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ORDINANCE NO.: 2010-47

AN ORDINANCE OF THE CITY OF ORLANDO, FLORIDA, RELATING TO ZONING AND THE DEVELOPMENT OF LAND; AMENDING CHAPTERS 58 AND 62 OF THE CITY'S LAND DEVELOPMENT CODE TO CREATE THE WASHINGTON SHORES SPECIAL PLAN OVERLAY DISTRICT; PROVIDING DEVELOPMENT STANDARDS WITHIN THE DISTRICT RELATING TO BUILDING DESIGN ARCHITECTURE, AND STREETSCAPE, LANDSCAPING, ACCESS MANAGEMENT, PARKING, ACCESSORY COTTAGE DWELLING UNITS, AND DEVELOPMENT STANDARDS; **REZONING** CERTAIN LAND IN AND AROUND THE WASHINGTON SHORES AND JOHNSON VILLAGE NEIGHBORHOODS WITH THE WASHINGTON SHORES SPECIAL PLAN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY, REPEAL OF CONFLICTING ORDINANCES, CODIFICATION, CORRECTION **OF SCRIVENER'S** ERRORS, AND AN EFFECTIVE DATE.

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

WHEREAS, section 163.3203(3), Florida Statutes, encourages the use of innovative land development regulations and requires that all land development regulations be combined into a single land development code for the City; and

WHEREAS, from time to time, amendments and revisions to the City's adopted comprehensive plan (the "Growth Management Plan") and progress in the field of planning and zoning make it necessary or desirable to amend or revise the land development regulations of the City; and

WHEREAS, at its regularly scheduled meeting of June 15, 2010, the Municipal Planning Board (MPB) recommended to the City Council of the City of Orlando, Florida (the "Orlando City Council"), that the provisions of this ordinance are consistent with the applicable provisions of the City's adopted Growth Management Plan, are in the best interest of the public health, safety, and welfare, are in harmony with the purpose and intent of the City's Land Development Code, will not result in disorderly and illogical development patterns, and will not result in incompatible land uses; and

WHEREAS, the MPB was provided with evidence and analysis through a Support Document that demonstrated the necessity of such special plan for the Washington Shores neighborhood; and

(1) Articulation. In order to promote traditional, main street scaled development, the mass and materials of building shall be articulated along the street frontage. In order to articulate and break down the mass of larger buildings, design treatments such as modulating architectural details and materials, incorporating projecting and recessed elements, and changes in roof lines are encouraged. Smaller scaled development, such as one, two and three story buildings, may be articulated as one structure. A base, middle and top and appropriately scaled architectural details shall be incorporated into the design of new buildings and substantial improvements to existing buildings.

(2) Architectural Style. No one particular style is preferred; however, any architectural style shall blend with the surrounding neighborhood and be authentic in detail to the particular style. When an office building site is located on the same block face as or on a block face across the street from a residential zoning district, the office building shall have a residential architectural style.

- (3) Materials. Durable, authentic materials shall be used on the ground floor of the exterior façade of new buildings. The materials used on the base of the building shall be differentiated from the body of the building to define a water table. Blank walls greater than 25 feet in length shall be prohibited. Materials and architectural details shall continue on all facades of a building to avoid blank walls.
- (4) Entries. Commercial buildings shall incorporate at least one entrance per street frontage, at grade. In order to promote the CPTED concept of territorial reinforcement, multifamily buildings are strongly encouraged to have 12 to 24-inch raised entries for public/private space definition. At least one public entrance of each principal structure shall be oriented toward the front lot line or street side lot line. Pedestrian access from the public sidewalk, street right-of-way or driveway to the public entrance shall be provided via an improved surface.
- (5) Transparency. For multifamily residential development, a minimum 15 percent transparency is required on all floors below the roof line on facades adjacent to a public walkway, parking area, pedestrian path, or public/private park. All commercial development shall incorporate a minimum 30 percent transparency on the ground floor and 15 percent on each floor below the roof line. Any façade adjacent to a public walkway, plaza, or parking area shall also incorporate 15 percent transparency for natural surveillance purposes. Clear glass shall be used in ground floor storefronts and windows—low E energy efficient glass minimum transmittance 66 percent is permitted. Glass must be clear and free of obstructions up to 5 feet behind the window in order to be considered as meeting the minimum transparency requirements of this Section. Mirrored, tinted, or frosted glass shall be prohibited on ground floors.
- 6) Signage. Pedestrian-scaled signs are encouraged. Signs affixed to glass or within 2 feet of window surface shall not cover more than 20% of the window area between 3 and 7-feet from grade. Signs may be permitted in first and second story windows. Signs above the second story shall be prohibited. Monument signs may be allowed for Public Benefit uses. Such signs shall be set back 5 feet from the property line, shall not exceed 6 feet in height, and shall not

136	be back-lit box signs with fully illuminated faces.
137	(F) Precise Plan Transitions. The following transition areas ("Transects"), as depicted in the
138	Figure 42(B) (Transect map) and further described in Figure C (Transition Zones), are hereby
139	created:
140	
141	(1) T3: Sub-Urban Transect. This transect shall consist of existing single family dwellings.
142	This is a residential transect, and as such retail, commercial, and multi-family uses are not
143	permitted. The majority of this transect is located outside of the Special Plan area. When
144	property is designated as T3 within the Special Plan area, a maximum of two stories shall be
145	permitted, with a maximum height of 30 feet.
146	
147	(2) T4: General Urban Transect. This transect is intended to promote a mix of building types,
148	including rear-loaded townhomes, small apartments, office buildings, and public benefit uses.
149	Commercial uses can be found along Goldwyn Ave.
150	The fellowing development at a leaf of all and a fellowers of a feet wat 1 TA in Pierry 40/P)
151 152	The following development standards shall apply to properties designated T4 in Figure 42(B)
153	<u>:</u>
154	a. Maximum building mass. Three stories for all buildings. Architectural massing and
155	materials shall be articulated approximately every 60 feet.
156	
157	b. Roof Styles. Roof styles for new construction shall be consistent with those used on
158	Traditional City residential structures, such as gable, gambrel, hip, jerkinhead, parapet,
159	pyramidal, or shed. Mansard roofs are prohibited. The Appearance Review Official
160	may approve an alternative roof style for new construction where 51% or more of the
161	structures on the same block face and across the street are constructed of that style.
162	a Thoughts the fifther the state of the control of
163 164	c. Parking Facilities. For all residential development, parking facilities shall not exceed
165	50% of the front façade.
166	d. Active Uses. Front porches and stoops are encouraged on residential buildings.
167	Ground floor commercial uses are encouraged along Goldwyn Avenue to promote
168	active uses along the street and define the private zone from the public zone.
169	
170	e. Bonuses: Density and Intensity bonuses are discouraged.
171	
172	f. Zoning District Regulation: When a T4 lot is zoned O-1, the minimum front yard and
173	street side yard setback shall be 15 ft., the minimum side yard setback shall be 5 ft., the
174	minimum rear yard setback shall be 20 ft., and the maximum ISR shall be 0.85.
175	(3) T5: Urban Center Transect. This transect area consists of a mix of building types,
176	including larger multifamily, office and mixed-use buildings. Commercial uses are required at
177	ground level. Buildings are oriented to the street and typically are attached. Some structured
178	parking for larger buildings may be necessary. The following development standards shall
179	apply to properties designated T5 in Figure 42(B):
180	

181	a. Maximum Building Mass: Commercial, public benefit use and office uses are limited
182	w four stones and residential uses are limited to five stories. For mixed-use buildings
183	ule predominant use of the building shall determine the maximum number of stories
184	Architectural massing and materials must be articulated approximately every 120 feet.
185	
186	b. Bonuses: Density or Intensity bonuses may be allowed when the resulting
187	development does not exceed the maximum building profile allowed. In considering a
188	request for a bonus, the follow standards shall apply in addition to those described in
189	Chapter 58 Part 6:
190	1. Development must be mixed use; and
191	2. Project must consist of the development of multiple contiguous parcels rather
192	than individual parcels
193	
194	c. Cross Access: Vehicular cross-access shall be provided between adjacent properties.
195	Common aneyways or driveways shall be shared with adjacent properties located
196	within the "T-4: General Urban" area(s).
197	
198 199	d. Pedestrian-scaled Architectural Features. Where buildings are close to the street,
200	canopies, awnings, colonnades, and other architectural features are encouraged along
200 201	the ground floor. Encroachments into the sidewalk area may be permitted for awnings
201	canopies, marquees, or similar feature up to three feet. Outdoor dining and cafés are
202	encouraged.
203	[Insert Figure 42(A). Transect Map]
204	tarable 12(11). Hanseet wapj
205	[Insert Figure 42(B). Transition Zones]
206	- Same (2). Transition Zones
200	
207	(G) Streetscape
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207 208	(1) For all new development, a 13-foot streetscape consisting of a 5-foot furniture zone a 7
207 208 209	(1) For all new development, a 13-foot streetscape consisting of a 5-foot furniture zone, a 7-foot pedestrian through zone, and a 1-foot frontage zone is required along the major roadways.
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226	new development. In addition, CPTED principles shall be emphasized in the site design,			
227	including low ground cover and shrubs that are easily maintained at a height of 30 inches			
228	b. Landscaping shall not create hiding places and shall be maintained or designed to			
229	allow for the area between three and seven feet measured from grade to be clear of			
230	obstructions.			
231	c. Light fixtures, both on- and off-site, shall be coordinated with the landscape plan to			
232	prevent hiding places, ensure that lighting is not blocked or shaded by landscaping, and			
233	allow for natural surveillance of properties and pedestrian areas.			
234	d. Trees shall be maintained so that low-growing branches are trimmed to at least seven			
235	feet above grade. Shrubs and low landscaping should be trimmed to not exceed 30 inches			
236	from grade. This clear area allows for natural surveillance to occur on the street. Tree			
237	placement should take building windows and entrances into consideration to allow for			
238	visibility onto streets and into commercial businesses for CPTED purposes.			
239	e. Understory trees shall be used when overhead power lines conflict with tree locations,			
240	but increase to twice the amount of trees.			
241	The state of the s			
242	(H) Access Management			
243	(1) Driveway Access. Residential and commercial development shall, wherever feasible, take			
244	driveway access from alleyways or other available side streets, rather than the main			
245	thoroughfares of the neighborhood. Additional curb cuts on main thoroughfares are not			
246	allowed unless the Planning Official and Transportation Official determine that no other			
247	possible ingress and egress solutions are practical. Excess curb cuts on major thoroughfares			
248	shall be closed upon substantial improvement or expansion where other ingress and egress			
249	solutions are possible.			
250				
251	(2) Vehicular cross-access shall be required between adjacent properties. Ultimately,			
252	unnecessary curb-cuts shall be closed on Columbia St., Bruton Blvd., Orange Center Blvd.			
253	and Goldwyn Ave., as access is consolidated.			
254	_			
255	(3) Cross access easements are required between all parking areas and adjacent properties.			
256	Rear placement is preferred for vehicular cross access easements.			
257	_			
258	(4) All new development shall be designed to support the future creation of a system of			
259	medians along Goldwyn Avenue and Orange Center Boulevard to calm traffic, control access,			
260	discourage cut through traffic, and provide landscaping opportunities within the right-of-way.			
261	<u>-</u>			
262	(5) Alleyways. In order to prevent homeowners, specifically on Goldwyn Ave, and business			
263	patrons from backing out into oncoming traffic, alleyways are encouraged along the rear			
264	property line of all new development. Cross access easements between properties shall be			
265	provided to accommodate site circulation parallel to streets. The following standards shall			
266	apply when implementing the alley network:			
267	a. One-way alleys should provide a total width of 16 feet to accommodate a 12-foot			
268	pavement width with a 2-foot parkway on each side.			
269	b. Two-way alleys should provide a total width of 20 to 24 feet to accommodate a 16-			
270	to 20-foot pavement width with a 2-foot parkway on each side.			
ľ				

271 c. For properties that are adjacent to an alleyway, in order to allow for natural
272 surveillance of the alleyways, fences or walls shall not exceed 6 feet in height as
273 measured from alley grade, and shall be no more that 60 percent opaque above 4 feet in
274 height.
275 d. If located 10 feet or more from the alley property line, the fence or wall may be 100
276 percent opaque.
277 (I) Parking. The following parking standards shall apply within the Special Plan area, in addition

(I) Parking. The following parking standards shall apply within the Special Plan area, in addition to the Parking Standards contained in Chapter 61 of this Code.

(1) Parking Location. Surface parking lots shall be located in the rear of the property or to the side of the principal building. No parking spaces shall be located in front of any portion of a principal façade. Side yard parking, or any parking adjacent to a street, must be screened by a 30 inch high knee wall and dense hedge maintained at 15 inches in height. Structured Parking garages shall be designed on the interior of buildings, or finished with materials and details that simulates the appearance of a building when viewed from the street. Pedestrian scaled architectural features, such as punched openings representing windows, and awnings or canopies are encouraged to blend in with the principal structure and surrounding properties.

(2) Shared Parking District. The Washington Shores Special Plan Overlay shall be considered a Shared Parking District. The following method may be used to calculate parking for mixed-use projects with dissimilar adjacent uses, reciprocal parking and vehicular cross-access easements (open parking between uses): the actual parking required is calculated by adding the total number of spaces required by each separate use and dividing the total by the appropriate factor from the Shared Parking Factor matrix. Other uses may submit a shared parking study prepared by a qualified transportation consultant.

SHARED PARKING FACTOR

Use	RESIDENTIAL	LODGING	OFFICE	RETAIL
RESIDENTIAL	1.0	1.1	1.4	1.2
LODGING	1.1	1.0	1.7	1.3
OFFICE	1.4	1.7	1.0	1.2
RETAIL	1.2	1.3	1.2	1.0

(J) Conditional Use Permit. Proposed buildings that exceed the maximum transition profiles enumerated above are only allowed when approved by Conditional Use Permit. In granting a Conditional Use Permit for a proposed building that exceeds to maximum transition profiles required by this Section, the Municipal Planning Board shall consider the factors and standards applicable to all Conditional Use Permits and may prescribe appropriate conditions and safeguards as stated in Chapter 65. In addition to the factors and standards in Chapter 65, the Municipal Planning Board shall evaluate Conditional Use Permit applications based on the following requirements:

(1) The design of the proposed building should create transitions within the development site,

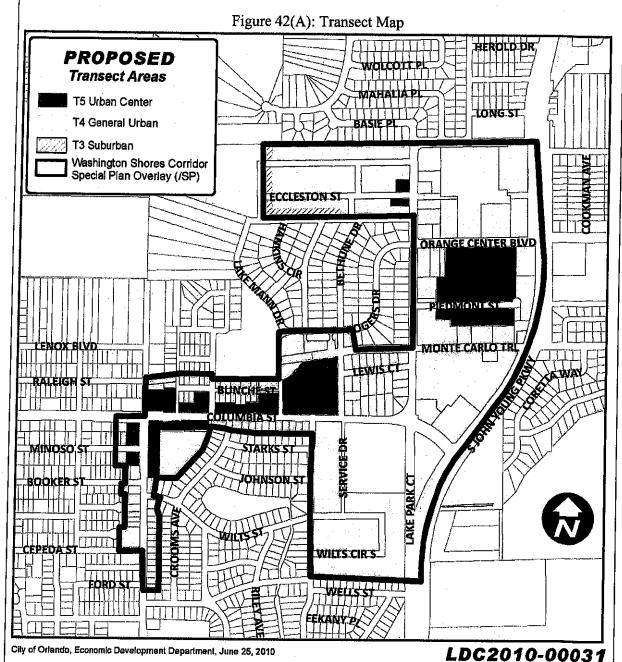


Figure 42(B): Transition Zones

T3

T-3: Sub-Urban*

General Character: Consists of low-density residential areas. Setbacks are deep and

landscaping surround residences and they tend to have porches and fences. Commercial and office uses are prohibited.

Building Mass:

1 to 2 stories typical, bonuses are prohibited

*Very few T-3 zones are actually used within the Special Plan boundaries

T4

T-4: General Urban

General Character:

Consists of a mixed use but primarily residential urban fabric. It may have a wide range of building type including rowhouses, and

offices. Setbacks are variable.

Building Mass:

Up to 3 stories with architectural massing and material articulated approximately every 60 feet. In the O-1 zoning district, specific

O-2 standards are permissible.

T 5

T-5: Urban Center

General Character:

Consists of higher density mixed use buildings that accommodate retail, offices, or apartments. It has substantial pedestrian activity zones with trees within the public right-of-way. Vehicular cross

access required between adjacent properties.

Building Mass:

Four stories for retail, office and public benefit use and five stories for residential uses. Active uses are required on the ground floor.

Articulation is required approximately every 120 ft.

337 338

339 340

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343

Figure C: Washington Shores Special Plan Overlay district boundary

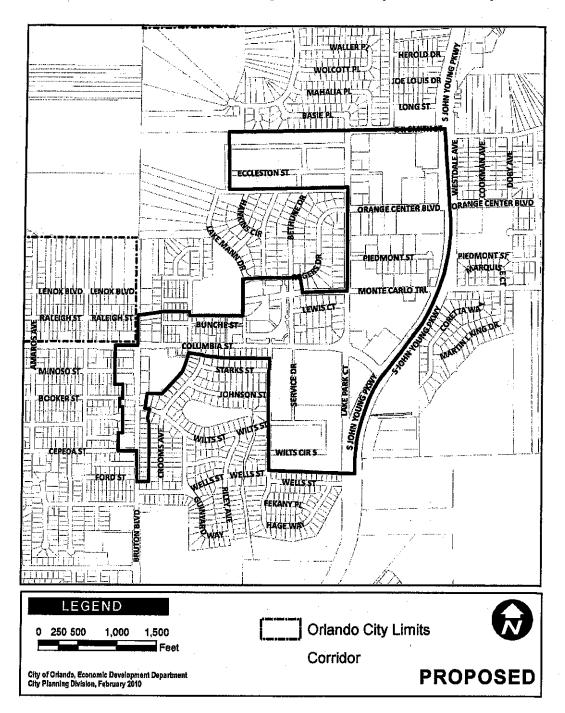
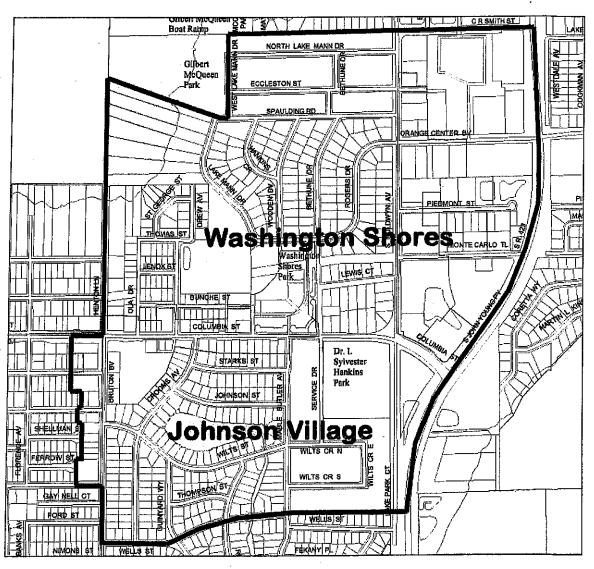


Figure 8: ECHO housing neighborhood boundaries



395 396	SECTION 2. AMENDING SECTION 58.502. Section 58.502, Code of the City of Orlando Florida, is hereby amended as follows:			
390 397	Florida, is necessy amended as follows:			
398	Sec. 58.502. Elderly Cottage Housing Opportunity (ECHO housing).			
399	(A) Purpose. Elderly Cottage Housing Opportunity (ECHO Housing), is intended to expand the			
400	supply of intergeneration dwelling options. ECHO housing units are small, self-contained			
40 1	dwelling units intended for the elderly, placed in the rear yard of an existing home of a family			
402	member.			
403	(B) Zoning Official Letter of Determination. Those interested in constructing an ECHO housing			
404	unit must apply for a Zoning Official Letter of Determination, issued by the Zoning Official.			
405	Only after its issuance can a Building Permit be sought. If construction has not commenced			
406	within twelve (12) months of the zoning official determination, all zoning and permitting			
407	approvals become null and void.			
408				
409	(C) Requirements for eligible residential lots			
410	(1) Zoning. Lots zoned R-1AA, R-1A, R-1, R-1N, R-2A and that conform to the lot size			
411	standards for single-family lots on Figure 1 of Chapter 58: Zoning Districts and Uses			
412	shall be eligible for ECHO housing. As a part of a pilot program, location shall be			
413	limited to the scope of the Washington Shores Special Plan study area as depicted in			
414	Figure 8 (ECHO housing neighborhood boundaries).			
415	[Insert Figure 8. ECHO housing neighborhood boundaries]			
416				
417	(2) Principal structure. The ECHO housing unit shall not be used as a replacement for the			
418	main dwelling. Therefore, the principal structure must be in good living condition prior			
419	to issuance of a Zoning Official Letter of Determination.			
420	(3) Tandem. Both the principal structure and the ECHO housing unit structure must remain			
421	in the ownership of the same individual. No Tandem lots shall be permitted.			
422				
423	(D) Restrictions			
424	(1) Same Family. The person(s) living in the ECHO housing unit must be part of the same			
425	family living within the principal structure.			
426	(2) Limitation. Only one ECHO housing unit allowed per site.			
427	(3) Occupants. The ECHO housing unit shall be limited to 2 occupants or less.			
428	(4) Size. ECHO housing unit shall be restricted to 450 sq ft and one-story in height			
429	(5) Setbacks. Same as Accessory Structures			
430	(6) Other accessory structures. A shed less than 100 sq ft. shall be permissible on site in			
431	addition to the ECHO housing unit; no other accessory structures are allowed.			
432				
433				

478	
479	DONE, THE SECOND READING, AND ENACTED ON FINAL PASSAGE, by an
480	affirmative vote of a majority of a quorum present of the City Council of the City of Orlando
481	Florida, at a regular meeting, this, day of, 2010.
482	
483	BY THE MAYOR/MAYOR PRO TEMPORE OF
484	THE CITY OF ORLANDO, FLORIDA:
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486	Att A
487	IN URUZ
488	Mayor / Mayor Pro Tempore
489	
490	ATTEST, BY THE CLERK OF THE
491	CITY COUNCIL OF THE CITY OF
492	ORILANDO, FLORIDA
493	
494	Stand Senice
495	City Clerk
496	
497	APPROVED AS TO FORM AND LEGALITY
498	FOR THE USE AND RELIANCE OF THE
499	CITY OF ORLANDO, FLORIDA:
500	
501	
	City Attorney Vida Skanlaged
4	interpretation of the second o