

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 A PORTION OF CERTAIN LAND GENERALLY LOCATED TO THE SOUTH OF LIVINGSTON STREET, WEST OF I-4 AND NORTH OF WEST ROBINSON STREET, COMPRISED OF 2.132 ACRES OF LAND, MORE OR LESS, FROM INDUSTRIAL TO URBAN ACTIVITY CENTER; CHANGING THE PROPERTY'S ZONING DESIGNATION FROM P/T/PH AND I-G/T/PH TO AC-2/T/PH; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE AND ZONING MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

**WHEREAS**, at its regularly scheduled meeting of June 21, 2016, 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 south of Livingston Street, west of I-4 and north of West Robinson Street, and comprised of 2.132 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 GMP2016-00008, requesting an amendment to the City's GMP to change the Future Land Use Map designation for a portion of the Property from "Industrial" to "Urban Activity Center;" and
2. Zoning case number ZON2016-00008, requesting an amendment to the City's official zoning map to change the Property's zoning map designation from the "Public Use District," with the "Traditional City" and "Parramore Heritage" overlay districts and from the "General Industrial District," with the "Traditional City" and "Parramore Heritage" overlay districts to the "Urban Activity Center District," with the "Traditional City" and "Parramore Heritage" overlay districts (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 #6 – "Marriott Hotel Rezoning"), 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 application GMP2016-00008 is consistent with:

1. The *State Comprehensive Plan* as provided in Chapter 187, Florida Statutes; 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; and
3. The *City of Orlando GMP*, 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 MPB found that application ZON2016-00008 is consistent with:

1. The *City of Orlando 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 GMP Future Land Use Map designation for the portion of the Property shown on **Exhibit B** is hereby changed from "Industrial" (denoted as "INDUST" on the City's official Future Land Use Maps) to "Urban Activity Center" (denoted as "UR-AC" on the City's official 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. ZONING DESIGNATION.** Pursuant to the City's LDC, the zoning designation for the Property is hereby changed from the "Public Use District," with the "Traditional City" and "Parramore Heritage" overlay districts (denoted as "P/T/PH" on the City's official zoning maps) and the "General Industrial District," with the "Traditional City" and "Parramore Heritage" overlay districts (denoted as "I-G/T/PH" on the City's official zoning maps), to the "Urban Activity Center District" with the "Traditional City" and

“Parramore Heritage” overlay districts (denoted as “AC-2/T/PH” on the City’s official zoning maps), as depicted in **Exhibit D** 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. DISCLAIMER.** In accordance with Section 166.033(5), Florida Statutes, the issuance of this development permit does not in any way create any right on the part of the applicant to obtain a permit from a state or federal agency, and does not create any liability on the part of the City for issuance of this 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. All other applicable state or federal permits must be obtained before commencement of the development authorized by this development permit.

**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 four, which take effect on the 31<sup>st</sup> day after adoption unless this ordinance is lawfully challenged pursuant to section 163.3187(5), Florida Statutes, 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 in 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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