

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO ASSIGN THE URBAN ACTIVITY CENTER FUTURE LAND USE MAP DESIGNATION TO APPROXIMATELY 10.671 ACRES OF LAND, AND TO CHANGE THE EXISTING FUTURE LAND USE MAP DESIGNATION FROM MIXED USE CORRIDOR MEDIUM INTENSITY TO URBAN ACTIVITY CENTER FOR APPROXIMATELY 0.72 ACRES OF LAND; FURTHER AMENDING THE GROWTH MANAGEMENT PLAN TO CREATE SUBAREA POLICY S.19.4 TO PROVIDE A MAXIMUM DEVELOPMENT PROGRAM AND CERTAIN DEVELOPMENT POLICIES FOR APPROXIMATELY 11.702 ACRES OF LAND; ALL SUCH LANDS BEING GENERALLY LOCATED NORTH OF BUTLER DR., EAST OF S. ORANGE AVE., SOUTH OF E. PINELOCH AVE., AND WEST OF CENTER ST. AND OAK PL.; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of November 17, 2015, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered land development order application case numbers GMP2015-00042 and GMP2015-00043, (1) requesting a change in the Future Land Use Map designation for approximately 11.391 acres of land being generally located north of Butler Drive, east of South Orange Avenue, south of East Pineloch Avenue, and west of Center Street and Oak Place, and being more precisely described by the legal description attached to this ordinance as **Exhibit A** (the "FLUM property"), from an Orange County designation, in part, to the city's Urban Activity Center designation, in part, and from the city's Mixed Use Corridor Medium Intensity designation, in part, to the city's Urban Activity Center designation, in part, and (2) requesting an amendment to the Growth Management Plan (the "GMP") to create Subarea Policy S.19.4., providing a maximum development program and certain development policies for approximately 11.702 acres of land being generally located north of Butler Drive, east of South Orange Avenue, south of East Pineloch Avenue, and west of Center Street and Oak Place, and being more precisely depicted by the map attached to this ordinance as **Exhibit B** (the "subarea policy property"); and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case numbers GMP2015-00042 and GMP2015-00043 (along with ZON2015-00038 and ANX2015-00022, and entitled "Item #2 – South Gate Annexation"), the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said applications and adopt an ordinance in accordance therewith; and

WHEREAS, the MPB found that the applications are consistent with:

1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes (the “State Comprehensive Plan”); and
2. The *East Central Florida 2060 Plan* adopted by the East Central Florida Regional Planning Council pursuant to sections 186.507 and 186.508, Florida Statutes (the “Strategic Regional Policy Plan”); and
3. The *City of Orlando Growth Management Plan*, adopted as the city’s “comprehensive plan” for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes; and

WHEREAS, the Orlando City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of the State Comprehensive Plan, the Strategic Regional Policy Plan, and the city’s GMP; and

WHEREAS, this ordinance is adopted pursuant to the “expedited state review process for adoption of comprehensive plan amendments” as provided by subsection 163.3184(3), Florida Statutes; and

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AS FOLLOWS:

SECTION 1. FLUM DESIGNATION. Pursuant to subsection 163.3184(3), Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the FLUM property is hereby made “Urban Activity Center” (denoted as “UR-AC” on the city’s future land use maps), as depicted in **Exhibit C** to this ordinance.

SECTION 2. AMENDMENT OF FLUM. The city planning official, or designee, is hereby directed to amend the city’s adopted Future Land Use Maps and Subarea Policy Maps in accordance with this ordinance.

SECTION 3. SUBAREA POLICY. Pursuant to subsection 163.3184(3), Florida Statutes, Subarea Policy S.19.4 is hereby created, as depicted in **Exhibit B**, in the Future Land Use Element of the Growth Management Plan and shall read as follows (words ~~stricken~~ are deletions; words underlined are additions; **** denote omitted text):

Policy S.19.4 The maximum development program is as follows:

<u>Residential – multifamily</u>	<u>300 residential units</u>
<u>Retail</u>	<u>94,000 square feet</u>

Public benefit use impacts to be addressed on a case by case basis through a conditional use permit.

a. Transportation

i. Development in this subarea must include at least one transit stop. The number, location, dimensions, type, and design of the transit stop or stops shall be subject to review and approval as part of the framework master plan required by this subarea policy. Transit stop locations must be incorporated into the planning and design of development in this subarea.

ii. A detailed traffic study that incorporates the maximum impacts of the proposed development shall be required to evaluate adequacy of on-site and site adjacent transportation improvements. The traffic study methodology shall be established with Transportation Official at the time of the Master Plan.

b. Urban Design

i. Buildings in this subarea must transition from the tallest and most intense along S. Orange Avenue, towards the shortest and least intense along Center Street. The maximum building height adjacent to Center Street shall be three stories for the first approximately 35' of building depth from Center Street. Thereafter, buildings may transition up to a maximum of six stories adjacent to S. Orange Avenue. The maximum building height adjacent to E. Pineloch Avenue shall be three stories.

ii. Buildings on E. Pineloch Avenue and S. Orange Avenue must orient towards the public street, with entrances accessible at street level.

iii. Site design and building design should be generally consistent, on a project wide basis, with the concepts set forth in the Orange/Michigan Special Plan.

c. Master Plan.

Development in this subarea is subject to review and approval by framework master plan pursuant to Part 2H, Chapter 65, Orlando City Code (and without regard for any exceptions provided therein). The framework master plan shall be reviewed and approved pursuant to the formal review process provided by subsection 65.334(a), Orlando City Code. The framework master plan must approve the overall development layout (including the location and size of buildings), parking, other site plan elements identified by this Growth Management Plan and the Land Development Code. Notwithstanding anything in the Land Development Code to the contrary, applications for specific parcel master plans subsequent to and in accordance with the approved framework master plan are subject to review and approval by the administrative review process provided by subsection 65.334(b), Orlando City Code.

SECTION 4. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.

SECTION 5. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 6. EFFECTIVE DATE. This ordinance is effective upon adoption, except for the amendments adopted by sections one through three, which, pursuant to subparagraph 163.3184(3)(c)4., Florida Statutes, become effective 31 days after the state land planning agency notifies the local government that the plan amendment package is complete, or if timely challenged, upon the state land planning agency or the Administration Commission entering a final order determining the adopted amendment to be in compliance.

DONE, THE FIRST PUBLISHED ADVERTISEMENT, in a newspaper of general circulation in the City of Orlando, Florida, by the city clerk of the City of Orlando, Florida, this _____ day of _____, 2015.

DONE, THE FIRST READING AND TRANSMITTAL STAGE HEARING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2015.

DONE, THE SECOND PUBLISHED ADVERTISEMENT, in a newspaper of general circulation in the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of _____, 2015.

DONE, THE SECOND READING AND ADOPTION HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2015.

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

Mayor

ATTEST, BY THE CLERK OF THE
CITY COUNCIL OF THE CITY OF
ORLANDO, FLORIDA:

City Clerk

Print Name

APPROVED AS TO FORM AND LEGALITY
FOR THE USE AND RELIANCE OF THE
CITY OF ORLANDO, FLORIDA:

City Attorney

Print Name

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