

ORDINANCE NO. 2018-14

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY**
2 **OF ORLANDO, FLORIDA, AMENDING THE DOWNTOWN**
3 **SPORTS AND ENTERTAINMENT DISTRICT PLANNED**
4 **DEVELOPMENT ZONING DISTRICT TO ADD**
5 **APPROXIMATELY 0.61 ACRES OF LAND GENERALLY**
6 **LOCATED AT THE SOUTHEAST CORNER OF SOUTH**
7 **DIVISION AVENUE AND WEST CENTRAL BOULEVARD;**
8 **PROVIDING SPECIAL LAND DEVELOPMENT**
9 **REGULATIONS; PROVIDING FOR AMENDMENT OF**
10 **THE CITY’S OFFICIAL ZONING MAP; PROVIDING FOR**
11 **SEVERABILITY, CORRECTION OF SCRIVENER’S**
12 **ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE**
13 **DATE.**

14
15 **WHEREAS**, at its regularly scheduled meeting of November 21, 2017, the
16 Municipal Planning Board (the “MPB”) of the City of Orlando, Florida (the “City”),
17 considered zoning application case number ZON2017-10009, requesting an amendment
18 to the Downtown Sports and Entertainment District Planned Development zoning district
19 (City Ordinance #2014-21), generally located south of West Central Boulevard, north of
20 West Church Street, east of South Division Avenue, and west of South Hughey Avenue,
21 comprising approximately 7.82 acres of land (the “SED Planned Development”); and
22

23 **WHEREAS**, zoning application case number ZON2017-00013 is requesting an
24 amendment to add approximately 0.61 acres of land to the SED Planned Development
25 zoning district and to modify the site layout including an enlargement of the outdoor event
26 space (the "Project"); and
27

28 **WHEREAS**, based upon the evidence presented to the MPB, including the
29 information and analysis contained in the “Staff Report to the Municipal Planning Board”
30 for application case number ZON2017-10009 (entitled “Item #8–SED Planned
31 Development Amendment” and referred to as the “staff report”), and subject to certain
32 conditions contained within the staff report, the MPB recommended that the Orlando City
33 Council approve said zoning application and adopt an ordinance in accordance therewith;
34 and
35

36 **WHEREAS**, the MPB found that the Project is consistent with the City’s adopted
37 Growth Management Plan (the “GMP”) including the applicable goals, objectives and
38 policies associated with the Property’s Future Land Use Map designation of Urban Activity
39 Center; and
40

41 **WHEREAS**, the Orlando City Council finds that the Project is consistent with the
42 intent and purpose of the planned development district zoning designation as established
43 by Part 2Q, Chapter 58, Code of the City of Orlando, Florida (the “Orlando City Code”);
44 and
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46 **WHEREAS**, the Orlando City Council finds that the Project and this ordinance are
47 in the best interest of the public health, safety, and welfare, and is consistent with the
48 applicable provisions of the City's GMP, including the applicable goals, objectives, and
49 policies associated with the Property's Future Land Use Map designation of Urban Activity
50 Center.

51
52 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
53 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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55 **SECTION 1. PD AMENDMENT.** The SED Planned Development is amended to
56 add 0.61 acres of land at the southeast corner of Division Avenue and West Central
57 Boulevard to comprise a total of 8.4 acres, more or less, generally located south of West
58 Central Boulevard, north of West Church Street, east of South Division Avenue, and west
59 of South Hughey Avenue, and more particularly described in **Exhibit A**, which exhibit is
60 attached and incorporated into this ordinance (the "Property").

61
62 **SECTION 2. ZONING DESIGNATION.** After due notice and public hearing, and
63 pursuant to part 2Q, Chapter 58, Orlando City Code, and other relevant portions of the
64 Orlando City Code, a portion of the Property described in **Exhibit A**, the 0.61 acres of land
65 generally located at the southeast corner of South Division Avenue and West Central
66 Boulevard, more precisely shown on the existing and proposed maps attached to this
67 ordinance as **Exhibit B**, which exhibit is incorporated into this ordinance (the "PD
68 Amendment Property"), is rezoned from the Urban Activity Center zoning district with the
69 Traditional City and Parramore Heritage overlay districts (AC-2/T/PH), to the Planned
70 Development zoning district with the Traditional City and Parramore Heritage overlay
71 districts (to be denoted as "PD/T/PH" on the official zoning maps of the City), and is
72 incorporated into the existing planned development zoning district known as the "SED
73 Planned Development."

74
75 **SECTION 3. OTHER DEVELOPMENT LAWS.** In accordance with section 58.367,
76 Orlando City Code, except as expressly provided in this ordinance, the SED Planned
77 Development zoning district remains subject to all applicable federal, state, and local laws,
78 and nothing in this ordinance shall be construed to exempt the Property from the lawful
79 authority or jurisdiction of any federal, state, or local agency.

80
81 **SECTION 4. DEFAULT ZONING DISTRICT.** Except as expressly provided
82 otherwise by this ordinance, the Property is governed by the land development regulations
83 of the AC-2/T/PH zoning district.

84
85 **SECTION 5. SPECIAL LAND DEVELOPMENT REGULATIONS.** The Property is
86 subject to the following special land development regulations:

87
88 **A. Land Development**

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1. *Development Plan.* Subject to any modifications expressly contained in the text of this ordinance, development and maintenance of the Property must be consistent with the conceptual development plan attached to this ordinance as **Exhibit C** (the “Development Plan”). In the event of a conflict between the text of this ordinance and the Development Plan, the text of this ordinance controls. References in this ordinance to lots, parcels, buildings, phases, and other development features refer to such features as identified on the Development Plan.
2. *Variances and modifications.* Zoning variances and modification of standards may be approved pursuant to the procedures set forth in Part 2J and Part 2F, Chapter 65, Orlando City Code, respectively. The planning official may also approve minor modifications and design modifications to fences, walls, landscaping, accessory structures, signs, and bufferyard requirements.
3. *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.
4. *Site Plans.* Each phase of development is subject to Master Plan and Final Site Plan review and approval pursuant to Part 2H, Chapter 65, Orlando City Code. Development on the Property must be built and maintained consistent with final and approved master plans and final site plans. Modifications to the Development Plan may be approved by master plan. Each master plan application must include the following:
 - a. Architectural elevations for all proposed buildings and vertical structures for review and approval.
 - b. Site plan dimensions, grading plans, roadway cross-sections, lighting plans, utility plans, landscape plans, hardscape plans, sign plans, trash, service areas, and plans for mechanical equipment. Plans must include color call-outs and specifications for buildings, surface materials, and landscaping.
 - c. A phasing plan that demonstrates that each phase or sub-phase is providing adequate facilities, utilities, parking, drainage, and impervious surface to support development in the event that subsequent phases or sub-phases are delayed or abandoned.
 - d. A master sign plan. The master sign plan for each parcel is subject to review and approval for consistency with this ordinance and applicable Orlando City Code. The master sign plan must include the plaza layout, building sizes and locations, and sign type and size. The master sign plan may exceed Orlando City Code requirements for dimension, location, height and type, provided the master sign plan appropriately balances the need and desire to promote and protect the aesthetic beauty of the City of Orlando with the need and desire to promote and identify important

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commercial districts through the use of electronic media. The Project shall have a master sign plan substantially similar to the master sign plan depicted and described in **Exhibit D**, attached hereto and incorporated herein.

5. *Maximum development program.* The maximum permitted development program is as follows:

- a. Office use – 200,000 square feet
- b. Retail use – 166,000 square feet
- c. Hotel – 250 rooms
- d. Convention Hall/Expo use – 80,000 square feet
- e. Residential use – 310 dwelling units

Master plans approved pursuant to this ordinance may approve development programs that exceed these numerical standards by up to 20% if approval of the master plan is made in conjunction with a finding that traffic and other land use impacts of the enhanced development program is appropriately mitigated by conditions of the applicable master plan. An increase in the development program must meet the criteria in Part 6B, Chapter 58 of the Orlando City Code and cannot exceed the limit for Urban Activity Centers in the Growth Management Plan.

6. *Uses.* Land uses on the Property must comply with the list of permitted, conditional, and prohibited land uses for the Urban Activity Center zoning district as provided by section 4 of this ordinance, except that open air market use and mobile food vending use are permitted uses subject to regular City permitting requirements for outdoor assemblies pursuant to Chapter 18A, Orlando City Code, if applicable, and other applicable City ordinances or temporary use permits.

7. *Outdoor festival plaza.* For purposes of section 33.10, and any other applicable sections of the Orlando City Code, a “licensed premises” may include parts or all of the Project festival or event plaza (whether on the ground floor or on upper floors out-of-doors) if so approved by the state authority having jurisdiction pursuant to the Florida Beverage Law.

8. *Floor Area Ratio (FAR).* An intensity bonus of 0.80 FAR is available for the Project, and the overall non-residential intensity of the Project with the intensity bonus must not exceed 1.80 FAR.

9. *Impervious Surface Ratio (ISR).* The impervious surface ratio for the Property cannot exceed 0.90.

10. *Height.* Maximum building height may exceed the 100 ft. limit of the default AC-2 district, subject to review as part of the specific parcel master plans for each development site.

11. *Temporary uses.* Temporary uses occurring on the Property prior to development will be subject to administrative review. The duration of any temporary use is limited to a maximum of two years. Every site for temporary use parking must 1) provide a driving and parking surface of a minimum of 6 in. of DTO #4 stone or larger; alternatively, a 4 in. asphalt millings base with 1

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in. of asphalt topping is acceptable, provided the site is reviewed by the Owner and the City Engineer at the 18-month mark to determine proper maintenance of the surface, should the use of the lots be extended beyond two years; 2) pave the first 15 ft. or more drive aisle into the site with asphalt or concrete; 3) provide lighting, stormwater retention and handicapped access as required by applicable codes; and 4) be screened by construction fencing or a podocarpus hedge at a min. height of 36 inches.

12. *Expiration.* This SED PD expires 5 years from adoption and the land will revert to the default zoning unless a building permit for vertical development is issued.

B. Urban Design

1. *Appearance Review Board (ARB) Approval Required*

- a. This Project is located in the Downtown Development Board/Community Redevelopment Area (DDB/CRA) Overlay District, which requires review by the Appearance Review Board (ARB) for any new construction, substantial improvement, major and/or minor exterior changes visible from the public ROW.
- b. An ARB Courtesy Review is required for major projects prior to the MPB hearing for any SPMP for each phase or sub-phase of the SED PD.
- c. An ARB Major Certificate of Appearance Approval (CofAA) for any new construction, substantial improvement or major modification visible from the right-of-way is required prior to submittal of building permits for that phase or sub-phase.

2. *Streetscape*

- a. Design Guidelines-All streetscape in the SED PD must be designed and constructed in accordance with the Downtown Orlando Streetscape Guidelines.
- b. Maintenance-The property owner must provide a City Services Easement for any portion of the 15-foot streetscape zone outside of the right-of-way in order to allow City maintenance of those portions of the streetscape zone outside of the right-of-way.
- c. Minimum width-At a minimum, the streetscape on S. Division Avenue, W. Central Avenue, S. Hughey Avenue and W. Church Street must be 15-feet from back of curb and must provide a 6-foot Streetscape Furniture and Street Tree Zone combined with an unencumbered 9-foot Pedestrian Clear Zone. A minimum 9-foot Pedestrian Clear Zone must be provided adjacent to all on-street parking areas.
- d. Division Avenue-The existing streetscape design on Division Avenue between Church Street and Central Boulevard must be maintained, or replaced as designed, if removed or damaged because of construction activities.
- e. W. Central Blvd. and S. Hughey Ave.-The streetscape treatment on Central and Hughey must match Treatment 4 of the streetscape design guidelines. This includes double-acorn street lights, large 5'x10' tree wells with high-

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rise live oak street trees, a 5'x5' sidewalk grid with a 2" troweled edge and a medium broom finish.

- f. Church Street streetscape-In order to be consistent with and to maintain a cohesive, integrated environment with the existing Amway Center streetscape, the patterns, materials and landscape palette of the existing W. Church Street streetscape must be maintained or replicated along W. Church Street and in the proposed plaza area. The placement of the existing medjool palm trees must be mirrored on the north side of the street in front of the Project.
- g. Curbing - Unless otherwise approved through a future SPMP Master Plan or ARB Major Review all streets must have Type "F" curb with gutter.
- h. Structural Soil - To minimize root damage to adjacent pavement areas structural soil or a Planning Official approved equivalent must be installed around all canopy street trees consistent with Detail 3.4-O and 3.4-P of the Downtown Streetscape Guidelines.
- i. Root Barriers - Where a canopy tree is installed within 10 feet of any existing or proposed underground utility line, a root barrier 2' in height and at least 10' in length must be installed along the underground utility or the utility may be wrapped in the root barrier.
- j. Crosswalks – The 15-foot minimum streetscape zone from back of curb must be the priority in all instances. Crosswalks at driveways and curb cuts must be raised to be at the same grade as the sidewalk adjacent to the driveway in order to clearly define the pedestrian area. The driveway slope transition from street grade to the sidewalk grade must occur in the 6-foot Streetscape Furniture Zone. The crosswalk surface must be treated with the same streetscape treatment materials as the sidewalk surface, or a contrasting material color or texture from the vehicular use area. Reflective paint alone is not acceptable, however may be used in conjunction with pavers or other surface to outline the pedestrian path for night time safety. Refer to Detail 3.2K of the streetscape guidelines for more information.
- k. Sidewalk Café / Outdoor Dining - Outdoor dining areas that utilize street right-of-way will require a Sidewalk Café Permit (SWC Permit). All outdoor dining areas, whether in or out of the right-of-way will require an ARB Minor Certificate of Appearance Approval for layout, furniture and stanchions prior to opening for business.
- l. Vehicle Drop-Off and Pick-Up Areas – Off-Street Vehicle Drop-Off and Pick-Up Areas must preserve and occur outside the dedicated 15-foot Streetscape zone, with an additional 5-ft buffer placed between the sidewalk and the drop-off area.
- m. Hughey and Division Vehicle Access and Turnaround Areas – In order to preserve the viability of the proposed "Pine Street Pedestrian Non-Vehicular ROW" depicted on the Conceptual Development Plan, a minimum 15-foot wide pedestrian zone must be provided on both the north and south side of the Hughey and Division Vehicular Use Areas.

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- n. All above ground utility lines must be placed underground during construction of the proposed streetscape improvements.
 - o. St. Augustine Turf – The use of St. Augustine sod in planting areas inside the right-of-way is prohibited because of the turf's high water needs. Alternative turfs such as Argentinean Bahia, Zoisa or groundcovers are encouraged.
 - p. Irrigation - The irrigation plan for all phases and sub-phases of the SED PD must be designed for water efficiency and incorporate at least one of the following: 1) low-volume drip systems and emitters; 2) weather-based evapotranspiration (ET) controller; or 3) at least one soil-moisture sensor. Spray heads must have pressure-compensating features. Impact sprinklers cannot be used.
3. *Service Areas, Mechanical Equipment, Utilities, Venting*
- a. Service Area/Utilities - All utilities, trash disposal pick-up, and other maintenance facilities must be located on the interior of the parking garages or buildings, and not adjacent to the pedestrian sidewalks or streetscape zones to the fullest extent possible.
 - b. Mechanical Equipment - All ground and roof mounted mechanical equipment must be screened and meet the conditions of the LDC including transformers, traffic signal control boxes, and other above ground utility structures.
 - c. Telecommunications Equipment Screening - Telecommunications equipment (including any communications equipment required by the Police Department) installed on a rooftop must be shielded or screened from view.
 - d. Streetscape - In no instance can any above grade transformer, utility box, traffic signal control box, or backflow preventer be located in the 15-foot streetscape zone. Each phase or sub-phase will be reviewed during the SPMP to ensure such equipment is maintained inside accessible rooms, recesses and spaces integrated into the architecture of each phase.
 - e. Venting & Exhaust - All restaurant venting and restaurant exhaust must be directed to the roof of the building, must not be visible from the public right-of-way. Exhaust is not permitted on any façade of the building. All other venting for mechanical and utilities must be a minimum of 12 ft. above grade, must be designed and integrated with the building so as to be seamless with the overall architecture of the building and must not vent over primary pedestrian areas.
 - f. Backflow Preventer - backflow preventer/s (BFP) must be located on the interior of parking garages and service areas and should not be visible from any service area.
 - g. Dumpsters - All dumpsters and trash compactors must be internal to buildings and screened with solid walls to match the principal structure. Decorative gates must be installed to coordinate with principal structure and must be painted to match the color of the enclosure walls.

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- h. Fencing - Any fencing on the site must be an open, CPTED-approved fence, such as welded wire, architectural mesh or aluminum picket fencing. Chain link fencing is prohibited (except for construction fencing).

4. *Architecture*

- a. Materials - Durable materials such as stone, brick, pre-cast, etc. are required at the ground level. Stucco may be appropriate on upper levels, but not at the base of any building.
- b. Architectural Form – All buildings must be designed to express a unique base, middle and distinctive skyline architecture.
- c. Principal Entrances — All buildings must have at least one entrance oriented directly toward (i.e. parallel to) the public street. Principal pedestrian entrances from the right-of-way must be architecturally treated and emphasized with canopies, awnings, hardscape, landscape or other material changes at the ground level.
- d. Articulation – Not more than 30 feet of any exterior façade must be unbroken by architectural changes such as materials, colors, patterns, windows, columns, canopies, recesses, projections, etc.
- e. Transparency – The ground floor building walls of all structures facing a right-of-way must contain a minimum of 15% of transparent materials, located between 3 and 7 feet measured from ground level. All other floors must also have 15% transparency. Reflective glass and glass block are not counted as transparent materials. Transparent materials on walls not parallel to the street and on doors cannot be counted toward the minimum transparency requirement.
- f. Glazing - All glass at the ground level must be clear. Minimum light transmittance must be 80%. High performance or low-e glass may be considered as an alternative with a minimum transmittance of 60%. No windows can be dry-walled, or have permanent partitions installed on the interior to block natural surveillance. Tinted or reflective glass cannot be permitted. Spandrel glass cannot be counted toward transparency.
- g. Exterior Doors – At a minimum a 4-inch by 6-inch view panel must be provided in all exterior solid doors to provide visibility for entering and exiting pedestrians.
- h. Stormwater Run-off - Water cannot flow across the streetscape or plaza areas from any downspout, nor can any downspout project into the public ROW. Canopies must incorporate downspouts or other rain water management systems to prevent water spill onto the pedestrian path or ROW. Exposed rooftop overflow spouts must incorporate a trench drain from the spout to the street so rooftop overflow does not sheet flow across sidewalks or streetscape zones.
- i. Models - Prior to permitting, a physical 1"= 100' model of the principal structures of the PD must be provided for the DDB/CRA model.

5. *Parking Garages*

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- a. Parking Garage Articulation – Parking garages must be designed to not have a “back of house” on any side, and must be designed to achieve an architectural unity with the surrounding principal structures.
- b. Landscape Buffers -- Parking garage facades without active ground floor uses must provide a minimum 7.5-foot Type A landscape buffer between the edge of the streetscape zone and the face of the garage.
- c. Cladding - Garage cladding must be provided that reflects the fenestration pattern, finish materials and colors of the buildings they serve.
- d. Garage Ramps - Angled exterior ramping must not be visible from the right-of-way and must be obscured from view through the use of exterior cladding, metal screening, or other alternative methods.
- e. Screening - Screening on the ground floor of parking garages must be security grade mesh. Screen materials should also be used on the upper floors of parking garages to mute views into the garage.
- f. Parking Garage Openings – Parking garage openings must incorporate materials, mullion patterns and architectural accents that mimic and compliment architecture of the primary buildings the garage serves. The ground floor of parking garages that do not have an active use must have a minimum 36” tall opaque wall to block headlights and views of vehicles.
- g. Parapet Elevation - The roof line of parking garages must be horizontally level and not reflect the parking deck ramp angles.
- h. Cornice Line - The cornice line at the top of the garage parapet must be the same or similar to the cornice line of the principal buildings they serve.
- i. Ground Floor Entries - Ground floor entrances may have gates with open grate gates and must provide connections from the entrance to the public sidewalks.
- j. Exterior Doors – At a minimum a 4-inch by 6-inch view panel must be provided in all solid exterior doors to provide visibility for entering and exiting pedestrians.
- k. Pedestrian Connections – a minimum 5'-wide pedestrian connection to the public sidewalk must be provided at all vehicle entries and exits into the parking garage.
- l. Parking Garage Lighting - Interior fixtures must be shielded to prevent light spilling from the garage. Light fixtures on the top deck of the parking garage cannot exceed 20-feet in height and must be shielded to prevent light spilling from the boundary of the garage deck. Wattage cannot exceed 400 watts per bulb.
- m. Stormwater Run-off - Water must not spill out onto the sidewalk or plaza areas from any downspout, nor can any downspout project into the public ROW. Canopies must incorporate downspouts or other rain water management systems to prevent water spill onto the pedestrian path or ROW.

6. *Lighting*

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- a. Exterior Lighting - Exterior lighting must conform to the City lighting regulations except that maximum illumination levels do not apply to electronic signs and projected-light signs (commonly referred to as “gobo signs”).
- b. Security Lighting - Security lighting cannot be substituted for parking or pedestrian area lighting fixtures. Security lighting is restricted to lighting service, storage areas, loading areas and other similar uses. Security lighting cannot extend beyond the fascia or roofline of any building.
- c. Light Shields - Shields for security lighting must be similar in color with the surface to which the fixture is attached.
- d. Service Areas - Lighting under awnings, canopies, and porte-cocheres should be recessed. If not recessed, the box type or other lighting fixture must be opaque on all sides (no light can emanate from any side of the fixture).
- e. Pedestrian Areas - Lighting fixtures must be decorative in appearance, style and finish and must not exceed 15' in height.

7. *Master Sign Program*

- a. Intensified Entertainment District - The sign program planned for the Sports Entertainment District (SED) Planned Development is envisioned to establish the district as a regional entertainment destination, or major attraction, similar to recent national precedents for entertainment districts such as LA Live, the Kansas City Power and Light District, and Victory Park in Downtown Dallas. Coupled with its strategic location next to the Amway Center, SED will utilize many of the sign concepts from the City's Major Attraction Overlay District and Downtown Special Signage District; these special districts include digital signs and off-site signage rights that will be incorporated into the overall SED PD Signage program.
- b. Master Sign Plan (MSP) - Prior to issuance of the first Certificate of Occupancy in the SED PD a revised Master Sign Plan for the PD must be approved by the Planning Official through an administrative determination and must also receive a Major Certificate of Appearance Approval from the Appearance Review Board. Notwithstanding anything in this ordinance to the contrary, the Master Sign Plan for the Project must be substantially similar to the master sign plan depicted and described in **Exhibit D**.
- c. Sign Program Guidelines - The Master Sign Plan must establish a uniform sign format or program for any individual area, building, portion, phase or sub-phase of the SED PD and include individual sign area, design criteria, sign type, location for all exterior signs for that phase or sub-phase and a total allocation for the entire SED PD. The MSP must also include a wayfinding package and wayfinding system for the entire SED PD.
- d. Exemptions - The Digital Screens, Roof and Kiosk Signs described below will not be deducted from the total sign allocation for the site, but must be separately calculated and submitted as part of the Master Sign Plan.

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- e. Amendments - The SED Master Sign Plan may be amended as needed from time-to-time through an administrative official determination by the Planning Official or an ARB Minor Review.
- f. Sign Permit – A sign permit including a Management Control Letter required for all permanent, and individual tenant signs.
- g. All permanent signage within the SED PD will be subject to aesthetic and design review by the Appearance Review Board to ensure the overall theme and design criteria of the complex is maintained. The property management association must provide a Management Control Letter of authorization that defines the size and allowable copy area of proposed permanent or tenant signs. The Management Control Letter must also include a calculation and assignment of all signage within the PD.
- h. Electronic signs are subject to the following regulations:
 - 1) The signs may not display rotating or flashing light.
 - 2) The signs may not display light illuminated in such a manner so as to cause glare or to impair the vision of motorists or otherwise distract motorists' ability to safely operate their vehicle.
 - 3) The use of animated and video images is limited to a maximum of 10 seconds during each minute. The length of each individual animated or video clip may not exceed 5 seconds and such animated or video clips may not run consecutively but must be separated by at least one static image of at least 5 seconds. Otherwise, each message or image must be displayed for at least 8 seconds. This interval is known as the "dwell time." Except for animated or video clips permitted under this part, message or image changes must be completed within 0.5 seconds. This "change time" is not included in the calculation of dwell time. The change of message or image must appear as a seamless, imperceptible transition from one image to the next. Special transition effects are prohibited.
 - 4) The signs may not display the word "stop" or "danger," or present or imply the need or requirement of stopping automobile traffic or the existence of danger. Images or messages that resemble a warning, danger signal, or traffic control device are prohibited.
 - 5) Illumination of the signs may not exceed the brightness level of other illuminated signs operated in the geographic area of the Property (such as the Amway Center) or 0.3 foot candles above ambient light as measured using a foot candle (lux) meter at a preset distance. The brightness measurement process for digital signs is as follows:
 - a) At least 30 minutes past sunset, use a foot candle meter to record the ambient light reading for the area. This must be done while the subject electronic sign is off or displaying all black copy.
 - b) This first reading must be taken with the meter aimed directly at the electronic sign from the following appropriate preset distance:
 - i. 0-100 square foot sign: 100 feet from source

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- ii. 101-350 square foot sign: 150 feet from source
- iii. 351-650 square foot sign: 200 feet from source
- iv. 651-1,000 square foot sign: 250 feet from source
- v. Greater than 1,000 square foot sign: 350 feet from source
- c) Next, turn on the subject electronic sign to full white copy and take a second reading. The second reading must be within 0.3 foot candles of the first reading.
- d) Electronic signs must be equipped with dimming technology that automatically adjusts the display brightness based on ambient light conditions.
- 6) The signs must be equipped and maintained with a default display that will, in the event of a malfunction, either effectively hold a non-distorted and steady image at a light output level in compliance with this ordinance or display a blank and lightless screen.
- 7) Before the issuance of a building permit for the respective sign, the City must be provided with written certification from the digital sign manufacturer that the light intensity has been factory preset not to exceed the standards of this ordinance and that the intensity level is protected from manipulation by password protected software or other security system approved by the planning official.
- 8) The City may order the immediate temporary shutdown of a sign if the operation of the digital sign violates this ordinance or threatens the public health, safety, and welfare.
- 9) The operational characteristics and content of the signs may be subject to the regulation of the State of Florida Department of Transportation and nothing in this ordinance is intended to interfere with the lawful jurisdiction of any state or federal authority, if any.

C. Transportation

1. The cul-de-sac serving the Office site must align with the Pine Street approach on the west side of Division Avenue.
2. The cul-de-sac serving the Office site must be of sufficient length to allow for all pick-up, drop-off and freight activities to be contained within the SED property and not extend into the Division Avenue right-of-way.
3. The entrance to the parking area within the hotel/expo center building must be far enough west of Hughey Avenue to prevent queuing issues that impact Hughey Avenue. A separation of 60 ft is a typical minimum separation distance but a greater separation distance is preferred.
4. The service bay on the east side of the hotel/expo center must be designed to allow the largest appropriate design vehicles to enter and exit the site without any backing maneuvering within the Hughey Avenue right-of-way. Vehicles must be able to turn around within the site, or a second exit point must be provided. This includes all vehicles including those servicing solid waste,

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electrical transformers, and other utilities if these are to be included within this service area.

5. The applicant shall strive to design the service bay on the north side of the residential parking garage to allow the largest appropriate design vehicles to enter and exit the site without any backing maneuvering within the Central Boulevard right-of-way. Vehicles must be able to turn around within the site, or a second exit point or other alternative solution must be provided and approved by the City. This includes all vehicles including those servicing solid waste, electrical transformers, and other utilities if these are to be included within this service area. A design that would allow for vehicles to exit onto the cul-de-sacs on the south side of the parking garage would be an acceptable solution for this item. Alternatively, the City and the applicant may agree on other restrictions to address this condition including (but not limited to) limitations on the service dates and service times for the vehicles as well as reinforcing any right-of-way pavement area(s) that may be impacted by the vehicles. The alternative use restrictions must be approved no later than the review for Specific Parcel Master Plan or Administrative Master Plan.
6. The area between the two cul-de-sacs south of the parking garage must be designed and constructed to withstand use by the largest emergency vehicles used by the City of Orlando.
7. Parking areas within the parking garage must be sufficiently interconnected to allow the entering and exiting vehicles using the garage to use the entrances on both Hughey Avenue and Division Avenue. Areas internal to the garage may be assigned or reserved for various users via gating devices, but this may not hinder the entering and exiting process.
8. Only one, two-directional driveway for the main parking garage will be allowed on Hughey Avenue and on Division Avenue. If these are to be used for general parking and ride-share or taxi users, the separation by use must occur internal to the garage. This must be designed so as to avoid creating queuing conditions that back into the rights-of-way during periods of heavy use.
9. The use of the ride-share “hubs” on either end of the parking garage are supported by the City. However, they must be designed with an entering/exiting pair of one-way driveways instead of with two, 2-way driveways.
10. The sidewalks and streetscapes along Central Boulevard, Division Avenue, and Hughey Avenue must meet or exceed City Downtown standards and be fully ADA and Florida Accessibility compliant. This includes the areas adjacent to any service bays along these streets, where driveways cross the pedestrian zones, and at the corners for all intersections. Proper markings, signage, and materials must be used and maintained to provide a safe and inviting environment for all potential users. Adequate sightlines at all conflict points between vehicles, pedestrians, and passing traffic must be protected by the building and streetscape design elements and must be approved by the City Transportation Department at the time of specific building planning review.

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11. *Driveways; sight distance requirements.* At all street entrances to the Project site, street corner visibility must conform to the requirements of sections 60.141 through 60.143, Orlando City Code. At cross street and driveway corners internal to the Project site, corner sight distance requirements must conform to the standards of FDOT Standard Index #546.
12. *Disability ramps at street intersections.* Sidewalks at street intersections and street intersections with driveways must provide disability access ramps consistent with the standards of the Americans with Disabilities Act. At street intersections, such ramps must be provided for each direction of pedestrian crossing.
13. *Structures over public and private streets.* Overpasses, overhangs, pedestrian bridges, and other structures encroaching over public and private streets must be at least 16' and 6" above the surface of the street. Lighting must be installed and maintained on or under all such structures so that at all times of the day and night at least one foot candle of light illuminates the street and sidewalk below. All such encroachments must be designed, installed, and maintained in a manner that limits shadows that could obscure pedestrians, automobiles, and cyclists.
14. *Corner-clip easement.* A triangular corner-clip easement area must be conveyed to the City in order to accommodate a "WB-50" design vehicle at the southwest corner of the intersection of S. Hughey Avenue and W. Central Boulevard. The size of this corner-clip must be determined by the owner and the City and conveyed to the City prior to issuance of engineering permits for any construction on the site.
15. *Traffic monitoring and modeling study.* Within one year after the opening of any non-residential land use on the Project site, and then again within one year of the opening of the residential land use on the Project site, the owner of the Property must coordinate with the City for the purpose of completing a monitoring and modeling study of the Project's traffic operations. If the residential and non-residential land uses are operational within 12 months of one another, only one monitoring and modeling study will be required to satisfy this requirement. If the monitoring and modeling study identifies specific deficiencies with area signal timing and coordination, or with event related traffic management plans, the owner will be responsible to work with the City in developing revised signal timing and event traffic management plans. The funding responsibility of the owner shall not exceed a total of \$250,000 for all needed revisions.

D. Wastewater

1. Depict the sanitary sewer layout and connection point(s) to the City's sewer collection system.
2. Connection must be directed to the new sewer main installed in West Central Boulevard, which was sized to anticipate wastewater flow from this site.

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Wastewater flow cannot be directed into Church Street or other existing sewer mains without express written consent by the Water Reclamation Division.

3. Sanitary sewer mains cannot be installed under building slabs or any other permanent structure, including parking garages.

SECTION 6. ORDINANCE 2014-21. Ordinance 2014-21 is amended, restated, and completely superseded by this ordinance.

SECTION 7. AMENDMENT OF OFFICIAL ZONING MAPS. The City zoning official, or designee, is directed to amend the City's official zoning maps in accordance with this ordinance.

SECTION 8. 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 9. 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 10. DISCLAIMER. As provided by subsection 166.033(5), Florida Statutes, the issuance of a development permit by a municipality does not in any way create any right on the part of an applicant to obtain a permit from a state or federal agency, and does not create any liability on the part of the municipality for issuance of the 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. In accordance with subsection 166.033(5), Florida Statutes, it is made a condition of this ordinance that all other applicable state or federal permits must be obtained before commencement of the development authorized by this development permit.

SECTION 11. 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 _____, 2018.

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 _____, 2018.

DONE, THE SECOND READING, A PUBLIC 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 _____, 2018.

ORDINANCE NO. 2018-14

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

Mayor

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

City Clerk

Print Name

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

Assistant City Attorney

Print Name

** [Remainder of page intentionally left blank.]**