

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, AMENDING THE LAND  
3 DEVELOPMENT REGULATIONS ASSOCIATED WITH  
4 THE EXISTING WESCO SQUARE PLANNED  
5 DEVELOPMENT ZONING DISTRICT; RELATING TO  
6 CERTAIN LAND GENERALLY LOCATED AT THE  
7 NORTHWEST CORNER OF THE INTERSECTION OF S.  
8 JOHN YOUNG PKWY. AND MILLENIA BLVD., AND  
9 COMPRISED OF APPROXIMATELY 34.1 ACRES OF  
10 LAND; PROVIDING AN AMENDED DEVELOPMENT  
11 PLAN AND AMENDED LAND DEVELOPMENT  
12 REGULATIONS RELATING TO DEVELOPMENT  
13 STANDARDS, URBAN DESIGN, AND  
14 TRANSPORTATION PLANNING; PROVIDING FOR  
15 SEVERABILITY, CORRECTION OF SCRIVENER'S  
16 ERRORS, AND AN EFFECTIVE DATE.  
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18 **WHEREAS**, at its regularly scheduled meeting of October 15, 2013, the  
19 Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"),  
20 considered zoning application case number ZON2013-00021, requesting amendments  
21 to the existing Planned Development ordinance for approximately 34.1 acres of land,  
22 generally located at the northwest corner of the intersection of S. John Young Parkway  
23 and Millenia Boulevard, and more precisely described by the legal description attached  
24 to this ordinance as **Exhibit "A"** (hereinafter the "Property"); and  
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26 **WHEREAS**, based upon the evidence presented to the MPB, including the  
27 information and analysis contained in the "Staff Report to the Municipal Planning Board"  
28 for application case number ZON2013-00021 (entitled "Item #10 – Wesco Square PD  
29 Amendment," and hereinafter referred to as the "Staff Report,"), and subject to certain  
30 conditions, the MPB recommended that the City Council of the City of Orlando, Florida  
31 (the "Orlando City Council"), approve said zoning application and adopt an ordinance in  
32 accordance therewith; and  
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34 **WHEREAS**, zoning application case number ZON2013-00021 is requesting an  
35 amendment to the City's adopted Planned Development zoning ordinance for the  
36 purpose of amending the approved development plan for the Property and to amend  
37 certain land development regulations associated with the Wesco Square Planned  
38 Development zoning district (the "Project"); and  
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40 **WHEREAS**, the MPB found that the Project is consistent with the City's adopted  
41 Growth Management Plan (the "GMP"); and  
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43 **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent  
44 with the intent and purpose of the Planned Development district zoning designation as  
45 established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the "Orlando  
46 City Code"); and

47       **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the  
48 best interest of the public health, safety, and welfare, and is consistent with the  
49 applicable provisions of the City's GMP; and  
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51       **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
52 **OF ORLANDO, FLORIDA, AS FOLLOWS:**  
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54       **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part  
55 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City  
56 Code, the land development regulations associated with the Planned Development  
57 zoning designation for the Property are hereby amended as set forth in this ordinance.  
58 This Planned Development zoning district may be known as the "Wesco Planned  
59 Development."  
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61       **SECTION 2. AMENDED LDRs.** Development on the Property is currently  
62 governed by the Planned Development zoning ordinance adopted by the Orlando City  
63 Council on February 17, 2003 (City Clerk documentary number 030217701; zoning case  
64 number ZON2002-00045; hereinafter referred to as the "Prior PD"). The Prior PD is  
65 hereby amended as follows:  
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67       **1. General**  
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69       1.1   *Other laws.* Except as expressly provided in this ordinance and the Prior  
70 PD, the Property remains subject to all applicable federal, state, and local  
71 laws, and nothing in this ordinance shall be construed to exempt the  
72 Property from the lawful authority or jurisdiction of any federal, state, or  
73 local agency.  
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75       1.2   *Revised Development Plan.* Subject to any modifications expressly  
76 contained in the text of this ordinance, development and maintenance of  
77 the Property must be consistent with the revised development plan  
78 attached to this ordinance as **Exhibit "B"** (hereinafter the "Revised  
79 Development Plan"). In the event of a conflict between the text of this  
80 ordinance and the Revised Development Plan, the text of this ordinance  
81 shall control. References in this ordinance to lots, parcels, buildings,  
82 phases, and other development features refer to such features as  
83 identified on the Revised Development Plan or the development plan  
84 contained within the Prior PD.  
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86       1.3   *Variances and modifications.* Zoning variances and modification of  
87 standards may be approved pursuant to the procedures set forth in Part  
88 2J and Part 2F, Chapter 65, Orlando City Code, respectively.  
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1.4 *Phasing.* The Property may be developed in multiple phases, but if developed in multiple phases, each phase must be developed in a manner that allows the individual phases to function independently of each other. The purpose of this requirement is to ensure that the first phase, and each subsequent phase, can fully function and operate as intended by the Development Plan in the event that subsequent phases are delayed or abandoned.

1.5 The first new development on the Property after the effective date of this ordinance must be approved by master plan in accordance with Part 2H, Chapter 65, of the Land Development Code. Each subsequent phase of development must be approved by a specific parcel master plan ("SPMP"), except that public schools are hereby made exempt from this part. Each SPMP must be reviewed and approved by the planning official before the issuance of a building permit for the respective phase. The planning official shall review the SPMP for conformity with this ordinance and all other applicable law. The Property shall be developed and maintained in accordance with the approved final SPMPs.

1.6 *Uses.* Commercial uses are prohibited on the Property except for portions of the Property that are designated as Neighborhood Activity Center on the City's official future land use maps.

1.7 *Maximum building height.* Buildings on the Property may not exceed 75 feet in height and 6-stories. Buildings on the Property may be up to 75 feet in height without a conditional use permit.

## 2. Urban Design

Unless otherwise provided, the urban design regulations of this part apply to all development on the Property except for public schools.

2.1 *Internal cross access.* If individual sites are developed along Millenia Boulevard or S. John Young Parkway, an internal cross-access system shall be provided to connect these sites to each other. The purpose of this requirement is to internally accommodate intra-Property trips and reduce unnecessary movements onto John Young Parkway and Millenia Boulevard. Cross-access drives must provide for 2-way traffic and be at least 24' wide. The south side (if along Millenia Blvd.) or east side (if along S. John Young Pkwy.) of the cross-access drives must provide a minimum 7.5' wide parkway strip planted with street trees every 50' on-center and a minimum 5' wide sidewalk. Individual parking spaces may be accessed directly from the internal access-drives.

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- 2.2 *Internal pedestrian connections.* Final site plans must show onsite pedestrian connectivity between principal buildings and from principal buildings to sidewalks along public rights-of-way. The final location, configuration, and dimensions of all pedestrian paths and sidewalks are subject to review and approval by the City transportation officials. Pedestrian ramps at street corners must be designed, installed, and maintained to provide a separate ramp in each direction. Internal sidewalks must be at least 5ft. in width and must include disability access ramps where they are part of the shortest path between disabled parking stalls and nearby buildings.
- 2.3 *Crosswalks.* Where sidewalks cross vehicular rights-of-way, colored, striped, or textured pavement must be used to demarcate the continuation of the pedestrian zone across the drive aisle. Reflective paint or tape alone is inadequate to meet this requirement, but may be used in conjunction with other approved treatments. All driveways connecting to City streets must include high-visibility crosswalks which shall comply with FDOT Design Standard Index 17346 or functional equivalent as approved by the City Engineer.
- 2.4 *Fencing.* Chain link fences are prohibited on the Property. All other fencing on the Property must be CPTED-approved fencing such as aluminum or wrought-iron open-picket fencing.
- 2.5 *Parking lot landscaping.* A landscaping plan for each phase of development is subject to the review and approval as part of each SPMP, prior to the issuance of any building permit for the proposed work. The Property must be developed and maintained in accordance with the final approved landscaping plans. Parking lot landscaping plans must conform to section 61.312, Orlando City Code, and other applicable sections of the Code.
- 2.6 *Signs.* Signs for multifamily uses must conform to section 64.257, Orlando City Code. A master sign plan is not required for multifamily and school uses, but for all other uses, a master sign plan shall be submitted for review and approval by the planning official prior to obtaining a building permit for any new signage. The Property must be built and maintained in accordance with the approved sign plan.
- 3. Transportation**
- 3.1 *Communications conduit.* Before the issuance of the first certificate of occupancy for the Property, the Property owner must install communication conduit in the right-of-way along the entire length of the

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Millenia Boulevard frontage of the Property, terminating at the northwest corner of the intersection of Millenia Boulevard and S. John Young Parkway. The purpose of this requirement is to provide for the future installation of City traffic signal communication equipment along Millenia Boulevard. The conduit must be at least 4 inches in diameter and include at least four (4), 1.5-inch inner ducts. The conduit must conform to the City's Engineering Standards Manual or functional equivalent approved by the City Engineer.

- 3.2 *Shared/Cross-Access.* Proposed school site shall be required to provide a vehicular, pedestrian and bicycle connection to the property to the west, when constructed by the adjacent property owner. This connection shall be no more than 300-ft. north of the Millenia Blvd. R-O-W. This roadway connection shall provide an additional access point to the school site.

**SECTION 3. PRIOR PD ORDINANCE.** Except as provided in this ordinance, the Property remains subject to all applicable provisions of the Prior PD.

**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 takes effect upon adoption.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**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 \_\_\_\_\_, 2014.

**DONE, THE SECOND READING, 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 \_\_\_\_\_, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE  
OF THE CITY OF ORLANDO, FLORIDA:

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Mayor / Mayor Pro Tempore

ATTEST, BY THE CLERK OF THE  
CITY COUNCIL OF THE CITY OF  
ORLANDO, FLORIDA:

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City Clerk

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

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City Attorney

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