

**AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE PLANNED DEVELOPMENT ZONING DISTRICT REGULATIONS FOR THE LAKE NONA PLANNED DEVELOPMENT, GENERALLY LOCATED NORTH OF THE ORANGE-OSCEOLA COUNTY LINE, SOUTH OF DOWDEN RD., EAST OF BOGGY CREEK RD., AND WEST OF NARCOOSSEE RD., AND COMPRISED OF 6,969 ACRES, MORE OR LESS; AMENDING THE PLANNED DEVELOPMENT DISTRICT'S DEVELOPMENT STANDARDS, SITE PLANS, AND CONDITIONS OF DEVELOPMENT; DIRECTING AMENDMENT OF THE OFFICIAL ZONING MAP SERIES; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.**

**WHEREAS**, at its regularly scheduled meeting of August 15, 2017, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered zoning application case number ZON2017-00019, requesting an amendment to the maximum building height for Parcel 22A on property located on approximately 6,969 acres of land generally located north of the Orange-Osceola county line, south of Dowden Rd., east of Boggy Creek Rd., and west of Narcoossee Rd., and more precisely described by the legal description attached to this Ordinance as Exhibit "A" (the "Property"); and

**WHEREAS**, based upon the evidence presented to the MPB, including the information and analysis contained in the staff report for application case number ZON2017-00019 (entitled "Lake Nona Parcel 22A PD Amendment" and hereinafter referred to as the "Staff Report"), and subject to certain conditions, the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council") approve said zoning application and adopt an ordinance in accordance therewith; and

**WHEREAS**, the MPB has found that approval of the application is consistent with the City's adopted Growth Management Plan (the "GMP"); and

**WHEREAS**, on October 15, 2001, the Orlando City Council approved an ordinance establishing a Planned Development zoning district on the Property, referenced as Documentary #011015702; and

**WHEREAS**, said Planned Development zoning district is commonly known as the Lake Nona Planned Development (hereinafter the "PD"); and

**WHEREAS**, on October 25, 2004, the Orlando City Council approved an ordinance amending and restating the PD, referenced as Documentary #041025916; and

**WHEREAS**, on July 25, 2005, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary #050725904; and

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48       **WHEREAS**, on August 20, 2007, the Orlando City Council approved an ordinance  
49 amending and restating the PD, referenced as Documentary #0708201010; and  
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51       **WHEREAS**, on March 17, 2008, the Orlando City Council approved an ordinance  
52 amending the PD, referenced as Documentary #0803171001; and  
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54       **WHEREAS**, on June 18, 2012, the Orlando City Council approved an ordinance amending  
55 the PD, referenced as Documentary #1206181201; and  
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57       **WHEREAS**, on October 21, 2013, the Orlando City Council approved an ordinance  
58 amending the PD, referenced as Documentary #1310211201; and  
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60       **WHEREAS**, on July 13, 2015, the Orlando City Council approved an ordinance amending  
61 the PD, referenced as Documentary #1507131205; and  
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63       **WHEREAS**, on September 26, 2016, the Orlando City Council approved an ordinance  
64 amending the PD, referenced as Documentary 1609261205 (Documentary #0708201010,  
65 Documentary #0803171001, Documentary #120618201, Documentary #1206181201,  
66 Documentary #1310211201, Documentary #1507131205 and Documentary 1609261205)  
67 collectively hereinafter referred to as the “PD Ordinance”)  
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69       **WHEREAS**, the Property is also subject to the Development Order for the Lake Nona  
70 Development of Regional Impact, as amended; and  
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72       **WHEREAS**, the City Council has held a duly noticed public hearing regarding further  
73 proposed amendments to the PD and agrees that such changes will benefit the PD and the  
74 community-at-large; and  
75

76       **WHEREAS**, the Orlando City Council hereby finds that this ordinance is consistent with  
77 the intent and purpose of the Planned Development District zoning designation as established by  
78 Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the “Orlando City Code”); and  
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80       **WHEREAS**, the Orlando City Council hereby finds that this ordinance is in the best  
81 interest of the public health, safety, and welfare, and is consistent with the applicable provisions  
82 of the City’s GMP; and  
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84       **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
85 **OF ORLANDO, FLORIDA, AS FOLLOWS:**  
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87       **SECTION 1. ZONING AMENDMENT.** After due notice and public hearing, and  
88 pursuant to Chapter 58, Orlando City Code, and other relevant portions of the Orlando City Code,  
89 the land development regulations established by the PD Ordinance, are hereby amended, as  
90 follows:  
91

# ORDINANCE NO. 2017-57

*Building heights.* Section Three, Part E, of the PD Ordinance is hereby amended to read as follows:

## E. Maximum Building Height Standards.

The SETDRC may approve an alternate height standard for any individual parcel through the SPMP process. Unless an alternative height is approved, the height limitations in the following table shall apply.

Parcel	Land Use Category	Max. Height (Stories)
1	Residential Neighborhood - LNGCC	3
2 - 5	Residential Neighborhood	2
6 - 7	Neighborhood Center	3
8	Civic, Residential Center	3
9	Airport Support District - High Intensity	2
10	Airport Support District - Medium Intensity	10
11A	Residential Neighborhood	2
11B	Village Center	4
12	Residential Neighborhood	2
13A	Residential Neighborhood	2
13B	Residential Center	3
14A	Village Center	4
14B	Civic – School	3
15A, B	Airport Support District - High Intensity	5
15C	Civic	2
16 -19	Airport Support District - High Intensity	5
20A, B	Airport Support District - High Intensity	10
21A, B	Airport Support District - High Intensity	10
22A	Village Center	<del>10-16</del>
22B	Village Center/Urban Transit	10
23A	Village Center	10
23B	Village Center/Urban Transit	10
23C	Village Center	10
24A	Village Center/Urban Transit	10
24B	Village Center	10
24C	Airport Support District – High Intensity	10
24D	Civic – Open Space	4
25	Residential Neighborhood	2
26	Residential Neighborhood	2
27A, B	Residential Neighborhood	2
27C	Residential Neighborhood	2
28A, B	Residential Neighborhood	3
28C, D	Neighborhood Center	4

ORDINANCE NO. 2017-57

Parcel	Land Use Category	Max. Height (Stories)
28E	Village Center	10
29	Village Center	3
30A	Civic – School	4
30B	Village Center	3
31	Village Center	3
32A, B	Airport Support District - High Intensity	2
33	Civic	2
34	SMA	0

**SECTION 2. PRIOR ORDINANCES.** Except as provided in this ordinance, the Property remains subject to all applicable provisions of the PD 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. AMENDMENT OF OFFICIAL ZONING MAP.** The City zoning official, or designee, is hereby authorized and directed to amend and correct the City's official zoning map in accordance with the provisions of this ordinance.

**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. DISCLAIMER.** In accordance with Section 166.033(5), Florida Statutes, the issuance of this development permit does not in any way create any right on the part of the applicant to obtain a permit from a state or federal agency, and does not create any liability on the part of the City for issuance of this permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law. All other applicable state or federal permits must be obtained before commencement of the development authorized by this development permit.

**SECTION 7. PENALTIES.** Failure to comply with the requirements of this ordinance constitutes a violation of the Orlando City Code and shall be punishable as provided therein.

**SECTION 8. EFFECTIVE DATE.** This ordinance takes effect immediately upon its final passage.

**DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

ORDINANCE NO. 2017-57

**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 \_\_\_\_\_, 2017.

**DONE, THE SECOND READING AND 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 \_\_\_\_\_, 2017.

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

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

\_\_\_\_\_  
Assistant City Attorney