

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
2 OF ORLANDO, FLORIDA, DESIGNATING CERTAIN
3 LAND GENERALLY LOCATED NORTH OF GATLIN
4 AVE., EAST OF BARBER PARK, SOUTH OF LAKE
5 GEORGE, AND WEST OF DIXIE BELLE DR., AND
6 COMPRISED OF APPROXIMATELY 36.34 ACRES OF
7 LAND, AS THE PUBLIC USE WITH THE AIRCRAFT
8 NOISE OVERLAY DISTRICT ON THE CITY'S OFFICIAL
9 ZONING MAPS; PROVIDING FOR AMENDMENT OF THE
10 CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR
11 SEVERABILITY, CORRECTION OF SCRIVENER'S
12 ERRORS, AND AN EFFECTIVE DATE.

13
14 **WHEREAS**, at its regularly scheduled meeting of November 17, 2015, the
15 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),
16 considered zoning application case number ZON2015-00035, requesting an amendment
17 to the City's official zoning maps for approximately 36.34 acres of land, generally located
18 north of Gatlin Avenue, east of Barber Park, south of Lake George, and west of Dixie
19 Belle Drive, and more precisely described by the legal description attached to this
20 ordinance as **Exhibit A** (hereinafter the "property"), to assign the "Public Use" and
21 "Aircraft Noise" overlay district to the property; and

22
23 **WHEREAS**, based upon the evidence presented to the MPB, including the
24 information and analysis contained in the "Staff Report to the Municipal Planning Board"
25 for application case number ZON2015-00035 (entitled "Item #10 – Barber Park"), the
26 MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando
27 City Council"), approve zoning application case number ZON2015-00035 and adopt an
28 ordinance in accordance therewith; and

29
30 **WHEREAS**, the MPB found that application case number ZON2015-00035 is
31 consistent with:

- 32
33 1. The *City of Orlando Growth Management Plan*, adopted as the city's
34 "comprehensive plan" for purposes of the Florida Community Planning
35 Act, sections 163.3164 through 163.3217, Florida Statutes (the
36 "GMP"), including the property's future land use map designation of
37 Residential Low Intensity, in part, and Residential Low Intensity with
38 the Resource Protection Overlay Land Use Designation, in part; and
39
40 2. The *City of Orlando Land Development Code*, Chapters 58 through
41 68, Code of the City of Orlando, Florida (the "LDC"); and
42

43 **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the
44 best interest of the public health, safety, and welfare, and is consistent with the
45 applicable provisions of the city's GMP and LDC, including the property's future land use

map designation of Residential Low Intensity, in part, and Residential Low Intensity with the Resource Protection Overlay Land Use Designation, in part; and

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

SECTION 1. ZONING MAP DESIGNATION. Pursuant to the LDC, the property is hereby designated as the "Public Use" along with the "Aircraft Noise" overlay district on the city's official zoning maps (denoted as the "P/AN" district on the city's zoning maps), as depicted in **Exhibit B** to this ordinance.

SECTION 2. AMENDMENT OF OFFICIAL ZONING MAPS. The city zoning official, or designee, is hereby directed to amend the city's official zoning maps in accordance with this ordinance.

SECTION 3. 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 4. 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 5. EFFECTIVE DATE. This ordinance takes effect upon adoption.

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

91
92 ATTEST, BY THE CLERK OF THE
93 CITY COUNCIL OF THE CITY OF
94 ORLANDO, FLORIDA:

95
96 _____
97 City Clerk

98
99 _____
100 Print Name

101
102 APPROVED AS TO FORM AND LEGALITY
103 FOR THE USE AND RELIANCE OF THE
104 CITY OF ORLANDO, FLORIDA:

105
106 _____
107 City Attorney

108
109 _____
110 Print Name

111
112 **[Remainder of page intentionally left blank.]**