

1           **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**  
2           **OF ORLANDO, FLORIDA, DESIGNATING CERTAIN**  
3           **LAND GENERALLY LOCATED AT THE SOUTHEAST**  
4           **CORNER OF THE INTERSECTION OF NARCOOSSEE**  
5           **RD. AND CLAPP SIMMS DUDA RD., AND COMPRISED**  
6           **OF 3.657 ACRES OF LAND, MORE OR LESS, AS**  
7           **PLANNED DEVELOPMENT DISTRICT WITH THE**  
8           **AIRCRAFT NOISE OVERLAY DISTRICT ON THE CITY’S**  
9           **OFFICIAL ZONING MAPS; PROVIDING SPECIAL LAND**  
10           **DEVELOPMENT REGULATIONS OF THE**  
11           **NARCOOSSEE OAKS PLANNED DEVELOPMENT**  
12           **DISTRICT; PROVIDING FOR SEVERABILITY,**  
13           **CORRECTION OF SCRIVENER’S ERRORS, AND AN**  
14           **EFFECTIVE DATE.**  
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16           **WHEREAS**, at its regularly scheduled meeting of July 15, 2014, the Municipal  
17 Planning Board (the “MPB”) of the City of Orlando, Florida (the “City”), considered  
18 zoning application case number ZON2014-00015, requesting the Planned Development  
19 zoning district designation, along with the Aircraft Noise zoning overlay district, for  
20 approximately 3.657 acres of land, generally located at the southeast corner of the  
21 intersection of Narcoossee Road and Clapp Simms Duda Road, and more precisely  
22 described by the legal description attached to this ordinance as **Exhibit “A”** (hereinafter  
23 the “Property”); and  
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25           **WHEREAS**, based upon the evidence presented to the MPB, including the  
26 information and analysis contained in the “Staff Report to the Municipal Planning Board”  
27 for application case number ZON2014-00015 (entitled “Item #2 – Narcoossee Oaks  
28 Annexation” and hereinafter referred to as the “Staff Report”), and subject to certain  
29 conditions contained within the Staff Report, the MPB recommended that the City  
30 Council of the City of Orlando, Florida (the “Orlando City Council”), approve said zoning  
31 application and adopt an ordinance in accordance therewith; and  
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33           **WHEREAS**, zoning application case number ZON2014-00015 is requesting the  
34 Planned Development zoning district designation for the purpose of permitting the  
35 development of up to 50,000 square feet of non-residential uses (the “Project”); and  
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37           **WHEREAS**, the MPB found that the Project is consistent with the City’s adopted  
38 Growth Management Plan (the “GMP”) including the applicable goals, objectives, and  
39 policies associated with the Property’s then-proposed Future Land Use Map designation  
40 of Urban Village and the then-proposed Subarea Policy S.40.4; and  
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42           **WHEREAS**, the Orlando City Council hereby finds that the Project is consistent  
43 with the intent and purpose of the planned development district zoning designation as  
44 established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the “Orlando  
45 City Code”); and  
46

47           **WHEREAS**, the Orlando City Council hereby finds that the Project and this  
48 ordinance is in the best interest of the public health, safety, and welfare, and is  
49 consistent with the applicable provisions of the City’s GMP, including the applicable  
50 goals, objectives, and policies associated with the Property’s Future Land Use Map  
51 designation of Urban Village and Subarea Policy S.40.4; and

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53           **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
54 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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56           **SECTION 1. ZONING.** After due notice and public hearing, and pursuant to part  
57 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City  
58 Code, the Property is hereby designated as Planned Development district with the  
59 Aircraft Noise zoning overlay district, on the City’s official zoning maps (to be denoted as  
60 “PD/AN” on the official maps of the City), as depicted in **Exhibit “B”** to this ordinance.  
61 This planned development zoning district may be known as the “Narcoossee Oaks  
62 Planned Development.”

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64           **SECTION 2. OTHER DEVELOPMENT LAWS.** In accordance with section  
65 58.367, Orlando City Code, except as expressly provided in this ordinance, the  
66 Narcoossee Oaks Planned Development zoning district remains subject to all applicable  
67 federal, state, and local laws, and nothing in this ordinance shall be construed to exempt  
68 the Property from the lawful authority or jurisdiction of any federal, state, or local agency.

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70           **SECTION 3. DEFAULT ZONING DISTRICT.** Except as expressly provided  
71 otherwise by this ordinance, the Property shall be governed by the land development  
72 regulations of the AC-1 Community Activity Center District along with the Aircraft Noise  
73 zoning overlay district (denoted as “AC-1/AN” on the official maps of the City).

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75           **SECTION 4. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Planned  
76 Development zoning district for the Property is subject to the following special land  
77 development regulations:

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79           **1) Land Development**

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81           a) *Development Plan.* Subject to any modifications expressly contained in the text  
82 of this ordinance, development and maintenance of the Property must be  
83 consistent with the development plan attached to this ordinance as **Exhibit “C”**  
84 (hereinafter the “Development Plan”). In the event of a conflict between the text  
85 of this ordinance and the Development Plan, the text of this ordinance shall  
86 control. References in this ordinance to lots, parcels, buildings, phases, and  
87 other development features refer to such features as identified on the  
88 Development Plan.  
89

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- 90 b) *Variances and modifications.* Zoning variances and modification of standards  
91 may be approved pursuant to the procedures set forth in Part 2J and Part 2F,  
92 Chapter 65, Orlando City Code, respectively. The planning official may also  
93 approve minor modifications and design modifications to fences, walls,  
94 landscaping, accessory structures, signs, and bufferyard requirements.  
95
- 96 c) *Phasing.* The Property may be developed in multiple phases, but if developed in  
97 multiple phases, each phase must be developed in a manner that allows the  
98 individual phases to function independently of each other. The purpose of this  
99 requirement is to ensure that the first phase, and each subsequent phase, can  
100 fully function and operate as intended by the Development Plan in the event that  
101 subsequent phases are delayed or abandoned.  
102
- 103 d) *Consistency with the GMP.* Development and use of the Property must be  
104 consistent with all applicable goals, objectives, policies, and strategies of the  
105 GMP, including without limitation Subarea Policy S.40.4. All applicable goals,  
106 objectives, policies, and strategies of the GMP, including without limitation  
107 Subarea Policy S.40.4 are hereby incorporated into this ordinance as special  
108 land development regulations of the Narcoossee Oaks Planned Development  
109 zoning district.  
110
- 111 e) *SPMP approval required.* All development on the Property is subject to review  
112 and approval by specific parcel master plan pursuant to Chapter 68, Orlando City  
113 Code. Minor modifications to design standards may be approved as described at  
114 section 68.609(e), Orlando City Code.  
115
- 116 f) *SOSP applicable.* Pursuant to Subarea Policy 40.4 of the GMP and this  
117 ordinance, the Property is included within the Southeast Orlando Sector Plan and  
118 therefore must conform to the applicable land development regulations of  
119 Chapter 68, Orlando City Code.  
120
- 121 g) *Maximum impervious surface ratio.* The impervious surface ratio may not exceed  
122 0.85.  
123
- 124 h) *Building height.* The building height may be no more than three stories, not  
125 exceed 40' in height.  
126
- 127 i) *Uses.* Land uses on the Property must comply with the list of permitted,  
128 conditional, and prohibited land uses for the Village Center designation pursuant  
129 to Chapter 68, Orlando City Code and Policy 4.1.9 of the Future Land Use  
130 Element of the Growth Management Plan, and the AC-1/AN zoning district as  
131 provided by section 3 of this ordinance, except that residential uses are  
132 prohibited. The Village Center designation requires a mixture of land uses on the

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Property. The mixture of land uses shall be reviewed and approved by specific parcel master plan.

- j) *Existing uses and structures.* Lawfully established uses and lawfully constructed structures on the Property as of the effective date of this ordinance are hereby made lawful and conforming to this ordinance.
- k) *Setbacks.* Buildings must be setback from the Property boundaries as follows:
  - i) For Parcel A:
    - (1) Between 0' and 25' in the front yard (facing Narcoossee Road).
    - (2) At least 25' from the northern property boundary (the northern side yard adjacent to Clapp Simms Duda Road).
    - (3) 0' or at least 3' from the southern property boundary (the southern side yard).
    - (4) At least 20' for the rear yard.
  - ii) For Parcel B:
    - (1) At least 25' in the front yard (facing Clapp Simms Duda Road).
    - (2) 0' or at least 3' from the western property boundary (the western side yard).
    - (3) At least 8' from the eastern property boundary (the eastern side yard).
    - (4) At least 20' from the southern property boundary (the rear yard).

**2) Urban Design**

- a) *Signs.* A sign plan for each specific parcel master plan is subject to review and approval by the City planning official. The planning official shall review and approve, deny, or approve with conditions each sign plan by official letter of determination. The Property must be developed and maintained in accordance with the final approved sign plan or plans. In addition to the applicable sign regulations of Chapter 64 and Chapter 68, Orlando City Code, offsite and pole signs are prohibited on the Property.
- b) *Bufferyards.* The Project must provide bufferyards in accordance with Part 2E, Chapter 60, Orlando City Code, except that the bufferyards along the southern and eastern property boundaries must be a "Bufferyard B," without regard for the

178 adjacent land use intensities. The bufferyard along the northern property  
179 boundary (adjacent to Clapp Sims Duda Road) shall be designed, constructed,  
180 and maintained consistent with the following minimum regulations:

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- 182 i) The bufferyard must be at least 25' wide along the entire length of the  
183 Property abutting Clapp Simms Duda Road.
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- 185 ii) The bufferyard must be within the 25' minimum setback area.
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- 187 iii) The bufferyard must provide substantial visual screening from Clapp Simms  
188 Duda Road and must also provide a City-approved, paved, multiuse trail at  
189 least 10' in width along the Property's length along Clapp Simms Duda Road.
- 190
- 191 iv) The landscape buffer must include a variety of native Florida plants designed  
192 to minimize the need for irrigation.
- 193
- 194 v) The bufferyard must include a City-approved canopy tree every 40 lineal feet.
- 195
- 196 vi) The landscape area will be utilized as a transition area, having a more rural  
197 composition traveling east on Clapp Simms Duda Road from Narcoossee  
198 Road.
- 199
- 200 vii) Landscaping design, including plant varieties and amount of visual screening,  
201 is subject to review and approval as part of each applicable specific parcel  
202 master plan.
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- 204 viii) The bufferyard must conform to generally accepted standards of Crime  
205 Prevention Through Environmental Design principles.
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207 **3) Transportation**

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- 209 a) *Parking and circulation.* On-street parking is prohibited on Clapp Simms Duda  
210 Road. Parking spaces are prohibited between Narcoossee Road and structures  
211 on the Property. A drive aisle between Narcoossee Road and a structure on the  
212 Property may be developed if approved by specific parcel master plan.
- 213
- 214 b) *Improvements to Clapp Simms Duda Road.* If the Property owner proposes  
215 improvements, or if Orange County or the City require improvements to the  
216 segment of Clapp Simms Duda Road abutting land subject to a specific parcel  
217 master plan, such improvements must be complete and accepted by the  
218 authority having jurisdiction before the issuance by the City of any certificate of  
219 occupancy for a principal building on the land subject to the respective specific  
220 parcel master plan. Such improvements must include street lighting in  
221 accordance with the plans and specifications of the authority having jurisdiction.
- 222

223 c) *Pedestrian connections.* The main entrances of the principal buildings facing  
224 Narcoossee Road and Clapp Simms Duda Road must be oriented toward  
225 Narcoossee Road or Clapp Simms Duda Road, as applicable. These entrances  
226 must provide a paved pedestrian connection directly to the public sidewalk along  
227 Narcoossee Road or Clapp Simms Duda Road, as applicable. These pedestrian  
228 connections must be paved to at least 5' in width.  
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230 **SECTION 5. SCRIVENER'S ERROR.** The City Attorney may correct scrivener's  
231 errors found in this ordinance by filing a corrected copy of this ordinance with the City  
232 Clerk.  
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234 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its  
235 application to any person or circumstance is held invalid, the invalidity does not affect  
236 other provisions or applications of this ordinance which can be given effect without the  
237 invalid provision or application, and to this end the provisions of this ordinance are  
238 severable.  
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240 **SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon the effective  
241 date of City of Orlando Ordinance #2014-54, relating to the Property's Annexation,  
242 Future Land Use Map designation and Subarea Policy S.40.4.  
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244 **DONE, THE FIRST READING,** by the City Council of the City of Orlando,  
245 Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.  
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247 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City  
248 of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this \_\_\_\_\_ day  
249 of \_\_\_\_\_, 2014.  
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251 **DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE,** by an  
252 affirmative vote of a majority of a quorum present of the City Council of the City of  
253 Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_,  
254 2014.  
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BY THE MAYOR/MAYOR PRO TEMPORE  
OF THE CITY OF ORLANDO, FLORIDA:

ORDINANCE NO. 2014-57

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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

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