

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 1,854.30 ACRES OF LAND GENERALLY LOCATED WEST OF NARCOOSSEE ROAD, NORTH AND EAST OF BOGGY CREEK ROAD AND SOUTH OF THE LAKE NONA PLANNED DEVELOPMENT, FROM CONSERVATION TO URBAN VILLAGE, IN PART, AND FROM URBAN VILLAGE TO CONSERVATION, IN PART, ON THE CITY'S OFFICIAL FUTURE LAND USE MAPS; AMENDING SUBAREA POLICY S.38.1 TO REVISE THE 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 September 18, 2018, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered land development order application case number GMP2017-00012 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 1854.30 acres of land generally located west of Narcoossee Road, north and east of Boggy Creek Road, and south of the Lake Nona Planned Development from "Conservation" to "Urban Village", in part, and from "Urban Village" to "Conservation", in part, on the city's official Future Land Use Map. The change to the future land use map designation affects the portions of the property described by the legal description attached to this ordinance as **Exhibit A** (hereinafter "the Property"),

WHEREAS, the MPB considered application case number GMP2017-00013 requesting an amendment to Subarea Policy S.38.1 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 GMP2017-00012 and GMP2017-00013, (along with ZON2017-00011) and entitled "Item #7 – Poitras East PD" 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 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 “expedited state review process for adoption of comprehensive plan amendments” as provided by subsection 163.3184, 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 section 163.3184, Florida Statutes, the City of Orlando, Florida, adopted Growth Management Plan Future Land Use Map designation for the Property is hereby changed from “Conservation” to “Urban Village,” in part, and from “Urban Village” to “Conservation,” 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.38.1, 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):

The property within the boundary of this Subarea Policy, generally referred to as the Poitras Property, is located within the Southeast Orlando Sector Plan area. In addition to compliance with all requirements of the Southeast Orlando Sector Plan, this property shall be zoned as PD, Planned Development, and be designed as a mixed use community. The PD zoning shall adhere, at a minimum, to the following standards:

1. Commercial Uses. Commercial uses may include retail, office, services, industrial, warehousing, “flex” space, and high-technology land uses.

2. Natural Features. Natural features shall be treated as amenities. Roads that cross major wetland systems shall incorporate bridges or other appropriate design features to maintain wildlife corridors. At least 20% (±370.8 acres) of this

property shall be reserved as open space in the form of parks and preserved environmentally-sensitive uplands and wetlands.

3. Master Stormwater System. The entire development shall be subject to a single Master Stormwater Plan. The location, function and design of all stormwater facilities shall be coordinated with open space, park and greenway areas, in order to provide for joint use opportunities. Where possible, greenways with trails should line riparian corridors and storm drainage ways to connect destinations such as schools, parks and commercial areas.

4. Transportation System.

a. The project shall incorporate at least three roadway connection stubs to the north property line that will provide access between the project and the Lake Nona DRI/PD.

b. The project shall have an interconnected multi-use trail network and incorporate connections to major community recreation facilities within the project and to the trail network planned as part of the Lake Nona DRI/PD to the north of the project.

c. Locations for transit corridors and transit stops shall be incorporated into the planning and design of the project.

~~d. Detailed and updated traffic studies will transportation circulation plan must be provided with any PD, DRI or prior to the first Master Plan application process. At a minimum, such traffic study will address laneage proposed for project roadways and any needed off site improvements.~~

e. The project should incorporate an improved roadway connection to Boggy Creek Road on the west side of the property. The City shall support the property owner's efforts to obtain the environmental permits necessary to reconstruct the existing haul road into a street that meets City standards.

5. Public Schools.

a. To ensure adequate public school capacity for students generated by development of this Property, all building sites within the Property shall be subject to any School Concurrency requirements which are established in this GMP prior to issuance of building permit(s) for the building site.

b. If necessary and allowed by law, the Property owner shall negotiate provision of any school capacity enhancements with the Orange County School Board.

6. **Water Capacity Utilities.** The Property Owner shall work with utility companies to ensure provision of adequate potable water and waste water to service all anticipated development of the Property.

7. **Gated communities.** Up to 20% of the total proposed residential units may be gated. In lieu of the requirement for traditional design standards described in Future Land Use Element Policy 4.1.9, a hybrid of conventional and traditional design standards may be approved in an SPMP for gated neighborhoods that have a gross density of up to 5 dwelling units per acre.

~~Although the Future Land Use designation of this Property is Urban Village, the development program standards for the Property shall be limited to the densities and intensities permitted by the Urban Reserve Future Land Use designation (181 residential dwelling units plus 3,957,000 square feet of Public, Recreation, Institutional uses).~~

~~The above referenced densities and intensities may be altered through the PD process provided that the new densities and intensities do not exceed any Development of Regional Impact thresholds. Further, the above referenced densities and intensities may be amended pursuant to an approved Development of Regional Impact (DRI). The maximum development capacity of the property through an approved DRI or PD Ordinance shall be 4,800 residential dwelling units and 2,400,000 square feet of commercial uses, which may include retail, office, services, industrial, warehousing, "flex" space, and high-technology land uses. The maximum amount of development allowed within any single land use category (except Public Benefit Use) shall not exceed 110% of the numbers above. The project may also exchange land uses according to an approved land use/transportation equivalency matrix as set forth in a DRI or PD. Any increase in development 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.~~

SECTION 3. GROWTH MANAGEMENT PLAN AMENDMENT. The City planning official or designee is hereby directed to amend the City's 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.

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

ORDINANCE NO. 2018-66

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

229

230

231 _____
Assistant City Attorney

232

233

234 _____
Print Name