

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
2 OF ORLANDO, FLORIDA, REZONING CERTAIN LAND
3 GENERALLY LOCATED ON THE SOUTHEAST
4 CORNER OF CONROY AND VINELAND ROADS,
5 NORTHWEST OF INTERSTATE 4, AND COMPRISED
6 OF APPROXIMATELY 0.36 ACRES OF LAND, FROM
7 THE MEDIUM INTENSITY DEVELOPMENT DISTRICT
8 TO THE HIGH INTENSITY MIXED USE CORRIDOR
9 DISTRICT, PROVIDING FOR AMENDMENT OF THE
10 CITY'S OFFICIAL ZONING MAPS; PROVIDING FOR
11 SEVERABILITY, CORRECTION OF SCRIVENER'S
12 ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE
13 DATE.
14

15 **WHEREAS**, at its regularly scheduled meeting of December 20, 2016, the
16 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),
17 considered zoning application case number ZON2016-00026, requesting an amendment
18 to the City's official zoning maps for approximately 0.36 acres of land, generally located
19 on the southeast corner of Conroy and Vineland Roads, and northwest of Interstate 4,
20 and more precisely described by the legal description attached to this ordinance as
21 **Exhibit A** (hereinafter 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 ZON2016-00026 (entitled "Item #10 Audi South Orlando
26 Rezoning; 4709 Vineland Road"), the MPB recommended that the City Council of the
27 City of Orlando, Florida (the "Orlando City Council"), approve zoning application case
28 number ZON2016-00026 and adopt an ordinance in accordance therewith; and
29

30 **WHEREAS**, the MPB found that application case number ZON2016-00026 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 Mixed Use Corridor, High Intensity; and
38
- 39 2. The *City of Orlando Land Development Code*, Chapters 58 through
40 68, Code of the City of Orlando, Florida (the "LDC"); and
41

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

46 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
47 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
48

49 **SECTION 1. ZONING MAP DESIGNATION.** Pursuant to the LDC, the property
50 is hereby rezoned from the Medium Intensity Development District (denoted as “R-3B”
51 on the city’s official zoning maps) to the High Intensity Mixed Use Corridor District
52 (denoted as “MU-2” on the City’s official zoning maps), as depicted in **Exhibit B** to this
53 ordinance.
54

55 **SECTION 2. AMENDMENT OF OFFICIAL ZONING MAPS.** The city zoning
56 official, or designee, is hereby directed to amend the city’s official zoning maps in
57 accordance with this ordinance.
58

59 **SECTION 3. DISCLAIMER.** In accordance with Section 166.033(5), Florida
60 Statutes, the issuance of this development permit does not in any way create any right
61 on the part of the applicant to obtain a permit from a state or federal agency, and does
62 not create any liability on the part of the City for issuance of this permit if the applicant
63 fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal
64 agency or undertakes actions that result in a violation of state or federal law. All other
65 applicable state or federal permits must be obtained before commencement of the
66 development authorized by this development permit.
67

68 **SECTION 4. SCRIVENER’S ERROR.** The city attorney may correct scrivener’s
69 errors found in this ordinance by filing a corrected copy of this ordinance with the city
70 clerk.
71

72 **SECTION 5. SEVERABILITY.** If any provision of this ordinance or its
73 application to any person or circumstance is held invalid, the invalidity does not affect
74 other provisions or applications of this ordinance which can be given effect without the
75 invalid provision or application, and to this end the provisions of this ordinance are
76 severable.
77

78 **SECTION 6. EFFECTIVE DATE.** This ordinance takes effect upon adoption.
79

80 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,
81 Florida, at a regular meeting, this _____ day of _____, 2017.
82

83 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City
84 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day
85 of _____, 2017.
86
87
88

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 _____, 2017.

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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