

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, AMENDING THE STARWOOD PLANNED DEVELOPMENT ZONING DISTRICT; PROVIDING AN AMENDED LAND USE PLAN FOR THE PLANNED DEVELOPMENT AND A MASTER SIGN PLAN; PROVIDING FOR ADDITIONAL CONDITIONS; PROVIDING FOR AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS, PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.

WHEREAS, at its regularly scheduled meeting of June 19, 2018, the Municipal Planning Board (the "MPB") of the City of Orlando, Florida (the "City"), considered zoning application case number ZON2018-10002, requesting amendments to the Starwood Planned Development zoning district (City of Orlando Document No. 1610241206), for property generally located south of Beachline Expressway (SR 528) and east of State Road 417, comprising approximately 2,558.6 acres of land, and being more particularly described and depicted in **Exhibit A**, attached hereto and incorporated herein by reference (the "Property"); and

WHEREAS, the Property owner, Beachline South Residential, LLC (the "Owner"), requested an amendment to the Starwood PD to shift the land uses as shown in **Exhibit B**, attached hereto and incorporated herein, and to address signage and additional development standards; and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for application case number ZON2018-10002 (entitled "Item #6-Starwood PD Amendment"), the MPB recommended that the City Council of the City of Orlando, Florida (the "Council"), approve said zoning application and adopt an ordinance in accordance therewith; and

WHEREAS, the MPB found that the Project is consistent with the City's adopted Growth Management Plan (the "GMP"), including the applicable goals, objectives, and policies associated with the Property's Future Land Use Map designations of Office Low Intensity, Community Activity Center, Industrial, Conservation and Public Recreation & Institutional; and

WHEREAS, the Council finds that the Project is consistent with the intent and purpose of the planned development district zoning designation as established by Part 2Q, Chapter 58, Orlando City Code; and

WHEREAS, the Council finds that the Project and this Ordinance are in the best interest of the public health, safety, and welfare, and are consistent with the applicable

provisions of the City's GMP, including the applicable Goals, Objectives, and Policies associated with the Property's Future Land Use Map designations of Office Low Intensity, Community Activity Center, Industrial, Conservation and Public Recreation & Institutional.

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

I. Default Zoning. Section 3 of the PD Ordinance is hereby amended to read as follows:

Except as expressly provided otherwise by this ordinance, the Property shall be governed by the land development regulations of the R-3A Low Intensity Development District (denoted as "R-3A" on the official maps of the City) for residential development less than 12 du/acre, O-1 Office and Residential District (denoted as "O-1" on the official maps of the City) for residential greater than 12 du/acre, AC-1 Community Activity Center District (denoted as "AC-1" on the official maps of the City) for the Community Activity Center Future Land Use designation area, and I-P Industrial Park District (denoted as "I-P" on the official maps of the City) for the Industrial Future Land Use designation area, and P Public Use (denoted as "P" on the official maps of the City) for the Public Recreation & Institutional Future Land Use designation area.

II. Special Land Development Regulations is hereby amended to read as follows. Section 4, subparagraph 1 of the PD Ordinance is hereby amended to read as follows:

7) Parks Design and Phasing Criteria

j) The new community park must have an underlying future land use designation of Public Recreation and Institutional. Designation may occur at time of land transfer.

k) Connectivity is required between N-8 and the proposed community park.

9) Signs

a) Locations. Specific sign locations and detail are to be provided at the time of SPMP review of adjacent uses. Additional neighborhood

signage may be permitted at the time of SPMP review. Signs must be pin-mounted and externally lit. Halo-lit or similar treatments are also acceptable. Internally lit box signs are prohibited.

b) Sign Height. Community Icon heights must not exceed 30 feet. All other signs are to be as designated on the Master Sign Plan attached hereto as **Exhibit C** and incorporated herein.

c) Banners. Banner flag pole signs are not permitted in the right-of-way.

d) No signage or structural element may be erected within the right-of-way for Dowden Road or other primary framework streets within the Starwood PD.

10) Fire

a) Fire Station. The fire station must be in a centralized location, though it does not have to be accessed directly off the framework roads. The site must have two acres, not to include storm water retention, or the acreage must be increased if retention is to be provided on-site.

b) Design of buildings must account for fire department access. The access road itself must extend 50 feet from at least one exterior doorway to allow access to the building's interior. Any portion of the building or exterior wall of the first story shall be located not more than 150 feet from the fire department access road as measured by an approved route around the exterior of the building or facility. The distance can be increased to 450 feet if the building is protected by an automatic sprinkler system.

c) An approved turnaround must be provided for fire apparatus where an access road is a dead end in access of 150 feet, and roadways shall have all-weather driving surface, capable of supporting the load of fire apparatus, a minimum 20 feet in width, and a minimum vertical clearance of at least 13 feet 6 inches.

SECTION 2. PRIOR ORDINANCES. Except as provided in this ordinance, the Property remains subject to all applicable provisions of the Starwood PD Ordinance.

SECTION 3. 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 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 _____, 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.

[Signatures on following page]

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

Print Name

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

Assistant City Attorney

Print Name

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