

ORDINANCE NO. 2018-30

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, REZONING CERTAIN LAND  
3 GENERALLY LOCATED SOUTH OF SILVER STAR  
4 ROAD, WEST OF NORTH JOHN YOUNG PARKWAY,  
5 AND NORTH OF WEST PRINCETON STREET,  
6 COMPRISED OF 15.89 ACRES OF LAND, MORE OR  
7 LESS, AND 2.55 ACRES OF LAND, MORE OR LESS,  
8 FROM CONSERVATION ZONING DISTRICT WITH THE  
9 WEKIVA OVERLAY DISTRICT TO URBAN ACTIVITY  
10 CENTER ZONING DISTRICT WITH THE WEKIVA  
11 OVERLAY DISTRICT, IN PART, AND FROM HOLDING  
12 ZONING DISTRICT WITH THE WEKIVA OVERLAY  
13 DISTRICT TO CONSERVATION ZONING DISTRICT WITH  
14 THE WEKIVA OVERLAY DISTRICT, IN PART;  
15 PROVIDING FOR AMENDMENT OF THE CITY'S  
16 OFFICIAL ZONING MAP; PROVIDING FOR  
17 SEVERABILITY, CORRECTION OF SCRIVENER'S  
18 ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE  
19 DATE.  
20

21 **WHEREAS**, at its regularly scheduled meeting of February 20, 2018, the  
22 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "city"),  
23 considered zoning application case number ZON2017-10011, requesting an amendment  
24 to the City's Official Zoning Map Series for land generally located south of Silver Star  
25 Road, west of North John Young Parkway, and north of West Princeton Street, and  
26 comprised of 15.89 acres of land, more or less, and 2.55 acres of land, more or less,  
27 such land being more particularly shown on the location map attached to this ordinance  
28 as **Exhibit A** (hereinafter the "Property"); and  
29

30 **WHEREAS**, based upon the evidence presented to the MPB, including the  
31 information and analysis contained in the "Staff Report to the Municipal Planning Board"  
32 for application case number ZON2017-10011 (entitled "Items #4. A&B – Contractor's  
33 Business Park"), the MPB recommended that the Orlando City Council approve zoning  
34 application case number ZON2017-10011 and adopt an ordinance in accordance  
35 therewith; and  
36

37 **WHEREAS**, the MPB found that application ZON2017-10011 is consistent with:  
38

- 39 1. The *City of Orlando Growth Management Plan*, adopted as the city's  
40 "comprehensive plan" for purposes of the Florida Community Planning Act,  
41 sections 163.3164 through 163.3217, Florida Statutes (the "GMP"), including  
42 the property's future land use map designation of Urban Activity Center, in  
43 part, and Conservation, in part, as proposed in Ordinance No. 2018-35; and  
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45 2. The *City of Orlando Land Development Code*, Chapters 58 through 68, Code  
46 of the City of Orlando, Florida (the "LDC"); and

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48       **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the  
49 best interest of the public health, safety, and welfare, and is consistent with the  
50 applicable provisions of Florida Statutes, the State Comprehensive Plan, the Strategic  
51 Regional Policy Plan, and the City's GMP and LDC.

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

55  
56       **SECTION 1. ZONING DESIGNATION.** Pursuant to the LDC, the zoning  
57 designation for the property is hereby changed from the "Conservation Zoning District  
58 with the Wekiva Overlay District" (denoted as "C/W" on the city's official zoning maps) to  
59 the "Urban Activity Center Zoning District with the Wekiva Overlay District" (denoted as  
60 "AC-2/W" on the city's official zoning maps), in part, and from the "Holding Zoning  
61 District with the Wekiva Overlay District" (denoted as "H/W" on the city's official zoning  
62 maps) to the "Conservation Zoning District with the Wekiva Overlay District" (denoted as  
63 "C/W" on the city's official zoning maps), in part, as depicted in **Exhibit B** to this  
64 ordinance.

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66       **SECTION 2. AMENDMENT OF OFFICIAL ZONING MAP.** The city zoning  
67 official, or designee, is hereby directed to amend the city's official zoning maps in  
68 accordance with this ordinance.

69  
70       **SECTION 3. SEVERABILITY.** If any provision of this ordinance or its application  
71 to any person or circumstance is held invalid, the invalidity does not affect other  
72 provisions or applications of this ordinance which can be given effect without the invalid  
73 provision or application, and to this end the provisions of this ordinance are severable.

74  
75       **SECTION 4. SCRIVENER'S ERROR.** The city attorney may correct scrivener's  
76 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
77 clerk.

78  
79       **SECTION 5. OTHER STATE AND FEDERAL PERMITS.** As provided by  
80 subsection 166.033(5), Florida Statutes, issuance of a development permit by a  
81 municipality does not in any way create any right on the part of an applicant to obtain a  
82 permit from a state or federal agency and does not create any liability on the part of the  
83 municipality for issuance of the permit if the applicant fails to obtain requisite approvals  
84 or fulfill the obligations imposed by a state or federal agency or undertakes actions that  
85 result in a violation of state or federal law. In accordance with subsection 166.033(5),  
86 Florida Statutes, it is hereby made a condition of this ordinance that all other applicable  
87 state or federal permits be obtained before commencement of the development.  
88

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**SECTION 6. EFFECTIVE DATE.** This ordinance is effective upon adoption, except for sections one and two, which become effective 31 days after the state land planning agency notifies the city that the plan amendment package for Ordinance No. 2018-35 is complete, or if timely challenged, upon the state land planning agency or the Administration Commission entering a final order determining the adopted amendment for Ordinance No. 2018-35 to be in compliance.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**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 \_\_\_\_\_, 2018.

**DONE, THE SECOND READING AND 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 \_\_\_\_\_, 2018.

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:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Print Name

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