

SEP 17 1991

RESOLUTION NO. 91-M-55

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA, PERTAINING TO THE ORANGE COUNTY COMPREHENSIVE PLAN; DECLARING THE INTENTION OF THE BOARD WITH RESPECT TO CERTAIN POTENTIAL AMBIGUITIES IN THE COMPREHENSIVE POLICY PLAN RELATING TO COMPACT URBAN GROWTH AND WETLAND PROTECTION; DECLARING THE CONSTRUCTION TO BE PLACED ON SUCH POLICIES IN THE COMPREHENSIVE POLICY PLAN.

WHEREAS, pursuant to Chapter 163 of Florida Statutes, the Board of County Commissioners of Orange County, Florida, adopted its Comprehensive Policy Plan (the "Comprehensive Plan") on July 1, 1991; and

WHEREAS, the East Central Florida Regional Planning Council (the "RPC") and its staff have correctly articulated the need for clarity in the comprehensive plans of all counties and cities, especially in those policies that address major public issues such as urban sprawl and wetland protection; and

WHEREAS, the RPC staff has identified potential ambiguities in certain policies in the Orange County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners agrees that it should clarify its intentions and declare the manner in which such policies should be construed.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY, FLORIDA:

1. Compact Urban Growth.

(A) It was and is the intention of the Board of County Commissioners that no "urban expansion areas" or "growth centers" are to be created unless and until appropriate amendments to the Comprehensive Plan are adopted pursuant to law.

(B) It was and is the intent of the Board of County Commissioners that no expansion of the Urban Service Area shall occur unless and until appropriate amendments to the Comprehensive Plan are adopted pursuant to law.

(C) It was and is the intent of the Board of County Commissioners that no portion of the 14,801 acres of land identified by the Comprehensive Plan for future development at urban-level densities may be approved for development unless and until appropriate amendments to the Comprehensive Plan are adopted pursuant to law.

(D) It was and is the intent of the Board of County Commissioners that the aggregate amount of land to be added to the Urban Service Area, to be designated as "growth center", and to be designated as "urban expansion area" shall not exceed 14,801 acres.

2. Wetland Protection.

(A) It was and is the intent of the Board of County Commissioners that policy 4.2.7 of the Future Land Use element, which provides that "The Land Development Code shall . . . require mitigation if impacts cannot be avoided. . . .", shall act to prohibit all losses of regionally significant wetlands that are "avoidable" as contemplated in policy 43.1 of the East Central Florida Regional Policy Plan dated June, 1987.

(B) It was and is the intent of the Board of County Commissioners that Future Land Use Policies 4.2.7 and 4.2.10 and Conservation Policies 1.4.1 and 1.8.3 establish upland buffers for all regionally significant wetland in order to provide habitat for semi-aquatic or water-dependent terrestrial species of wildlife.

3. Legal Construction. This resolution sets forth the manner in which the above provisions of the Comprehensive Plan shall be construed if and to the extent such provisions contain ambiguities.

RESOLVED THIS 17th day of September, 1991.

ORANGE COUNTY, FLORIDA

BY: *Leola W. Chapin*  
County Chairman

DATE: *September 17, 1991*

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

BY: *R. G. M. [Signature]*  
Asst. Deputy Clerk

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