

H/Ord 2nd rd
12-7

**CITY OF ORLANDO
COUNCIL AGENDA ITEM**

Items Types:

Hearings/Ordinances/2nd Read

District: 3**Contract ID:****Exhibits:** Yes**Grant Received by City?:** No**For Meeting of:**

November 13, 2017

From:**Document Number:****On File (City Clerk) :** Yes**Draft Only:** No**Subject:**

Ordinance No. 2017-56 creates section 62.410 of the Orlando City Code to establish the Virginia Drive Special Plan Overlay District. (Virginia Drive SP). (Economic Development)

Summary:

The attached ordinance creates section 62.410 of the Orlando City Code to establish the Virginia Drive Special Plan Overlay District and amends the map in LDC Section 62.495 to rezone a portion of property that was within the North Orange Avenue Special Plan to the Virginia Drive Special Plan.

The Municipal Planning Board recommended approval of the amendment to Chapter 62 of the Land Development Code to add the Virginia Drive Special Plan as Section 62.410 (LDC2017-00231), amendment to the map in LDC Section 62.495 the North Orange Avenue Special Plan (LDC2017-00231), amendment to Future Land Use Policy S.14.13 (GMP2017-10006), amendment to Future Land Use Figure LU-2 Part C (GMP2017-10006), amendment to the boundary of Future Land Use Policy S.14.14 (GMP2017-10006) and the addition of two Future Land Use Policies S.13.8 and S.14.16 (GMP2017-10006) on August 15, 2017.

Three community meetings were held for the Virginia Drive/Lake Highland Transportation and Land Use Study, this proposed special plan is a recommendation from that study. The community meetings were held on August 1, 2016, September 20, 2016 and October 26, 2016.

The Growth Management Plan (GMP) amendments will be a part of the winter 2018 GMP amendment package, which will be heard by the City Council at a later date.

Fiscal & Efficiency Data: Not applicable.

Recommended Action:

Adopt the attached ordinance number 2017-56 and authorize the Mayor and City Clerk or Mayor Pro Tempore and City Clerk to execute on behalf of the City upon final review and approval by the City Attorney.

Agenda Item attachment(s) on file in the City Clerks Office.

Note: All agenda items must be in the City Clerk's office by Noon Friday, six(6) business days prior to the regular Monday City Council meeting.

Contact: Michelle Beamon Robinson, michelle.robinson@cityoforlando.net, 407.246.3145

Approved By:**Department****Date and Time**City Council Meeting: 11/13/17Item: 12-7 Documentary: 1711131207

ORDINANCE NO. 2017-56

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
2 OF ORLANDO, FLORIDA, RELATING TO THE VIRGINIA
3 DRIVE SPECIAL PLAN; CREATING SECTION 62.410,
4 ORLANDO CITY CODE, TO ESTABLISH THE VIRGINIA
5 DRIVE SPECIAL PLAN ZONING OVERLAY DISTRICT;
6 PROVIDING FOR SEVERABILITY, CODIFICATION,
7 CORRECTION OF SCRIVENER'S ERRORS, AND AN
8 EFFECTIVE DATE.

9
10 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the City of
11 Orlando, Florida (the "City"), adopt or amend and enforce land development regulations
12 that are consistent with and implement the City's adopted comprehensive plan; and
13

14 **WHEREAS**, Section 163.3202(3), Florida Statutes, encourages the use of
15 innovative land development regulations and requires that all land development
16 regulations be combined into a single land development code for the City; and
17

18 **WHEREAS**, from time to time, amendments and revisions to the City's adopted
19 comprehensive plan (the "Growth Management Plan"), progress in the field of planning
20 and zoning, or changes to state law make it necessary or desirable to amend the land
21 development regulations of the City; and
22

23 **WHEREAS**, at its regularly scheduled meeting of August 15, 2017, the Municipal
24 Planning Board recommended to the City Council of the City of Orlando, Florida (the
25 "Orlando City Council"), that the provisions of this ordinance are consistent with the
26 applicable provisions of the City's adopted Growth Management Plan, are in the best
27 interest of the public health, safety, and welfare, are in harmony with the purpose and
28 intent of the Land Development Code of the City of Orlando, Florida (the "Land
29 Development Code"), will not result in disorderly and illogical development patterns, and
30 will not result in incompatible land uses; and
31

32 **WHEREAS**, the Orlando City Council hereby finds and determines that this
33 ordinance is consistent with the applicable provisions of the City's adopted Growth
34 Management Plan, is in the best interest of the public health, safety, and welfare, is in
35 harmony with the purpose and intent of the City's Land Development Code, will not
36 result in disorderly and illogical development patterns, and will not result in incompatible
37 land uses; and
38

39 **WHEREAS**, the Orlando City Council hereby finds and declares that this
40 ordinance is in the best interest of the public health, safety, and welfare.

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

43
44 SECTION 1. SECTION 62.410, CREATED. Chapter 62, Section 62.410, Orlando
45 City Code, is hereby created to read as follows:

46
47 **Section 62.410 — Virginia Drive Special Plan**

48
49 (a) Relationship to the Growth Management Plan. The Growth Management Plan
50 (GMP) calls for an Urban Design Plan for the Virginia Drive corridor (Urban
51 Design Objective 1.4 and Policy 1.4.2), performance standards for mixed-use
52 corridors in the Traditional City (Urban Design Element Goal 2, Objective 2.1,
53 and Goal 4, Objective 4.1, and Policy 4.1.1), encourages redevelopment in this
54 corridor (Future Land Use Policy S.14.13), and has standards for complete
55 streets (Transportation Objectives 1.33 through 1.36 and associated policies).
56 This Special Plan implements the recommendations from the Urban Design Plan
57 (the Virginia Drive/Lake Highland Transportation and Land Use Study) and
58 establishes performance standards.

59
60 (b) Support Document. The Virginia Drive Special Plan implements the Virginia
61 Drive/Lake Highland Transportation and Land Use Study, which was completed
62 in 2017. The purpose of this study was to develop a multimodal transportation
63 network that supports the community's vision of sustainability, vitality, mobility,
64 and safety within the corridor, promotes responsible development and re-use and
65 provides a framework that encourages economic investment. The study outlines
66 strategies to improve the study area in terms of pedestrian, bicycle, transit,
67 roadway, infrastructure and aesthetic projects.

68
69 (c) Objectives. The overall purpose of the Virginia Drive Special Plan is to
70 strategically guide transportation improvements and development activities to
71 preserve and strengthen the historic, cultural and social character of the Virginia
72 Drive area.

73
74 The specific objectives of this Special Plan are to:

- 75 1. Establish rights-of-way needed for the following roadways: Virginia Drive,
76 Brookhaven Drive and Alden Road.
77 2. Establish certain cross section criteria for the following roadways: Virginia
78 Drive, Brookhaven Drive, Lake Highland Drive and Alden Road.
79 3. Establish a review requirement for a proposed pedestrian underpass.

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- 80 4. Establish urban design principles for redevelopment and new development of
81 properties within the overlay area.

82
83 The Virginia Drive Special Plan is depicted in Figure 62.410-1.

84
85 **[Drafter's note: Please insert Figure 62.410-1 here.]**

86
87 (d) *Review Process.* All properties undergoing site and external building
88 improvements, substantial improvement, substantial enlargement, or
89 redevelopment are subject to this special plan overlay. Existing legally non-
90 conforming uses, buildings or sites are not required to meet this special plan until
91 the property undergoes redevelopment, subject to this review process. Review
92 for compliance with the overlay must be accomplished through one of the
93 following procedures:

- 94
95 1. Master plan pursuant to Chapter 65, Part 2H.
96 2. Where a master plan is not required, the applicant must submit a request for
97 a Final Site Plan Approval by the Planning Official by way of a determination
98 application.
99 3. Appearance Review by the Planning Official through a determination
100 application.

101
102 No building permit will be issued until this review process has been completed.

103
104 (e) *Complete Streets.* This Special Plan implements the complete streets concept,
105 which is an approach that encourages roadways to be planned, designed,
106 constructed, operated, and maintained to enable safe, convenient and
107 comfortable travel and access for users of all ages and abilities regardless of
108 their mode of transportation, be it walking, bicycling, driving or riding public
109 transportation. The roadway improvements listed below will help balance travel
110 modes, prioritize routes and accommodate expected growth.

- 111 1. *Rights-of-Way and Easement Requirements.* Projects with frontage along the
112 following roads must be evaluated with each project to determine if any
113 additional right-of-way or easements are required. Below are the final
114 roadway widths for planning purposes.
115 a. Virginia Drive width shall be 72' total width or 36' from the centerline to the
116 property line.
117 b. Brookhaven Drive width shall be 60' total width or 30' from the centerline
118 to the property line.
119 c. Alden Road width shall be 72' total width or 36' from the centerline to the
120 property line.

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- 121 d. Alden Road is proposed for realignment. Properties with frontage along
122 Alden Road from Princeton Street to Magnolia Avenue must be evaluated
123 for right-of-way needs.
- 124 2. Cross Section Criteria. The City's vision is to create complete streets for
125 Virginia Drive, Brookhaven Drive, Lake Highland Drive, Alden Road, and
126 Orange Ave. This will be accomplished through a combination of City-initiated
127 capital improvement projects and participation by property owners
128 proportionate to the scope of their redevelopment plans. Each redevelopment
129 project will be evaluated to identify the type and location of required
130 improvements.
- 131 a. All street frontages must adhere to the City's policy on Complete Streets
132 and include dedicated space for pedestrians, bicyclists, and motor
133 vehicles. On-street parking and appropriate landscaping must also be
134 included. The specific configuration of all 5 of these elements within the
135 available right-of-way will be determined as part of the final engineering
136 and design for the street improvements.
- 137 b. Virginia Drive is envisioned with an active public realm for all
138 transportation modes.
- 139 i. Interim improvements (within existing right-of-way) must include
140 wider sidewalks, improved landscaping and street trees, sharrows
141 or other interim bicycle improvements, and on-street parking where
142 feasible.
- 143 ii. Final improvements (based on final right-of-way width) must include
144 dedicated space for bicycles (such as multiuse path, bike lanes,
145 buffered bike lanes or a cycle track), green parkway, on street
146 parking, wide sidewalks, street trees, streetscape amenities, and
147 underground utilities.
- 148 iii. Limited or no vehicular access to projects that front Virginia Drive.
- 149 c. Brookhaven Drive is envisioned as a low speed street to provide primary
150 access to larger projects, transit routes, residential development and
151 parking areas. The improvements must include on-street parking, wider
152 sidewalk on the north side, street trees and streetscape amenities.
- 153 d. Lake Highland is envisioned as a low speed street that balances vehicular,
154 pedestrian and bicycle access and provides connections to destinations
155 both within and outside the study area. Improvements to the portion of
156 Lake Highland Drive between Highland Avenue and Ferris Avenue will
157 include on-street parking, bulb outs in place of striped pavement, street
158 trees, and a sidewalk on the south side of the road.
- 159 e. Alden Road is envisioned to provide increased connectivity throughout the
160 area. The portion between South Lake Formosa Drive and Princeton

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161 Street is envisioned as an active public realm including vehicular traffic,
162 the existing multi-use path along Lake Formosa, sidewalks wide enough to
163 accommodate increased pedestrian use as well as outdoor cafes.

164 3. Pedestrian/Cyclist Underpass

- 165 a. A pedestrian and cyclist underpass under the railroad tracks at E. New
166 Hampshire Street is desired by the City.
167 b. As part of any redevelopment proposal on Alden Road at New Hampshire
168 Street, the proposal should be evaluated for potential to preserve right-of-
169 way for a future underpass.
170 c. The proposed pedestrian/cyclist underpass project is subject to
171 engineering feasibility and funding availability.

172 4. Pedestrian Pass-Through. A pedestrian pass-through between Virginia Drive
173 and Brookhaven Drive is desired by the City. Any redevelopment proposal on
174 the south side of Virginia Drive between Alden Road and Ferris Avenue will
175 be evaluated for feasibility of dedicating rights-of-way or providing a public
176 easement.

177
178 (f) Permitted and Prohibited Uses. In order to encourage redevelopment in
179 accordance with the vision for this area, the following restrictions and changes to
180 allowable uses are required.

- 181 1. The following uses are prohibited on property within the Mixed Use Corridor
182 Medium Intensity future land use designation: parking/principal use, intensive
183 retail and automotive service.
184 2. Commercial uses are required on the street level along Orange Avenue. If
185 office uses expand into this area, mixed use buildings should be designed
186 with offices and/or residential uses above commercial. Commercial uses on
187 the street level are encouraged along Virginia Drive and Alden Road. Any
188 redevelopment must include the appropriate floor to ceiling height to support
189 commercial use.
190 3. In the I-G/T zoning district, industrial uses may be substituted within the same
191 building. No existing industrial use shall be expanded. No industrial use shall
192 be established in a new building, or in a building previously used for non-
193 industrial purposes.

194
195 (g) Industrial Rezoning. I-G/T property must be rezoned to MU-1/T or PD/T.
196 Application fees will be waived for the GMP amendment, zoning amendment and
197 plat applications provided the proposal is consistent with this Special Plan.
198

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199 (h) Infrastructure Needs. Projects resulting in increased density or intensity must be
200 evaluated to determine if a transportation study or sanitary sewer infrastructure
201 study is required.

202
203 (i) Height Limits. All buildings are subject to the maximum height in the zoning
204 district. In addition, for buildings facing the following locations, the following
205 height limits apply. If requirements conflict, the more restrictive height limit is
206 applicable.

207 1. Alden Road, north of S. Lake Formosa Drive and south of Virginia Drive: 7
208 stories

209 i. At the southeast and southwest corner of Alden Road and Virginia
210 Drive for a depth of 200': 7 stories

211 2. Virginia Drive: 5 stories

212 3. Orange Avenue: 5 stories

213 4. Orlando Urban Trail: 3 stories

214
215 Nothing precludes the master plan or Planning Official review from providing
216 building height transitions and massing projects appropriately.

217
218 (j) Design Standards. All new site and external building improvements requires an
219 Appearance Review. These urban design standards will be utilized during the
220 appearance review process. A site is expected to meet the urban design
221 principals to the extent feasible.

222 1. Buildings on Virginia Drive and Brookhaven Drive must front the street with
223 parking in the rear.

224 2. Sites must provide cross access to adjacent sites and shared parking where
225 feasible.

226 3. Sites adjacent to the Orlando Urban Trail must provide pedestrian
227 connections from the site to the Orlando Urban Trail. Fencing must be
228 CPTED style fencing, not privacy fencing. The lighting must be pedestrian in
229 scale. Lighting for the trail is encouraged, and an exception to Section
230 63.405(a) of the City's lighting code may be approved to provide offsite
231 illumination that serves the trail.

232 4. Site plans should incorporate a gridded street network with short block
233 lengths, consistent lot sizes, a unified urban form along street frontages, and
234 pedestrian connections that break up long blocks and building masses.

235 5. Buildings should maintain clear design themes, consistent use of materials,
236 styling and design details.

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237 6. Scale, massing and architectural style of infill buildings should respect the
238 context of the location and should avoid abrupt discrepancies in scale and
239 height to provide transitions to the surrounding neighborhood.
240

241 **SECTION 2. REZONING.** Pursuant to the City's Land Development Code, the
242 land area depicted in **Exhibit "A"** to this ordinance is hereby designated as the Virginia
243 Drive Special Plan overlay district on the City's official zoning map, which includes a
244 portion of the property that is being rezoned from the North Orange Avenue Special
245 Plan overlay district to the Virginia Drive Special Plan overlay district, as depicted in
246 **Exhibit "B"** to this ordinance.
247

248 **SECTION 3. AMENDMENT OF OFFICIAL ZONING MAP.** The City Zoning
249 Official, or designee, is hereby directed to amend the City's official zoning maps in
250 accordance with this ordinance.
251

252 **SECTION 4. CODIFICATION.** The city clerk and the city attorney shall cause the
253 Code of the City of Orlando, Florida, to be amended as provided by this ordinance and
254 may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary
255 to facilitate the finding of the law.
256

257 **SECTION 5. SCRIVENER'S ERROR.** The city attorney may correct scrivener's
258 errors found in this ordinance by filing a corrected copy of this ordinance with the city
259 clerk.
260

261 **SECTION 6. SEVERABILITY.** If any provision of this ordinance or its application
262 to any person or circumstance is held invalid, the invalidity does not affect other
263 provisions or applications of this ordinance which can be given effect without the invalid
264 provision or application, and to this end the provisions of this ordinance are severable.
265

266 **SECTION 7. EFFECTIVE DATE.** This ordinance takes effect upon adoption.
267

268 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in
269 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this
270 15 day of October, 2017.
271

272 **DONE, THE FIRST READING AND FIRST PUBLIC HEARING,** by the City
273 Council of the City of Orlando, Florida, at a regular meeting, this 23 day of
274 October, 2017.
275

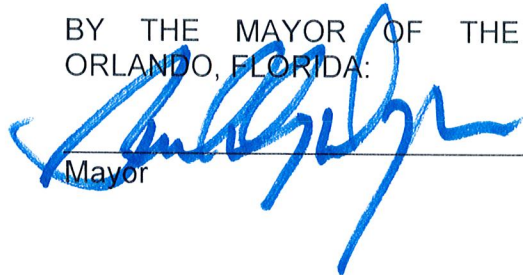
ORDINANCE NO. 2017-56

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DONE, THE SECOND 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 5 day of November, 2017.

DONE, THE SECOND READING AND SECOND 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 13 day of November, 2017.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:



Mayor

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

Denise Aldridge

City Clerk

Denise Aldridge

Print Name

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

[Signature]

City Attorney

Asst. Sarah Taitt


Print Name

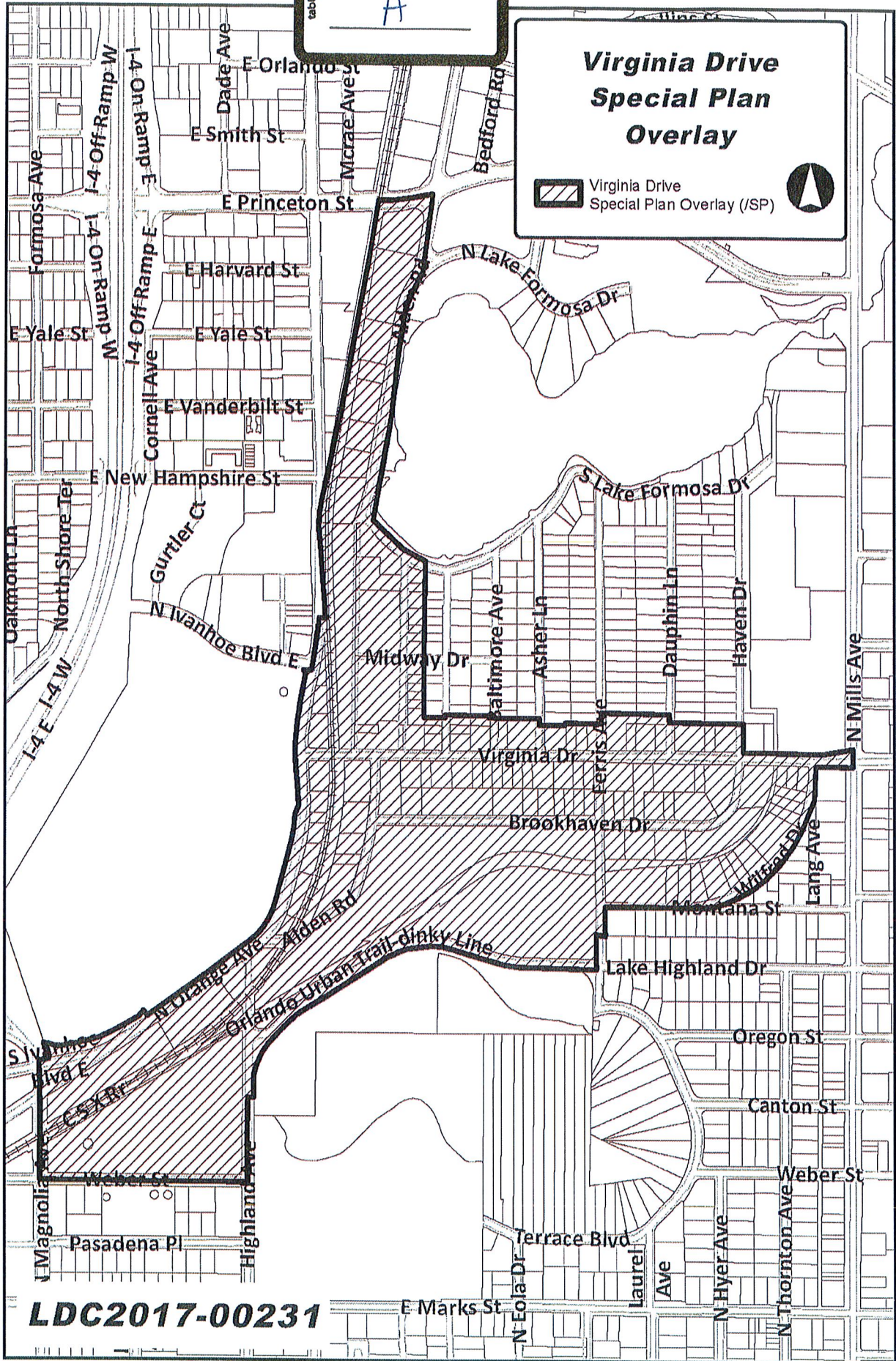
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EXHIBIT

A

Virginia Drive Special Plan Overlay

 Virginia Drive
Special Plan Overlay (SP)



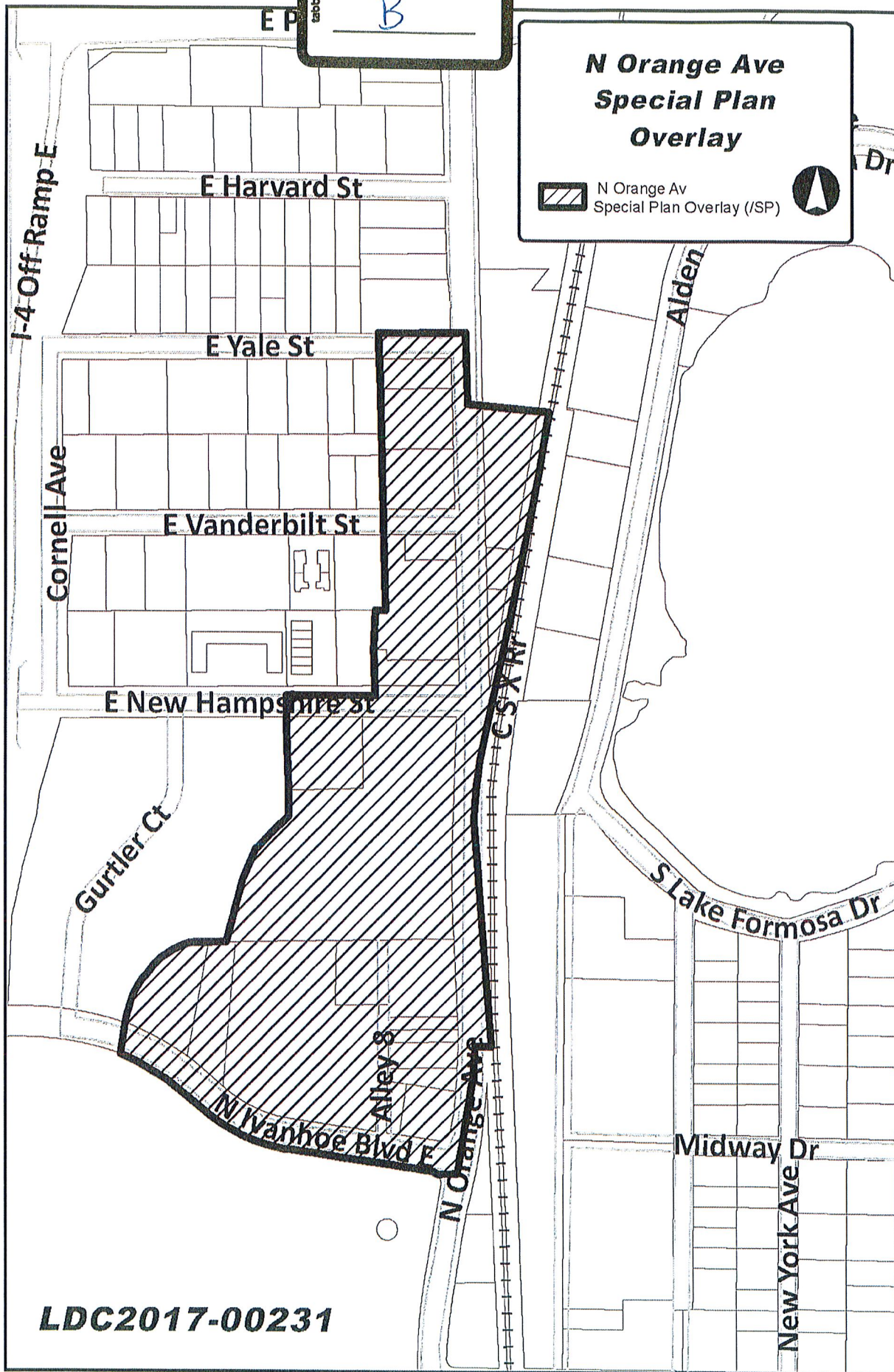
LDC2017-00231

EXHIBIT

B

**N Orange Ave
Special Plan
Overlay**

 N Orange Av
Special Plan Overlay (SP)



LDC2017-00231

NOTICE OF ZONING CHANGE

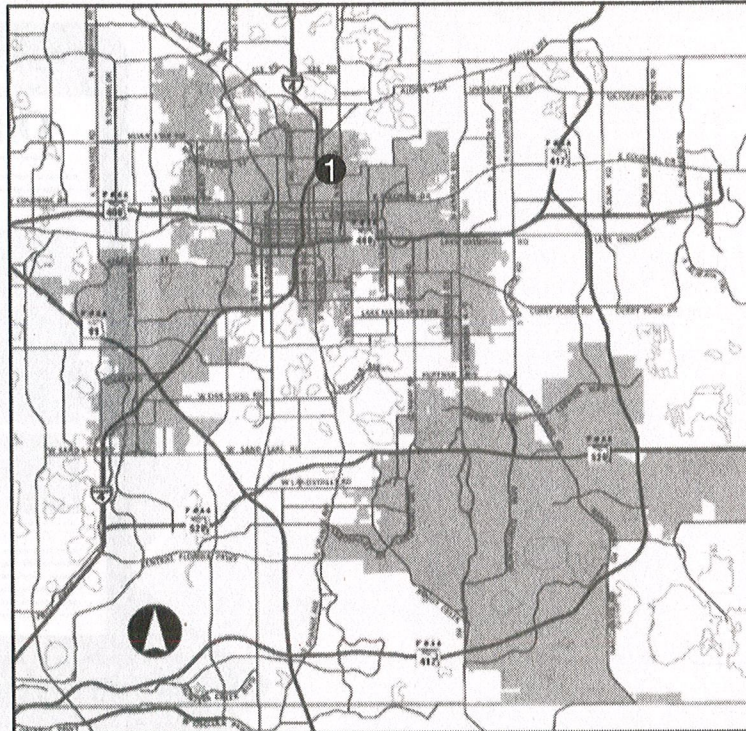
The City of Orlando proposes to amend the Growth Management Plan to change the use of land within the areas shown on the map below. On **Monday, October 23, 2017**, the Orlando City Council will consider proposed ordinance #2017-56, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO THE VIRGINIA DRIVE SPECIAL PLAN; CREATING SECTION 62.410, ORLANDO CITY CODE, TO ESTABLISH THE VIRGINIA DRIVE SPECIAL PLAN ZONING OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

The following amendment is proposed:

Project	Parcel Location	Amendment	Case #
1. Virginia Drive Special Plan	South of Princeton Avenue, north of Weber Street, east of Orange Avenue and west of Mills Avenue.	1. Amend Chapter 62 of the LDC to add the Virginia Drive Special Plan as Section 62.410. 2. Amend the map in LDC Section 62.495, the North Orange Avenue Special Plan.	LDC2017-00231

SUNDAY, OCTOBER 15, 2017



A public hearing on this ordinance will be held during Council's regular meeting beginning at 2:00 p.m., in City Council Chambers, 2nd floor, Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. If a person decides to appeal any decision made by Council with respect to any matter considered at the hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record included the testimony and evidence upon which the appeal is to be based. The proposed ordinance may be inspected by the public at the Office of the City Clerk located on the 2nd floor of Orlando City Hall, 400 S. Orange Ave., Orlando, Florida. Qualified persons with disabilities needing auxiliary aid or service, or other assistance, so they can participate equally in this meeting should contact the Office of the City Clerk at (407) 246-2251 as soon as possible but no later than 48 hours before the meeting.

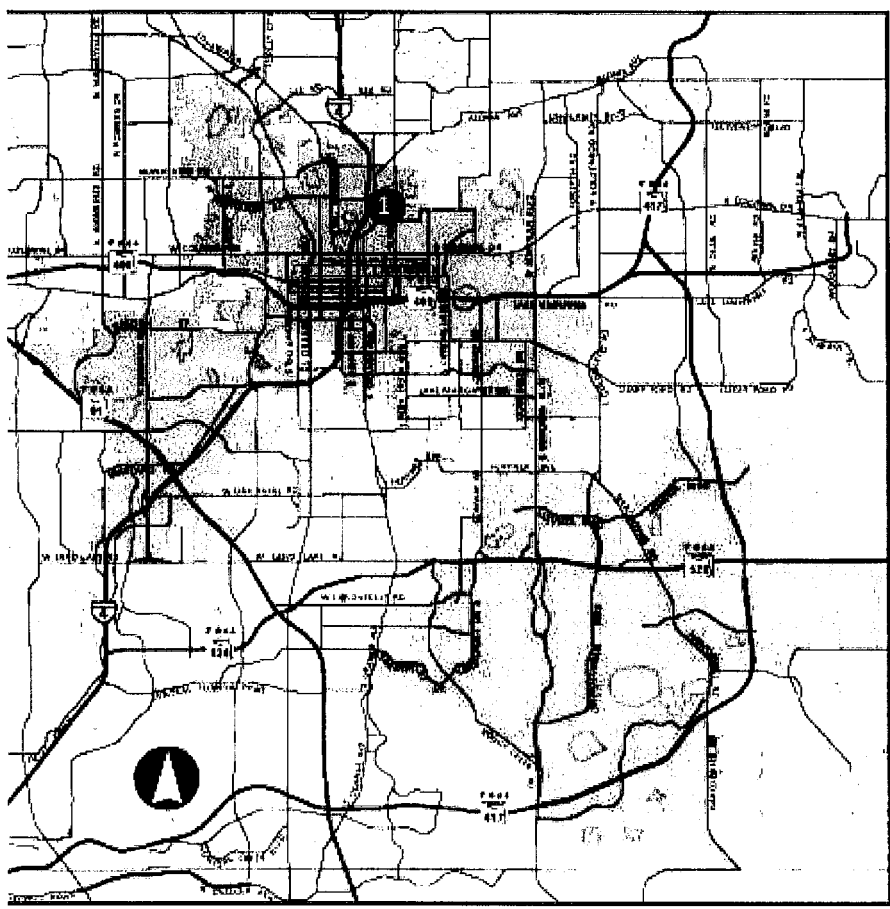
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