

ORDINANCE NO. 2016-84

1 **AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, AMENDING**
2 **THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN, BY**
3 **UPDATING FIGURE CI-14, TO BE ENTITLED "CITY OF ORLANDO**
4 **2016-2021 CAPITAL IMPROVEMENT ELEMENT CAPITAL**
5 **IMPROVEMENTS FUND SCHEDULE"; AMENDING POLICY 2.2.30 IN**
6 **THE CAPITAL IMPROVEMENTS ELEMENT; PROVIDING FOR**
7 **SEVERABILITY AND AN EFFECTIVE DATE.**

8 **WHEREAS**, the City of Orlando has adopted a Growth Management Plan pursuant to
9 Chapter 163, Florida Statutes, and such plan has been determined by the Florida Department of
10 Economic Opportunity to be compliant with State law; and

11 **WHEREAS**, the Growth Management Plan provides for the provision of capital
12 improvements; and

13 **WHEREAS**, the Growth Management Plan also provides for a concurrency management
14 system; and

15 **WHEREAS**, in order to ensure consistency between the adopted Capital Improvements
16 Program and the Capital Improvement Element, the City has reviewed the Capital Improvement
17 Element and has determined that: (1) the dates of construction of certain facilities, funding
18 sources and funding amounts need to be modified, (2) certain facilities need to be added, (3)
19 certain projects need to be deleted, and (4) certain level of service standards need to be updated.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF**
21 **ORLANDO, FLORIDA:**

22 **SECTION ONE:** Figure CI-14 of the Capital Improvement Element of the Growth
23 Management Plan, entitled "City of Orlando 2015-2020 Capital Improvement Element Capital
24 Improvements Fund Schedule," is replaced and superseded by the new Figure CI-14, entitled
25 "City of Orlando 2016-2021 Capital Improvement Element Capital Improvements Fund
26 Schedule," attached hereto and incorporated herein as Exhibit "A."

27 **SECTION TWO:** Policy 2.2.30 of the Capital Improvements Element of the Growth
28 Management Plan is hereby amended to read as follows:

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1 Policy 2.2.30: The City hereby incorporates by reference the OCPS 10-Year Capital
2 Outlay Plan for ~~2015-2016~~ 2016-2017, adopted by the Orange County School Board on
3 ~~September 9, 2015~~, September 13, 2016, which includes school capacity sufficient to meet
4 anticipated student demands projected by OCPS.

5 **SECTION THREE:** If any section, subsection, sentence, clause, phrase or portion of this
6 ordinance or attachment hereto is for any reason held invalid or unconstitutional by any court
7 of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent
8 provision and such holding shall not affect the validity of the remaining portion hereto.

9 **SECTION FOUR:** Pursuant to section 163.3177(3)(b), Florida Statutes, “[m]odifications
10 to update the 5-year capital improvement schedule may be accomplished by ordinance and may
11 not be deemed to be amendments to the local comprehensive plan.” Therefore, this ordinance
12 shall become effective immediately upon adoption. No development orders, development
13 permits, or land uses dependent on this amendment may be issued or commence before this
14 ordinance has become effective.

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READ FIRST TIME: _____, 2016.

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ADVERTISED: _____, 2016.

READ SECOND TIME AND ADOPTED: _____, 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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