

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO CHANGE THE FUTURE LAND USE MAP DESIGNATION FOR CERTAIN LAND GENERALLY LOCATED SOUTH OF OGLESBY AVENUE, WEST OF CLAY STREET, EAST OF INTERSTATE 4, AND NORTH OF DARTMOUTH AVENUE, AND COMPRISED OF 39 ACRES OF LAND, MORE OR LESS, FROM PUBLIC RECREATIONAL AND INSTITUTIONAL AND LOW MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD ACTIVITY CENTER ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; FURTHER AMENDING THE CITY'S ADOPTED GROWTH MANAGEMENT PLAN TO CREATE SUBAREA POLICY S.2.5, ESTABLISHING THE MAXIMUM DEVELOPMENT PROGRAM; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL FUTURE LAND USE MAPS; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of November 15, 2016, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case number GMP2016-00018 requesting a change in the Future Land Use Map designation for approximately 39 acres of land being generally located south of Oglesby Avenue, west of Clay Street, east of Interstate 4 and north of Dartmouth Avenue, and being more precisely described by the legal description attached to this ordinance as **Exhibit A** (the "Property"), from Public Recreational Institutional and Low Medium Density Residential to Neighborhood Activity Center; 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 GMP2016-00018 (along with ANX2016-00010) and entitled "Item #1 – Calvary Assembly Annexation and Future Land Use" and hereinafter referred to as the "Staff Report"), the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said applications and adopt an ordinance or ordinances in accordance therewith; and

WHEREAS, the MPB found that the applications are consistent with:

1. The *State Comprehensive Plan* as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"); 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 (the "Strategic Regional Policy Plan"); and

3. 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; 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 State Comprehensive Plan, the Strategic Regional Policy Plan, and the City's GMP; and

WHEREAS, this ordinance is adopted pursuant to the process for adoption of a "large-scale comprehensive plan amendment" as provided by section 163.3184(3), Florida Statutes; and

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

SECTION 1. FLUM DESIGNATION. Pursuant to subsection 163.3184(3), Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the Property is hereby changed from "Public Recreational Institutional" (denoted as "PUB-REC-INST" on the City's Future Land Use Maps) and "Low Medium Density Residential" (denoted as "LMDR" on the County's Future Land Use Maps) to "Neighborhood Activity Center" (denoted as "NEIGH-AC" on the City's Future Land Use Maps), as depicted in **Exhibit B** 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. SUBAREA POLICY. Pursuant to subsection 163.3184(3), Florida Statutes, Subarea Policy S.2.5 is hereby created, as depicted in **Exhibit C**, in the Future Land Use Element of the Growth Management Plan as follows:

Policy S.2.5. The properties within the boundary of this Subarea Policy shall be zoned Planned Development (PD). The maximum development capacity of this area shall be as follows:

4,017 seats of religious use (existing);

156 unit senior residential tower (existing);

350 student school, of which 125 are full time and 225 are part time (existing);

Up to 400 multifamily residential units; and,

Other uses allowed by the N-AC Future Land Use category, as well as hotel use, are allowed up to the maximum number of PM Peak Hour trips. Big box retail, drive-throughs and gas stations are prohibited.

The total PM Peak Hour trips for one hour on a typical weekday between 4 and 6 pm are limited to a maximum of 600 trips aggregate for all properties within the boundary of this Subarea Policy. This includes the trips being generated by the existing land uses and trips generated by new development.

Prior to development, each development site shall be reviewed by the Municipal Planning Board (MPB) as part of a specific parcel master plan that addresses building layout, parking, and other site planning issues as identified in the Land Development Code.

Any increase in development capacity beyond that allowed by this subarea policy shall require a GMP amendment and shall be supported by data and analysis that demonstrates adequate facilities and services are available to accommodate the proposed density and intensity of development.

Recreational Amenities

Due to the distance to the nearest City park and because of probable mobility difficulties, any new senior assisted living facility should include some outdoor recreational amenities located adjacent to the building. These may include walking paths, shaded seating with scenic views, raised community garden plots or other amenities suited for their use.

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 is effective upon adoption, except for the amendment adopted by sections one and two, which, pursuant to subparagraph 163.3187(5)(c), Florida Statutes, becomes effective 31 days after the state land planning agency or Administration Commission issues a final order determining that the adopted amendment is in compliance.

DONE, THE FIRST PUBLISHED ADVERTISEMENT, 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 FIRST READING AND TRANSMITTAL STAGE HEARING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2017.

DONE, THE SECOND PUBLISHED ADVERTISEMENT, 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 AND ADOPTION 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