

ORDINANCE NO. 2022-53

1 AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA,
2 AMENDING AND RESTATING THE LAND DEVELOPMENT
3 REGULATIONS OF THE LAKE NONA PLANNED
4 DEVELOPMENT ZONING DISTRICT, RELATING TO CERTAIN
5 LAND GENERALLY LOCATED NORTH OF THE
6 ORANGE/OSCEOLA COUNTY LINE, SOUTH OF DOWDEN
7 ROAD, EAST OF BOGGY CREEK ROAD, AND WEST OF
8 NARCOOSSEE ROAD, AND COMPRISED OF 9,044.20 ACRES
9 OF LAND, MORE OR LESS; PROVIDING FOR AMENDMENT
10 OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR
11 SEVERABILITY, CORRECTION OF SCRIVENER'S ERRORS,
12 PERMIT DISCLAIMER, AND AN EFFECTIVE DATE.
13

14 **WHEREAS**, at its regularly scheduled meeting of May 17, 2022, the Municipal
15 Planning Board (the "**MPB**") of the City of Orlando, Florida (the "**City**"), considered
16 zoning application case number ZON2022-10006, requesting amendments to the land
17 development regulations of the Lake Nona Planned Development zoning district,
18 relating to approximately 9,044.20 acres of land, generally located north of the
19 Orange/Osceola County Line, south of Dowden Road, east of Boggy Creek Road and
20 west of Narcoossee Road, and more precisely described by the legal description
21 attached to this ordinance as **Exhibit "A"** (the "**Property**"); and
22

23 **WHEREAS**, zoning application case number ZON2022-10006 is requesting to
24 amend and restate the Lake Nona Planned Development zoning district (City
25 Ordinance 2021-46) for purposes of allowing the phased use and development of the
26 Property with up to 20,817 residential units; 2,355,248 square feet of commercial,
27 retail, and service use; 14,110,989 square feet of Airport Support uses; 8,516,689
28 square feet of Office use; 3,658 Hotel/Resort Villas; community park areas, fire
29 stations, schools, and other Civic and accessory uses; all subject to modification
30 through use of an equivalency matrix as more particularly set forth herein (collectively,
31 the "**Project**"); and
32

33 **WHEREAS**, the Project will set aside a certain percentage of dwelling units to
34 provide for mixed-income housing; and
35

36 **WHEREAS**, based upon the evidence presented to the MPB, including the
37 information and analysis contained in the "Staff Report to the Municipal Planning
38 Board" and the Addendum thereto for application case number ZON2022-10006
39 (entitled Lake Nona PD Amendment and hereinafter referred to as the "**Staff Report**"),
40 and subject to certain conditions contained within the Staff Report, the MPB
41 recommended that the City Council of the City of Orlando, Florida (the "**Orlando City**")

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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 of Orlando Growth Management Plan, adopted as the City’s “comprehensive plan” for purposes of the Florida Community Planning Act, sections 163.3164 through 163.3217, Florida Statutes (the “**GMP**”), including, without limitation, the goals, objectives, and policies applicable to the Property’s existing Future Land Use Map designation of Urban Village and Conservation; and

WHEREAS, the Orlando City Council hereby finds that the Project and this ordinance are 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 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 designation of Urban Village and Conservation; and

WHEREAS, the development of the Property shall incorporate sustainable land use techniques and principles that ensure a strong local economy, produce communities of diverse livable neighborhoods, and conserve and protect both the natural and the built environment.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

SECTION ONE: After due notice and public hearing, City Ordinance 2021-46, which approved the PD (Planned Development) zoning classification for that certain real property described in **Exhibit “A”**, attached hereto and incorporated herein by this reference, commonly known as the Lake Nona Planned Development, and which was adopted by the Orlando City Council on July 19, 2021, is hereby amended and restated as set forth herein.

SECTION TWO: Pursuant to part 2Q, Chapter 58, Orlando City Code, and other relevant portions of the Orlando City Code, the Property is hereby designated as Planned Development District, in part (to be denoted as “**PD**” on the City’s official zoning maps); Planned Development District with the Aircraft Noise Overlay District, in part (to be denoted as “**PD/AN**” on the City’s official zoning maps); and Planned Development District with the Aircraft Noise Overlay District and Resource Protection

Overlay District, in part (to be denoted as “**PD/AN/RP**” on the City’s official zoning maps); all as depicted in **Exhibit “B”** to this ordinance. This planned development zoning district may be known as the “**Lake Nona Planned Development**” or the “**Lake Nona PD**.” This ordinance completely replaces and supersedes all previously adopted planned development zoning ordinances relating to the Property.

SECTION THREE: Development and use of the Property shall be substantially in accordance with the PD development plan attached hereto and incorporated herein, by reference, as **Exhibit “C”** (the “**PD Development Plan**”). In the event of a conflict between the text of this ordinance and the PD Development Plan, the text of this ordinance shall control. References in this ordinance to lots, parcels, buildings, phases, and other development features refer to such features as identified on the PD Development Plan.

SECTION FOUR: OTHER DEVELOPMENT LAWS. In accordance with section 58.367, Orlando City Code, except as expressly provided in this ordinance, the Developer’s Agreement, or in any other written agreement between the City and the Developer or its predecessors, the Lake Nona Planned Development zoning district remains subject to all applicable federal, state, and local laws, and nothing in this ordinance shall be construed to exempt the Property from the lawful authority or jurisdiction of any federal, state, or local agency.

SECTION FIVE: SPECIAL LAND DEVELOPMENT REGULATIONS. The Planned Development zoning district for the Property is subject to the following special land development regulations, which shall apply to the use and development of the Property:

A. DEFINITIONS. For purposes of this ordinance, the following terms shall have the meaning set forth below:

1. “**CDD**” shall mean a community development district duly created within the Project pursuant to Chapter 190, Florida Statutes.
2. “**Developer**” shall mean Lake Nona Property Holdings, LLC, or its assignee that is specifically designated in writing by Lake Nona Property Holdings, LLC, to be the successor master developer of the Lake Nona PD.
3. “**Developer’s Agreement**” shall mean that certain Developer’s Agreement between the City, Orlando Utilities Commission, and Developer’s predecessor, the Lake Nona Corporation, dated May 4, 1994, and recorded at O.R. Book 5090, Page 924, Public Records of Orange County, Florida.
4. “**EV Parcels**” shall mean Parcels P-A, P-B, P-C, P-D, P-E, P-F, and P-G as shown on the PD Development Plan. The EV Parcels were formerly located in the Education Village PD.

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5. **“Lake Nona Central”** shall mean that portion of the Property generally bounded by State Road 417 (the **“Central Florida Greeneway”**) on the east and south; Orlando International Airport and South Access Road on the west; and Lake Nona, Red Lake, and Buck Lake on the north.

6. **“Lake Nona South”** shall mean that portion of the Property generally bounded by the Central Florida Greeneway on the north; the eastern boundary of the Property on the east; the northern boundary of the Poitras Parcels on the south; and the western boundary of the Property on the west.

7. **“LN Parcels”** shall mean Parcels 1 through 34 as shown on the PD Development Plan. The LN Parcels were formerly located in the Lake Nona PD as previously configured before the adoption of this Ordinance.

8. **“Midtown”** shall mean Parcels 21A, 21B, 22B, 23B, 24A, 24B, and 28E as shown on the PD Development Plan.

9. **“Poitras Parcels”** shall mean Parcels N-1, N-2, N-3, N-4, N-5, N-6, N-7, N-8, N-9, and N-10 as shown on the PD Development Plan. The Poitras Parcels were formerly located in the Poitras PD. Parcel N-1 includes, without limitation, a neighborhood center. Parcel N-2 includes, without limitation, a neighborhood center, community park, and school. Parcel N-8 includes, without limitation, a village center.

10. **“Town Center”** shall mean Parcel 22A as shown on the PD Development Plan.

B. CONSISTENCY WITH THE GMP. Development and use of the Property must be consistent with all applicable goals, objectives, policies and strategies of the GMP.

C. MINOR MODIFICATIONS. The Planning Official may approve minor modifications and design modifications to fences, walls, landscaping, accessory structures, signs, and bufferyard requirements without further review by the Municipal Planning Board. The Planning Official may also approve certain changes in the Maximum Development Program (defined below) without further review by the Municipal Planning Board, provided such changes are consistent with the Equivalency Matrix (defined below) and Section 5.1.3. below.

D. PD AMENDMENTS. The Planning Official shall determine whether any proposed amendment to the Lake Nona PD, other than a minor modification as provided in Section C above, is Substantial, Presumed Non-Substantial, or a Minor Modification pursuant to Chapter 68, Figure 68-N.

E. 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 PD Development Plan in the event that subsequent phases are delayed or abandoned.

F. CONDITIONAL USE PERMITS. Uses that may be allowed as a Conditional Use as shown in Chapter 58, Figure 2 of the Orlando City Code may be reviewed by the Southeast Town Design Review Committee (“**SETDRC**”) through the Specific Parcel Master Plan (“**SPMP**”) process and do not require a separate Conditional Use hearing.

G. SOUTHEAST SECTOR PLAN. The Property is within the jurisdictional boundaries of the Southeast Orlando Sector Plan. Except as otherwise provided in this ordinance, the Developer’s Agreement, or in any other written agreement entered into by the City and the Developer or its predecessors, development and use of the Property must conform to applicable regulations of Chapter 68, Orlando City Code, including, without limitation, the procedures for review and approval of SPMPs.

H. PERIMETER BUFFER. A minimum twenty-five (25) foot buffer shall be provided along the Lake Nona PD perimeter unless otherwise approved by the City in a SPMP. Specific landscape buffer material requirements shall be submitted for City approval with the SPMP applicable to each development parcel.

I. PERMITTED USES AND MAXIMUM DEVELOPMENT PROGRAM.

1. Except as otherwise provided in this ordinance, each parcel within the Property shall comply with the list of permitted and conditional uses set forth in GMP Future Land Use Element Policy 4.1.9, Chapter 58, and Chapter 68, Orlando City Code that corresponds with the land use category assigned to such parcel by the PD Development Plan or this ordinance. In the event of a conflict between the text of this ordinance and the PD Development Plan, the text of this ordinance shall control.

2. Where a mixture of land uses is required by the GMP or Orlando City Code for a specific land use category, such as Village Center or Airport Support District-Medium Intensity, such mixture may be achieved on a project-by-project basis, which may include, for example, on a SPMP-by-SPMP or Parcel-by-Parcel basis. For smaller development sites and subject to administrative review, such mixture may be achieved on a district wide basis.

3. Final approval of land uses on each parcel shall be made in the respective SPMP, but in no case shall a land use or land uses be approved if such an approval or approvals would result in an excess of

the following (the “**Maximum Development Program**”): 20,817 residential units; 2,355,248 square feet of commercial, retail, and service use; 14,110,989 square feet of Industrial (Airport Support) uses; 8,516,689 square feet of Office use; 3,658 Hotel/Resort Villas; community park areas, fire stations, schools, and other Civic or accessory uses. Notwithstanding the foregoing, the Maximum Development Program may be modified by use of the equivalency matrix attached hereto and incorporated herein as **Exhibit “D”** (the “**Equivalency Matrix**”). Modifications to the Maximum Development Program using the Equivalency Matrix may be approved by the Planning Official as a minor modification to the Lake Nona PD. However, use of the Equivalency Matrix shall be subject to Subarea Policy S.35.7 which limits the maximum increase in any single land use category described in said policy to 110% of its maximum unit, room count or square footage (as applicable) specified in said policy. Additionally, the total number of non-age-restricted residential units within the Project shall not exceed 20,817 unless such increase in residential units is determined to satisfy any applicable school capacity enhancement requirements.

4. In conjunction with a hospital or medical school use, a Class I, Type B heliport is permitted in the Lake Nona PD, provided a permit is obtained pursuant to Chapter 8, Code of the City of Orlando and provided such heliport complies with applicable standards in Chapter 58, Orlando City Code.

5. Personal service uses shall be permitted in office buildings provided they are oriented towards serving the individuals employed within or served by the primary use structure.

6. Golf and tennis recreational and teaching facilities shall be permitted in all land use categories and are subject to review by the City at the time of SPMP and preliminary plat submittal for the applicable parcel to ensure compatibility with surrounding existing and/or proposed developments.

7. In order to provide proper tree protection during construction and to identify measures for conserving the site’s trees, at the time development within a parcel is proposed, the parcel developer shall comply with the City Tree Protection Ordinance, Chapter 60 of the Orlando City Code. Prior to development in each tract or parcel, the continuation of agricultural uses is authorized and shall be governed by the Agricultural Management Plan for the Lake Nona DRI/PD approved by the United States Department of Agriculture (“USDA”), which plan is described below.

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*United States Department of Agriculture (USDA)
Soil Conservation Service
Record of Decisions and Applications
Soils Practices, Water Resources and Nutrient
Management
1 June, 1993
Authored and delivered by Steve Cox, Area Director
Assisted by Ken Lackman
(The “**Agricultural Plan**”)*

To the extent the Agricultural Plan conflicts with City regulations, the Agricultural Plan shall control.

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. SPECIFIC PARCEL MASTER PLAN REQUIREMENTS.

1. Pursuant to Orlando City Code Section 68.603, prior to the issuance of permits for any construction within an individual development parcel (except for the previously approved and platted and unplatted areas of the Lake Nona Estates (n.k.a. Lake Nona Golf & Country Club) within Parcel 1, including the clubhouse, associated office and maintenance facilities, and uses permitted through University Campus Master Planning pursuant to Florida Statutes), a SPMP shall be submitted to the City for review and approval by the SETDRC and City Council.

2. The SPMP(s) shall contain a detailed land use program indicating acreages and densities and intensities of all land use types, non-residential square footages and number of residential units; the location and amount of anticipated on-street and off-street parking; and conservation use areas, stormwater facilities/lakes, civic spaces/uses and open space areas.

3. In addition, the applicant shall provide specific design guidelines appropriate to each SPMP, if different than those specified in Chapter 68 of the Orlando City Code, which may include narrative descriptions, charts, road cross-sections, building elevations, or any other graphics/illustrations necessary to provide a clear understanding of the proposed development. The SETDRC is authorized to review and modify development standards (i.e., building height, setbacks, etc.), landscaping, infrastructure, parks/open space, transportation systems, and/or bicycle/pedestrian plans as part of the SPMP review process.

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4. Plats may be submitted concurrent with the applicable SPMP. The review and appeal procedures for PD Amendments, SPMPs and Plats are contained in Chapter 68, Part 6, of the Orlando City Code.

5. When Drive-in Facilities are allowed as a Conditional Use, they shall be reviewed by the SETDRC through the SPMP process and shall not require a separate Conditional Use hearing.

L. AIRCRAFT NOISE.

1. Portions of the Property are subject to the following:

- a. Declaration and Dedication of Avigation Easement recorded at O.R. Book 3961, Page 1089, Public Records of Orange County, Florida, as amended from time to time (the “**Avigation Easement**”). The Avigation Easement affects certain parcels (or portions thereof) located south of Lake Nona (the lake) whereas parcels located north of Lake Nona, Red Lake and Buck Lake (the “**Lakes**”), which were included in the 1983 Development Order, are vested for development and are not subject to the Avigation Easement. Notice of the 1983 Development Order is recorded at O.R. Book 3981, Page 572, Public Records of Orange County, Florida;
- b. Authorization of Residential Uses and Notice of Proximity to Airport recorded at O.R. Book 5620, Page 2354, Public Records of Orange County, Florida, as amended from time to time (the “**Notice**”), which applies to certain parcels (or portions thereof) located north of the Lakes;
- c. Declaration of Covenant and Waiver recorded at O.R. Book 3961, Page 1078, Public Records of Orange County, Florida, as amended from time to time (the “**Covenant and Waiver**”);
- d. Stipulated Final Judgment recorded at O.R. Book 4778, Page 1036, of the Public Records of Orange County, which incorporates by reference a Stipulated Settlement Agreement which may be amended from time to time (“**Settlement Agreement**”);
- e. Amended and Restated Declaration, Waiver and Dedication of Avigation Easement recorded at Document No. 20190018433, and Poitras West Declaration, Waiver and Dedication of Avigation Easement recorded at Document No. 20190658395, both in the Public Records of Orange County, Florida, as amended from time to time

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(each, a “**Poitras Avigation Easement**” and, collectively, the “**Poitras Avigation Easements**”). Parcel 19D and certain Poitras Parcels are subject to one or both of the Poitras Avigation Easements and also that certain Poitras West Special Warranty Deed recorded at Document No. 20190658393, recorded in the Public Records of Orange County, Florida, as the same may be amended from time to time (“**Poitras West Deed**”). As further described below, the Poitras West Deed contains a restriction on residential uses within a portion of Parcel 19D as well as those Poitras Parcels (or portions thereof) that are located within a certain geographic area described and depicted in the Poitras West Deed.

2. In case of a conflict between the Avigation Easement, the Notice, the Covenant and Waiver, the Settlement Agreement, a Poitras Avigation Easement, or the Poitras West Deed, on one hand, and either the Southeast Orlando Sector Plan, a subsequent FAR Part 150 Study, or a revised aircraft noise ordinance, on the other hand, the terms and conditions of the Avigation Easement, the Notice, the Covenant and Waiver, the Settlement Agreement, such Poitras Avigation Easement, or the Poitras West Deed, as applicable, shall control.

3. The Settlement Agreement and the Poitras West Deed contain restrictions on residential uses within those LN Parcels and Poitras Parcels (or portions thereof) that are located within a certain area the boundaries of which have been mutually agreed to by the Developer and GOAA (“**Restricted Residential Area**”). The boundaries of the Restricted Residential Area are generally depicted on the PD Development Plan in **Exhibit “C”** and on **Exhibit “E”** attached hereto and incorporated herein, which **Exhibit “E”** is attached for informational purposes only. In the event GOAA and Developer agree to modify the boundaries of the Restricted Residential Area, a Planning Official Determination is required to amend the PD Development Plan and **Exhibit “E”** to reflect the modified boundaries of the Restricted Residential Area on such plans. The minimum requirements for residential blocks within a village center pursuant to the Southeast Orlando Sector Plan shall apply only to the portion of the Village Center lying outside of the Restricted Residential Area as it may exist from time to time.

4. Non-residential uses, including but not limited to hotel and resort villa uses, proposed in the Restricted Residential Area shall be reviewed at the time of building permit submittal to determine the need for sound level reduction in accordance with Orlando City Code Chapter 58, Parts 2R and 2S.

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5. Section 58.383 of the Orlando City Code shall apply to Parcel 10A.

6. Residential and school uses in Aircraft Noise Zone D shall comply with all aircraft noise land use controls provided in Chapter 58, Part 2S of the Orlando City Code, as applicable.

7. The UCF Health Sciences Campus shall be permitted within Parcels 21A and 21B as designated on the PD Development Plan, subject to compliance with the aircraft noise land use controls in Chapter 58, Part 2S of the Orlando City Code, as applicable. In support of this use, findings of consistency with Section 333.03(3), Florida Statutes (2006) were made by the Municipal Planning Board on September 19, 2006 and approved by City Council on October 16, 2006.

M. PRIMARY CONSERVATION NETWORK.

The Primary Conservation Network concept shall continue to be implemented on the Property, in accordance with applicable standards provided in the GMP and LDC, and in accordance with previously approved permits from pertinent environmental regulatory agencies.

N. TRANSPORTATION REQUIREMENTS.

1. The street network, consisting of the major roads depicted on the PD Development Plan and the additional supporting streets network, shall be designed and developed to provide connections between parcels, when appropriate, block sizes that facilitate a network of connected streets, and general mobility based on a hierarchy of streets that do not totally depend on the major roadways. A network of interconnected streets incorporating interior roads and multiple ingress/egress points shall be encouraged in all land use categories where appropriate.

2. Individual roadway characteristics and road network configurations and alignments shall be submitted to the City for review in the form of a SPMP either prior to or concurrently with the development plans for an individual parcel. The applicable PD area circulation plan provides conceptual approval of roadway alignments, roadway sections and access management.

3. Joint use driveways and cross-access between parcels will be required where feasible to promote more efficient traffic circulation off of the primary and secondary roadway system.

4. The Project shall participate in the City's transportation impact fee program and pay transportation impact fees, according to the adopted

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fee schedules at the time of issuance of the applicable permit. The Project shall be entitled to credits against transportation impact fees for reasonable costs actually incurred for constructing all non-site related transportation improvements to on-site and off-site roads, including, but not limited to Narcoossee Road, Dowden Road, Goldenrod Road (SR 551), and Boggy Creek Road, to the extent permitted in accordance with the provisions of Chapter 56, Orlando City Code, and as may be further detailed in separate written agreements with the City.

5. Roadway links depicted in the PD Development Plan are conceptual only and their actual location will be subject to approval by the City using the SPMP Process. The Project shall be entitled to credits against transportation impact fees for the reasonable costs actually incurred for constructing such roadway links pursuant to a separate agreement with the City.

6. All proposed crossings of the Orlando Utilities Commission ("OUC") railspur by the GreeneWay shall be grade separated. The City agrees to allow other proposed crossings to be designed and constructed at-grade. All such crossings shall be in conformance with OUC and Florida Department of Transportation ("FDOT") rail crossing design and construction standards.

7. In order to provide safe access and to preserve operational capacity, left and right turn deceleration lanes may be installed at all Project entrances on collector and arterial roadways as determined by the City taking into account pedestrian and transit considerations into the design. Intersection design and other applicable operational improvements shall conform to transit oriented development/multi-modal district standards, where appropriate.

8. In the interest of safety, and to promote alternative forms of transportation, the following bicycle and pedestrian systems shall be provided as required by Orlando City Code: (a) the on-site bicycle systems shall be connected into any adjacent external bicycle systems existing at the time of construction; (b) covered walkways shall be designed into the front of non-residential structures to the maximum extent practicable; (c) in all areas of Lake Nona, where cycling will be accomplished on sidewalk/bikeways and streets, appropriate signage identifying bike routes will be installed; (d) special consideration shall be given to bikeways connecting neighboring residential areas to employment and commercial areas; (e) bicycle support facilities (e.g., parking, lockers) shall be provided at commercial centers within Airport Support Districts and Village Centers; and (f) improvements to area roadways are strongly encouraged to incorporate bicycle and pedestrian facilities. New roadways or reconstructed roadways approaching the site

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constructed by an owner/applicant shall include bicycle facilities with construction standards conforming to the then-current City criteria.

9. In addition, the following transit related actions are required:

a. Bicycle lockers or bicycle racks, transit passenger shelters and transit parking bays shall be constructed where necessary and feasible to augment and facilitate the operations of transit service to the site as determined by the City in consultation with LYNX or other applicable transit provider; and

b. In conjunction with the City's SPMP review for parcels designated Village Center or Airport Support District, the applicant shall consult with LYNX (or other applicable transit provider) regarding the need, size and location of transit pull-out bays, transit shelters, covered walkways, and a multi-modal transit stop. The determination for the need for and location of said facilities will be made at the City's SPMP review.

10. Non-peak hour travel by on-site employees shall be promoted and encouraged. The Developer, employers and owners shall make known to tenants and residents that the Project has access to an existing ride-sharing program operated by LYNX or other applicable transit provider. Transit and current ride-sharing information shall be prominently displayed in public gathering areas, in employment centers and other areas as reasonably suggested by LYNX, or other applicable transit provider, and the City. Tenants and owners within the employment centers may provide preferential parking for vanpools/carpools.

11. In order to minimize impacts to the roadway network, parcels within the Project shall, subject to environmental constraints, be interconnected to the maximum extent feasible as determined through SPMP review by the City. The development will generally be connected to existing neighborhoods and will tie into local streets, where feasible and as deemed appropriate by the City.

12. Traffic calming measures must be considered at the time of SPMP review to ensure safe and efficient transportation networks. Specific care must be taken at key locations such as streets and crossings immediately surrounding schools, major trail crossings and other high-volume pedestrian/bicycle crossings. All traffic calming measures must meet the requirements of the City's Traffic Calming Device standards policy. Traffic calming measures may include:

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- Speed Cushions
- Speed Humps
- Speed Display Trailers / Post Mounted Electronic or Solar Radar Speed Signs
- Mid-Block Chokers
- Chicanes
- Traffic Circles
- Roundabouts
- Median/Center Islands
- Gateway/Entry Features
- Raised Crosswalks
- Other traffic calming measures approved by the City

13. All streets within the Lake Nona PD should strive to incorporate elements that accommodate the full range of roadway users including pedestrians, cyclists, transit (where appropriate), and motorized vehicles, generally in line with the City's complete streets policy as noted in the Growth Management Plan. In addition, new landscape buffers that are provided along Lake Nona Boulevard are strongly encouraged to be consistent with the character of landscape buffer previously established along such roadway by existing residential or non-residential uses, as applicable.

14. The City of Orlando has a vision to eliminate all traffic related fatalities within City limits by the year 2040. To this end, the City has created a Vision Zero Action plan which details a number of action items that the City is to undertake to assist in reaching the goal of zero traffic fatalities and serious injuries by 2040. Development within the Lake Nona PD should strive to support the City's Vision Zero Action Plan through thoughtful design of new projects and redesign of existing right-of-way as redevelopment occurs to prioritize safe, efficient access for all roadway users.

15. Internal roadways must be completed within the Lake Nona PD as adjacent development occurs to provide access to and from the developments and surrounding roadway network.

16. Additional traffic impact analysis is required to be completed to monitor and track the local conditions and impacts of new development as major development projects occur. The intent of this condition is to assist the City in understanding any access issues, intersection operations, and other site-adjacent impacts for purposes of determining safe and adequate ingress and egress to the particular development site. For purposes of this paragraph, the term "major development projects" shall mean development projects that are projected to

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generate more than 1,000 average daily trips or to increase traffic by more than ten percent (10%) on any collector or local street.

17. LN Parcels. The below paragraphs a. through h. shall apply solely to the LN Parcels.

- a. An Access Management Plan was prepared by the Developer as part of the Lake Nona Southern Circulation SPMP. This Access Management Plan, as it may be amended from time to time, specifies driveway spacing, median break spacing and intersection/signalization spacing on the major roadways shown on the PD Development Plan. The Lake Nona Access Management Plan conforms to the Southeast Orlando Sector Plan guidelines and standards, as applicable, for access management and design.
- b. Prior to SPMP approval for Parcel 19A or Parcel 19D, the Lake Nona Southern Circulation SPMP must be updated to incorporate Road K and Parcel 19D. Road K shall extend to the south boundary of Parcel 19D in order to replace any existing rights-of-way connections to the Orlando Kissimmee Farms neighborhood that are proposed to be vacated in connection with development of Parcels 19A or 19D if/when such existing rights-of-way connections are no longer needed. The right-of-way width for Road K shall be determined at SPMP.
- c. Should a roadway connection through Orange County Property Appraiser Parcel Id. No. 19-24-31-0000-00-006 (the "**High School Property**") become possible, the Developer will support the City's efforts to extend Road C through the High School Property and connect to Narcoossee Road and align with Tyson Road. It is understood that this connecting roadway is located on the School Board of Orange County property and that development of this roadway will require the cooperation of Lake Nona, the City of Orlando and the School Board of Orange County.
- d. As part of the development of Parcel 22A, the developer of such parcel will cooperate with the City in encouraging shared parking facilities to be used to support Village Center land uses and any future transit service.
- e. Developers of the LN Parcels will cooperate with the City, LYNX or other applicable transit provider, and other

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partners in evaluating the need and planning for future transit facilities. This may include the provision, at no cost to the City, of bicycle lockers or bicycle racks, transit parking bays and transit passenger shelters to augment and support the operation of off-site transit and bicycle facilities. The determination of need for and location of said facilities will be made at the City's SPMP review. Any proposed transit shelter shall require the developer's approval of its design and appearance, prior to consideration by the SETDRC.

f. The term "**Vested Trips**" shall mean those external average daily trips that are (or are projected to be) generated by the LN Parcels and which have been fully mitigated as confirmed by the City in a written agreement or letter of determination (including, for example, that certain Letter of Determination (DET2021-10060) issued by the City on April 13, 2021). The Developer may allocate Vested Trips to individual development projects within the LN Parcels, provided it shall also be required to submit an annual report to the City that shows the number of Vested Trips allocated to approved but unbuilt developments, total Vested Trips, and a total of the remaining unassigned Vested Trips.

(i) Individual development projects within the LN Parcels that have received an allocation of Vested Trips from the Developer (as evidenced by a written assignment or other written confirmation by the Developer) shall be deemed to have fully satisfied the City's transportation concurrency and mobility requirements, and any functional equivalent that may be adopted by the City from time to time.

(ii) Unless otherwise exempt, individual development projects within the LN Parcels for which no Vested Trips have been allocated by the Developer (as evidenced by a written assignment or other written confirmation by the Developer) are required to comply with Section 59.209 of the Orlando City Code and any other applicable provisions of the Orlando City Code. Notwithstanding the foregoing, until such time as the cumulative amount of development within the LN Parcels exceeds 137,900 external average daily trips (excluding any federal or other exempt development), no such individual development project shall be subject to

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any transportation concurrency, mobility requirements, or other transportation mitigation requirements with respect to Narcoossee Road.

- g. If deemed warranted in the City's reasonable discretion, the construction of left and right-turn deceleration lanes shall be required at Project entrances when they are created, at no cost to the City. Exceptions include (i) the entrances on Narcoossee Road which have been or are being constructed as part of the City's improvements to Narcoossee Road, and (ii) the entrances on Boggy Creek Road constructed by FDOT and/or the OOCEA. The party or parties responsible for the SPMP development project that triggers the need for such signal shall contribute its fair share to the cost of signalization at Project entrances, when deemed warranted by the appropriate governmental entity; provided, however, no such contribution shall be required for the cost of signalization at the intersection of Narcoossee Road and Lake Nona Club Drive (formerly Lake Nona Road). Any signalization that may be warranted at the intersection of two on-site roads constructed by an owner/applicant shall be designed, permitted and installed at such party's cost and without impact fee credits. Such party will, however, be eligible for impact fee credits for the cost of signalization relating to any on-site four-lane (or wider) road, if authorized under the provisions of Chapter 56 of the Orlando City Code. Access to all regional roadways shall be limited to the maximum extent possible, in order to maximize through traffic movement.
- h. Right-of-way from the LN Parcels shall be dedicated to the City, at no cost to the City, sufficient for the 4-laning of roadway links 11 and 13 as depicted on the PD Development Plan at the time these roadway links are platted. The right-of-way dedication for the internal roadways shall be consistent with the approved cross-section depicted in the Lake Nona Southern Circulation SPMP Amendment approved November 10, 2005, as may be amended from time to time through the SPMP process. Site road right-of-way shall be either dedicated to the City, at no cost to the City, at time of plat of any adjacent property or prior to the plat of any adjacent property and shown and noted on the plat of any adjacent property with the recording information.

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18. EV Parcels. The below paragraphs a. through e. shall apply solely to the EV Parcels.

a. Circulation Plan. Subject to any modifications expressly contained in the text of this ordinance or reflected in an approved SPMP, development, maintenance, and use of the EV Parcels must be consistent with the circulation plan attached to this ordinance as **Exhibit “F”** (hereinafter the **“EV Circulation Plan”**). In the event of a conflict between the text of this ordinance and the EV Circulation Plan, the text of this ordinance shall control.

b. Tagore Place. Tagore Place, as shown on the EV Circulation Plan, must extend into Parcel P-G in order to meet the minimum street frontage requirements of the Land Development Code. The extended portion of Tagore Place may be a private street but must conform to the EV Cross Section Plan (defined in paragraph c. below).

c. Onsite Road Cross Sections. Subject to any modifications expressly contained in the text of this ordinance or reflected in an approved SPMP, development, maintenance, and use of the EV Parcels must be consistent with the road cross section plans attached to this ordinance as **Exhibit “G”** (the **“EV Cross Section Plan”**). In the event of a conflict between the text of this ordinance and the EV Cross Section Plan, the text of this ordinance shall control.

d. Cross Sections D-D and I-I. Cross sections D-D and I-I must provide sidewalks on both sides of the street unless an alternative is approved by SPMP, which alternative must provide functionally adequate pedestrian circulation.

e. Tagore Place Turn Lane. When warranted based on traffic increases, the party or parties responsible for the SPMP development project that triggers the need for the traffic operations improvement shall be fully responsible for the design and construction of an additional eastbound left turn lane at the Tagore Place eastbound approach to Narcoossee.

19. Poitras Parcels. The below paragraphs a. through f. shall apply solely to the Poitras Parcels.

a. Circulation Plan. The cross sections, final alignments, traffic control devices, traffic calming devices and all other

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engineering details for the street, sidewalk, and trail networks required for the Poitras Parcels will be specified and approved in a circulation plan ("**Poitras Circulation Plan**") that must be submitted to the City for SPMP review prior to approval of any SPMP's for other development within Parcels N-8, N-9 or N-10. The City may require additional standards beyond those approved in the Poitras Circulation Plan based on site-specific conditions.

- b. Traffic Control. At all potential traffic signal locations, sufficient land must be allocated during platting to accommodate modern roundabouts. Roundabouts will be constructed at these locations unless it is demonstrated to the City Transportation Engineer that a roundabout is not the superior option at that location. The City is not responsible for any costs associated with the engineering studies needed to justify the use of signals instead of roundabouts.
- c. Framework Street Network. The Developer, the City of Orlando, and Osceola County have entered into that certain Reimbursement Agreement for Boggy Creek Roadway Expansion dated April 5, 2021, to identify and fund transportation impact fee sharing from the City of Orlando to Osceola County for the impacts of the development of the Poitras Parcels on Boggy Creek Road.
- d. Platting of the framework streets will not occur until roadway design has reached 30% to ensure that adequate space for roadway geometry is provided.
- e. Alleys. All alleys within the Poitras Parcels shall be private. Cross-sections shall be approved in the Poitras Circulation Plan. In accordance with paragraph a. above, alley cross-sections may include additional standards at time of SPMP based on site-specific conditions and subject to approval by the City Engineer.
- f. Development Thresholds. The total development within Poitras Parcels N-8, N-9, and N-10 may not exceed 40% of the proposed total build-out of such Parcels until Luminary Boulevard is connected to Lake Nona Boulevard and opened to public use. The total development in Parcels N-8, N-9, and N-10 may not exceed 75% of the proposed total build-out of such Parcels until either Centerline Drive is connected to Boggy Creek Road and open to public use or the interchange with the Osceola

Parkway Extension at Simpson Road is under construction. The percentage of development completed will be based on projected daily trips according to ITE Trip Generation, most recent edition, for Parcels N-8, N-9 and N-10 with building plans submitted to Permitting Services for approval.

O. ADHERENCE TO AMENDED MULTIFAMILY DESIGN CRITERIA. All multifamily development shall conform to design criteria outlined in Chapter 58 Parts 3H and 3I, Orlando City Code, which address design standards for multifamily developments, unless otherwise approved by the SETDRC.

P. OPEN SPACE / PARKS.

1. Open Space Requirement. At least 25% of the Lake Nona PD shall be set aside as open space. Such open space may consist of parks, golf courses, perimeter buffers and landscape buffers, lakes, stormwater areas, conservation areas (including, but not limited to, portions of the Primary Conservation Network under conservation easement), mews (including sidewalks within mews that are not part of the right-of-way or other vehicular use areas), and such other forms of open space as are allowed by Chapter 68 of the Orlando City Code. It is not a requirement that the minimum required open space be located within any particular area or subarea of the Lake Nona PD.

2. Parks Requirement. The Lake Nona PD must meet or exceed the level of service standard for community parks, neighborhood parks and village green/plazas during all phases of development. Level of service standards are provided in Section 68.500(b)(2). City Code. Parks needed to meet level of service standards must be designed to meet city standards for CPTED, access, and facilities.

3. Community Parks. The Lake Nona PD is currently home to two community parks: NorthLake Park and Heroes Community Park (f/k/a, Laureate Park Phase 1). A third community park, McCoy Community Park (f/k/a, East Airfield Park), was conveyed to the City by the Developer and is located immediately adjacent to the Lake Nona PD boundary, directly serving the Lake Nona residents. These actions by the Developer (or its affiliates) have satisfied the community parks requirement for the LN Parcels and the EV Parcels. In addition, the Developer (or its affiliate) has entered into that certain Agreement Regarding Community Park with the City, dated December 6, 2021, as the same may be amended or superseded from time to time (the "**Poitras Community Park Agreement**"), in order to provide for a new community park to be located within the Poitras Parcels ("**Poitras Community Park**"). The community parks requirement for the Poitras Parcels has been satisfied based on the Poitras Community Park

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Agreement. The full acreage of the NorthLake Park, McCoy Community Park, the Heroes Community Park, and, subject to continued compliance with the Poitras Community Park Agreement, the Poitras Community Park shall be credited towards any open space requirements and community park requirements of the Project, including (without limitation) the requirement for Recreational Open Space as defined in Section 68.500 of the LDC.

4. LN Parcels. The below paragraphs a. through d. shall apply solely to the LN Parcels.

a. Public neighborhood parkland shall be dedicated to the City or an applicable CDD consistent with Section 68.500 of the LDC. All public neighborhood parks shall be maintained by the CDD. The requirements for all neighborhood parks within the LN Parcels shall be determined through the review of each SPMP containing a residential component.

b. In addition to parks, all public trails as depicted in the Lake Nona Southern Circulation SPMP, as amended from time to time, shall be conveyed to the City or applicable CDD. Such trails shall be maintained by the Developer (or its affiliate, or any of their successors) or by the applicable CDD.

c. To the extent possible, current wetlands within the LN Parcels shall be part of the stormwater management system. This stormwater management system shall be carefully designed to provide a natural hydroperiod to all preserved wetlands. Structures within this system shall be constructed to accomplish hydroperiod manipulation if necessary. Unless otherwise approved by the South Florida Water Management District ("**SFWMD**"), a fifty (50) foot buffer area shall be established around all retained wetlands, and the twenty-five (25) feet of the buffer area closest to the wetlands shall remain in its natural state. No impervious surfaces shall be constructed in the next twenty-five (25) feet of the buffer area except swimming pools and recreational paths. Stormwater management systems may be located within the fifty (50) foot buffer area. Lot lines may be platted to the edge of the wetlands, but restrictive covenants shall be recorded imposing these restrictions. No impacts will be made to any wetlands until all applicable permits have been issued by the agencies having permitting jurisdiction. Any wetland preservation

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areas shall conform to permits issued by the SFWMD and, if applicable, Army Corp of Engineers.

- d. Fences and Walls. The following fences and walls standards shall apply with respect to all single-family residential lots within the LN Parcels:

(i) Front Yard –

- Metal or wood open picket parallel fences and knee walls up to 4 feet. tall are permitted. Chain link fences are not permitted.
 - Required Setback – none.
 - Maximum Height - 4 feet.

(ii) Street Side (Not Reverse Corner Lot) –

- Same height and style as the front yard fences, if setback from the street side property line is less than 3 feet.
- The fence may be up to 6 feet in height with open metal picket style, if setback is greater than or equal to 3 foot from the street side property line.
 - Same height and style as the front fence requirement for non-open metal picket style fences.
- The fence may be up to 6 feet in height with solid wall or fence, if setback to the meet the principal building street side setback requirement.
- All street side fence must be setback 5 feet from the front façade of the principal structure.

(iii) Street Side (Reverse Corner Lot) – *(Lots that back up to the front yard of an adjacent property are Reverse Corner Lots. Lots that back up to an ally are not Reverse Corner Lots.)*

- The fence must meet the front yard fence height and style requirement for fences within 15 feet of the street side lot line.
- The fence may be up to six feet and any style, if setback more than 15 feet from the street side lot line.

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(iv) Side –

- The fence may be up to 6 feet of any style but must be setback 5 feet from the front façade of the principal structure.

(v) Rear –

- The fence may be up 6 feet in height with any style of fencing, if the property is not adjacent to an alley.
- The fence may be a maximum of 4 feet. with metal or wood open picket parallel fences and knee wall for fences, if there is no setback from an adjacent alley.
- The fence may be up to 6 feet in height with any fence style, if the fence is proposed at the same setback or greater of the accessory structure building requirement.

5. Poitras Parcels. The below paragraphs a. through f. shall apply solely to the Poitras Parcels.

- a. Neighborhood Parks. Neighborhood parks will be constructed with the infrastructure for each neighborhood so as to be complete when homes are ready for occupancy. Neighborhood Parks will be privately owned and maintained. Neighborhood parks shall be prominent within their neighborhoods and easily accessible. A minimum of 60% of residential units within the Poitras Parcels shall be within 0.25 miles of a public park or trail within their neighborhood.
- b. Visual Monitoring. At least 50% of a park's perimeter should front onto a public street. There should be public views into all areas of each park to allow visual monitoring and foster the feeling of safety while using the park. If businesses or homes border a park they should face to the park, not have the back or side of the building or an alleyway face the park.
- c. SPMP for Park Parcels. SPMPs must be submitted for approval prior to final acceptance of park parcel configurations and locations and before start of construction of the associated neighborhood or surrounding development.

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- 906 d. Conservation, Stormwater, Drainage and Wetland Areas.
907 Conservation area is not to be counted in the required park
908 acreage. Land used for stormwater retention, drainage
909 structures, wetlands or conservation areas will not be
910 counted towards park land requirements.
- 911 e. Well Drained Soils. Park land shall have well-drained soils
912 suitable for building and development.
- 913 f. ADA Requirements. Parks shall be designed and
914 constructed to meet the Americans with Disabilities Act
915 (ADA) requirements.
- 916 6. EV Parcels. The below paragraphs a. through c. shall apply
917 solely to the EV Parcels.
- 918 a. The minimum *Public and Civic* requirement is 22 acres for
919 the EV Parcels, of which 11 acres must be *Public*
920 *Parks/Green Space*. The foregoing requirements may be
921 satisfied with green space or other applicable lands
922 located outside of the EV Parcels but within the Lake Nona
923 PD.
- 924 b. This ordinance supersedes any open space plans that
925 may have been approved previously by the City for the EV
926 Parcels (or any portion thereof), including, without
927 limitation, that certain open space plan approved by the
928 City for the EV Parcels by Letter of Determination
929 (LDC2017-00205) dated May 22, 2017. Any such previous
930 open space plans are no longer of any force or effect and
931 are hereby replaced by the open space provisions set forth
932 in this ordinance.
- 933 c. Multi-use Trail Easement. Prior to, or concurrent with, the
934 recording of the first plat that is adjacent to the 25 foot
935 upland buffer area along the western boundary of the EV
936 Parcels as depicted on **Exhibit "H"** the owner/applicant
937 must dedicate a 12 foot-wide multi-use trail easement to
938 the City. The easement may be located within the 25 foot
939 upland buffer area or such other location that provides a
940 continuous north-south trail corridor through the EV
941 Parcels connecting existing or planned trail segments that
942 are part of the City's adopted trail system. The
943 owner/applicant shall provide the City or its designee
944 appropriate temporary construction easements, when and
945 if necessary.

Q. FIRE STATION SITES.

1. LN Parcels. The below paragraph a. shall apply solely to the LN Parcels.

a. Interior Sprinkling. Due to the fire station site and related contribution-in-aid of construction previously provided to the City by the Developer, no interior sprinkling shall be required of detached one-family and attached two-family residential dwelling units within Lake Nona Central and Lake Nona South and within those parcels of property in North Lake Park Neighborhood #5 and North Lake Park Neighborhood 3B, known as the “Water’s Edge” and “Morningside” neighborhoods.

2. Poitras Parcels. The below paragraphs a. and b. shall apply solely to the Poitras Parcels.

a. The Developer must cause to be conveyed, at no cost to the City, fee simple ownership of a two acre parcel of buildable land with a road network, offsite stormwater retention, and utilities for the construction of a fire station. The parcel location shall be a mutually agreed upon site, in a location near Luminary Boulevard with adequate access to both the east and west side of the Poitras Parcels, and shall be determined in a separate agreement between the City and the Developer prior to approval of a SPMP for Neighborhood 2 (Parcel N-2). The City and the Developer’s affiliate, TDCP, LLC, entered into an agreement that satisfies this condition on December 6, 2021. The agreement, titled the Agreement Regarding Fire Station Site, was approved by the Orlando City Council on December 6, 2021.

b. The Poitras Parcels are exempt from Section 68.310, Orlando City Code, which requires all properties/buildings of more than 100 habitable square feet to be equipped with fire sprinklers.

R. DOCKS.

1. Lake front facilities shall provide and promote a cohesive well-designed integration of upland and riparian development in order to promote reduced environmental impacts and an enhanced recreational atmosphere in the Lake Nona PD waterway system.

2. The SPMP for development sites that have lake frontage in the Lake Nona PD shall indicate the location of private docks, shared private

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docks, semi-private docks and boat launching facilities within such development site.

3. Subject to the conditions provided herein and the requirements of the SFWMD and Florida Department of Environmental Protection (FDEP), as applicable, the approval of docks and boat launching facilities in an SPMP shall constitute City approval of the type (e.g., private, shared private, or semi-private), design, size, and location of the docks and boat launching facilities. Approval of docks and boat launching facilities in an SPMP shall not waive the requirement to obtain building permits from the City.

4. General Dock Requirements.

a. The terminal platform of a dock shall extend beyond and be placed outside the littoral zone to the greatest extent possible and to a point where reasonable water depth for vessel mooring is achieved. Vessel mooring depth shall be reasonable and designed to limit damage to the littoral zone as determined by the City Engineer or FDEP, as applicable.

b. In no event shall a dock platform, except for semi-private docks, exceed 1,000 square feet, exclusive of any uncovered area adjacent to the dock designated for mooring purposes.

c. Impacts to wetlands shall be avoided to the extent practicable.

d. Access walkways traversing any wetland shall be elevated a minimum of three feet above the ground surface.

e. The floor elevation of a dock shall be at least one foot above the established control elevation or Ordinary High Water Elevation (OHWE).

f. The maximum roof height of a dock shall be no higher than 12 feet above the floor elevation.

g. A private dock accessory to a single family residence may include one storage locker provided that the cumulative maximum volume of storage area shall not exceed 100 cubic feet. Storage lockers shall not be used to store fuel, hazardous materials or hazardous wastes.

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- 1023 5. Shared Private Docks.
- 1024 a. The sharing of private docks between adjacent single
1025 family residences, up to a maximum of three (3) single
1026 family residences, shall be encouraged and allowed.
- 1027 b. Shared private docks may be used by only those persons
1028 living on parcels adjacent to the lake and their usual and
1029 customary guests.
- 1030 c. Shared private docks shall be limited to two (2) watercraft
1031 slips or moorings per single family residence sharing the
1032 dock.
- 1033 d. The access walkway of a shared private dock shall be no
1034 more than five (5) feet in width.
- 1035 e. Shared private docks may have a setback of zero feet from
1036 the residential lot line between the sharing single family
1037 residential lots.
- 1038 6. Conditions Specific to Semi-Private Docks.
- 1039 a. Semi-private docks, which may be used by a group of
1040 residents living in the development site and their usual and
1041 customary guests, shall be encouraged and allowed.
- 1042 b. Semi-Private Docks shall be allowed to incorporate
1043 mooring slips adjacent to their access walkway. Access to
1044 such mooring slips shall be no wider than the width of the
1045 access walkway.
- 1046 c. Semi-private docks may have a setback of zero feet from
1047 lot lines.
- 1048 d. Storage lockers are permitted only on the upland parcel
1049 adjacent to a semi-private dock.
- 1050 e. The size of the terminal platform of a semi-private dock
1051 shall be as permitted by the FDEP.
- 1052 7. Oversight of Docks.
- 1053 a. The Developer or its designee shall have the authority to
1054 monitor, oversee, and regulate the use, condition,
1055 maintenance and repair of docks within the development
1056 site subject to any lawful regulation by the City.

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- b. The Developer or its designee shall have the authority to determine, delegate, levy and assign any costs associated with the repair and maintenance of docks within the development site.

S. SIGNS.

1. Lake Nona Town Center Signage. Within the Town Center, tenant facades and signage internal to the site and not visible from public rights of way shall not be subject to City review. Such exempt signage shall not count towards allowable signage calculations. This provision is only for the Lake Nona Town Center site. This exemption shall not apply to signage on the exterior walls of the Town Center buildings which can be viewed from Lake Nona Boulevard, the Loop Road and Central Florida Greenway (SR 417).

2. Projecting Sign Extending Above the Roof Line. Any projecting sign or supporting structure extending above the roof line must be architecturally appropriate to the building and the support system must not be visible from the street. The support system will have to rest on top of parapet and it will be limited to the 4th story or lower on the building. All signs extending above the roof line will be subject to SPMP approval by the SETDRC or an Appearance Review via a Planning Official Determination. An acceptable example of the type of projecting sign extending above the roof line is attached as **Exhibit "I"**.

3. Menu Boards. The Village Center, Town Center, and Neighborhood Center areas in Lake Nona are appropriate locations to allow for menu boards. Menu boards shall not exceed nine (9) square feet in size and shall be positioned so as to be adjacent to that restaurant or business listed on the board and information on that board shall advertise exclusively the goods and services of that business and be placed in a manner which is clearly visible to pedestrian traffic. Said menu boards shall not be placed in the City right-of-way without permission from the City Engineer. All menu board signs shall be removed at the end of each business day. All menu board signs shall be securely anchored to the ground.

4. Subdivision and Multi-Family Identification Signage. The allowable maximum sign height for subdivision and multi-family development may be up to 12 feet if the signage is built into a landscape feature or wall. All other requirements for LDC Section 64.257 shall apply. These signs proposed must be reviewed through the SPMP or Appearance Review process.

5. Digital Wayfinding Signage. Digital wayfinding signage may be installed in the Town Center and in Midtown, provided the operation of

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such digital signage shall adhere to applicable sections of LDC Section 64.277(II)B.3. The general location and appearance of such signage shall be reviewed through the SPMP, Appearance Review, Letter of Determination or other process reasonably acceptable to the City.

6. Digital Signage on Transit Shelters. The Village Center, Town Center and Neighborhood Center designations within Lake Nona are appropriate areas to expand the digital signage on transit infrastructure. However, it will only be limited to transit shelters and not allowed for bike share stations. The operation of the digital signage shall adhere to applicable sections of LDC Section 64.277(II)B.3, excluding Section 64.277(II)B.3e).

7. Lake Nona Town Center Hotel Signage. The signage plan for the Lake Nona Town Center Hotel is hereby approved with the following condition: The high rise signage square footage shall be reduced to meet the 800 square feet allowable copy area. Signage not visible from public rights of way is exempt from review. The signage location and types are attached as **Exhibit "J"**.

8. Pixon Building Signage. The signage plan for the Pixon Building is hereby approved with the following conditions: The support system must not be visible from the building, have to rest on top of parapet, and the signage is limited to the 4th story or lower on the building. The high rise building identification sign must be lit with white lighting. The proposed signage location, dimensions and details are attached as **Exhibit "K."**

9. Poitras Parcels Master Sign Plan. The Master Signage Plan for the Poitras Parcels is attached as **Exhibit "L."** The following additional conditions shall also apply to signage within the Poitras Parcels:

- a. Signs shall not materially affect line of sight for vehicular or pedestrian traffic.
- b. If any sign is expected to encroach into the right of way, an agreement/easement with the City is required to cover all of such sign(s). A location about 3 feet from the back of curb is preferred.
- c. Minimum 7 foot vertical clearance is required for overhead signs, such as the Pole-Mounted Site Directional Sign (Type G).
- d. Signs shall not exceed height specified in submitted drawings.

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- e. Signage standards not addressed in this paragraph 8 default to Chapter 64 of the City Code.

T. WASTEWATER AND RECLAIMED WATER SERVICE.

1. Master Utility Plan. An update to the existing master utility plan for the Lake Nona PD shall be provided to the City within twelve (12) months following the effective date of this ordinance. The master utility plan shall be updated to reflect additional wastewater flows and reclaimed water demand on City facilities that are attributable to the development program authorized by this ordinance and to identify any infrastructure improvements that may be needed to support such increased wastewater flows and reclaimed water demand. The updated master utility plan shall be subject to the review and approval of the City Water Reclamation Division consistent with this ordinance.

2. Wastewater Service.

a. The City will provide wastewater service to the Property, other than the Poitras Parcels, in accordance with the City's sewer service policy and Chapter 30 of the Orlando City Code, as it now exists or as it may be amended in the future. The City will diligently pursue an amendment to the Territorial Sewer Area Agreement between the City and Orange County in order to provide wastewater service to Parcel 19D within twelve (12) months of the effective date of this ordinance.

b. In the event that all or a portion of the Poitras Parcels needs sanitary sewer service by the City Water Reclamation Division, an amendment to the Territorial Sewer Area Agreement between the City and Orange County is required. In such event, a comprehensive sanitary sewer master plan and analysis must be prepared by the master developer of the Poitras Parcels to make a determination about what infrastructure improvements will need to take place to serve development of the Poitras Parcels prior to an amendment to the Territorial Sewer Area Agreement between the City and Orange County.

3. Reclaimed Water Service. The entire Property is within the City reclaimed water service area. The Developer, its affiliates and successors, have caused substantial reclaimed water service infrastructure to be installed within the Lake Nona PD, including within Poitras Parcels that are located in Orange County's wastewater territorial service. Such infrastructure has been, and will continue to be, installed in accordance with comprehensive reclaimed water master

plans that are prepared by the Developer (or its affiliates or successors) in coordination with the City ("**Reclaimed Master Plans**"). Except as may be otherwise provided in a Reclaimed Master Plan approved by the City or in a written agreement between the Developer (or its affiliate) and the City, the City will provide reclaimed water service adequate for the entire Lake Nona PD in accordance with the City's reclaimed water service policy and Chapter 32 of the Orlando City Code, as it now exists or as it may be amended in the future.

4. Wastewater Collection Systems Under Public Streets. All wastewater collection systems reasonably required for development of the Lake Nona PD or applicable portions thereof shall be constructed as part of the development, at no cost to the City. All collection systems constructed within the City's wastewater service territory shall be inspected by the City and, if so approved, shall be dedicated to the City, at no cost to the City, and thereafter the City will own, operate and maintain them as part of the City's wastewater system.

5. Wastewater Collection Systems Under Private Streets. The Lake Nona PD may include privately owned and maintained street and roads. The wastewater collection systems (that are constructed within the City's wastewater service jurisdiction) and reclaimed water infrastructure in such areas shall be designed and constructed to City standards and approvals, and they shall be dedicated to the City after inspection and acceptance by the City for ownership, operation and maintenance. The City shall be granted all necessary easements necessary to operate, maintain, repair, construct, reconstruct, or otherwise keep such wastewater collection and reclaimed water systems in good working order.

U. SPECIAL REQUIREMENTS FOR LN PARCELS. The below Subsections 1. through 11. shall apply solely to the LN Parcels.

1. 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 table below shall apply to the LN Parcels. The purpose of these standards is to provide guidance on massing from a planning and compatibility perspective and they do not supersede or replace the Airport Zoning Regulations set forth in Chapter 58, Part 8, Section 9 of the LDC. As such, the maximum height of the LN Parcels shall be subject to any applicable Airport Zoning Regulations set forth in Chapter 58, Part 8, Section 9 of the LDC.

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		Max. Height (Stories)*
Parcel	Land Use Category	
1	Residential Neighborhood - LNGCC	3
2 – 5	Residential Neighborhood	2
6 – 7	Neighborhood Center	3
8	Civic, Residential Center	3
9A-9B	Airport Support District - High Intensity	2
9C	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	Village Center	4
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 (A – D)	Airport Support District - High Intensity	5
19E	Airport Support District - Medium Intensity	5

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20A, B	Airport Support District - High Intensity	10
21A, B	Airport Support District - High Intensity	10
22A	Village Center	17
22B	Village Center/Urban Transit	20
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
24E	Neighborhood Center	4
24F	Civic	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	Neighborhood Center	3
29	Village Center	3
30A	Civic – School	4
30B	Village Center	3
31	Village Center	3

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32A, B	Airport Support District - High Intensity	2
33	Civic	2
34	SMA	0

* Subject to Airport Zoning Regulations, as applicable.

2. Lake Nona Golf & Country Club (formerly "The Estates"). Since the original approval of the Lake Nona PD by Orange County (the "**County PD**"), the portion of the Property known as "Lake Nona Golf & Country Club" ("**LNGCC**") formerly "The Estates" (PD Development Plan — Parcel 1) has been developed with a golf course (and associated office and maintenance facilities), clubhouse, recreational facilities, resort lodge (hotel) and residential homes. The City acknowledges that LNGCC has been developed to comply with development standards set forth in the County PD, which standards are different than those specified in the Orlando City Code (both Chapter 68 and the Conventional LDC). The City acknowledges that, for the sake of compatibility and continuity, future residential development in LNGCC shall also comply with established development standards, subject to the following procedures:

- a. Site planning, architecture, landscaping and the design of residential homes for LNGCC shall be reviewed by the LNGCC Design Review Committee, using the Design Review Manual (dated August 11, 1997, as amended November 19, 1998, and as it may be subsequently amended from time to time), prior to being accepted by the City for review. The City shall use the same version of the Design Review Manual that was used by LNGCC Design Review Committee when reviewing building plans for LNGCC. The Planning Official shall be authorized to permit minor modifications, on a site-by-site basis, pursuant to LDC Chapter 68, Figure 68-N.
- b. Preliminary Plats, not SPMPs, shall be required for the currently un-platted, undeveloped portions of Parcel 1, identified as "The Lake Nona Golf & Country Club-Residential Neighborhood" on the PD Development Plan. The Preliminary Plats(s) shall be submitted to the City for review by the SETDRC and City Council. The SETDRC and City Council shall approve any Preliminary Plat(s) for the undeveloped portions of Parcel 1 that is compatible with and generally consistent with existing development in LNGCC and that is otherwise in accordance with this Ordinance.

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3. Student Housing. To assist in accommodating the UCF Health Sciences Campus, the portion of the adjacent Village Center lying south and east of Lake Nona Boulevard shall include a residential component consistent with the residential standard for Village Centers as provided in Chapter 68 of the City Code. A sufficient percentage of such housing shall be designed to be sold or rented to meet the anticipated needs of the UCF Health Sciences Campus and shall be integrated by design with surrounding commercial areas. Transit stops within the Village Center shall be centrally located and easily accessible to students and pedestrians. The specific location of residential uses and the applicable percentage of housing suitable for UCF medical school students shall be determined during SPMP review.

4. Parcel 7. Neighborhood Center Parcel 7 may include three buildings that do not meet the setback requirements of Chapter 68, Code of the City of Orlando, as approved in MPL2011-00030, and MPL2017-10008, and MPL 2017-10019 as may be amended from time to time.

5. Village Center/Urban Transit Center – Maximum Block Size. The SETDRC may approve an alternative maximum block size standard for individual blocks within Village Center/Urban Transit Center designated Parcels (Parcels 22B, 23B, 24A, 24B and 28E) through the SPMP process, so long as the average block size does not exceed 4 acres for Commercial, Residential and Civic blocks, or 7 acres for Mixed Use blocks combined.

6. Town Center and Midtown – Maximum Density. Individual development sites or blocks, or both, do not have a maximum density. However, the overall density for Town Center and Midtown, combined, may not exceed 30 dwelling units per acre. Except as may be otherwise approved by the SETDRC, said overall density shall be calculated by dividing the total number of dwelling units within Town Center and Midtown by the combined land area of Town Center and Midtown, excluding retained wetlands, water bodies and road right-of-way providing access to development sites (but not road right-of-way internal to development sites). Dwelling units will be allocated at the time of SPMP approval, and to the extent that a SPMP expires prior to the start of construction, such allocation will also expire and the associated units will become available for a different development site.

7. Parcel 24B. All buildings on Parcel 24B which front Laureate Boulevard (Road Q) must conform to the Minimum Block Frontage Requirements specified in Figure 68-C – Mixed Use Center Standards of the City of Orlando LDC. All other buildings on Parcel 24B shall be consistent with the Village Center requirements of GMP Future Land Use Policy 4.19.

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8. Parcel 24F. Parcel 24F is designated for Civic Use in the Southeast Orlando Sector Plan. For Parcel 24F only, Indoor Recreation is hereby added to the list of allowable uses under the Civic land use designation.

9. Residential Unit Count; School Vesting. The City recognizes that up to 11,250 residential units within the LN Parcels are vested from capacity enhancement and school concurrency by virtue of rights acquired by the Developer under that certain Fourth Amended and Restated Development Order for the Lake Nona DRI recorded at O.R. Book 9522, Page 525, Public Records of Orange County, Florida, as amended, before it was rescinded.

10. Parcel 18A. Allowed uses for Parcel 18A include those allowed in the Airport Support – High Intensity land use category. In addition, Support Retail and Service Uses, Full Service Grocery Stores, and Retail Shopping Centers are allowed on Parcel 18A, provided such uses adhere to AC-2 zoning standards.

11. Parcel 19E. If residential dwelling units are proposed on Parcel 19E, neighborhood park level of service must be met onsite or within $\frac{1}{4}$ mile of the site location that is safe and convenient for residents to walk to.

V. SPECIAL REQUIREMENTS FOR POITRAS PARCELS. The below Subsections 1. through 12. shall apply solely to the Poitras Parcels.

1. Residential Neighborhood Design Criteria. In addition to the requirements of the Southeast Orlando Sector Plan, the following criteria shall apply solely to the Poitras Parcels unless otherwise approved by the SETDRC:

- a. Front-loaded single family lots shall be at least 50 feet wide.
- b. Where possible, rear yards should not be located on the perimeter of a park.
- c. For property adjacent to the Primary Conservation Network (“PCN”), as shown in GMP Figure LU-2A, the SPMP shall identify the wetland area, upland buffer, PCN easement boundary, and treatment of the transition to the development site. The preferred treatment (in order from wetland to development site) is: wetland, upland buffer, multi-use trail, parkway, street, parkway, sidewalk, and front yard (or building if there is a 0’ setback).

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- 1338 d. Stormwater ponds shown on the development plan shall
1339 be visually accessible to the public. A pedestrian or multi-
1340 use trail around each stormwater pond is recommended.
- 1341 2. Gated Neighborhoods. Up to 20% of the total proposed
1342 residential units within the Poitras Parcels may be gated if the
1343 transportation conditions are met. Only sites surrounded by wetlands or
1344 a limited access highway on three sides may be considered for gated
1345 neighborhoods. In lieu of the requirement for traditional design
1346 standards described in Future Land Use Element Policy 4.1.9, a hybrid
1347 of conventional and traditional design standards may be approved in an
1348 SPMP for gated neighborhoods that have a gross density of up to 5
1349 dwelling units per acre.
- 1350 3. Neighborhood and Residential Centers. Pursuant to Section
1351 68.205, Orlando City Code, neighborhoods must be scaled to the
1352 pedestrian, with Neighborhood and Residential Centers within a
1353 comfortable 1/4 to 1/3 mile walking distance of most homes. Future
1354 SPMPs must demonstrate that more than 50% of residential units are
1355 within 1,750 feet of a neighborhood or residential center.
- 1356 4. Stormwater Ponds. Stormwater ponds shall be treated as an
1357 amenity.
- 1358 5. Fencing. Fencing on the site, except for residential privacy fences
1359 in side or rear yards, shall be an open, CPTED-approved fence, such as
1360 aluminum or wrought-iron picket fencing. Chain link fences are
1361 prohibited.
- 1362 6. Maximum Impervious Surface Ratio (ISR). The maximum
1363 allowed ISR for the Poitras Parcels shall default to the underlying zoning
1364 district standards.
- 1365 7. Building Height. The building height within the Poitras Parcels
1366 shall be between one and three stories within Village and Neighborhood
1367 Center districts and between one and two stories within Residential
1368 Neighborhood districts.
- 1369 8. Primary Frontage Along Narcoossee. Within the Poitras Parcels,
1370 building facades in Village Centers with primary frontage along
1371 Narcoossee Road shall include no more than 50% of cumulative building
1372 frontage associated with uses that include a drive-thru.
- 1373 9. Resource Protection Overlay. The RP Overlay District is intended
1374 to provide information to property owners, City officials and the general
1375 public about the approximate locations of major environmental features
1376 which may restrict or otherwise affect the development of land.
1377 Development within the portions of the Poitras Parcels that are subject

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to the RP Overlay (as shown on the City zoning map) is not permitted. The boundaries of the RP Overlay may be altered administratively upon submission by the applicant of an approved permit to the applicable state and federal environmental review agencies.

10. Green Works.

a. Sustainability Action Plan. A sustainability action plan (SAP) that establishes a foundation for neighborhood sustainability was submitted to the City by the Developer (or its affiliate) prior to or concurrent with the first SPMP and/or permit application for development within the Poitras Parcels. This plan advances strategies, actions, and performance measures that address seven focus areas of sustainability including energy & green buildings, local food systems, green economy, livability, solid waste, transportation, and water. The developer of the Poitras Parcels has coordinated with Green Works Orlando to ensure consistency with the goals and performance measures of the Green Works Community Action Plan including: required canopy cover, expansion of food waste recovery programs, inclusion of community agriculture projects, increased adoption of renewable energy systems (commercial and residential), neighborhood waste diversion, and more.

b. Green Infrastructure and Low Impact Development. Loss of wetland habitats should necessitate increased green infrastructure and bio-retention systems to manage water runoff speeds and capture/breakdown pollutant particulates along major roadways identified and included in the Transportation Circulation Plan. Moreover, Low Impact Development best practices must be incorporated into all site developments within the Poitras Parcels.

c. Smart Mobility. Ride-share spaces should be included in the Transportation Circulation Plan for the Poitras Parcels in order to improve sustainable mobility options and mitigate demand for personal automobile vehicles. Within Neighborhood Centers, efforts should be made to maximize safe areas for ride-hailing loading/unloading and convenient access to building entryways at each building site. Charging stations for electric vehicles should be included within Village and Neighborhood Centers. A plan to assemble local transit routes connecting local schools, town centers, employment nodes (Medical City), and the

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1420 east-west portions of the Poitras Parcels should be
1421 included in the Transportation Circulation Plan.

1422 d. Sustainable Construction. All new construction within the
1423 Poitras Parcels must meet best management practices for:
1424 energy conservation; water conservation; clean energy
1425 sources; minimizing heat island effect; quantity and quality
1426 of stormwater runoff; and resource management (reducing
1427 materials, recycling, using products with fewer chemicals,
1428 etc.).

1429 With each SPMP application for development within the
1430 Poitras Parcels, the applicant must demonstrate that best
1431 practices are met, either by providing independent data
1432 and analysis, or by using the certification criteria from one
1433 of the following organizations: US Green Building
1434 Council's Leadership in Energy and Environmental Design
1435 (LEED) program; The Florida Green Building Coalition
1436 (FGBC); The Green Building Initiative's Green Globes
1437 program; or any other nationally recognized green building
1438 system that is approved by the Florida Department of
1439 Management Services (FDMS).

1440 e. In order to lessen the urban heat-island effect of pavement
1441 and thereby reduce cooling costs, at least 10% of parking
1442 areas and driveways within the Poitras Parcels must
1443 incorporate at least one of the following surfaces: white
1444 Portland-cement concrete pavement; pervious concrete;
1445 or open grid or turf-block pavement.

1446 11. Maximum Residential. The Poitras Parcels are subject to the
1447 following (collectively, the "**Poitras CEAs**"): School Capacity
1448 Enhancement Agreement #ORL-18-005, approved by the Orange
1449 County School Board ("**OCSB**") on November 13, 2018; and Capacity
1450 Enhancement Agreement 06-023-12 approved by the OCSB on
1451 November 14, 2006, by virtue of that certain Assignment and
1452 Assumption of Credits recorded at Document # 20190742369, in the
1453 Public Records of Orange County, Florida. The total number of non-age-
1454 restricted residential units developed within the Poitras Parcels shall not
1455 exceed the following maximums, unless the Poitras CEAs are amended
1456 to permit such increase or any such increase is otherwise determined to
1457 satisfy applicable school capacity enhancement requirements: 2,039
1458 single-family detached residential units; 695 multi-family attached
1459 residential units; and 1,448 residential units of any type. Each phase of
1460 the project will be subject to school concurrency review, consistent with
1461 the applicable City and County Codes and interlocal agreements.

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12. Prohibited Uses. Notwithstanding anything in this ordinance to the contrary, the following land uses are prohibited on the Poitras Parcels:

- a. Labor pools and labor halls as defined by Chapter 448, Florida Statutes;
- b. Any business commonly known as “check cashing” establishment, or any business in which a material part of its service includes offering loans secured by future employment wagers or other compensations (often known as “payday loans,” or “payday advances”), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies;
- c. Tattoo, body art, and body piercing establishments;
- d. Pawnshops, as defined by the Florida Pawnbroking Act.
- e. Bail bond agencies, as defined by Chapter 648, Florida Statutes;
- f. Automobile sales and rentals;
- g. Massage Parlors;
- h. Fortune telling, tarot card reading, palm readers, psychics, and like establishments;
- i. Bottle Clubs, as defined by the Florida Beverage Law;
- j. Parking as a principal use;
- k. Adult entertainment facility.

W. SPECIAL REQUIREMENTS FOR EV PARCELS. The below Subsections 1. through 3. apply solely to the EV Parcels.

1. Maximum Residential. The total number of non-age-restricted residential units developed within the EV Parcels shall not exceed 400 unless it is demonstrated that any such increase above 400 residential units has satisfied all applicable school capacity enhancement requirements. Each phase of the project will be subject to school concurrency review, consistent with the applicable City and County Codes and interlocal agreements.

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1496	2. Prohibited Uses. Notwithstanding anything in this ordinance to the contrary, the following land uses are prohibited on the EV Parcels:
1497	
1498	a. Treatment and recovery facility;
1499	b. Body art shop;
1500	c. Fortune telling, tarot card reading, palm reading, and psychic services;
1501	
1502	d. Any business commonly known as "check cashing" establishment, or any business in which a material part of its service includes offering loans secured by future employment wages or other compensation (often known as "payday loans," or "pay day advances"), but not including retail businesses which provide a check cashing service as an incidental part of their business and financial institutions such as banks, credit unions, and trust companies.
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1511	e. Funeral home;
1512	f. Adult entertainment;
1513	g. Flea markets;
1514	h. Bottle club;
1515	i. Any business in which a material part of its service includes loaning money secured by vehicle titles (often known as "car-title loans"), but not including financial institutions such as banks, credit unions, trust companies, consumer finance, and retail installment lenders;
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1520	j. Temporary labor service; and
1521	k. Whole blood facility.
1522	3. Notwithstanding anything in this ordinance or in the Orlando City Code or GMP to the contrary, Personal Storage Facilities are an allowable use on the EV Parcels if the use is set back at least 250 feet from Narcoossee Road. Outdoor storage is prohibited at any such Personal Storage Facility use. Drive-through uses may be approved by SPMP if the use is otherwise consistent with the Land Development Code. Light Manufacturing, wholesale, and warehouse uses are also allowed on Parcels P-A and P-G, except for the following uses which are prohibited on said Parcels:
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- a. Chemical products manufacturing;
- b. Truck shop;
- c. Commercial vehicle storage;
- d. Commercial vehicle terminals;
- e. Contractors storage yard;
- f. Heavy equipment rental;
- g. Machinery storage;
- h. Meat and poultry storage; and
- i. Storage yard.

X. HOUSING. In accordance with Subarea Policy S.35.7, the Project shall contribute to the supply of mixed-income housing, including affordable housing. Within one year after the adoption of this ordinance, the Developer shall enter into a developer's agreement with the City that addresses the need for affordable housing within the project. The developer's agreement shall contain the following concepts at a minimum:

1. Affordable units are the multifamily rental units dedicated to households earning at or below 120% AMI.

2. As further detailed in condition 7 below, this PD amendment which provides an additional 7,225 residential units shall dedicate a minimum of 10% (or 723 units) of those housing units as Affordable Housing. The Affordable unit set-aside shall meet an average of 80% AMI or less. No set-aside unit can exceed 120% AMI. However, should a qualifying unit contain a household whose income has grown to exceed 140% AMI, that unit shall be allowed to continue to qualify as affordable for a period of one year.

3. Income and rent limits are established through the Florida Housing Finance Corporations (FHFC) Multifamily Rental Program matrix based on household size and unit number of bedrooms.

4. The Affordable unit type and size shall be similar to the overall units within the multi-family development and surrounding developments. The units cannot materially differ from standard units. Set-aside units cannot be clustered within a development unless a high percentage of affordable units must be provided to qualify for local, state, or federal housing subsidies or grants, in which case, the

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proposal can be reviewed by the Housing and Community Development Department or assignee on a case-by-case basis.

5. Affordable units shall not be part of dormitories, group housing, micro-units, or other similar types of developments. Alternative development proposals can be submitted to the Housing and Community Development Department or assignee for review and approval.

6. The developer's agreement shall further outline income qualification, unit management, affordability period, monitoring, and compliance.

7. It is acknowledged that the affordable housing conditions apply to the 13,593rd unit and later, so compliance with these terms is voluntary until that threshold is reached, unless the Developer seeks to provide units as described in condition 8, in which case, compliance reporting begins with the first affordable unit. After that threshold is reached, the Developer shall provide an annual report to the City that includes (a) a running tally of each residential unit that receives a building permit after that threshold is reached, (b) the number of units within the Project that are required to be Affordable for the reporting period, and (c) documentation reasonably acceptable to City that demonstrates compliance with these affordable housing conditions. The developer's agreement will further outline this condition.

8. For added flexibility in satisfying these conditions, it is not required that Affordable units be located within any particular area or subarea of the project but shall meet the intent of condition 4. The Developer may elect to convert existing multifamily rental units into qualifying Affordable units, or it may elect to set aside multifamily units that are proposed in an approved SPMP or have received a building permit as Affordable units, or it may choose any combination of the foregoing so long as the number of Affordable units required to be set aside for the reporting period is achieved.

9. The conditions in this project are the minimum established, the applicant can pursue additional affordable units and could be eligible for other financial and development incentives.

10. The affordability period shall be twenty (20) years for each Affordable unit. As further detailed in the developer's agreement, this period may be achieved by setting aside a unit as Affordable for the full twenty (20) year period, or by setting aside an Affordable unit for less than the full twenty (20) year period and replacing it with one or more Affordable units that, when combined with the initial Affordable unit,

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1606 result in a minimum twenty (20) year Affordability period, or it may be
1607 achieved in a different manner as mutually agreed by the City and
1608 developer in the developer's agreement.
1609

1610 **SECTION SIX: SUBJECT TO ALL CODES.** This ordinance is subject to all
1611 codes and ordinances of the State of Florida, City of Orlando, and all other applicable
1612 regulatory agencies except as otherwise modified by this Ordinance.
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1614 **SECTION SEVEN: SCRIVENER'S ERROR.** The City Attorney may correct
1615 scrivener's errors found in this ordinance by filing a corrected copy of this ordinance
1616 with the City Clerk.

1617 **SECTION EIGHT: AMENDMENT TO OFFICIAL MAPS.** The city clerk, the City
1618 planning official, the city engineer, and the City zoning official, or their respective
1619 designees, are hereby directed to amend the City's official maps in accordance with
1620 this ordinance.

1621 **SECTION NINE: EFFECT OF ORDINANCE.** This amended and restated PD
1622 zoning ordinance shall replace and supersede all previous PD zoning ordinances
1623 regarding the Property.

1624 **SECTION TEN: SEVERABILITY.** If any section, subsection, sentence, clause,
1625 phrase or portion of this ordinance is for any reason held invalid or unconstitutional by
1626 any court of competent jurisdiction, such portion shall be deemed a separate, distinct,
1627 and independent provision and such holding shall not affect the validity of the
1628 remaining portion hereof.

1629 **SECTION ELEVEN: COMPLIANCE; PENALTIES.** Failure to comply with the
1630 requirements of this ordinance shall constitute a violation of the Code of the City of
1631 Orlando and shall be punishable as prescribed in Section 58.1201 of said Code.

1632 **SECTION TWELVE: DISCLAIMER.** In accordance with Section 166.033(6),
1633 Florida Statutes, the issuance of this development permit does not in any way create
1634 any right on the part of the applicant to obtain a permit from a state or federal agency,
1635 and does not create any liability on the part of the City for issuance of this permit if the
1636 applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state
1637 or federal agency or undertakes actions that result in a violation of state or federal law.
1638 All other applicable state or federal permits must be obtained before commencement
1639 of the development authorized by this development permit.

1640 **SECTION THIRTEEN: EFFECTIVE DATE.** This ordinance takes effect when
1641 the associated Growth Management Plan Amendment (Ordinance #2022-39)
1642 becomes effective.

1643 **SECTION FOURTEEN: DONE, THE FIRST READING,** by the City Council of
1644 the City of Orlando, Florida, at a regular meeting, this _____ day of
1645 _____, 2022.

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SECTION FIFTEEN: 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 _____, 2022.

SECTION SIXTEEN: 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 _____, 2022.

ATTEST:

Stephanie Herdocia, City Clerk

APPROVED AS TO FORM AND LEGALITY
For the use and reliance of the City of Orlando,
Florida, only.

Assistant City Attorney