

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, REZONING CERTAIN LAND**
3 **GENERALLY LOCATED ON THE NORTH SIDE OF**
4 **WEST CHURCH STREET, EAST SIDE OF SOUTH**
5 **TAMPA AVENUE, SOUTHSIDE OF WEST CENTRAL**
6 **BOULEVARD AND WEST SIDE OF SOUTH NASHVILLE**
7 **AVENUE; ALL WEST OF SOUTH ORANGE BLOSSOM**
8 **TRAIL, AND COMPRISED OF APPROXIMATELY 30**
9 **ACRES OF LAND, FROM THE HOLDING DISTRICT TO**
10 **THE PUBLIC USE DISTRICT, PROVIDING FOR**
11 **AMENDMENT OF THE CITY'S OFFICIAL ZONING**
12 **MAPS; PROVIDING FOR SEVERABILITY,**
13 **CORRECTION OF SCRIVENER'S ERRORS, PERMIT**
14 **DISCLAIMER, AND AN EFFECTIVE DATE.**

15
16 **WHEREAS**, at its regularly scheduled meeting of December 20, 2016, the
17 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),
18 considered zoning application case number ZON2016-00027, requesting an amendment
19 to the City's official zoning maps for approximately 30 acres of land, generally located on
20 the north side of West Church Street, east side of South Tampa Avenue, south side of
21 West Central Boulevard, and west side of South Nashville Avenue; all west of South
22 Orange Blossom Trail, and more precisely described by the legal description attached to
23 this ordinance as **Exhibit A** (hereinafter the "Property"); and
24

25 **WHEREAS**, based upon the evidence presented to the MPB, including the
26 information and analysis contained in the "Staff Report to the Municipal Planning Board"
27 for application case number ZON2016-00027 (entitled "Items #7A & B, Lorna Doone
28 Park, 1519 West Church Street"), the MPB recommended that the City Council of the
29 City of Orlando, Florida (the "Orlando City Council"), approve zoning application case
30 number ZON2016-00027 and adopt an ordinance in accordance therewith; and
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32 **WHEREAS**, the MPB found that application case number ZON2016-00027 is
33 consistent with:
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- 35 1. The *City of Orlando Growth Management Plan*, adopted as the city's
36 "comprehensive plan" for purposes of the Florida Community Planning
37 Act, sections 163.3164 through 163.3217, Florida Statutes (the
38 "GMP"), including the property's future land use map designation of
39 Public-Recreation-Institutional, and
40
- 41 2. The *City of Orlando Land Development Code*, Chapters 58 through
42 68, Code of the City of Orlando, Florida (the "LDC"); and
43

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

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

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51 **SECTION 1. ZONING MAP DESIGNATION.** Pursuant to the LDC, the property
52 is hereby rezoned from the Holding District (denoted as “H” on the city’s official zoning
53 maps) to the Public Use District (denoted as “P” on the City’s official zoning maps), as
54 depicted in **Exhibit B** to this ordinance.

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

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

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

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

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

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

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

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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