



DOWNTOWN URBAN NEIGHBORHOOD GMP POLICY AMENDMENT

SUMMARY

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| <p>Owner N/A</p> <p>Applicant City of Orlando</p> <p>Project Planner Jason Burton, AICP</p> | <p>Request: Amendment to the Growth Management Plan's Future Land Use Element creating Policy 5.1.2 regarding the management of late-night uses, sound attenuation and parking facilities within Downtown Orlando.</p> | <p>Location: Downtown Orlando</p> <p>Staff's Recommendation: Approval of the request.</p> <p>Public Comment Staff posted this item on the city's website and placed a classified ad in the Orlando Sentinel. The concepts were also presented to the CRA/DDB's Nighttime Economy Committee in March 2022.</p> |
| <p>Updated: May 9, 2022</p> | | |

OVERVIEW.

The City of Orlando has begun a process to better control behavior in the Downtown area that is peripheral to the robust bar and nightclub scene. The ultimate goal of Downtown Orlando is to become the premiere urban neighborhood of Central Florida, built upon a "live, learn, work and play" model that makes our region competitive with other metropolitan areas. In order to realize these goals, the City Planning staff is bringing forward three key amendments to the Land Development Code with a related Growth Management Plan amendment. These amendments seek to refine the nighttime operations of the Downtown in order to increase safety, ensure compatibility of uses, and reduce nuisances. These three subjects include:

- Parking Facilities,
- Sound/Noise Attenuation, and
- After-Midnight uses.

ANALYSIS.

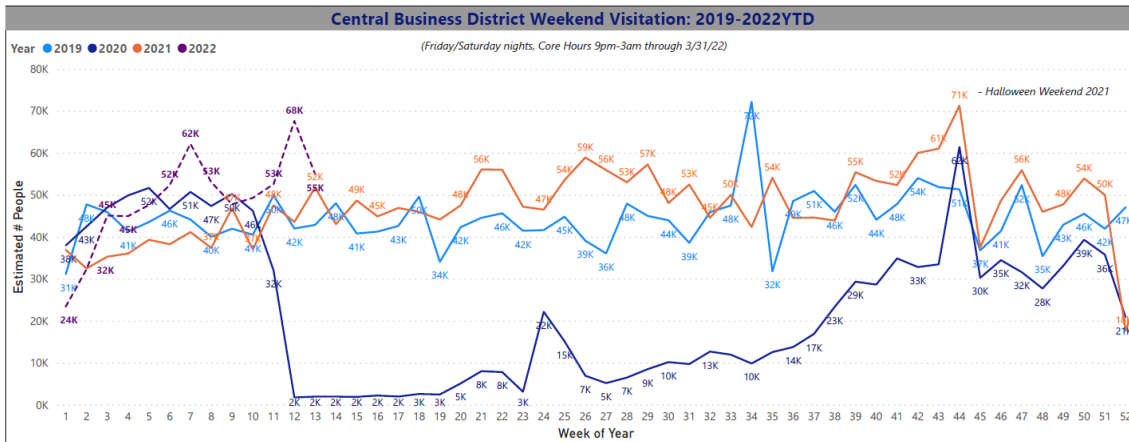
Simultaneously with these three code amendments regarding Downtown parking facilities, sound attenuation, and after-midnight uses, a City initiated Growth Management Plan amendment is proposed to our Future Land Use Element. The intent is to specifically bolster the effort of creating the premier urban neighborhood in Central Florida, by regulating these particular subjects for better use compatibility, diminution of nuisances, and promoting the management of uses, noise and parking.

Therefore, the following policy is proposed to be added to Future Land Use Goal 5 (Downtown Orlando—Planning for the Future) Objective 5.1:

Policy 5.1.2 The City of Orlando shall manage late-night uses, sound attenuation and parking facilities to bolster Downtown as the premier urban neighborhood of Central Florida, diminish nuisances, and promote use compatibility. The techniques for the management of these issues shall be provided by regulations within the Land Development Code.

This new policy specifically creates the concept of furthering the management of these uses, provides a specific requirement for the land development code amendments, and relates to the other policies that control the development of Downtown Orlando.

ANALYSIS CONT...



The above chart shows the late night activity in a portion of the Central Business District shown on the map between the hours of 9:00 PM and 3:00 AM. The Downtown Development Board is able to track cell phone traffic to estimate the attendance into the Downtown Entertainment Area between these hours each weekend. The light blue line represents 2019, prior to the pandemic. The purple line shows 2020, where there is a precipitous drop of activity due to the pandemic; however, in 2021, attendance to late night uses had fully recovered by March of 2021 and began to exceed pre-pandemic levels thereafter. In 2022, represented by the dotted purple line, shows that we are on-trend to again exceed pre-pandemic levels, with attendance on some weekends seeing 50% growth in attendance over 2019 pre-pandemic levels.

This greater attendance reflects national trends for an uptick of late night uses and greater socialization needs in a post-pandemic environment. Greater crowds coming into the Downtown Entertainment Area call for greater management and control, especially when coupled with other national trends for greater crimes of opportunity that has simultaneously emerged around late-night uses. Downtown Orlando has not been immune to this trend, with shooting incidents and increased safety issues over the last year in the late night hours. In response, the City has increased police patrolling, created a late-night code enforcement detail, and has even created a coordinated entry on specific high-attendance nights in the Downtown Entertainment Area (gated entries with weapon detection dogs staffed by the Police). However, these policing activities are only one piece of a larger puzzle for regulating the Downtown Entertainment Area, which is proposed for further regulation as proposed by this new policy.

CONSISTENCY WITH CHAPTER 163, FLORIDA STATUTES

The proposed GMP amendment is being processed as a large scale amendment to the Future Land Use Element in accordance with the requirements of Chapter 163.3184(3), Florida Statutes. As provided in Chapter 163, large scale amendments require two public hearings before City Council and are subject to an expedited state review process by the State Department of Economic Opportunity—Division of Community Planning and other regional agencies.

COMPLIANCE WITH THE LAND DEVELOPMENT CODE-ROLE OF THE MUNICIPAL PLANNING BOARD

Consistent with Land Development Code Section 65.141, duties of the Municipal Planning Board acting as the Local Planning Agency, includes:

- (a) Be responsible for the preparation of the Growth Management Plan or amendments thereto, and shall make recommendations to the City Council regarding the adoption or amendment thereof.
- (b) During the preparation of the plan or plan amendments and prior to any recommendation to the City Council, the Municipal Planning Board shall hold at least one public hearing, with public notice, on the proposed plan or plan amendment.

This Staff Report fulfill this requirement and will be presented for consideration at the Municipal Planning Board public hearing.

CONCLUSION

Amending the Growth Management Plan to address specific uses (parking, late-night uses, and noise/sound) that could compromise the ability for the City to have the premiere urban neighborhood of Central Florida is an important piece of managing a successful mixed-use Downtown. This proposed policy, coupled with the proposed Land Development Code amendments, will further refine the City's tools to balance the uses and interests that can sometimes conflict within an urban area—where late night uses can come into conflict with other Downtown uses due to their great potential for exterior nuisances.

FINDINGS

In review of the proposed GMP amendment it is found that:

1. The proposed amendment is consistent with the State Comprehensive Plan (Chapter 187, Florida Statutes).
2. The proposed amendment is consistent with the provisions of Chapter 163, Florida Statutes.

RECOMMENDATION

Staff recommends approval of the proposed text amendment to the Growth Management Plan.

POTENTIAL NEXT STEPS

1. Ordinance prepared by the City Attorney's Office.
2. City Council approval of the MPB minutes - June 20, 2022
3. Potential First Reading of Ordinance - July, 18 2022
4. Package forwarded to FDEO for review.
5. City Council adoption of the ordinance 2nd reading—TBD
5. Package forwarded to FDEO for review.
6. Amendment becomes effective 31 days after FDEO package completion.