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ORDINANCE NO. 2024-_____

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

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

48 amendments, rezonings, and special exceptions in the unincorporated areas of Orange County to
50 provide county staff with additional time to inspect, analyze, and draft the necessary provisions to
52 complete the updates to Orange Code and Vision 2050 and contemplate the consideration of these
revisions; and

54 **WHEREAS**, on September 10, 2024, during a regularly held public hearing, staff advised
56 the Board that the timeline for the adoption of Orange Code and Vision 2050 would be extended
58 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

60 **WHEREAS**, based on the extension to the Orange Code and Vision 2050 adoption
62 timeline, the Board finds it necessary to repeal Ordinance No. 2024-10 and enact a new ordinance
64 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

66 **WHEREAS**, after December 11, 2024, the acceptance of all comprehensive plan text and
68 map amendments, rezonings, and special exceptions will be temporarily suspended until the
adoption of Orange Code and Vision 2050.

70 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
ORANGE COUNTY:

72 **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.

74 **Section 2. Enactment of a New Zoning in Progress Ordinance.** A new Zoning in
Progress Ordinance is enacted to read as follows:

76 (a) **Purpose and Intent.** The purpose of this ordinance is to
78 enact an ordinance that will suspend all comprehensive plan text and
map amendments, rezonings, and special exceptions, but provide a
80 window of time for the acceptance of small-scale comprehensive
plan text and map amendments, rezonings, and special exceptions.
82 The temporary suspension of these land development and permitting
processes will allow county staff sufficient time to review, study,
84 hold public hearings, and prepare and adopt an amendment or
amendments to the Orange County Comprehensive Plan and Orange
86 County Code of Ordinances as a part of Vision 2050 and Orange
Code.

88 **(b) Temporary Suspension of Certain Processes.** The County
90 hereby imposes a suspension of eight months from the effective date
92 of this ordinance, unless rescinded sooner, in which the County will
94 not process new applications for comprehensive plan text and map
96 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.

98 **(c) Exceptions for Existing Applications and Businesses.** The
temporary suspension shall not apply to existing applications for
100 comprehensive plan text and map amendments, rezonings and
102 special exceptions. New applications for small-scale comprehensive
104 plan amendments, rezonings and special exceptions submitted and
106 received between October 29, 2024, and December 11, 2024, shall
108 be considered exceptions and will be excluded from the temporary
110 suspension. Additionally, existing planned developments will be
112 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.

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

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

Section 3. Non-Codification. The provisions of this ordinance shall not be included

130 and incorporated within the Orange County Code of Ordinances.

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

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ADOPTED THIS _____ DAY OF _____, 2024.

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ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

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By: _____
Jerry L. Demings
Orange County Mayor

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

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By: _____
Deputy Clerk

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