

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE CITY'S GROWTH MANAGEMENT PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FOR CERTAIN LAND GENERALLY LOCATED TO THE SOUTHEAST OF THE INTERSECTION OF HUMBOLDT DR. AND LAUREATE BLVD., COMPRISED OF 0.19 ACRES OF LAND, MORE OR LESS, FROM CONSERVATION TO URBAN VILLAGE; CHANGING THE PROPERTY'S ZONING DESIGNATION FROM THE CONSERVATION DISTRICT WITH THE AIRCRAFT NOISE OVERLAY DISTRICT TO THE LAKE NONA PLANNED DEVELOPMENT DISTRICT WITH THE AIRCRAFT NOISE OVERLAY DISTRICT; AMENDING THE LAKE NONA PD ORDINANCE TO MAKE COMMUNICATION TOWERS A PERMITTED USE IN THE URBAN VILLAGE FUTURE LAND USE DESIGNATION; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE, SUBAREA POLICY, AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of September 15, 2015, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following applications relating to land generally located to the southeast of the intersection of Humboldt Drive and Laureate Boulevard, and comprised of 0.19 acres of land, more or less, such land being more precisely described by the legal description attached to this ordinance as **Exhibit A** (hereinafter the "property"):

1. Growth Management Plan (hereinafter the "GMP") case number GMP2015-00026, requesting an amendment to the City's GMP to change the property's Future Land Use Map designation from "Conservation" to "Urban Village;" and
2. Zoning case number ZON2015-00023, requesting an amendment to the City's Official Zoning Map Series to change the property's zoning map designation from the "Conservation District," along with the "Aircraft Noise" overlay district, to the "Planned Development District," along with the "Aircraft Noise" overlay district, and to amend the Lake Nona Planned Development zoning ordinance to make communication towers a permitted use in the Urban Village future land use designation (together, hereinafter referred to as the "applications"); 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 the applications (entitled "Item #3 – Lake Nona Communication Tower GMP & PD

Amendment”), the MPB recommended that the Orlando City Council approve said applications and adopt an ordinance in accordance therewith; and

WHEREAS, the MPB found that application GMP2015-00026 is 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 (the “GMP”); and

WHEREAS, the MPB found that application ZON2015-00023 is consistent with:

1. 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 (the “GMP”); and
2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code of the City of Orlando, Florida (the “LDC”); and

WHEREAS, sections 1 and 2 of this ordinance are adopted pursuant to the “process for adoption of small-scale comprehensive plan amendment” as provided by section 163.3187, 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 city’s GMP and LDC; 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 property is hereby changed from “Conservation” (denoted as “CONSERV” on the city’s official Future Land Use Maps) to “Urban Village” (denoted as “URB-VIL” on the city’s official 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. ZONING DESIGNATION. Pursuant to the city's LDC, the zoning designation for the property is hereby changed from the "Conservation District," along with the "Aircraft Noise" zoning overlay district (denoted as "C/AN" on the city's official zoning maps) to the Lake Nona "Planned Development District," along with the "Aircraft Noise" zoning overlay districts (denoted as "PD/AN" on the city's official zoning maps), as depicted in **Exhibit C** to this ordinance.

SECTION 4. AMENDMENT OF OFFICIAL ZONING MAP. The city zoning official, or designee, is hereby directed to amend the city's official zoning maps in accordance with this ordinance.

SECTION 5. LAKE NONA PD AMENDED. Section three of the Lake Nona Planned Development zoning ordinance (last amended and restated by ordinance of the Orlando City Council adopted August 20, 2007 (Documentary #0708201010), and as amended by ordinances of the Orlando City Council adopted on March 17, 2008 (Documentary #0803171001), June 18, 2012 (Documentary #1206181201), October 21, 2013 (Documentary #131021901), and July 13, 2015 (Documentary #1507131205), is hereby further amended as follows (words ~~stricken~~ are deletions; words underlined are additions; **** denote omitted text):

P. Communication Towers. Communication towers are a permitted use in the Urban Village future land use designation, but are subject to review and approval by Specific Parcel Master Plan (SPMP) and must comply with the land development regulations provided by Chapter 58, Part 4O, Orlando City Code.

SECTION 6. 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 7. 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 8. EFFECTIVE DATE. This ordinance is effective upon adoption, except for sections one through five, which take effect on the 31st day after adoption unless this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes, in which case sections one through five 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.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2016.

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 _____, 2016.

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 _____, 2016.

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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