

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 DESIGNATION FROM RESIDENTIAL LOW INTENSITY, OFFICE LOW INTENSITY, NEIGHBORHOOD ACTIVITY CENTER, PUBLIC-RECREATIONAL-INSTITUTIONAL, COMMUNITY ACTIVITY CENTER AND CONSERVATION TO OFFICE LOW INTENSITY, NEIGHBORHOOD ACTIVITY CENTER AND CONSERVATION FOR APPROXIMATELY 1,572 ACRES OF LAND; FURTHER AMENDING THE GROWTH MANAGEMENT PLAN TO AMEND SUBAREA POLICY S.39.3 TO PROVIDE A MAXIMUM DEVELOPMENT PROGRAM AND CERTAIN DEVELOPMENT POLICIES FOR THE SAME LAND; SUCH LAND BEING GENERALLY LOCATED SOUTH OF LEE VISTA BOULEVARD, WEST OF STATE ROAD 417, NORTH OF STATE ROAD 528, AND EAST OF NARCOOSSEE ROAD; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of January 19, 2016, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"), considered the following land development applications for property located south of Lee Vista Boulevard, west of State Road 417, north of State Road 528, and east of Narcoossee, and being more precisely described by the legal description attached to this ordinance as **Exhibit A** (the "property"):

1) Growth Management Plan (hereinafter "GMP") case number GMP2015-00036, requesting an amendment to the City's GMP to change the property's Future Land Use map designation from "Residential Low Intensity," in part, "Office Low Intensity," in part, "Neighborhood Activity Center," in part, and "Conservation," in part, to "Office Low Intensity" in part, "Neighborhood Activity Center" in part, and "Conservation" in part, on the City's official Future Land Use Map, and

2) Growth Management Plan case number GMP2015-00037, requesting an amendment to the City's GMP Subarea Policy S.39.3 for the purposes of setting a maximum development program and certain development policies for 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 GMP2015-00036, GMP2015-00037, and ZON2015-00032 (entitled "Item #12 – Vista Park PD", and hereinafter referred to as the "Staff Report"), the MPB recommended that the Orlando City Council approve said Applications and adopt an ordinance or ordinances 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 made "Office Low Intensity" in part (denoted as "OFFICE-LOW" on the city's future land use maps), "Neighborhood Activity Center" in part (denoted as "NEIGH-AC" on the city's future land use maps), and "Conservation" in part (denoted as "CONSERV" 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 and Subarea Policy Maps in accordance with this ordinance.

SECTION 3. SUBAREA POLICY. Pursuant to subsection 163.3184(3), Florida Statutes, Subarea Policy S.39.3 is hereby amended and shall read as follows (words ~~stricken~~ are deletions; words underlined are additions; **** denote omitted text):

Policy S.39.3

This area shall be developed as a Planned Development (PD) incorporating a variety of uses and facilities designed to enhance convenience and livability while reducing vehicle miles traveled. The base development capacity of this area shall be as follows:

Residential	2955 4,300 units
Office	55,000 <u>20,000</u> square feet
Retail	466,000 <u>80,000</u> square feet

Public Benefit Use Impacts to be addressed on a case-by-case basis through Conditional Use Permit.

Prior to development, a Planned Development ordinance (PD) that addresses the entire land area and maximum development program shall be reviewed and approved by Council. The PD may include a trip equivalency matrix to allow conversion between residential, office and retail uses. If, by using the matrix, a use exceeds the maximum limit above, the PD shall be amended to address impacts to other public facilities. Any increase in development capacity that does not include a corresponding decrease in a different land use shall require a GMP amendment and shall be supported by data and analysis that demonstrates adequate facilities and services are available to accommodate the proposed density and intensity of development.

~~The maximum amount of development allowed within any single land use category (except Public Benefit Use) shall not exceed 110% of the numbers above, nor shall the maximum amount of development exceed Development of Regional Impact thresholds. Any increase in development capacity beyond that allowed by this subarea policy shall require a GMP amendment and shall be supported by data and analysis that demonstrates adequate facilities and services are available to accommodate the proposed density and intensity of development.~~

The PD must address ~~shall include standards to implement the following guidelines:~~

a. Natural Features. Natural features shall be treated as amenities. In addition, large wetland and open space areas shall be connected to form continuous natural corridors. ~~Naturally vegetated buffers shall be preserved adjacent to conservation areas, consistent with the policies provided in the GMP Conservation Element. Roads that cross major wetland systems shall incorporate bridges or oversized culverts to maintain wildlife corridors.~~

b. ~~Master Stormwater System. All development within this area shall be served by a master stormwater system. The design of the master stormwater system shall conform to the Orlando Engineering Standards Manual (ESM). The location, function~~

~~and design of all stormwater facilities shall be coordinated with open space, park and greenway areas, in order to provide for joint use opportunities. Where possible, greenways with trails should line riparian corridors and storm drainageways to connect destinations such as schools, parks and commercial areas.~~

b. Park and Recreation Facilities.

i. At least 40 acres shall be reserved for park and recreation facilities. This acreage shall include one active park having a minimum size of 30 acres, plus additional active recreation areas, picnic areas, playgrounds, tot lots, squares, greens and associated open spaces having a combined area of at least 10 acres. The former landfill or open spaces designated Conservation on the Future Land Use Map shall not count toward the minimum 40 acres of park and recreation facilities.

ii. The community park acreage (up to 30 acres) can be transferred to the Starwood development as described in Future Land Use Element Subarea Policy S.40.8. The specific park location, type of facilities, construction responsibilities and timing shall be executed through a separate agreement with the City.

iii. The City shall be responsible for maintenance of the community park, and the City shall issue permits that will grant the applicant the right but not the obligation to supplement the City's maintenance activities within the community park.

~~i. At least 60 percent of the homes shall be located within ¼ to 1/3 mile of a publicly accessible park, recreation facility, trail, open space or conservation area.~~

~~ii. At least 50 percent of the perimeter of any park or recreation facility shall be bound by public streets. The boundary between a park or recreation facility and an adjacent use shall not be fenced. This policy shall not apply to un-programmed open space, trails and linear park facilities.~~

~~iii. All park and recreation facilities shall incorporate the principles of Crime Prevention Through Environmental Design (CPTED).~~

~~d. c. **Neighborhood Centers.**~~ Residential neighborhoods shall have a distinct ~~discernible~~ center, featuring a school, park, or focal point. This center ~~shall~~ should preferably be located within a five-minute walk (approximately ¼ mile) of at least 60 percent of the homes in the neighborhood to promote identity and a sense of community.

d. **Schools.** School capacity and concurrency shall be provided consistent with the City's Interlocal Agreement with Orange County Public Schools, as it may be amended from time to time.

e. **Public School Sites.** At least 30 acres shall be reserved for two public school sites, except where an alternate method for addressing school capacity is jointly approved by the City, the applicant and Orange County Public Schools. Public school sites shall be specifically identified on the PD Development Plan at locations acceptable to Orange County Public Schools. Such locations shall be suitable in size and shape, accessible to residents of the surrounding neighborhoods via bikeways and sidewalks, and accommodate appropriate vehicular access and circulation. Joint-use public recreation facilities shall be located adjacent to school sites.

~~f. **Public Benefit Uses.** At least 60 acres shall be reserved for Public Benefit Uses, as defined in Chapter 66 of the Land Development Code. Sites for one fire station, and one police substation shall be designated. , one additional charitable, philanthropic or religious use, and upland open space areas designated Conservation on the Future Land Use Map may all be counted toward this acreage requirement, however cemeteries, golf courses, required wetland buffers, the 40 acres of park and recreation facilities included under section (c) above, or the public school sites included under section (e) above shall not be counted toward the required acreage. The 60 acres reserved for Public Benefit Use may include open space areas adjacent to the former landfill, but shall not include the actual landfill, unless the City had determined, based on appropriate technical analysis and remediation, that the property is suitable for development as a Public Benefit Use.~~

~~g. **Accessibility.** Retail, office and institutional uses shall be accessible to pedestrians and mass transit.~~

~~h.~~ **f. Transportation System.**

i. The transportation system shall conform to the City of Orlando's Major Thoroughfare Plan, as may be amended from time to time. The PD must contain typical street cross sections.

~~ii. Residential streets shall be designed to calm traffic while achieving an interconnectivity ratio of at least 1.4 (number of street links divided by number of nodes or link ends).~~

~~iii. Alleys shall be required in areas where the minimum lot width is less than 50 feet.~~

~~iv. Due to their prominence, the Econlockhatchee Trail extension and the east west loop road connecting Lee Vista Boulevard to Narcoossee Road shall be designed as tree lined boulevards. Landscaped medians shall be provided in segments that have a 4 lane section.~~

~~v. ii.~~ An interconnected multi-use trail network and a north-south regional trail consistent with the City's bicycle plan shall be incorporated into the planning, design, and construction of the project PD.

~~vi. iii.~~ Locations for transit stops shall be determined and incorporated into the planning and design of the PD project.

~~iv.~~ A detailed traffic study that incorporates the maximum impacts of the proposed development shall be required. The traffic study must verify the laneage needed for proposed on-site roadways, identify cross-access corridors and identify any needed offsite improvements. The traffic study will be updated during the submittal and review of the PD Ordinance Process or the Master Plan Process. This more detailed traffic study will verify the laneage proposed for the roadways associated with the PD and will identify any needed offsite improvements (including intersection improvements) to support the PD.

v. The proposed on-site roadway network must include provision for future connection to the north, west, and south consistent with the City's connectivity requirements (see Transportation Element Objective 1.10 and associated policies).

~~vii. vi.~~ Alternative transportation impact fees may be proposed and approved consistent with the City's transportation impact fee ordinance, Chapter 56, Orlando City Code.

~~i. Gateway.~~ A gateway feature shall be constructed to establish an identity for the area and to signify passage into the southeastern sector of the City. This gateway may be constructed in conjunction with other projects in the area.

(h) Pursuant to Part 2H, Chapter 65, Orlando City Code (and without any exception as may be provided by section 65.331, Orlando City Code), each individual development site within the PD shall be reviewed by the Municipal Planning Board and approved by the City Council as part of a specific parcel master plan that addresses building lot layout, parking, and other site planning issues as identified in the Land Development Code.

SECTION 4. OTHER STATE AND FEDERAL PERMITS. As provided by subsection 166.033(5), Florida Statutes, issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the municipality for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. In accordance with subsection 166.033(5), Florida Statutes, it is hereby made a condition of this ordinance that all other applicable state or federal permits be obtained before commencement of the development.

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 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 _____, 2016.

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 _____, 2016.

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 _____, 2016.

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 _____, 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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