

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FOR CERTAIN LAND GENERALLY LOCATED NORTH OF W. D. JUDGE DR., EAST OF MERCY DR., SOUTH OF W. NEW HAMPSHIRE ST., AND WEST OF N. JOHN YOUNG PKWY., AND COMPRISED OF 123.2 ACRES OF LAND, MORE OR LESS, FROM RESIDENTIAL-LOW INTENSITY TO INDUSTRIAL ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; FURTHER AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO AMEND SUBAREA POLICY S.3.3, RELATING TO CERTAIN VEHICULAR ACCESS TO AND FROM INDUSTRIAL USES IN THE SUBAREA; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of August 18, 2015, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case numbers GMP2015-00022 and GMP2015-00028, (1) requesting a change in the Future Land Use Map designation for approximately 123.2 acres of land being generally located north of W. D. Judge Drive, east of Mercy Drive, south of W. New Hampshire Street, and west of N. John Young Parkway, and being more precisely described by the legal description attached to this ordinance as **Exhibit A** (the "Property"), from Residential Low Intensity to Industrial, and (2) requesting an amendment to the Growth Management Plan's (the "GMP") Subarea Policy S.3.3., relating to certain vehicular access to and from the 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 GMP2015-00022 and GMP2015-00028 (along with ZON2015-00021 and MPL2015-00020, and entitled "Item #3 – Princeton Oaks" 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 (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 Property is hereby changed from "Residential Low Intensity" (denoted as "RES-LOW" on the City's Future Land Use Maps) to "Industrial" (denoted as "INDUST" on the City's Future Land Use Maps), as depicted in **Exhibit B** 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 subsection 163.3184(3), Florida Statutes, Subarea Policy S.3.3, in the Future Land Use Element of the Growth Management Plan is hereby amended as follows (words ~~stricken~~ are deletions; words underlined are additions; **** denote omitted text):

Policy S.3.3

~~Vehicular access to industrial uses in this area shall be permitted only from the east or north side of the area. Access to such uses from the south or west side of the area shall be prohibited.~~

Truck access to industrial uses may be permitted only from (i) the east, (ii) the eastern segment of W.D. Judge Drive (to the east of Ferguson Drive), or (iii) the north. Truck access to such uses from the south or west side of the area shall be prohibited. Industrial uses must also provide approved traffic-calming measures designed to

discourage truck travel on Ferguson Drive and W.D. Judge Drive west of Ferguson Drive.

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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