

ORDINANCE # 2024-48 for LDC24-0002

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA; AMENDING CHAPTER 3, SECTION 3.2.4 “COMMERCIAL (RETAIL/OFFICE) DISTRICT DESCRIPTIONS” OF THE OSCEOLA COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the Local Government Comprehensive Plan and Land Development Regulation Act, Chapter 163, Florida Statutes, as amended, Osceola County enacted Ordinance 00-32, which adopted the Osceola County Land Development Code; and

WHEREAS, subsequent to the effective date of the Land Development Code, it has been determined that amendments are warranted in order to better serve the community and to ensure compliance with the Osceola County Comprehensive Plan; and

WHEREAS, in accordance with the provisions of Section 125.66, Florida Statutes, the Board of County Commissioners conducted a public hearing to consider the amendments, with due public notice having been provided; and

WHEREAS, having reviewed and considered all comments received during the public hearings, the Board of County Commissioners desires to amend sections of the Land Development Code and Code of Ordinances.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OSCEOLA COUNTY, FLORIDA:

SECTION 1. AMENDMENT.

This ordinance amends Chapter 3, of the Osceola County Land Development Code, as

follows:

Section 3.2.4 - Commercial (Retail/Office) District ...A. OBJECTIVE. The Commercial designations are intended to serve those

Land Development Code:

3.2.4 - COMMERCIAL (RETAIL/OFFICE) DISTRICT DESCRIPTIONS

A.OBJECTIVE.The Commercial designations are intended to serve those areas within the areas within the Urban Growth Boundary that are outside Urban Infill Centers and are planned as a tiered approach ranging from high intensity commercial to a mix of commercial and residential uses. Applications seeking to amend a zoning designation from a Commercial or Industrial district to any residential zoning district identified on Table 3.1; or from any Neighborhood Center Commercial Zoning District or Urban Infill Center Core Zoning District to Urban Infill Center Perimeter Zoning District; or, amending PD zoning Districts from commercial entitlements to residential entitlements, or increasing residential entitlements through a major amendment, must demonstrate via a professionally acceptable methodology, as contemplated in Florida State Statute 163.3177 (1)(f)(3), that Osceola County's most recently adopted Comprehensive Plan or Land Development Code will not accommodate medium residential growth projections as published in the Office of Economic and Demographic Research at the designated target year.

SECTION 2. SEVERABILITY.

If any provision of this Ordinance, or the application thereof, is for any reason held or declared to be unconstitutional, inoperative, void or invalid, such holding shall not affect provisions or applications of this Ordinance which can be given effect without the invalid provisions or application, and to that end, the provisions of this Ordinance are declared severable.

SECTION 3. CONFLICT.

Any Ordinance or part thereof, and/or any resolution, or part thereof, which is in conflict with this Ordinance or part hereof is hereby repealed to the extent of the conflict.

SECTION 4. SCRIVENER'S ERRORS

The County Attorney is authorized to correct scrivener's errors found in this Ordinance by filing a corrected copy of this Ordinance with the Clerk to the Board.

SECTION 5. EFFECTIVE DATE.

This Ordinance shall become effective immediately upon its adoption by the Board of County Commissioners. Projects or phases of projects that do not have an approved Site Development Plan as of the effective date of this ordinance shall be subject to amendments provided herein.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: _____
Chair/Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: _____
Clerk/Deputy Clerk of the Board

As authorized for execution at the Board of
County Commissioners meeting of: _____