

APPROVED BY THE BOARD OF COUNTY
COMMISSIONERS AT ITS MEETING

AUG 29 1995

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ORDINANCE NO. 95-23

Effective date:
9/8/95

AN ORDINANCE AFFECTING THE USE OF LAND IN THE UNINCORPORATED AREA OF ORANGE COUNTY, FLORIDA; AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE BY CREATING A NEW ZONING DISTRICT TO BE KNOWN AS THE "CONVENTION PLAZA DISTRICT OVERLAY ZONE" ("CPD"); PROVIDING THAT THE CPD OVERLAY ZONE SHALL ONLY APPLY TO THE CONVENTION PLAZA DISTRICT, WHICH IS PRESENTLY ZONED C-2 ("GENERAL COMMERCIAL"); AND PROVIDING AN EFFECTIVE DATE.

Section 1. Chapter 38 of the Orange County Code is hereby amended by creating the following:

CONVENTION PLAZA DISTRICT (CPD) OVERLAY ZONE

Sec. 38-860. Intent and purpose.

The intent and purpose of the Convention Plaza District ("CPD") is to create a special place around the Orange County Convention Center that is entertaining, vibrant and inviting to tourists, visitors and residents alike. The Convention Center draws hundreds of thousands of people each year to conventions, meetings, exhibitions, trade shows and other special events.

Through coordinated intensification, the CPD can be a unique, exciting place where people want to visit, stay, transact business and be entertained.

The CPD, which is limited to the area identified on Map A, is zoned C-2, General Commercial District.

The CPD Overlay Zone modifies and sets forth additional requirements to the C-2 zoning requirements for the CPD.

Sec. 38-861. Area.

The CPD Overlay Zone is limited to the area identified on Map A which is attached hereto and incorporated herein by reference.

Sec. 38-862. Permitted uses.

Only the following principal uses, activities and structures shall be permitted in the CPD Overlay Zone:

- (1) Abstract or title services
- (2) Accountant services
- (3) Accountant offices
- (4) Advertising agencies
- (5) Airline ticket agencies
- (6) Amusement and recreational facilities
- (7) Antique stores
- (8) Architect offices
- (9) Art stores and art shows
- (10) Attorney offices
- (11) Authors and composers
- (12) Automatic data processing Services
- (13) Automobile rental agencies
- (14) Bakery shops, provided the products are sold only at retail on the premises
- (15) Banks, savings and similar financial institutions, including automated facilities
- (16) Barber shops
- (17) Beauty shops
- (18) Bicycle shops
- (19) Book shops
- (20) Bowling alleys
- (21) Bookkeeping services
- (22) Brokerages (including for real estate, mortgages, and stocks and bonds)
- (23) Builder and general contractor offices
- (24) Ceramic shops with kilns
- (25) Chapels ancillary to hotels and motels
- (26) Child care centers
- (27) Concerts
- (28) Clothing stores
- (29) Cocktail lounges

- (30) Communications designers
- (31) Convenience stores
- (32) Convention centers, trade marts, exhibition halls and other assembly and exhibit space
- (33) Copying and duplicating centers and services
- (34) Credit bureaus

- (35) Dance schools and studios
- (36) Dentist offices, clinics and dental laboratories
- (37) Diet counseling centers, subject to no products being sold except to clientele in conjunction with counseling services, and no exercise classes being conducted
- (38) Draft offices
- (39) Dry cleaners and laundramats (no external smoke, steam and flammable cleaning agents)

- (40) Employment agencies
- (41) Enclosed amusement centers
- (42) Engineering offices (including, but not limited to, mechanical, chemical, electrical, and civil engineering)
- (43) Estate planning and management

- (44) Festivals
- (45) Fire stations
- (46) Florists
- (47) Geologists
- (48) Gift shops
- (49) Groceries

- (50) Health spas
- (51) Heliports, subject to complying with applicable laws
- (52) Hotel and motels

- (53) Income tax services
- (54) Information centers
- (55) Insurance offices, including agents, brokers, mutual fund companies and underwriters
- (56) Interior decorating, home furnishings, and furniture stores

- (57) Investment offices, including, but not limited to, counselors, escrow service agencies, investment counselors, securities and trust offices
- (58) Jewelers
- (59) Libraries
- (60) Lie detector services
- (61) Liquor sales, provided provisions of Section 38-1414 are met
- (62) Locksmiths
- (63) Luggage stores
- (64) Manufacturers' representatives offices
- (65) Market research and analysis firms
- (66) Marriage counselors, provided the counselors are psychologists or psychiatrists
- (67) Medical offices and clinics
- (68) Mortgage finance offices and loan companies
- (69) Museums, art galleries and botanical gardens
- (70) Musical stores
- (71) News stands
- (72) Nursing registries
- (73) Office supply stores
- (74) Parades
- (75) Parking lots and garages
- (76) Pharmacies
- (77) Photographic processing
- (78) Photography studios
- (79) Planner offices
- (80) Public relations firms
- (81) Radio and television studios and offices
- (82) Real estate offices, including agents, appraisers and brokers
- (83) Research services
- (84) Restaurants

- (85) Safety consultants
- (86) Secretarial services
- (87) Shoe repair
- (88) Shopping centers
- (89) Small appliances, sales and service
- (90) Specialty food stores
- (91) Tailoring
- (92) Tax consultants
- (93) Theaters (except drive-ins)
- (94) Theatrical productions
- (95) Travel agencies
- (96) Videotape editing
- (97) Watch and clock repairs
- (98) X-ray and medical laboratories
- (99) Transit and pedestrian systems and stations

Other uses which are similar to or compatible with the uses listed above and that would promote the intent and purpose of this district may also be permitted, subject to the applicant complying with Section 38-867 and a similar and compatible use determination being made by the planning and zoning commission.

Sec. 38-863. Prohibited uses.

Any use, structure or activity which is not in full compliance with all the requirements set forth in this article is prohibited, including the following:

- (1) Accessory buildings in the front or side yards for retail purposes
- (2) Adult entertainment establishments
- (3) Animal slaughtering or the confinement of animals for feeding, finishing, and preparation for slaughter,

- including stockyards and feeding pens
- (4) Asphalt manufacturing or refining, or any similar petroleum or petrochemical refining or manufacturing process
 - (5) Asphalt or concrete paving, mixing, or batching plant
 - (6) Auctions
 - (7) Automobile towing services
 - (8) Biological waste transfer station
 - (9) Biomedical "biohazardous" waste transfer station
 - (10) Blast furnace, or similar heat - or glare - generating operations
 - (11) Bone distillation or the reduction, rendering, incineration or storage of garbage, offal, animals or animal waste, fats, fish or similar materials or products
 - (12) Bottle clubs
 - (13) Building material storage and sales
 - (14) Bus, cab, truck repair, storage and terminal
 - (15) Cement, lime, gypsum or plaster of paris manufacture, or the open storage of raw materials or finished products related to such manufacture
 - (16) Churches
 - (17) Cold storage frozen food lockers
 - (18) Contractors' storage and equipment yards, including welldrilling equipment and land clearing equipment
 - (19) Corrosive acid manufacture or bulk storage, including, but not limited to, hydrochloric, nitric, sulfuric or similar acids
 - (20) Display, sale or storage of food, commodities or equipment outside an enclosed building, except for restaurants with outdoor seats and tables

- (21) Enclosed mechanical garages
- (22) Fabrication or manufacturing of any product
- (23) Fruit or vegetable stands
- (24) Furniture stripping
- (25) Glue, size, or gelatin manufacture where the processes involve the refining or recovery of such products from fish, animal or refuse materials
- (26) Golf courses
- (27) Heating and air conditioning sales and service
- (28) Heavy equipment rental and sales
- (29) Junk, salvage, or wrecking yard or structure wherein motor vehicles, appliances, or similar used equipment or materials are stored, dismantled, or sorted for display, sale, or packing
- (30) Manufacturing
- (31) Machine shops
- (32) Machinery sales and service
- (33) Mechanical garage, including automobile body shop and painting
- (34) Mini-warehouses
- (35) Modular and prefab home displays
- (36) New and used automobile sales or service
- (37) Outdoor display or storage
- (38) Portable toilet storage
- (39) Recreational vehicle sales or service
- (40) Tallow, grease, lard or vegetable oil refining
- (41) Trade shops (including tinsmith, cabinetmaker, rug and carpet cleaning, upholstering, mattress renovation, electrical, roofing and plumbing shop)
- (42) Truck shops and terminals

- (43) Veterinary hospital and kennels with outside runs
- (44) Warehousing and distribution (no manufacturing)
- (45) Washing and packaging of fruit
- (46) Welding shops
- (47) Wholesale bakeries

Sec. 38-864. Special exceptions.

(a) Subject to the applicant complying with Section 38-867, the following uses may be permitted as a special exception, provided that any review of an application for a special exception shall consider the character of the area in which the proposed use is to be located, its effect on the value of surrounding properties, and the area of the site as it relates to the required open space and off-street parking facilities:

- (1) Amusement parks
- (2) Stadiums and arenas

(b) Each application for a special exception shall be accompanied by a site plan drawn to scale incorporating the regulations established herein. The site plan shall include a legal description, lot area, site dimensions, right-of-way location and width, proposed parking areas and number of parking spaces, proposed building location and setbacks from lot lines, total floor area proposed for any building, proposed points of access, location of proposed signs, location of existing easements, and a general plan of proposed landscaping. The site plan shall be submitted to and approved by the board of zoning adjustment prior to the granting of a land use permit. Substantial changes to the site plan shall require an amendment by the board of zoning adjustment.

(c) Development of an approved special exception shall comply with all applicable county codes and ordinances.

Sec. 38-865. Performance standards.

The following performance standards are hereby established in order to assure adequate levels of light, air, building space, lot coverage and density; to maintain and enhance locally recognized values of community appearance and design; to encourage the combination of smaller parcels into functional sites; to accommodate multiple ownership of land and improvements within the development; to provide for collective ownership of common areas; to promote functional compatibility of uses; to promote the safe and efficient circulation of pedestrian and vehicular traffic; and to otherwise provide for orderly site development standards in order to protect the public health, safety and general welfare:

- (1) Minimum lot size: None
- (2) Minimum lot width: None
- (3) Minimum front yard: None
- (4) Minimum side yard: None
- (5) Minimum rear yard: None
- (6) Minimum floor area: None
- (7) Minimum open space: None; impervious surfaces may cover the entire parcel as long as applicable drainage requirements and standards are not violated
- (8) Maximum building height: None; however, all structures with a height of two hundred (200) feet or greater must obtain FAA approval
- (9) Landscape provisions: Landscaping, (including parking lot landscaping), buffering and open space requirements shall be as provided for in the CPD Section of Chapter 24 of the Orange County Code

(10) Refuse or solid waste areas: Such areas shall not be located within any front yard setback and shall be located at least five (5) feet from the side and rear property lines

(11) No entrances or exits shall direct traffic into adjacent residential districts

(12) Setbacks shall be a minimum of fifty (50) feet from the normal high water elevation on every natural surface water body

(13) Maximum floor area ratio ("FAR"): 3.0

NOTE: Parking structures, common areas and other non-leasable areas shall not be included as "building" in the FAR calculation

(14) A minimum of 50% of the ground floor facing and directly fronting on the front road right-of-way shall be used for retail, restaurant, entertainment establishment or other pedestrian oriented business (hereby known herein as retail). This provision shall not apply to structures setback 50 feet or more from the front right-of-way line. Retail uses on the second story can be used to meet this requirement provided the second story retail is accessible for pedestrians from the front road sidewalk (stairways, elevators, escalators, etc.)

(15) Sidewalks shall be provided within all road right-of-ways and shall be at least ten (10) feet wide

- (16) On each property, a pedestrian rest area shall be provided in the street right-of-way or in between the street and the building. This rest area shall consist of seating and at least two (2) shade trees. These areas may be coordinated with any transit stop.
- (17) Awnings and canopies may extend over sidewalks from buildings, but must provide a minimum nine (9) foot vertical clearance and shall not extend over any public vehicle travel way.
- (18) The maximum allowable copy area for signs shall be as specified in Section 31.5-15 of the Orange County Code. Facia signs located at least 140 feet above grade may be increased by 50% above that allowed in Section 31.5-15(a)(2).
- (19) Transit services and use shall be promoted within the CPD.

Sec. 38-866. Off-street parking and loading regulations.

- (1) Minimum parking space ratio:
 - 1 space per 1.5 hotel/motel rooms
 - 1 space per 200 square feet of retail (gross square feet)
 - 1 space per 200 square feet of office (net square feet)
- Parking space ratios for restaurant and uses other than those stated above shall meet applicable parking requirements in the Orange County Code

(2) Parking spaces shall be a minimum 9 feet wide by 18 feet long for surface parking, and shall be a minimum of 8.5 feet wide by 18 feet long for parking garages. Compact spaces (8 feet wide by 16 feet long) in surface lots and garages may account for up to 25% of the required parking.

(3) The use of remote parking lots and/or garages may be used to meet the parking requirements. Remote parking shall only be used in conjunction with a transit system or with suitable pedestrian walkways and/or other connection of a distance of 1,500 feet or less.

(4) Loading facilities shall be sized and located according to the Orange County Code.

Sec. 38-867. CPD approval requirements.

The property situated within the CPD is subject to numerous development covenants and restrictions recorded in the Public Records of Orange County which are subject to interpretation and enforcement by private parties, and which regulate the use and development of the property within the CPD district. As a condition of submitting any of the following applications or requests to the County, the applicant (owner) shall provide the County with satisfactory evidence that the applicant (owner) has delivered written notice of such application or request to the individual or organization having the apparent authority or responsibility for the interpretation and enforcement of any such applicable recorded covenants and restrictions:

- (1) rezonings,
- (2) special exceptions,
- (3) variances,
- (4) for approval of outdoor events, including concerts, art shows,

festivals, parades, and theatrical productions,

- (5) to determine whether a proposed use that is not specified as a permitted use should be allowed as a similar and compatible use within the CPD,
- (6) to determine whether a proposed use that is not specified as a prohibited use should be deemed as similar and compatible to a prohibited use, or
- (7) to deviate from the requirements of this article, zoning ordinance, sign ordinance or any other regulation or ordinance governing the CPD district.
- (8) Building/sign permits.

Prior to the County approving any application or request pursuant to this Section 38-867, the applicant (owner) may provide the County with written certification from the person or party having the apparent authority or responsibility for the interpretation and enforcement of any recorded covenants and restrictions applicable to the subject property, that such request or application is consistent with and in compliance with any such applicable recorded covenants and restrictions. In the review and approval or disapproval of any such request or application, the County may consider such certification or any other written comments of the person or party having apparent authority or responsibility for the interpretation or enforcement of any applicable recorded covenants and restrictions.

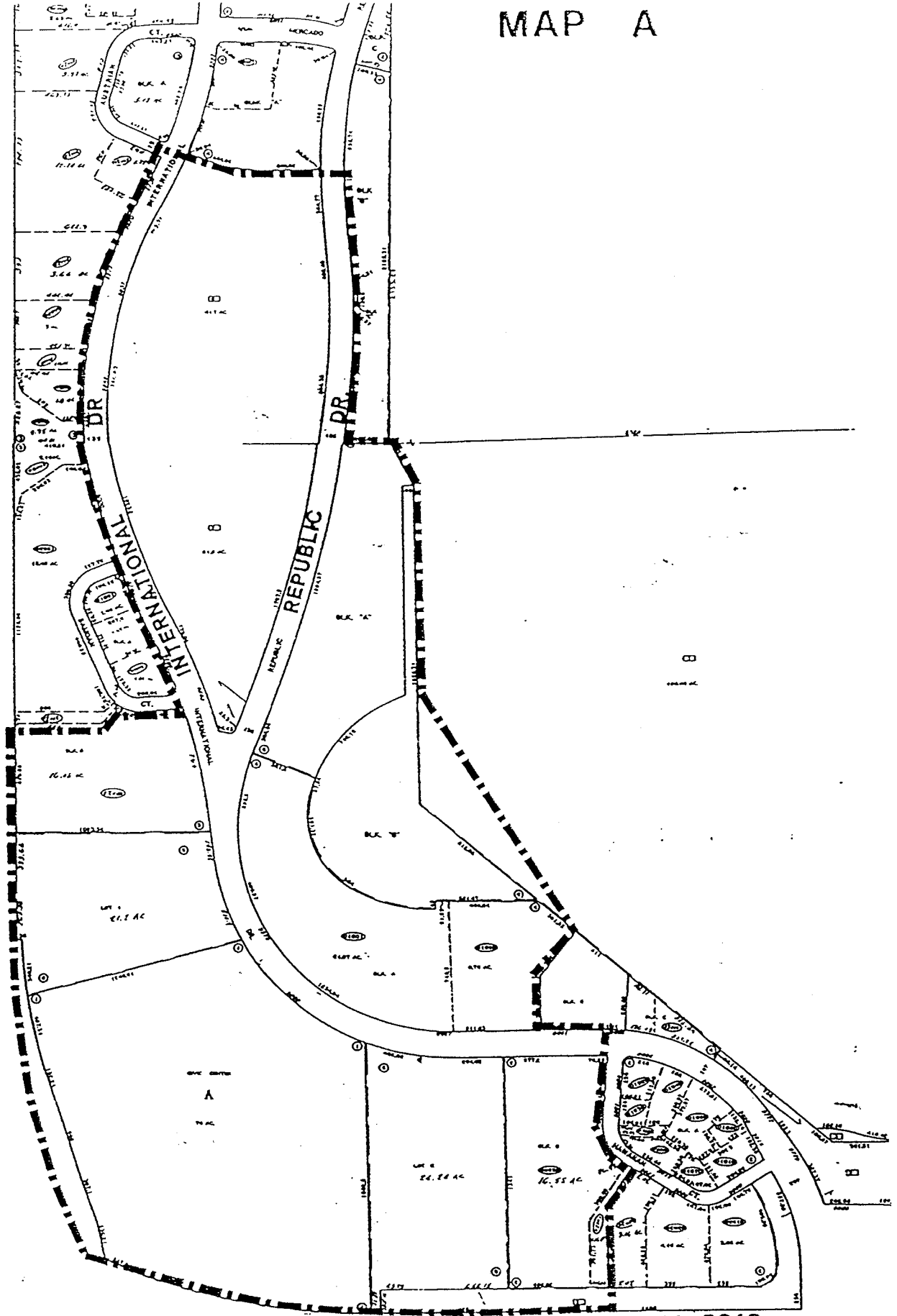
Secs. 38-868-38-875. Reserved.

Section 2. Effective Date. This ordinance shall become effective as provided by general law.

MAP A

TURKEY LAKE ROAD

INTERSTATE 4



SAND LAKE ROAD