

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO THE CITY'S GROWTH MANAGEMENT PLAN; PROVIDING THE SUMMER 2018 PACKAGE OF GMP AMENDMENTS PURSUANT TO THE EXPEDITED STATE REVIEW PROCESS; AMENDING THE GMP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM OFFICE LOW INTENSITY TO CONSERVATION, FROM OFFICE LOW INTENSITY TO PUBLIC, RECREATIONAL, INSTITUTIONAL, FROM OFFICE LOW INTENSITY TO COMMUNITY ACTIVITY CENTER, FROM COMMUNITY ACTIVITY CENTER TO OFFICE LOW INTENSITY, FROM CONSERVATION TO PUBLIC, RECREATIONAL, INSTITUTIONAL, FROM CONSERVATION TO OFFICE LOW INTENSITY, FROM INDUSTRIAL TO OFFICE LOW INTENSITY, FROM INDUSTRIAL TO PUBLIC, RECREATIONAL, INSTITUTIONAL, FROM CONSERVATION TO INDUSTRIAL, AND FROM OFFICE LOW INTENSITY TO INDUSTRIAL; AMENDING THE GMP TO CHANGE THE FUTURE LAND USE DESIGNATION FROM CONSERVATION TO URBAN ACTIVITY CENTER; AMENDING THE GMP TO CREATE FUTURE LAND USE SUBAREA POLICY S.3.5; AMENDING THE URBAN DESIGN ELEMENT POLICY 8.4.1; AMENDING FUTURE LAND USE ELEMENT OBJECTIVE 5.2, POLICIES 1.1.6, 2.1.6, 5.2.1 AND 5.2.2, AND CREATE FIGURE LU-2E; AMENDING THE GMP TO CREATE FUTURE LAND USE SUBAREA POLICY S.3.6; AMENDING THE GMP TO CREATE FUTURE LAND USE SUBAREA POLICIES S.5.4, S.6.16, AND S.11.6; AMENDING THE FUTURE LAND USE ELEMENT POLICIES 2.1.4, 2.2.3, AMENDING THE GMP TO CREATE FUTURE LAND USE ELEMENT OBJECTIVE 2.5 AND POLICIES 2.5.1 AND 2.5.2; AMENDING THE CONSERVATION ELEMENT POLICY 1.5, 1.5.5, 1.7.8, FIGURES C-2 PART A AND C-2 PART B; AMENDING THE RECREATION AND OPEN SPACE ELEMENT POLICY 1.1.2; AMENDING THE GMP TO CREATE HOUSING ELEMENT OBJECTIVE 2.10, POLICIES 2.10.1, 2.10.2, AND 5.1.3; AMENDING THE RECREATION ELEMENT FIGURES R-1A AND R-1B, AND AMENDING THE GMP TO CREATE RECREATION ELEMENT POLICIES 1.1.19 AND 1.1.20; 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**, from time to time it becomes necessary for the City to amend its adopted Growth Management Plan; and

**WHEREAS**, paragraph 163.3167(1)(b), Florida Statutes, gives cities the power and responsibility to "adopt and amend comprehensive plans, or elements or portions thereof, to guide their future development and growth;" and

**WHEREAS**, subsection 163.3167(2), Florida Statutes, provides that "[e]ach local government shall maintain a comprehensive plan of the type and in the manner set out in [the Community Planning Act]," sections 163.2511 – 163.3253, Florida Statutes; and

**WHEREAS**, for purposes of the Community Planning Act, the City of Orlando, Florida's (the "City") comprehensive plan is the Growth Management Plan (the "GMP"); and

**WHEREAS**, from time to time, due to state law, including the Community Planning Act and the State Comprehensive Plan, as provided at Chapter 187, Florida Statutes (the "State Comprehensive Plan"), 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"), the comprehensive plans of other nearby local governments, plans and policies of federal, state, and regional agencies, changes to the jurisdictional

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boundaries of the City of Orlando, the natural development of the built-environment and economy, requests from property owners, along with the changing needs and desires of the people of Orlando and general progress in the field of planning make it necessary or desirable to amend the City's Growth Management Plan; 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 "expedited state review process for adoption of comprehensive plan amendments" as provided by subsection 163.3184(3), Florida Statutes; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:**

**SECTION ONE: FUTURE LAND USE MAP AMENDED.** The Official Future Land Use Map of the Growth Management Plan is hereby amended to change the future land use map designation from Conservation to Urban Activity Center for subject property as depicted in attached Exhibit "1".

**SECTION TWO:** The City's Growth Management Plan is hereby amended to add subarea policy S.3.5, in the Future Land Use element of the Growth Management Plan, as depicted in attached Exhibit "2", and shall read as follows:

Policy S.3.5 Because environmentally sensitive lands are an integral part of a healthy natural ecosystem and their on-site preservation is consistent with the principles of the Wekiva Parkway and Protection Act and the Wekiva Overlay District, a minimum of 13.8 acres of undeveloped lands within this policy area shall be set aside within a conservation tract. The following shall also apply:

- A) No stormwater ponds may be included in this subarea.
- B) A continuous 25 ft. wide buffer shall also be maintained around the perimeter of the existing wetland area while a 15 ft. buffer is required around the perimeter of the existing upland area.
- C) Development abutting this conservation area shall be designed to minimize unintended off-site impacts; and, stormwater retention must be designed as a natural amenity consistent with the Wekiva Overlay zoning district requirements.

**SECTION THREE: FUTURE LAND USE MAP AMENDED.** The Official Future Land Use Map of the Growth Management Plan is hereby amended to change the future land use map designation from Office Low Intensity to Conservation, from Office Low Intensity to Public, Recreational, Institutional, from Office Low Intensity to Community Activity Center, from Community Activity Center to Office Low Intensity, from Conservation to Public, Recreational, Institutional, from Conservation to Office Low Intensity, from Industrial to Office Low Intensity, from Industrial to Public, Recreational, Institutional, from Conservation to Industrial and from Office Low Intensity to Industrial for the subject property as depicted in attached Exhibit "3".

**SECTION FOUR: URBAN DESIGN ELEMENT POLICY 8.4.1, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 8.4.1, in the Urban Design Element of the Growth Management Plan, and shall read as follows:

Policy 8.4.1 While new or replacement billboards along the designated View Corridors and View Corridor Areas shown on Figure UD-32 are generally prohibited, the City may consider billboard replacement programs in these areas so long as the result would be a reduction in the overall number of existing billboard structures or planned structures allowed by an agreement with the City along the specified corridor.

**SECTION FIVE: FUTURE LAND USE ELEMENT POLICY 1.1.6, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 1.1.6, in the Future Land Use element of the Growth Management Plan, and shall read as follows:

Policy 1.1.6 The Official Future Land Use Map Series shall include the following maps:

- Future Land Use Element Figure LU-2 "Future Land Use Map"
- Future Land Use Element Figure LU-2B.1 "Aircraft Noise Control Zones"
- Future Land Use Element Figure LU-2B.2 "FAA Part 77 Height Contours"
- Future Land Use Element Figure LU-2B.3 "Orlando International Airport & Orlando Executive Airport – Airport Zoning & Educational Facilities"
- Future Land Use Element Figure LU-2B.4 "Airport Hazards – Proximity to Landfills"
- Future Land Use Element Figure LU-2D "Regional Activity Centers"
- Future Land Use Element Figure LU-2E "Downtown School Concurrency Exemption Area"
- Future Land Use Element Figure LU-2F "Street-Level Commercial Use Areas"
- Transportation Element Figure TE-3 "Transportation Mobility Areas for the Transportation Concurrency Exception Area"
- Conservation Element Figure C-5 "Urban Area Lakes"
- Conservation Element Figure C-6 "Urban Area Wetlands"
- Conservation Element Figure C-9 "Floodplains"
- Conservation Element Figure C-12 "General Soil Associations"
- Potable Water Element Figure PW-2 "Potable Water Facilities"
- Wastewater Element Figure WW-28 "Wekiva Waste Water Service Area"

**SECTION SIX: GROWTH MANAGEMENT PLAN POLICY 2.1.6, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 2.1.6, in the Future Land Use element of the Growth Management Plan, and shall read as follows:

Policy 2.1.6 Because the Downtown Community Redevelopment Area, Downtown Activity Center, Metropolitan Activity Centers, Urban Activity Centers, and the Southeast Orlando Sector Plan Town Center are intended for very high intensity development, they shall be considered areas highly suitable for increased threshold intensity, and may be designated Regional Activity Centers, as allowed under the provisions of Florida Statutes dealing with Developments of Regional Impact. Downtown, Metropolitan and Urban Activity Centers are depicted on the Official Future Land Use Map. The Southeast Orlando Sector Plan Town Center is depicted on Future Land Use Figure LU-2A. ~~The adopted Downtown Community Redevelopment Area boundary is depicted on Future Land Use Figure LU-2E.~~ Designated Regional Activity Centers are depicted on Figure LU-2D.

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**SECTION SEVEN: GROWTH MANAGEMENT PLAN OBJECTIVE 5.2, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise objective 5.2, in the Future Land Use element of the Growth Management Plan, and shall read as follows:

Objective 5.2 Throughout the planning period, the City of Orlando shall provide for all required infrastructure improvements in accordance with ~~the time schedule established in the Downtown DRI, as may be amended or otherwise affected by changes to Florida law~~ the Capital Improvements Element and the Downtown Community Redevelopment Area Plan.

**SECTION EIGHT: GROWTH MANAGEMENT PLAN POLICY 5.2.1, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 5.2.1, in the Future Land Use element of the Growth Management Plan, and shall read as follows:

Policy 5.2.1 The City shall use the Capital Improvements Element, and specifically the adopted five-year capital improvements schedule shown in Figure CI-14, as well as the Downtown Development of Regional Impact (DRI) Development Order and the Downtown Community Redevelopment Area Plan, and its subsequent amendments, as the principal guides to help prioritize infrastructure improvements in the Downtown area. The City may also consider other Downtown related plans (including the Downtown Transportation Plan), reports/analyses and urban design documents to help guide infrastructure improvements and spending.

**SECTION NINE: GROWTH MANAGEMENT PLAN POLICY 5.2.2, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 5.2.2, in the Future Land Use element of the Growth Management Plan, and shall read as follows:

Policy 5.2.2. ~~The City shall develop public infrastructure consistent with the adopted Downtown Transportation Plan~~ Simultaneously with the rescission of the Downtown Orlando Area-Wide Development of Regional Impact (DRI) Development Order, and consistent with Section 18.2(j) of the First Amended and Restated Interlocal Agreement for Public School Facility Planning and Implementation of Concurrency (Interlocal Agreement; dated March 9, 2011), all development within the area depicted on Figure LU-2E – Downtown School Concurrency Exemption Area, shall be exempt from school concurrency. Any residential units in excess of the 11,397 previously vested units minus those already built (5,260 unbuilt units as of March 11, 2018), may be subject to both school capacity and school concurrency, if applicable, according to the process described in the aforementioned Interlocal Agreement, as amended.

Each property within this area will be governed by the Growth Management Plan, Future Land Use Map designations and Zoning classifications, as well as the requirements and entitlements specified in the Land Development Code, including the Concurrency Management System. Assignment of concurrency to individual projects will be executed through the Concurrency Management process.

The City must maintain a tracking system that will be provided to Orange County Public Schools upon request. The tracking system must include a careful running tally of the concurrency-exempt units that are demolished over

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time, returning the demolished units to the aggregate pool of concurrency-exempt units available for development.

Nothing in this policy exempts residential developers from their responsibility and obligations in relation to school capacity and/or school impact fees.

**SECTION TEN: FUTURE LAND USE ELEMENT FIGURE LU-2E, AMENDED.** The City's Growth Management Plan Future Land Use Element Figure LU-2E is hereby amended as depicted in attached Exhibit "4."

**SECTION ELEVEN: SUBAREA 3 POLICIES AMENDED.** The City's Growth Management Plan is hereby amended to add subarea policy S.3.6, in the Future Land Use element of the Growth Management Plan, as depicted in attached Exhibit "5" which shall read as follows:

Policy S.3.6      The Mercy Drive Vision Plan shall serve as the guiding document to direct the revitalization of the Mercy Drive corridor and abutting neighborhood areas. The plan outlines near-term, mid-term and long-term actions, including programs and projects which shall be considered during annual Capital Improvement Plan and department budget updates over the next 10 years. Funding priorities shall be given to public safety infrastructure projects, traffic calming improvements as well as sustainable community enhancement programs including vocational training, home maintenance and area beautification. Neighborhood-led activities with a focus on local art, expanded local food access, and broad-based community services shall also be encouraged.

Future land use amendments and rezoning changes shall be consistent with key plan design concepts. The City supports development of certain catalyst projects which specifically implement the Vision Plan such as the Community Activity Center, area trail and park improvements and redevelopment of City-owned parcels to support quality housing for area residents. Industrial uses shall not be permitted to encroach into existing residential neighborhoods.

Anticipated higher density and intensity development along the Mercy Drive corridor shall respect the character of the abutting neighborhoods through superior design such as architectural transitions to complement and blend into the surroundings. To establish an appropriate transition to minimize visual impacts of building height and bulk and address potential traffic impacts, a neighborhood compatibility study shall be submitted as part of any Master Plan or Conditional Use Permit application that is associated with a future land use amendment or rezoning request.

**SECTION TWELVE: SUBAREA 5 POLICIES, AMENDED.** The City's Growth Management Plan is hereby amended to add subarea policy S.5.4, in the Future Land Use element of the Growth Management Plan, as depicted in attached Exhibit "6" which shall read as follows:

Policy S.5.4      The City will recognize the OBNext Master and Implementation Plan as the foundation for directing efforts to advance the OBT corridor and surrounding neighborhoods (including Lake Dot, Callahan, Parramore, Rock Lake,

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Westfield, Lorna Doone, and Holden Heights) as an inclusive, accessible, diverse, and connected corridor. The guiding principles of OBTNext are informed by public outreach, community input, data analysis, and the Safe Neighborhood Improvement Plan. Developers within this area must consider how to best reflect the plan's guiding principles within their development proposals. These guiding principles are as follows:

- Transformation – Encourage improvements that enhance the perception of the corridor as safe, economically vibrant, diverse, and collectively managed and governed;
- Safety – Work between jurisdictions to create programs, increase policing and strong code enforcement to reduce crime, improve the character of the area, and make OBT safer for pedestrians and cyclists;
- Equity – Advance social justice and health by creating access to jobs, training, affordable housing, local food, and community services. Promote strong and diverse neighborhood growth that provides access to quality open and community spaces to recreate, learn, and live;
- Growth – Realize full potential of vacant and underutilized land, enhanced access to housing and jobs, as well as reinvestment in government-owned properties and large, contiguous parcels for future infill development that follow sustainable best practices;
- Connectivity – Support physical connectivity in the form of enhanced public transportation and more walkable & bikeable streetscapes and social connectivity by creating linkages among local and regional destinations and a network of businesses, neighborhoods, and local organizations.

**West Orlando Sports & Entertainment District** – In order to boost economic development and attract people and investment to the OBT area, the City will work with key partners to pursue a redevelopment approach that recognizes the unique character and assets of the area outlined by this Subarea Policy. Key actions for the City and partners to consider include:

- Preserve/repurpose the Parliament House building as part of a mixed use complex along Rock Lake;
- Develop and extend Nashville Avenue as a featured Mixed-Use and Walkable street;
- Leverage the real estate assets on the east side of the stadium to support an employment, food, and entertainment hub;
- Create a linear park along Rock Lake and better access to the lake;
- Support the repurposing of the warehousing uses as complementary entertainment, art, and food service venues.

**SECTION THIRTEEN: SUBAREA 6 POLICIES, AMENDED.** The City's Growth Management Plan is hereby amended to add subarea policy S.6.16, in the Future Land Use element of the Growth Management Plan, as depicted in attached Exhibit "7" which shall read as follows:

Policy S. 6.16 Consistent with the Parramore Comprehensive Neighborhood Plan, the City will recognize the OBTNext Master and Implementation Plan as the foundation for directing efforts to advance the OBT corridor and surrounding neighborhoods (including Lake Dot, Callahan, Parramore, Rock Lake,

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Westfield, Lorna Doone, and Holden Heights) as an inclusive, accessible, diverse, and connected corridor. The guiding principles of OBTNext are informed by public outreach, community input, data analysis, and the Safe Neighborhood Improvement Plan. Developers within this area must consider how to best reflect the plan's guiding principles within their development proposals. These guiding principles are as follows:

- Transformation – Encourage improvements that enhance the perception of the corridor as safe, economically vibrant, diverse, and collectively managed and governed;
- Safety – Work between jurisdictions to create programs, increase policing and strong code enforcement to reduce crime, improve the character of the area, and make OBT safer for pedestrians and cyclists;
- Equity – Advance social justice and health by creating access to jobs, training, affordable housing, local food, and community services. Promote strong and diverse neighborhood growth that provides access to quality open and community spaces to recreate, learn, and live;
- Growth – Realize full potential of vacant and underutilized land, enhanced access to housing and jobs, as well as reinvestment in government-owned properties and large, contiguous parcels for future infill development that follow sustainable best practices;
- Connectivity – Support physical connectivity in the form of enhanced public transportation and more walkable & bikeable streetscapes and social connectivity by creating linkages among local and regional destinations and a network of businesses, neighborhoods, and local organizations.

**West Orlando Sports & Entertainment District** – In order to boost economic development and attract people and investment to the OBT area, the City will work in concert with key partners to pursue a redevelopment approach that recognizes the unique character and assets of the area outlined by this Subarea Policy. Key actions for the City and partners to consider include:

- Redevelop the former McNamara car dealership site into a mixed use development fronting Colonial Drive with large site assemblage;
- Re-design Amelia St., Washington St., South St., Anderson St., Carter St., and Long St. into complete streets. Convert South St., Anderson St., Carter St., and Long St. into two-way streets for automobiles and bicycles;
- Support the “West Arts” area as a destination and the repurposing of the warehousing uses as complementary entertainment, art, and food service venues;
- Provide infill residential development opportunities with increased densities along Central and Church corridors that transition toward the surrounding neighborhoods.

**SECTION FOURTEEN: SUBAREA 11 POLICIES, AMENDED.** The City's Growth Management Plan is hereby amended to add subarea policy S.11.6, in the Future Land Use element of the Growth Management Plan, as depicted in attached Exhibit “8” which shall read as follows:

Policy S.11.6     The City will recognize the OBTNext Master and Implementation Plan as the foundation for directing efforts to advance the OBT corridor and surrounding

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neighborhoods (including Lake Dot, Callahan, Parramore, Rock Lake, Westfield, Lorna Doone, and Holden Heights) as an inclusive, accessible, diverse, and connected corridor. The guiding principles of OBTNext are informed by public outreach, community input, data analysis, and the Safe Neighborhood Improvement Plan. Developers within this area must consider how to best reflect the plan's guiding principles within their development proposals. These guiding principles are as follows:

- Transformation – Encourage improvements that enhance the perception of the corridor as safe, economically vibrant, diverse, and collectively managed and governed;
- Safety – Work between jurisdictions to create programs, increase policing and strong code enforcement to reduce crime, improve the character of the area, and make OBT safer for pedestrians and cyclists;
- Equity – Advance social justice and health by creating access to jobs, training, affordable housing, local food, and community services. Promote strong and diverse neighborhood growth that provides access to quality open and community spaces to recreate, learn, and live;
- Growth – Realize full potential of vacant and underutilized land, enhanced access to housing and jobs, as well as reinvestment in government-owned properties and large, contiguous parcels for future infill development that follow sustainable best practices;
- Connectivity – Support physical connectivity in the form of enhanced public transportation and more walkable & bikeable streetscapes and social connectivity by creating linkages among local and regional destinations and a network of businesses, neighborhoods, and local organizations.

**Holden Heights Design/Construction & Education Hub** – In order to enhance the integrity of the residential neighborhood and foster systems that support the health and enrichment of children and families, the City will work in collaboration with key partners, including Orange County, identify resources and funding to create neighborhood education, training, and workforce programs that provide long term opportunities for the residents of Holden Heights. Key actions for the City and partners to consider include:

- Develop the properties along a reconstructed Woods Avenue as a design and construction district – designating it as “Makers Row”;
- Preserve the Grand Avenue School building and the adjacent park and provide educational, recreation, and institutional programming;
- Develop the properties along Nashville Avenue incorporating a reuse of the Mears property into a mixed use development;
- Improve streetscape and intersections on OBT;
- Improve walkability on Gore, Grand, Miller and Kaley;
- Create pocket parks around the neighborhood.

**SECTION FIFTEEN: FUTURE LAND USE ELEMENT, POLICY 2.1.4, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 2.1.4., in the Future Land Use element of the Growth Management Plan to add subsection 4, which shall read as follows:

Policy 2.1.4.f 4. Conservation FLU Amendments. Any proposed amendments to properties



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with Conservation Future Land Use designation must adhere to FLU Objective 2.5 and Policies 2.5.1 – 2.5.2.

**SECTION SIXTEEN: FUTURE LAND USE ELEMENT, POLICY 2.2.3, AMENDED.** The text of the City's Growth Management Plan is hereby amended to revise policy 2.2.3., in the Future Land Use element of the Growth Management Plan to add subsection 3, which shall read as follows:

Policy 2.2.3.c     3. Conservation FLU Amendments. Any proposed amendments to properties with Conservation Future Land Use designation must adhere to FLU Objective 2.5 and Policies 2.5.1 – 2.5.2.

**SECTION SEVENTEEN: FUTURE LAND USE ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add objective 2.5, in the Future Land Use element of the Growth Management Plan, which shall read as follows:

Objective 2.5     The City of Orlando shall, throughout the planning period, act to protect environmentally sensitive areas that are contained within the Conservation Future Land Use designation, such as wetlands and uplands. The City shall provide standards for properties that request to amend a Future Land Use designation from Conservation to another designation. These standards shall act to protect and maintain environmentally sensitive areas within the City of Orlando. The purpose of this section is to maintain open space in City, protect ground water recharge areas, protect wetlands and maintain upland areas which are critical habitat areas. This section is required in order to maintain 20% open space City wide, reach the goal of 40% tree cover within the City, protect habitat for species and provide areas for flood relief.

**SECTION EIGHTEEN: FUTURE LAND USE ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 2.5.1, in the Future Land Use element of the Growth Management Plan, which shall read as follows:

Policy 2.5.1     Submittal  
Any application to amend the future land use map from the Conservation Future Land Use designation to another Future Land Use designation, such that the total acreage of Conservation would be reduced, shall include the following:  
1. An environmental assessment, as described in Conservation Policy 1.4.1.  
2. A Uniform Mitigation Assessment Method (UMAM) scoring report, as described in the Florida Administrative Code, Section 62-345.  
3. A tree survey.  
4. A copy of any relevant permit approvals or applications to the Water Management District and/or Army Corps of Engineers.  
5. If the proposed amendment is larger than one acre, the City may hire an environmental consultant to review the application. An additional application fee shall be assessed to cover the consultant fee.

**SECTION NINETEEN: FUTURE LAND USE ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 2.5.2, in the Future Land Use element of the Growth Management Plan, which shall read as follows:

Policy 2.5.2

Criteria

The City shall evaluate proposed amendments from the Conservation Future Land Use designation to another Future Land Use designation to determine the extent to which the proposed amendment continues to maintain the City's goals for open space and protection of environmentally sensitive areas. The proposed development site as a whole shall be evaluated to determine the extent to which the site:

1. Maintains, preserves, or enhances connectivity to existing conservation areas on adjacent parcels;
2. Support unique habitats, environmental features or highly functioning wetland systems;
3. Provides habitat to protected species;
4. Is located within a 100-year floodplain; and/or
5. Provides capacity to reduce flooding in surrounding areas during hurricanes or storm events.

If the proposed amendment would cause the overall development site to fall below the minimum 20% open space threshold defined in Recreation Policy 1.1.2, the City may require preservation of an equivalent amount of open space in an off-site location within the City limits.

**SECTION TWENTY: CONSERVATION ELEMENT, POLICY 1.5 AMENDED.** The City's Growth Management Plan is hereby amended to revise policy 1.5, in the Conservation element of the Growth Management Plan, which shall read as follows:

**Policy 1.5**

The City of Orlando shall regulate development through authority of the Land Development Code, in order to minimize impairments to the functioning of vital natural systems, including the protection and conservation of soils, native wetland and vegetative communities, rare upland areas, urban woodlands, tree canopy, historic trees and other Environmentally Sensitive Lands throughout the 20 year planning period.

**SECTION TWENTY-ONE: CONSERVATION ELEMENT, POLICY 1.5.5 AMENDED.** The City's Growth Management Plan is hereby amended to revise policy 1.5.5, in the Conservation element of the Growth Management Plan, which shall read as follows:

**Policy 1.5.5**

The City's tree canopy is of vital importance to public health and the overall livability of the City. Trees provide many benefits that include producing oxygen, reducing smog by intercepting airborne particulates, sequestering carbon, and providing shade, water filtration and water retention. Because trees are a public resource and essential to the community's livability, the City of Orlando shall continue to protect existing woodlands and encourage the renewal of urban woodlands. The Land Development Code shall discourage the removal of medium and large size canopy trees, by requiring a tree removal permit. The Land Development Code shall specify standards for tree removal and criteria to determine if the replacement trees(s) is required on site. And if a tree is removed without a permit, the code may include fines in addition to the tree permit fee. The Land Development Code shall also contain minimum setback requirements, in order to prohibit development within the undisturbed areas around the canopy tree.

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In addition, the City Council may allow Modifications of Standards as a condition of Preliminary Plat approval for any 1 or 2 family development where they find that the design alternatives are essential for the protection of existing trees on the development site. Finally, the Parks Official shall be authorized to designate certain trees as Historic Trees based on their size, age, historic association, species, or other unique characteristics. Trees so designated shall be protected without regard to their location within the City.

### **SECTION TWENTY-TWO: CONSERVATION ELEMENT, POLICY 1.7.8, AMENDED.**

The City's Growth Management Plan is hereby amended to revise policy 1.7.8, in the Conservation element of the Growth Management Plan, which shall read as follows:

**Policy 1.7.8** The Wekiva Overlay Future Land Use Designation shall apply to all property located within the boundary depicted on Conservation Figure C-3. This overlay is intended to identify and regulate property within the Wekiva Study Area, as defined in the Wekiva Parkway and Protection Act. All development within this overlay shall optimize open space and protect the most effective recharge areas, karst features and sensitive natural habitats through upland and wetland preservation, density transfer and cluster development.

Open space shall comprise at least 20% of the gross development area of any development site of five acres or more, ~~which includes a residential component or any residential subdivision of five acres or more.~~ Such open space may include stormwater retention areas, up to 50% of the total open space required, and passive recreation areas. However, such open space may not include required setback areas, privately owned yards of single-family lots, street rights-of-way, parking lots, impervious surfaces, active recreation areas or golf courses. Stormwater retention areas may not be located within a protected wetland buffer area.

Development shall be discouraged within the RP (Resource Protection) Overlay Zoning District of the Wekiva Study Area. To balance development interests with protection of the Wekiva Study Area, development may be clustered on or transferred to other areas of a development site outside of the RP Overlay; provided however that the total net density or intensity of the area outside of the RP area may not be increased by more than 40%.

The RP Overlay shall incorporate and be consistent with the wetland buffer requirements provided in Conservation Policy 1.4.5 and all other applicable GMP objectives and policies and shall not be interpreted to supersede any other policies of this GMP.

### **SECTION TWENTY-THREE: RECREATION AND OPEN SPACE ELEMENT, POLICY**

**1.1.2, AMENDED.** The City's Growth Management Plan is hereby amended to revise policy 1.1.2, in the Recreation and Open Space element of the Growth Management Plan, which shall read as follows:

**Policy 1.1.2** An important aspect of building and maintaining a sustainable and healthy community ~~and healthy~~ is the amount and types of open space which can be enjoyed by City residents. In keeping with the concepts of sustainability, the citywide level of service standard for open space shall be 20% of the total land area of the City of Orlando. Open space is defined as any land or water surface

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that affords unobstructed physical movement and is relatively free of man-made structural mass. ~~The level of service standard for open space shall be used as general guideline, rather than as a concurrency requirement.~~ In the Wekiva Overlay District, ~~residential subdivisions~~ parcels of at least 5 acres in size shall provide open space comprising at least 20% of the gross development area, consistent with Conservation Element Policy 1.7.8.

**SECTION TWENTY-FOUR: HOUSING ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add objective 2.10, in the Housing element of the Growth Management Plan, which shall read as follows:

Objective 2.10 Throughout the planning period, the City shall integrate and implement applicable recommendations provided by the State, the Regional Affordable Housing Initiative, and the Affordable Housing Advisory Committee.

**SECTION TWENTY-FIVE: HOUSING ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 2.10.1, in the Housing element of the Growth Management Plan, which shall read as follows:

Policy 2.10.1 The City shall participate and seek public and institutional partnerships to coordinate and facilitate creative solutions to increase affordable and attainable housing opportunities.

**SECTION TWENTY-SIX: HOUSING ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 2.10.2, in the Housing element of the Growth Management Plan, which shall read as follows:

Policy 2.10.2 The City shall support regional partners in exploration of policy strategies to encourage affordable and attainable housing production.

**SECTION TWENTY-SEVEN: HOUSING ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 5.1.3, in the Housing element of the Growth Management Plan, which shall read as follows:

Policy 5.1.3 The City will periodically review and refine City Code provisions to encourage development of market rate units that are affordable to a broad range of households, particularly for infill sites that can accommodate accessory apartments; "missing middle" housing options such as duplexes, townhomes, live/work units, or small apartment buildings; adaptive reuse of commercial buildings; and redevelopment of vacant or underused commercial sites.

**SECTION TWENTY-EIGHT: RECREATION AND OPEN SPACE ELEMENT, AMENDED.** The City's Growth Management Plan is hereby amended to add policy 1.1.19, in the Recreation and Open Space element of the Growth Management Plan, and shall read as follows:

Policy 1.1.19 Throughout the planning period, recreation needs in Neighborhood Park Service Area 27 shall be met through utilization of the combined level of service standard for community and neighborhood parks. There are currently no plans for residential development or parks in this area due to the current industrial uses. If residential development is proposed, the new projects located in this area shall include park/recreational amenities consistent with the City's neighborhood park level of service.

**SECTION TWENTY-NINE: RECREATION AND OPEN SPACE ELEMENT, AMENDED.**

The City's Growth Management Plan is hereby amended to add policy 1.1.20, in the Recreation and Open Space element of the Growth Management Plan, and shall read as follows:

Policy 1.1.20      Throughout the planning period, recreation needs in Neighborhood Park Special Service Area H shall be met through utilization of the combined level of service standard for community and neighborhood parks. Because of special conditions in this area which includes industrial uses within Beltway Commerce Center, no district level of service standard shall be applied. If residential development is proposed, the new projects located in this area shall include park/recreational amenities consistent with the City's neighborhood park level of service.

**SECTION THIRTY: RECREATION AND OPEN SPACE FIGURE R-1A AMENDED.**

The City's Growth Management Plan Recreation and Open Space Element Figure R-1A is hereby amended as provided in Exhibit "9."

**SECTION THIRTY-ONE: RECREATION AND OPEN SPACE FIGURE R-1B AMENDED.**

The City's Growth Management Plan, Recreation and Open Space Element Figure R-1B is hereby amended as depicted in attached Exhibit "10."

**SECTION THIRTY-TWO: AMENDMENT OF GMP.**

The city planning official, or designee, is hereby directed to amend the City's adopted Growth Management Plan in accordance with this ordinance.

**SECTION THIRTY-THREE: 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 THIRTY-FOUR: 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 THIRTY-FIVE: EFFECTIVE DATE.**

Pursuant to section 163.3184(3)(c)4., Florida Statutes, this ordinance takes effect 31 days after the state land planning agency notifies the local government that the plan amendment package is complete, unless timely challenged. If timely challenged, this ordinance does not become effective until the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance.

**DONE, THE FIRST 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 FIRST READING AND HEARING,**

by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**DONE, THE SECOND 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.

ORDINANCE NO. 2018-35

**DONE, THE SECOND READING AND 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/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

APPROVED AS TO FORM AND LEGALITY  
FOR THE USE AND RELIANCE OF THE  
CITY OF ORLANDO, FLORIDA:

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

ORDINANCE NO. 2018-35

EXHIBITS 1-10