

1 **AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,**
2 **AMENDING THE PLANNED DEVELOPMENT ZONING**
3 **DISTRICT REGULATIONS FOR THE LAKE NONA**
4 **PLANNED DEVELOPMENT, GENERALLY LOCATED**
5 **NORTH OF THE ORANGE-OSCEOLA COUNTY LINE,**
6 **SOUTH OF DOWDEN RD., EAST OF BOGGY CREEK RD.,**
7 **AND WEST OF NARCOOSSEE RD., AND COMPRISED OF**
8 **6,969 ACRES, MORE OR LESS; AMENDING THE**
9 **PLANNED DEVELOPMENT DISTRICT’S DEVELOPMENT**
10 **STANDARDS, MIX OF USES, AND CONDITIONS OF**
11 **DEVELOPMENT; DIRECTING AMENDMENT OF THE**
12 **OFFICIAL ZONING MAP SERIES; PROVIDING FOR**
13 **SEVERABILITY, CORRECTION OF SCRIVENER’S**
14 **ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE**
15 **DATE.**

16
17 **WHEREAS**, at its regularly scheduled meeting of October 17, 2017, the Municipal
18 Planning Board (the “MPB”) of the City of Orlando, Florida (the “City”), considered zoning
19 application case number ZON2017-10005, requesting an amendment to the development
20 standards, mix of uses, and conditions for property located on approximately 6,969 acres of land
21 generally located north of the Orange-Osceola county line, south of Dowden Rd., east of Boggy
22 Creek Rd., and west of Narcoossee Rd., and more precisely described by the legal description
23 attached to this Ordinance as Exhibit “A” (the “Property”); and
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25 **WHEREAS**, based upon the evidence presented to the MPB, including the information
26 and analysis contained in the staff report for application case number ZON2017-10005 (entitled
27 “Lake Nona Parcel 10 and 11 Amendment” and hereinafter referred to as the “Staff Report”), and
28 subject to certain conditions, the MPB recommended that the City Council of the City of Orlando,
29 Florida (the “Orlando City Council”) approve said zoning application and adopt an ordinance in
30 accordance therewith; and
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32 **WHEREAS**, the MPB has found that approval of the application is consistent with the
33 City’s adopted Growth Management Plan (the “GMP”); and
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35 **WHEREAS**, on October 15, 2001, the Orlando City Council approved an ordinance
36 establishing a Planned Development zoning district on the Property, referenced as Documentary
37 #011015702; and
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39 **WHEREAS**, said Planned Development zoning district is commonly known as the Lake
40 Nona Planned Development (hereinafter the “PD”); and
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42 **WHEREAS**, on October 25, 2004, the Orlando City Council approved an ordinance
43 amending and restating the PD, referenced as Documentary #041025916; and
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45 **WHEREAS**, on July 25, 2005, the Orlando City Council approved an ordinance amending
46 the PD, referenced as Documentary #050725904; and

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WHEREAS, on August 20, 2007, the Orlando City Council approved an ordinance amending and restating the PD, referenced as Documentary #0708201010; and

WHEREAS, on March 17, 2008, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary #0803171001; and

WHEREAS, on June 18, 2012, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary #1206181201; and

WHEREAS, on October 21, 2013, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary #1310211201; and

WHEREAS, on July 13, 2015, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary #1507131205; and

WHEREAS, on September 26, 2016, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary 1609261205 (Documentary #0708201010, Documentary #0803171001, Documentary #120618201, Documentary #1206181201, Documentary #1310211201, Documentary #1507131205 and Documentary 1609261205); and

WHEREAS, on October 23, 2017, the Orlando City Council approved an ordinance amending the PD, referenced as Documentary 1710231202; (collectively hereinafter referred to as the “PD Ordinance”)

WHEREAS, the Property is also subject to the Development Order for the Lake Nona Development of Regional Impact, as amended; and

WHEREAS, the City Council has held a duly noticed public hearing regarding further proposed amendments to the PD and agrees that such changes will benefit the PD and the community-at-large; and

WHEREAS, the Orlando City Council hereby finds that this ordinance is consistent with the intent and purpose of the Planned Development District zoning designation as established by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the “Orlando City Code”); 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 City’s GMP; and

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

SECTION 1. ZONING AMENDMENT. After due notice and public hearing, and pursuant to Chapter 58, Orlando City Code, and other relevant portions of the Orlando City Code,

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the land development regulations established by the PD Ordinance, are hereby amended, as follows:

- 1.1. Master plan. Exhibit “C” of the PD Ordinance is hereby amended to delete, remove, and supersede Master Plan 8.5 and replace the same with Master Plan 8.6, attached hereto and incorporated herein as Exhibit “C.” All references to Master Plan 8.5 in the PD Ordinance are hereby deemed to mean Master Plan 8.6.
- 1.2. Limits of residential development. Exhibit “E” of the PD Ordinance is hereby amended to delete, remove, and supersede “Limits of Residential Development” and replace the same with “Limits of Residential Development” attached hereto and incorporated herein as Exhibit “E.” All references to “Limits of Residential Development” in the PD Ordinance are hereby deemed to mean as revised to incorporate the base map of Master Plan 8.6.
- 1.3. Conceptual transit corridors. Exhibit “F” of the PD Ordinance is hereby amended to delete, remove, and supersede “Conceptual Transit Corridor” and replace the same with “Conceptual Transit Corridor” attached hereto and incorporated herein as Exhibit “F.” All references to “Conceptual Transit Corridor” in the PD Ordinance are hereby deemed to mean as revised to incorporate the base map of Master Plan 8.6.
- 1.4. 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
10A	Airport Support District-Medium Intensity	10
10B	Airport Support District - Medium Intensity	10
10C	Civic	1
10D	Civic	1
11A	Residential Neighborhood-Village Center	≥ 4
11B	Village Center	4

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Parcel	Land Use Category	Max. Height (Stories)
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	16
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
28E	Village Center	10
28F	<u>Neighborhood Center</u>	<u>3</u>
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
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1.5. Parcel 7. Section Three of the PD Ordinance is hereby amended to read as follows:

Q. Parcel 7

Neighborhood Center Parcel 7 may include one building that does not meet the setback requirements of Chapter 68, Code of the City of Orlando, as approved in MPL2011-00030 and MPL2017-10008, as may be amended from time to time.

131 **SECTION 2. PRIOR ORDINANCES.** Except as provided in this ordinance, the
132 Property remains subject to all applicable provisions of the PD Ordinance.
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134 **SECTION 3. SCRIVENER'S ERROR.** The city attorney may correct scrivener's errors
135 found in this ordinance by filing a corrected copy of this ordinance with the city clerk.
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137 **SECTION 4. AMENDMENT OF OFFICIAL ZONING MAP.** The City zoning
138 official, or designee, is hereby authorized and directed to amend and correct the City's official
139 zoning map in accordance with the provisions of this ordinance.
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141 **SECTION 5. SEVERABILITY.** If any provision of this ordinance or its application to
142 any person or circumstance is held invalid, the invalidity does not affect other provisions or
143 applications of this ordinance which can be given effect without the invalid provision or
144 application, and to this end the provisions of this ordinance are severable.
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146 **SECTION 6. DISCLAIMER.** In accordance with Section 166.033(5), Florida Statutes,
147 the issuance of this development permit does not in any way create any right on the part of the
148 applicant to obtain a permit from a state or federal agency, and does not create any liability on the
149 part of the City for issuance of this permit if the applicant fails to obtain requisite approvals or
150 fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a
151 violation of state or federal law. All other applicable state or federal permits must be obtained
152 before commencement of the development authorized by this development permit.
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154 **SECTION 7. PENALTIES.** Failure to comply with the requirements of this ordinance
155 constitutes a violation of the Orlando City Code and shall be punishable as provided therein.
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157 **SECTION 8. EFFECTIVE DATE.** This ordinance takes effect when the associated
158 Growth Management Plan amendments for Lake Nona (Ordinance #2017-70 and Ordinance
159 #2017-71) become effective.
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161 **DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at
162 a regular meeting, this _____ day of _____, 2017.
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164 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of
165 Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of
166 _____, 201__.
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168 **DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL**
169 **PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council of the
170 City of Orlando, Florida, at a regular meeting, this _____ day of _____,
171 2018.
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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