plan Adoption Document," dated December 18, 2007, prepared by the Orange County Planning Division, which appendix is incorporated herein by reference, and which is on file with the Orange County Planning Division, 201 South Rosalind Avenue, Orlando, Florida. Graphic representations of those Future Land Use Element Map amendments are found in **Appendix "A."**

Section 4. Amendments to Text of Future Land Use Element. The CPP, as amended, is hereby further amended by amending or creating the following Future Land Use Element Goals, Objectives, Policies, to read as follows, with underlines showing new numbers and words, and strike-throughs indicating repealed numbers and words:

> **Policy 1.1.2.1.A** Upon depletion of the Urban Service Area expansion allocation identified in Policies 1.1.2 and 1.1.2.1, applications to further expand the Urban Service Area may be considered by the Board of County Commissioners through amendments to this Plan, when supported by more accurate population and employment data, and provided that applicants demonstrate that the criteria provided under Policy 1.1.5 should be achieved. Through this process, the following applicants have satisfied these requirements and are recognized as expansions to the Urban Service Area beyond the original allocation of 14,801 acres:
>
> Amendment #2002-2-A-4-4 (163.52 acres)
> Amendment #2002-D-4-1 (469.62 acres)
> Amendment #2003-2-A-4-2 (22.7 acres)
> Amendment #2003-2-A-4-4 (38.34 acres)
> Amendment #2003-D-4-1 (91.10 acres)
> Amendment #2004-2-A-1-3 (1,127 acres)
> Amendment #2004-2-A-1-4 (725.50 acres)
> Amendment #2004-D-1-1 (125 acres)
> Amendment #2004-D-4-1 (19.4 acres)
> Amendment #2005-1-A-2-1 (60.96 acres)
> Amendment #2005-2-A-4-2 (251.95 acres)
> Amendment #2005-D-1-1 (26.54 acres)
> Amendment #2005-2-A-1-2 (1,025.88 acres)
> Amendment #2006-2-A-1-1 (10.5 acres)
> Amendment #2006-2-A-1-4 (89.95 +/- acres)
> Amendment #2006-2-A-1-5 (1,159 +/- acres)

Amendment #2006-2-A-4-3 (9 acres)
Amendment #2007-1-A-1-1 (34.46 acres)
Amendment #2007-1-A-4-1 (19.58 acres)
Amendment #2007-2-A-1-1(429 acres)
Amendment #2007-2-A-4-1(100.22 acres)

* * *

Policy 1.1.12.1.A The following table details the maximum densities and intensities for the Planned Development (PD) Future Land Use designations, which have been adopted subsequent to January 1, 2007.

Amendment Number	Adopted FLUM designation	Maximum Density/Intensity	Ordinance Number
2007-2-A-1-1	Planned Development (PD)-Commercial/Low Density Residential (LDR)/Conservation (Timeshare)	Residential – 241 acres @ 4 dwelling units per acre and a maximum development program of 573 units Commercial (Timeshare) – 8 acres @ a Floor Area Ratio of 3.0 and a maximum development program of 60 units.	2007-xx
2007-2-A-2-5	PD-Low Medium Density Residential (LMDR)	Residential – 8.84 acres @ 10 dwelling unit per acre and a maximum development program of 57 units.	2007-xx
2007-2-A-4-1	PD-LDR	Residential – 100 acres @ 4 dwelling units per acre and a maximum development program of 400 units.	2007-xx
2007-2-A-6-1	PD-Medium Density Residential (MDR)	10.23 acres @ 20 dwelling units per acre and a maximum development program of 205-multifamily units.	2007-xx

* * *

Section 5. Effective Dates for Ordinance and Amendments. This ordinance shall become effective as provided by general law, but pursuant to Section 163.3189(2)(a), Florida Statutes, and Rule 9J-11.011, Florida Administrative Code, the plan amendments described in this ordinance shall not become effective until the Department of Community Affairs issues a

final order determining the adopted amendment to be in compliance in accordance with Section 163.3184(9), or until the Administration Commission issues a final order determining the adopted amendment to be in compliance in accordance with Section 163.3184(10). If a final order of non-compliance is issued by the Administration Commission, these amendments may nevertheless be made effective pursuant to Section 163.3189(2)(b) by adoption of a resolution at a public meeting after public notice, a copy of which resolution shall be sent to the Department of Community Affairs. However, no development orders, development permits, or land uses dependent on these amendments may be issued or commence before those amendments have become effective. Notwithstanding anything to the contrary in this Section 7, the Department of Community Affairs' notice of intent to find an amendment in compliance shall become an issued final order determining the adopted amendment to be in compliance if no petition challenging the amendment is filed within 21 days of the date of publication of the notice of intent.

ADOPTED THIS 18th DAY OF DECEMBER, 2007.

ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By:_____
Richard T. Crotty
Orange County Mayor

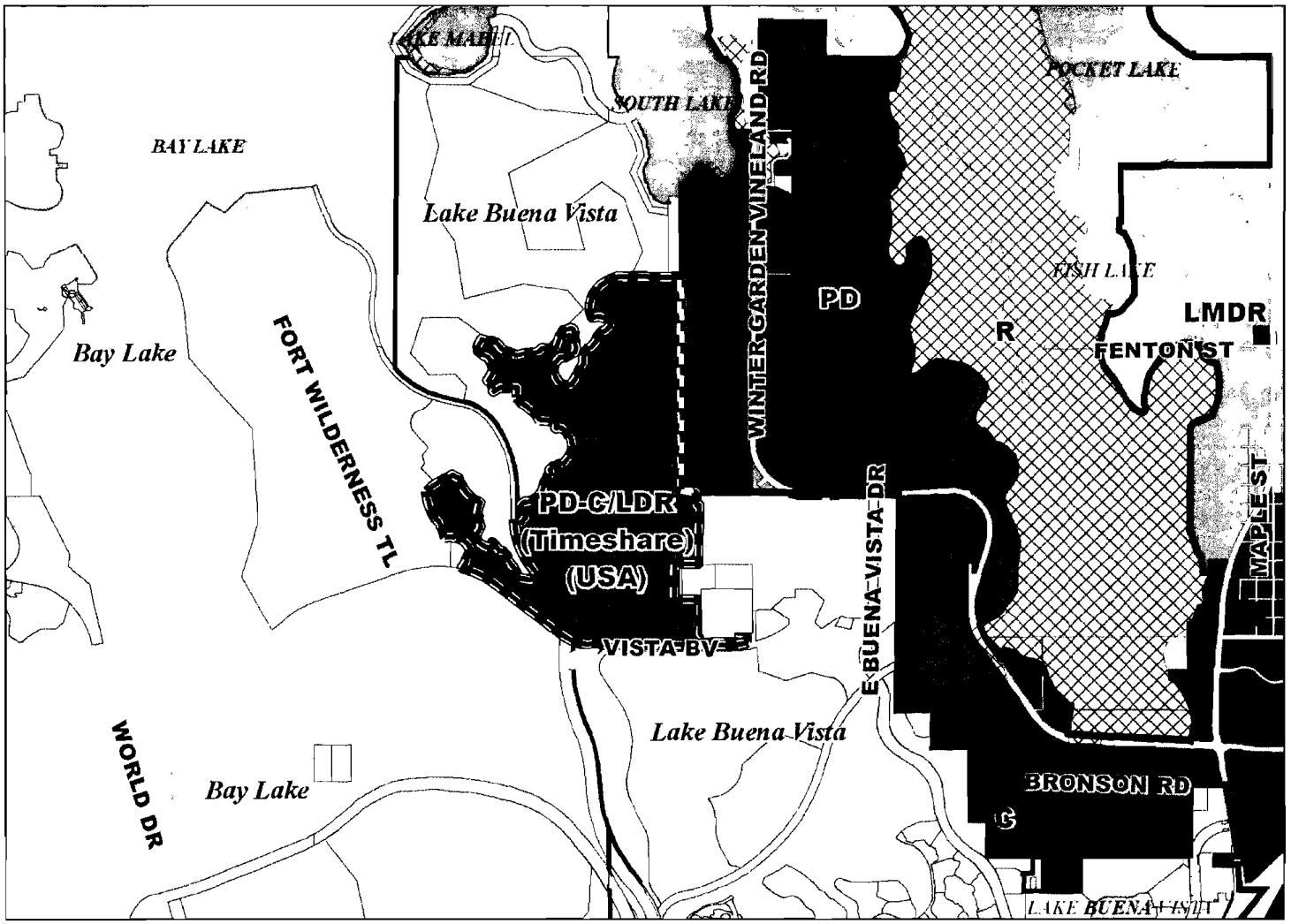
ATTEST: Martha O. Haynie, County Comptroller
As Clerk to the Board of County Commissioners

By:_____
Deputy Clerk

S:\JPrinsell\ORDRES\2007-2 final ordinance_REGULAR.Revised.rtf

Appendix "A"

Amendment # 2007-2-A-1-1
Future Land Use - As Adopted



Subject Property

★ Subject Property

PROPOSED FUTURE LAND USE AMENDMENT

From: RCID Hotel/Resort and Conservation

TO: Planned Development - Commercial/ Low Density Residential (PD-C/LDR) (Timeshare) (USA)

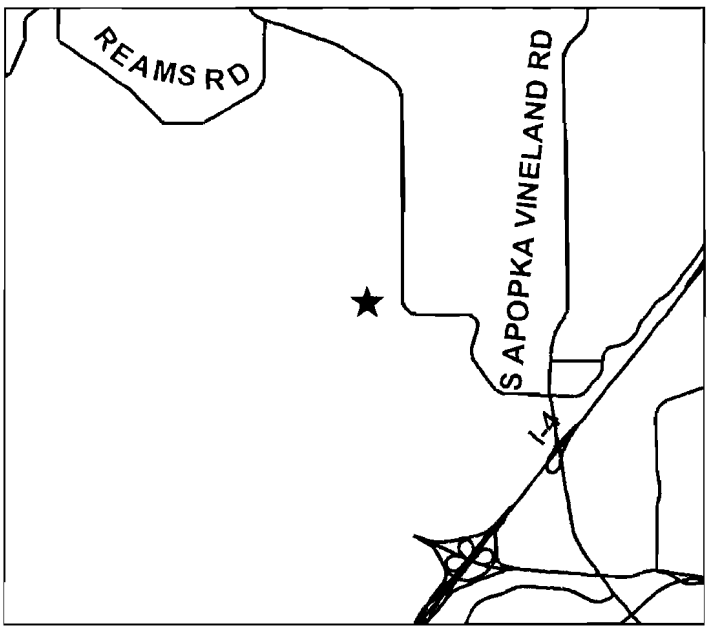
Owner: Multiple

Agent: Kathy Hattaway

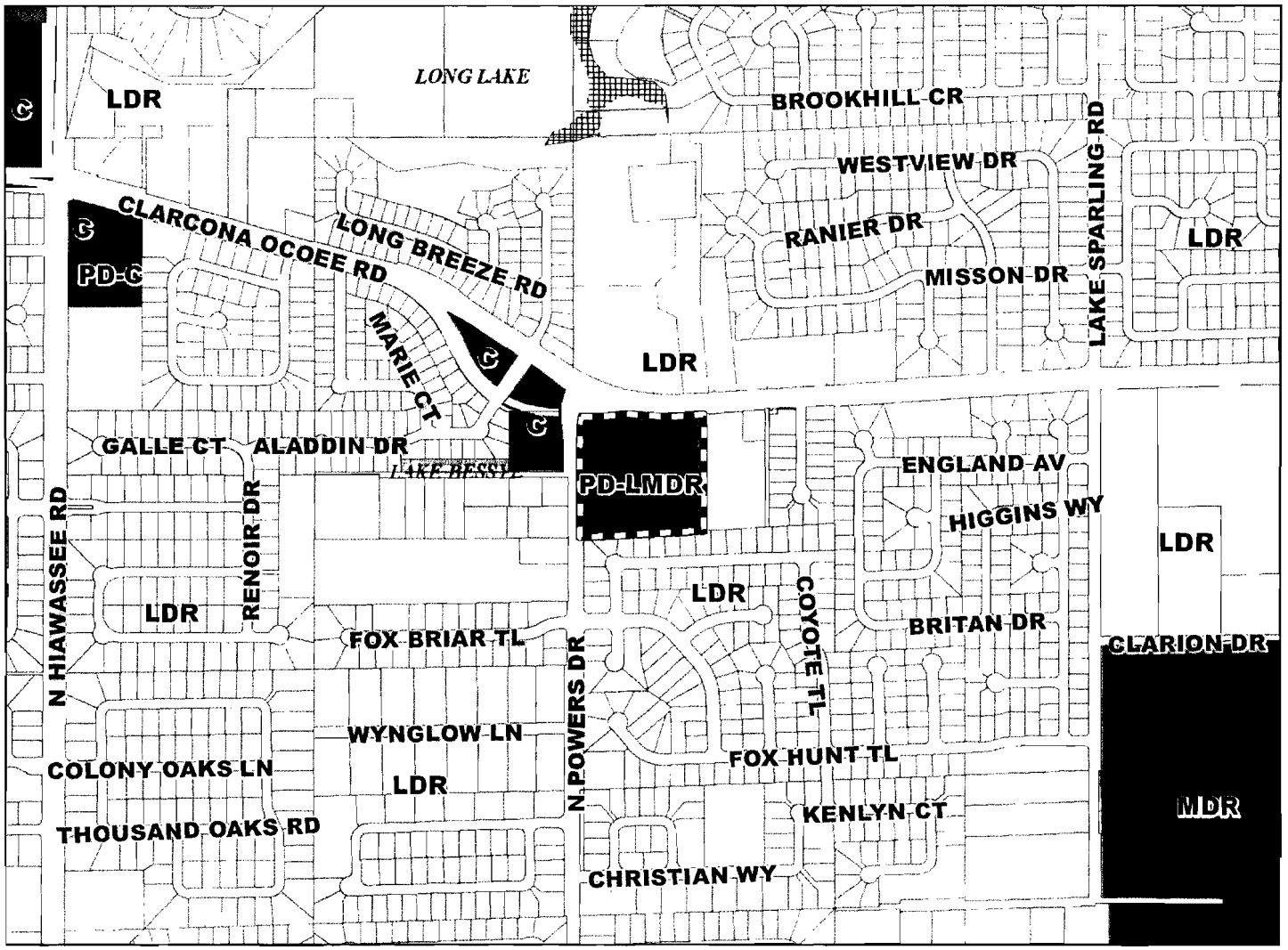
Tract Size: ~439 Acres (264 net)

District: # 1

1 inch equals 2,917 feet



Amendment # 2007-2-A-2-5
Future Land Use - As Adopted



Subject Property

Subject Property

PROPOSED FUTURE LAND USE AMENDMENT

From: Low Density Residential (LDR)

TO: Planned Development - Low Medium Density Residential (PD-LMDR)

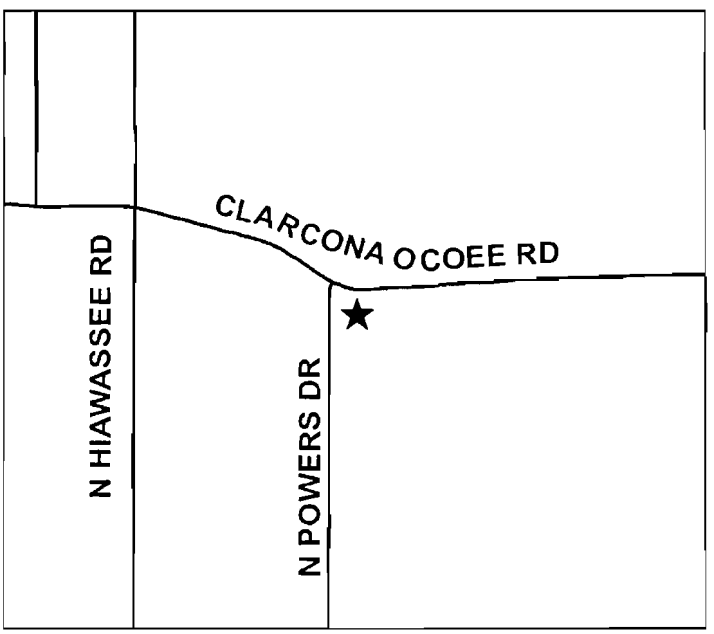
Owner: Ocoee Holdings, LLC

Agent: Interplan, LLC

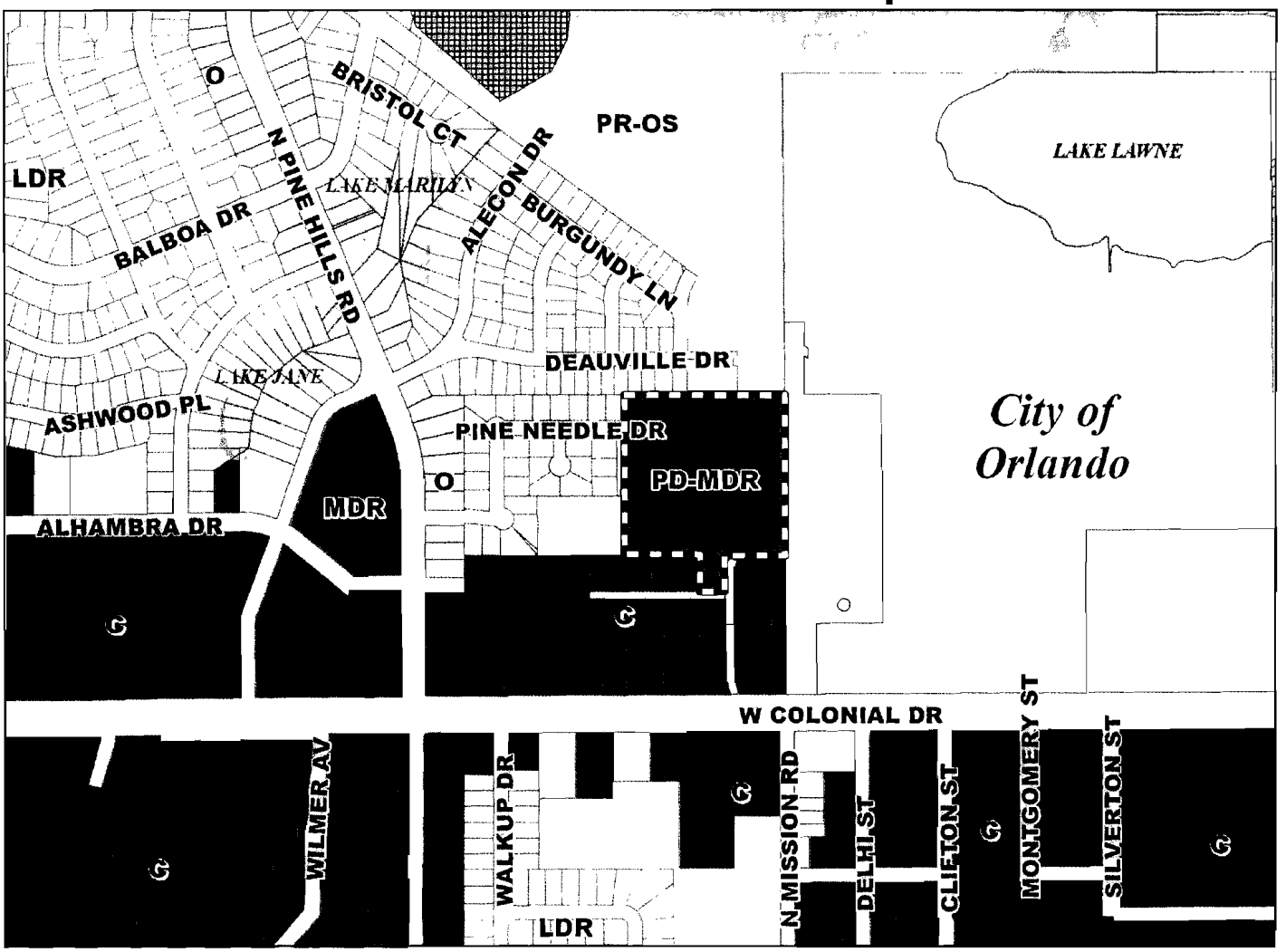
Tract Size: ~8.84 Acres

District: # 2

1 inch equals 833 feet



Amendment # 2007-2-A-6-1
Future Land Use - As Adopted



Subject Property

★ Subject Property

PROPOSED FUTURE LAND USE AMENDMENT

From: Commercial (C)

TO: Planned Development - Medium Density Residential (PD-MDR)

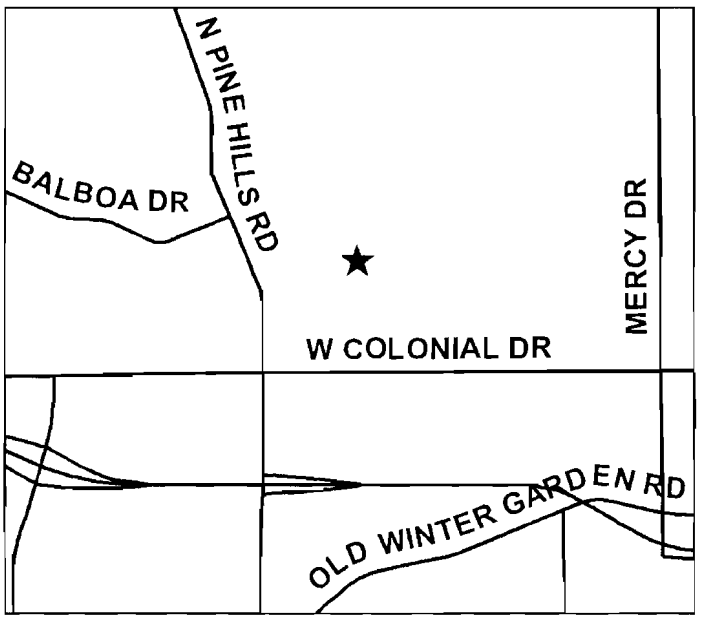
Owner: Craig and Audrey Pearlman

Agent: Stephen Blanton

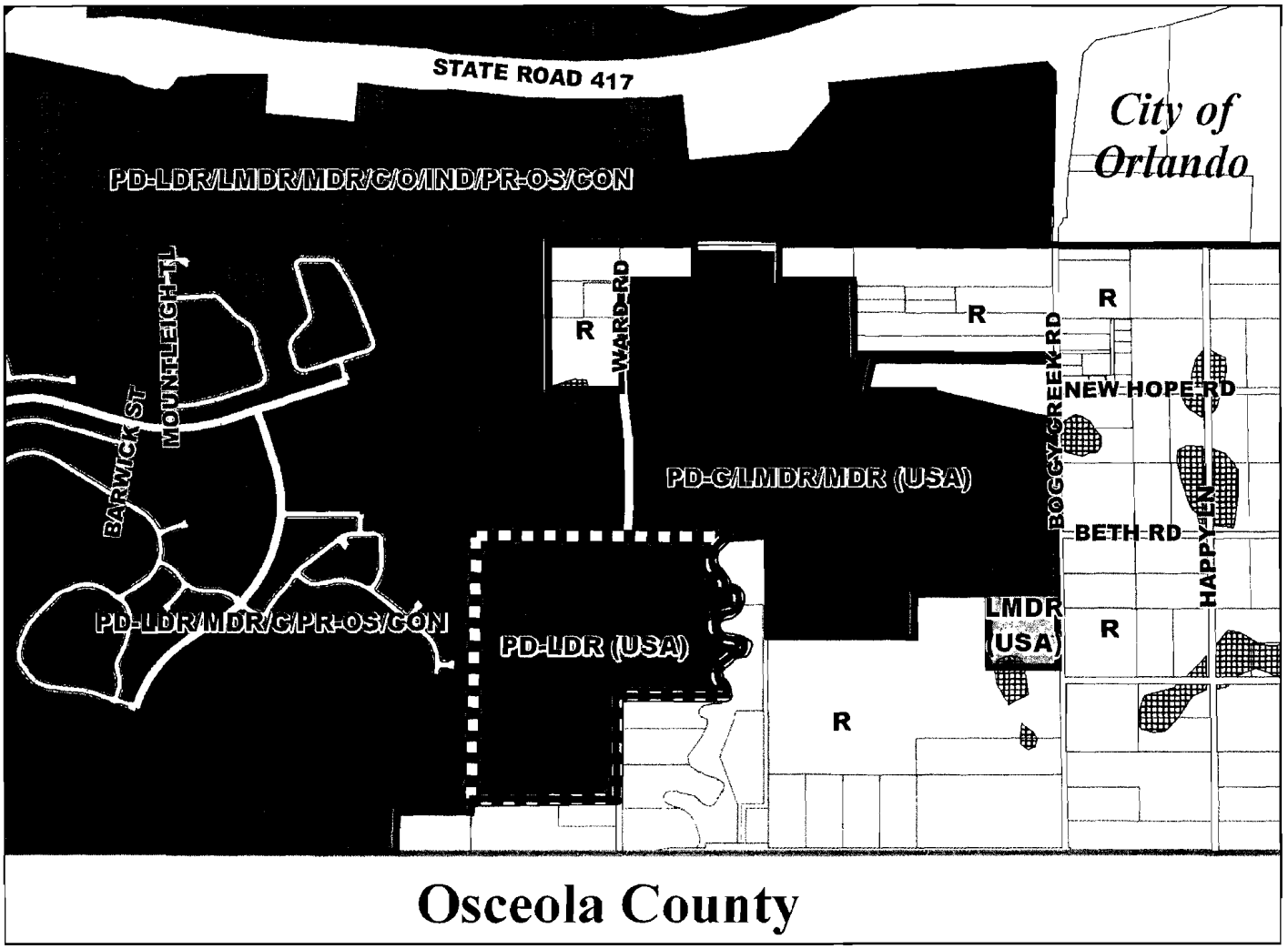
Tract Size: ~10.23 Acres

District: # 6

1 inch equals 667 feet

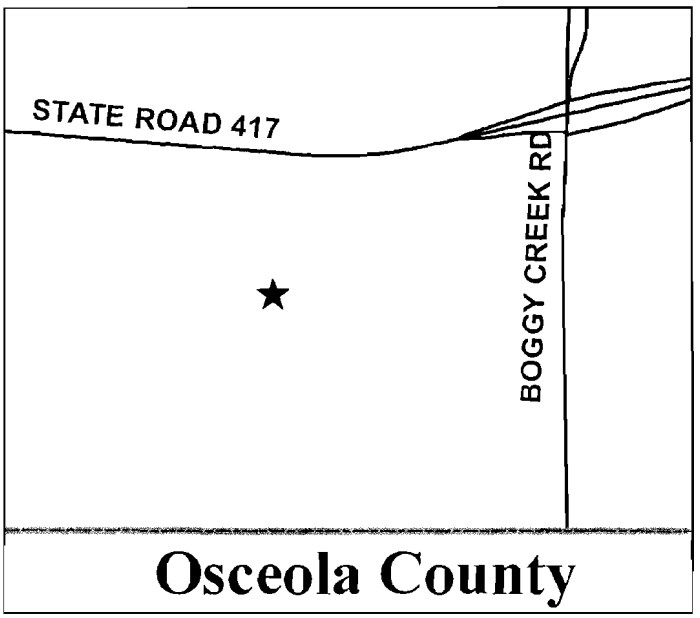


Amendment # 2007-2-A-4-1
Future Land Use - As Adopted



Subject Property

Subject Property

PROPOSED FUTURE LAND USE AMENDMENT	
From:	Rural 1/10 (R 1/10)
TO:	Planned Development - Low Density Residential (PD-LDR) (USA)
Owner:	Jim Hardman, et al
Agent:	Jim Hall
Tract Size: ~100.22 (net) Acres	
District:	# 4

1 inch equals 1,468 feet