

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 A PORTION OF APPROXIMATELY 514 ACRES OF LAND GENERALLY LOCATED WEST AND EAST OF STATE ROAD 417 AND NORTH AND SOUTH OF LEE VISTA BOULEVARD, FROM OFFICE MEDIUM INTENSITY, IN PART, TO INDUSTRIAL, IN PART, FROM URBAN ACTIVITY CENTER, IN PART, TO INDUSTRIAL, IN PART AND FROM INDUSTRIAL, IN PART, TO OFFICE LOW INTENSITY ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AMENDING SUBAREA POLICY S.39.4 TO REVISE THE DEVELOPMENT PROGRAM; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of January 16, 2018, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case number GMP2017-10019, requesting an amendment to the City's adopted Growth Management Plan Future Land Use Map to change the future land use map designation for a portion of approximately 514 acres of land, generally located west and east of State Road 417 and north and south of LeeVista Boulevard, and more precisely described by the legal description attached to this Ordinance as Exhibit A, (hereinafter the "Property"), from "Office Medium Intensity," in part, to "Industrial," in part, from "Urban Activity Center," in part, to "Industrial," in part and from "Industrial," in part, to "Office Low Intensity," in part, on the city's official Future Land Use Map; and

WHEREAS, the MPB considered application case number GMP2017-10020 requesting an amendment to Subarea Policy S.39.4 of the Future Land Use Element of the Growth Management Plan to revise the development program; 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 numbers GMP2017-10019 and GMP2017-10020 (along with ZON2017-10012) and entitled "Item #4 A, B & C – Beltway Commerce Center 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 “Office Medium Intensity”, in part, and “Urban Activity Center”, in part, to “Industrial” and from “Industrial,” in part, to “Office Low Intensity,” in part, as depicted in **Exhibit B** to this ordinance.

SECTION 2. SUBAREA POLICY. Pursuant to subsection 163.3184(3), Florida Statutes, Subarea Policy S.39.4, in the Future Land Use Element of the Growth Management Plan is hereby amended as follows (words ~~stricken~~ are deletions; words underlined are additions; **** denote omitted text):

Policy S.39.4

“Development intensity/density on the subject property shall be limited as set forth in the Beltway Commerce Center PD Ordinance. Development on the subject site shall not exceed 550,000 square feet of office space, 1,550,000 ~~1,750,000~~ square feet of industrial/ warehouse space, 160,000 ~~500,000~~ square feet of commercial/retail space, and 500 single family attached and detached ~~290~~ dwelling units or an equivalent mixture of uses, including hotels and ~~churches~~ public benefit uses, consistent with an approved land use/trip equivalency matrix. If neighborhood parks are not available at the time of residential development, the Neighborhood Park Level of Service Standard must be met on site. In no event shall the overall intensity/density of development exceed the

maximum amount approved in the Beltway Commerce Center PD ordinance, unless the PD ordinance and this Subarea Policy are further amended to reflect the proposed increase in intensity or density. If a substantial change to the development program is proposed, additional review of the affected Growth Management Plan elements, including the Capital Improvements Element, may be required.....”

SECTION 3. AMENDMENT OF GROWTH MANAGEMENT PLAN. The City planning official, or designee, is hereby directed to amend the City’s adopted Growth Management Plan in accordance with this ordinance.

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 take effect on the 31st day after the state land planning agency notifies the city that the plan amendment package is complete. If timely challenged, this ordinance does not become effective until the state land planning agency or the Administration Commission enters a final order determining this amendment to be “in compliance” as defined at section 163.3184(1)(b), Florida Statutes.

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 _____, 2018.

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 _____, 2018.

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 _____, 2018.

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 _____, 2018.

ORDINANCE NO. 2018-22

BY THE MAYOR/MAYOR PRO TEMPORE
OF THE CITY OF ORLANDO, FLORIDA:

Mayor/Mayor Pro Tempore

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:

Assistant City Attorney

Print Name

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