

ORDINANCE NO. 2020-39
CPA19-0008

An Ordinance of the Board of County Commissioners of Osceola County, Florida, relating to amendment of the Osceola County Comprehensive Plan; providing for adoption of Comprehensive Plan Amendment CPA19-0008; providing for a change to the maps of the Transportation Element Map Series of the Osceola County Comprehensive Plan, including conformance of the maps of the Comprehensive Plan to the adopted amendment; providing for correction of scrivener's errors; providing for severability; providing for conflict; and providing for an effective date.

WHEREAS, the Board of County Commissioners of Osceola County, Florida, pursuant to Chapter 163, Florida Statutes, enacted Osceola County Ordinance 10-26 on August 16, 2010, and thereby adopted The Osceola County Comprehensive Plan; and

WHEREAS, the Board of County Commissioners of Osceola County, Florida, pursuant to Chapter 163, Florida Statutes, Part II, The Local Government Comprehensive Planning and Land Development Regulation Act, enacted Osceola County Ordinance 18-82 on December 10, 2018, and thereby adopted The Osceola County Comprehensive Plan Evaluation and Appraisal Report (EAR) amendments; and

WHEREAS, pursuant to Section 163.3174(1), Florida Statutes, the Board of County Commissioners of Osceola County, Florida by enactment of Section 1.3.3 of the Osceola County Land Development Code, has duly designated the Osceola County Planning Commission as its Local Planning Agency; and

WHEREAS, the Osceola County Planning Commission in its role as the Local Planning Agency, on November 21, 2019, at duly noticed public meeting, reviewed and heard testimony concerning the proposed amendment to the Osceola County Comprehensive Plan, and recommended to the Board of County Commissioners of Osceola County that the proposed Comprehensive Plan Amendment be adopted; and

WHEREAS, the Board of County Commissioners has followed the procedures set forth in Sections 163.3184, Florida Statutes, in order to amend certain provisions of the Osceola County Comprehensive Plan as set forth herein relating to Comprehensive Plan Amendments; and

WHEREAS, pursuant to Section 163.3184, Florida Statutes, this item was heard at two separate hearings, the first hearing was held on December 16, 2019, to approve and transmit the amendment

and accompanying data and analysis to the reviewing agencies and any other local government or governmental agency that has filed a written request with the County, and after addressing comments provided by said reviewing agencies and any other local government or governmental agency, the second hearing was held on March 9, 2020, where this Ordinance was adopted; and

WHEREAS, the Board of County Commissioners provided all required public notice for the required public hearings for the purposes of hearing and considering the recommendations and comments of the general public, the Local Planning Agency, other public agencies and other jurisdictions prior to final action on the Plan Amendment set forth herein; and

WHEREAS, the Board of County Commissioners hereby finds that the Plan, as amended by this Ordinance, is internally consistent with and compliant with the provisions of State law including, but not limited to, Chapter 163, Florida Statutes, and the Strategic Regional Policy Plan of the East Central Florida Regional Planning Council; and

WHEREAS, the Plan Amendment set forth herein has been reviewed by all required State agencies and considered by the Board; and

WHEREAS, the Board of County Commissioners directs that a certified copy of this Ordinance shall be provided to the Florida Department of State by the Clerk of the Board of County Commissioners in accordance with State law.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Osceola County, as follows,

Approval and Incorporation of Whereas Clauses. The Board of County Commissioners hereby approves and ratifies the WHEREAS clauses to this Ordinance and incorporates same as if fully set forth herein.

Section 1. Adoption of CPA19-0008. At the request of the applicant, the Board of County Commissioners adopts this Comprehensive Plan Amendment, which amends the Comprehensive Plan by amending the Maps of the Transportation Element.

Section 2. Transportation Maps Amended. This Comprehensive Plan Amendment amends and replaces the following maps within the Transportation Element Map Series as set forth in **Exhibit "A"** (attached

hereto and incorporated herein by this reference) TRN 1A: Roadway Network – 2040, TRN 1A: Roadway Network – 2080, TRN 1B: Roadway Network UGB - 2040, TRN 1B: Roadway Network UGB - 2080, TRN 2A: Roadway Classification System - 2040, TRN 2A: Roadway Classification System - 2080, TRN 2B: Roadway Classification System UGB - 2040, and TRN 2B: Roadway Classification System UGB - 2080. The Osceola County Comprehensive Plan shall be conformed as set forth by this Comprehensive Plan Amendment.

Section 3. 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 4. Severability. It is the intent of the Board of County Commissioners that, if any section subsection, sentence, clause, phrase, or portion of this Ordinance shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

Section 5. Conflict. Any Ordinance or part thereof which is in conflict with this Ordinance or any part hereof is hereby repealed to the extent of the conflict.

Section 6. Effective Date. The effective date of the comprehensive plan amendment contained in this Ordinance shall be thirty-one (31) days after the state land planning agency notifies the County that the plan amendment package is complete. If timely challenged, this comprehensive plan amendment may not become effective until the state land planning agency or the Administration Commission, respectively, enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

Signatures next page.

DULY ENACTED this 09 day of March, 2020.

BOARD OF COUNTY COMMISSIONERS
OF OSCEOLA COUNTY, FLORIDA

By: [Signature]
Chair/Vice Chair

ATTEST:
OSCEOLA COUNTY CLERK OF THE BOARD

By: [Signature]
Clerk/ Deputy Clerk of the Board

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

03/09/2020

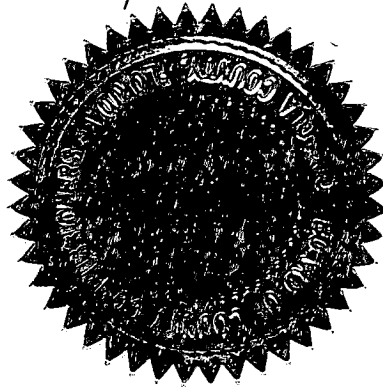
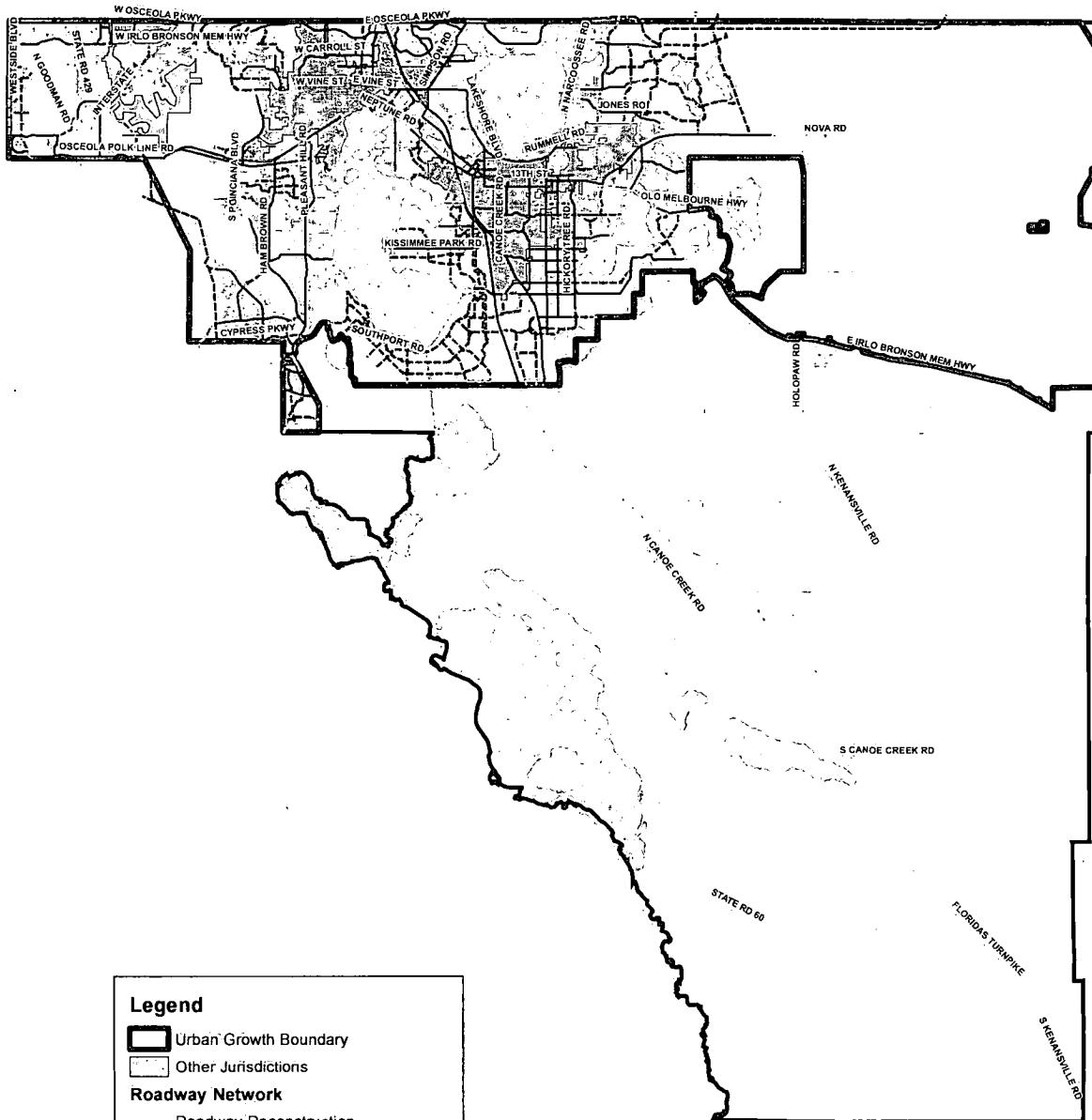


Exhibit A”

Transportation Maps Amended

TRN 1A: Roadway Network - 2040

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Legend

- Urban Growth Boundary
- Other Jurisdictions

Roadway Network

- Roadway Reconstruction
- Planned Limited Access Expressways
- Planned Roadway Network

List of Map Amendments

Ordinance	CPA Index	Date
13-14	CPA 13-0004	08-19-13
15-38	CPA 15-0014	04-18-15
16-96	CPA 16-0004	11-24-16
17-46	CPA 16-0010	08-31-17

Disclaimer: Future new roadways as shown on this map are strictly conceptual in nature and the proposed alignments and actual construction of the roadways are subject to change.

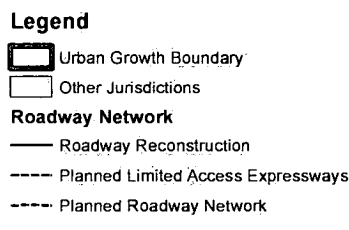
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MAP PRODUCED BY
OSCEOLA COUNTY
TRANSPORTATION & TRANSIT
18 SEPTEMBER 2019

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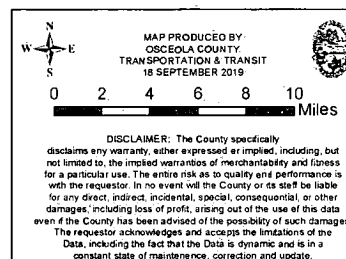
DISCLAIMER: The County specifically disclaims any warranty, either expressed or implied, including, but not limited to, the implied warranties of merchantability and fitness for a particular use. The entire risk as to quality and performance is with the requestor. In no event will the County or its staff be liable for any direct, indirect, incidental, special, consequential, or other damages, including loss of profit, arising out of the use of this data even if the County has been advised of the possibility of such damages. The requestor acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.

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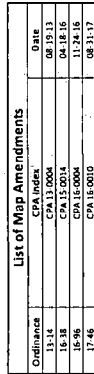


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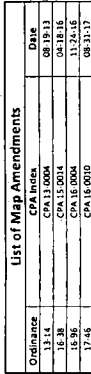


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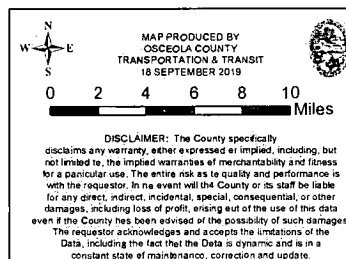
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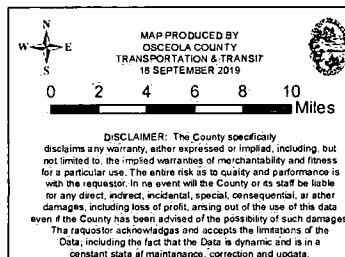


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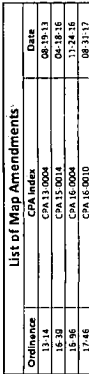
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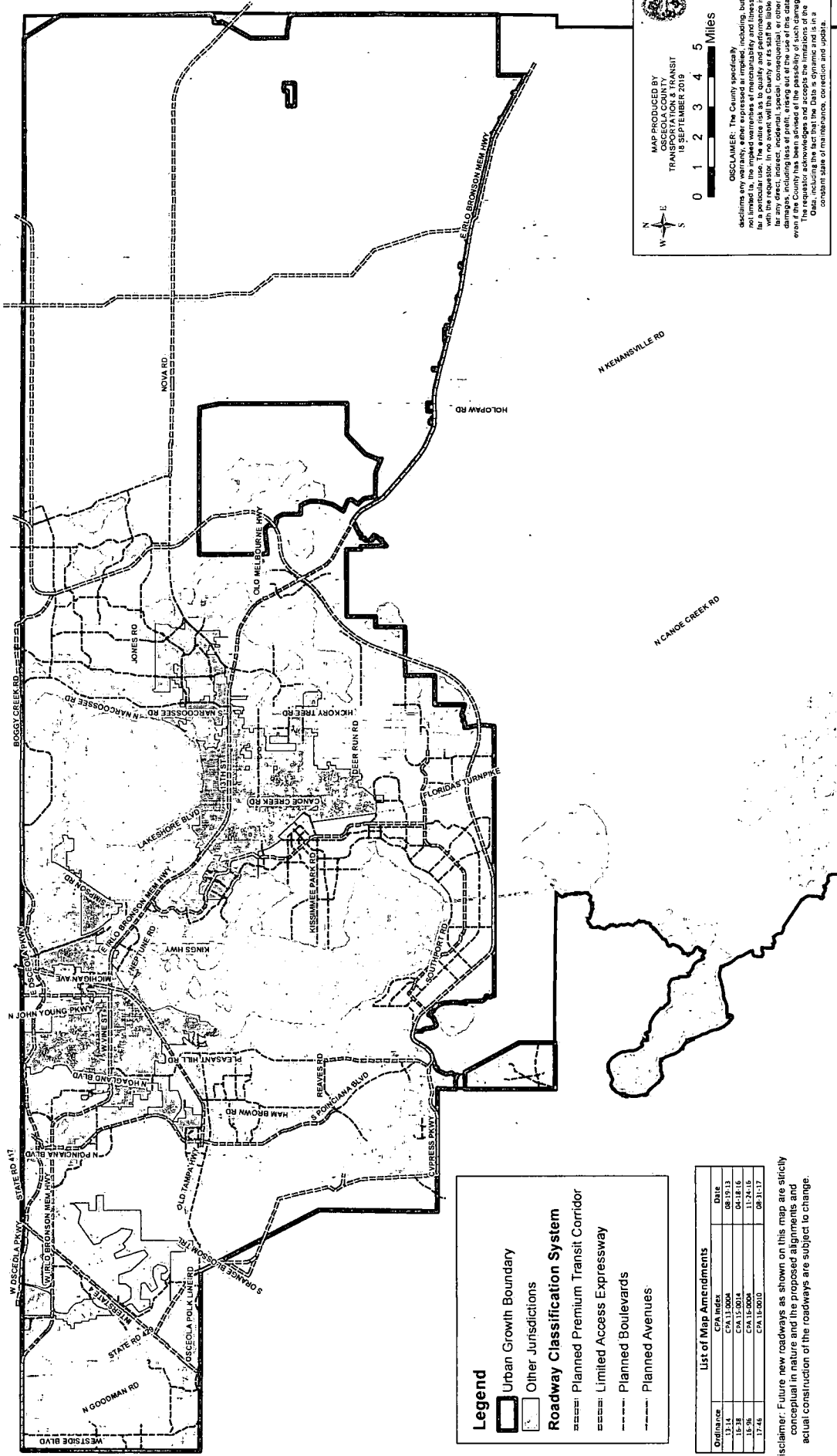
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Disclaimer: Future new roadways as shown on this map are strictly conceptual in nature and the proposed alignments and actual construction of the roadways are subject to change.

TRN 2B: Roadway Classification System UGB - 2080

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Disclaimer: Future new roadways as shown on this map are strictly conceptual in nature and the proposed alignments and actual construction of the roadways are subject to change.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

March 10, 2020

Ms. Tammy Ross
Board Support Specialist
Osceola County
1 Courthouse Square, Suite 2401
Kissimmee, Florida 34741

Dear Ms. Ross:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Osceola County Ordinance No. 2020-39, which was filed in this office on March 10, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb