

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 APPROXIMATELY 10.94 ACRES OF LAND GENERALLY LOCATED WEST OF NARCOOSSEE ROAD, NORTH OF BOGGY CREEK ROAD, AND EAST OF GOLDEN SUNBURST AVENUE, FROM NEIGHBORHOOD ACTIVITY CENTER TO MIXED USED CORRIDOR-MEDIUM INTENSITY ON 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 May 15, 2018, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case number GMP2018-10010, requesting an amendment to the City's adopted Growth Management Plan Future Land Use Map to change the future land use map designation for approximately 10.94 acres of land, generally located west of Narcoossee Road, north of Boggy Creek Road, and east of Golden Sunburst Avenue, and more precisely described by the legal description attached to this Ordinance as Exhibit A, (hereinafter the "Property"), from "Neighborhood Activity Center" to "Mixed Use Corridor-Medium Intensity" on the city's official Future Land Use Map; 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 GMP2018-10010 and entitled "Nona Cove GMP Amendment" 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 application and adopt an ordinance in accordance therewith; and

**WHEREAS**, the MPB found that the application is 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 "Neighborhood Activity Center" to "Mixed Use Corridor-Medium Intensity" as depicted in **Exhibit B** to this ordinance.

**SECTION 2. 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 3. 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 4. 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 5. EFFECTIVE DATE.** This ordinance is effective upon adoption, except for the amendment adopted by section one which takes effect on the 31<sup>st</sup> 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.

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

**\*\*[Remainder of page intentionally left blank.]\*\***