

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO DESIGNATE CERTAIN LAND GENERALLY LOCATED NORTH OF W. PRINCETON ST., EAST OF EDGEWATER DR., AND SOUTH AND WEST OF W. SMITH ST., AND COMPRISED OF 1.97 ACRES OF LAND, MORE OR LESS, AS COMMUNITY ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; FURTHER AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO CREATE SUBAREA POLICY S.4.7, RELATING TO DEVELOPMENT ON THE APPROXIMATELY 3.43 ACRE BLOCK BOUND BY W. PRINCETON ST., EDGEWATER DR., AND W. SMITH ST.; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND SUBAREA POLICY MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of June 17, 2014, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case numbers GMP2014-00011 and GMP2014-00012, requesting the "Community Activity Center" Future Land Use Map designation for approximately 1.97 acres of land (hereinafter the "FLUM Property"), and the creation of a new Growth Management Plan Subarea Policy for approximately 3.43 acres of land (hereinafter the "Subarea Policy Property"), both areas of land being generally located north of W. Princeton Street, east of Edgewater Drive, and south and west of W. Smith Street, and the FLUM Property being more precisely described by the legal description attached to this ordinance as **Exhibit "A,"** and the Subarea Policy Property being more precisely described by the legal description attached to this ordinance as **Exhibit "B";** 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 GMP2014-00011 and GMP2014-00012 (entitled "Item #8 A. & B. – The Princeton at College Park" and hereinafter referred to as the "Staff Report"), 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 (2013) (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 (2013) (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 (2013) (the “GMP”); 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 “process for adoption of small-scale comprehensive plan amendment” as provided by section 163.3187, Florida Statutes (2013); and

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

SECTION 1. FLUM DESIGNATION. Pursuant to section 163.3187, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the FLUM Property is hereby changed from “Office Low Intensity” (denoted as “OFFICE-LOW” on the City’s Future Land Use Maps), in part, and “Residential Low Intensity” (denoted as “RES-LOW” on the City’s Future Land Use Maps), in part, to “Community Activity Center” (denoted as “COMM-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 in accordance with this ordinance.

SECTION 3. SUBAREA POLICY. Pursuant to section 163.3187, Florida Statutes (2013), the City of Orlando, Florida, adopted Growth Management Plan is hereby amended to add subarea policy S.4.7, which shall be inserted after subarea policy S.4.6 in the Future Land Use Element of the Growth Management Plan, and shall read as follows (underlined text are additions to the Growth Management Plan):

Policy S.4.7

(a) New development in this area must be approved by zoning to the Planned Development district. All land in this area must be designated as Commercial Activity

Center on the Future Land Use Map and all new development must be undertaken as a single unified plan of development. Development must include a mixture of land uses, minimize adverse impacts to nearby properties through context-sensitive design and orientation of uses, provide safe and convenient pedestrian connections, and accommodate the private automobile as well as transit.

b. In order to ensure compatibility with the adjacent residential neighborhood and consistency with the Edgewater Drive Special Plan, a density bonus allowing up to 80 dwelling units to the acre may be approved for the approximately 3.43 acre subarea, but such bonus must be reviewed and approved in accordance with the land development regulations for "Bonuses in Office, Mixed Use Corridor, and Activity Center Districts," as provided at Part 6B, Chapter 58, of the Land Development Code. All non-residential uses must be oriented towards Edgewater Drive and shall be restricted to Transect Area 6 ("T-6"), as shown in the Edgewater Drive Special Plan. Non-residential floor to area ratio ("FAR") shall be calculated based on the land area of the T-6 portion of the subarea.

c. A traffic study shall be required as part of any planned development zoning application for the subarea and a traffic mitigation plan may be required depending on the findings of the traffic study. All new development in this subarea shall connect to an onsite master stormwater management system.

SECTION 4. SUBAREA POLICY MAPS. Pursuant to section 163.3187, Florida Statutes (2013), the City's Growth Management Plan subarea policy maps are hereby amended to include the Subarea Policy Property within the newly created subarea policy S.4.7, as depicted in **Exhibit "D"** to this ordinance.

SECTION 5. 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 6. 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 7. EFFECTIVE DATE. This ordinance is effective upon adoption, except for sections one through four, which take effect on the 31st day after adoption unless this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes (2013), in which case sections one through four shall not be effective until the state land planning agency or the Administration Commission issues a final order declaring this ordinance "in compliance" as defined at sections 163.3184(1)(b) and 163.3187(5)(d), Florida Statutes (2013).

DONE, THE FIRST READING, by the City Council of the City of Orlando,
Florida, at a regular meeting, this _____ day of _____, 2014.

DONE, THE PUBLIC NOTICE, 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 _____, 2014.

**DONE, THE SECOND READING, A PUBLIC 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
_____, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor / Mayor Pro Tempore

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

City Clerk

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

City Attorney