

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

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

WHEREAS, the MPB found that application case number ZON2016-00026 is consistent with:

1. 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 (the "GMP"), including the property's future land use map designation of Mixed Use Corridor, High Intensity; and
2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code of the City of Orlando, Florida (the "LDC"); 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. ZONING MAP DESIGNATION. Pursuant to the LDC, the property is hereby rezoned from the Medium Intensity Development District (denoted as “R-3B” on the city’s official zoning maps) to the High Intensity Mixed Use Corridor District (denoted as “MU-2” on the City’s official zoning maps), as depicted in **Exhibit B** to this ordinance.

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

SECTION 3. 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 4. 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 5. 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 6. EFFECTIVE DATE. This ordinance takes effect upon adoption.

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

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 _____, 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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