ORDINANCE NO. 2001-04

AN ORDINANCE AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE BY CREATING UNDER ARTICLE VIII THEREOF ("P-D PLANNED DEVELOPMENT DISTRICT") A DIVISION 9, TO BE ENTITLED "BUENA VISTA NORTH DISTRICT STANDARDS," WHICH DIVISION SHALL BE APPLICABLE ONLY TO A SPECIFICALLY DESCRIBED AREA IN SOUTHWEST ORANGE COUNTY LOCATED, GENERALLY SPEAKING, EAST OF APOPKA-VINELAND ROAD AND AMY LANE, NORTH OF LAKE STREET, SOUTH OF FENTON STREET, AND WEST OF INTERSTATE 4; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. Creation of Division 9. A Division 9, to be entitled "Buena Vista North District Standards," is hereby created under Article VIII, Chapter 38, of the Orange County Code, to read as follows:

DIVISION 9

BUENA VISTA NORTH DISTRICT STANDARDS

GENERAL

Sec. 38-1391.1. In General.

A. BVN District Established. A special design overlay district is hereby established to be known as the Buena Vista North District ("BVN District"). Generally speaking, the BVN District is located in southwest Orange County in the area situated east of Apopka-Vineland Road and Amy Road, north of Lake Street, south of Fenton Street, and west of Interstate 4, inclusive of those rights-of-way (except for I-4). The BVN District's boundaries are identified on the Map, which is attached hereto and incorporated herein by reference as Appendix "A."
B. **Purpose and Intent.** This Division 9 is intended to provide specific design standards for the BVN District with the purpose of promoting a diverse mixed-use community that applies imagination, innovation, and variety, by focusing on unique design principles and encouraging creative solutions that accomplish the following:

1. Foster higher quality developments through unique design elements, including building materials, signs, and landscaping, etc.

2. Guide future developments as a transition area between higher intensity non-residential development and the lower density single-family residential homes north of the BVN District.

3. Encourage unified developments where small individual parcels of land can be collectively planned for infrastructure improvements, coherent land use mix and unified physical appearance.

4. Minimize incompatible surroundings and visual clutter, which prevent orderly community development and reduce community property values.

5. Sustain the comfort, health, tranquility, and contentment of residents with a desirable environment.

6. Balance the man-made system with the natural environment, through mitigation and enhancement of impacted natural resources.

**Sec. 38-1391.2. Development within BVN District.**

A. **Planned Development Required.** In order to ensure quality development and maintain the desired characteristics of the BVN District, all new development and redevelopment within the BVN District shall be designated as Planned Development (PD), except as noted in subsection B below. The PD Development plans shall follow the criteria and procedures set forth in Divisions 1 through 5, Article VIII, Chapter 38, unless otherwise specified herein.

In addition, all projects occurring in the BVN District, but outside of an Activity Center land use classification, shall establish a building architectural design concept or set of design guidelines as part of
the Planned Development process. Architectural design concept (for a single building) or design guidelines (for a multiple building complex) shall address, at a minimum, the following: building mass, facades (primary and secondary as defined by the Orange County Commercial Building Architectural Standards and Guidelines for Commercial Buildings and Projects), finish material, colors, roof forms, and signs.

B. Exceptions. The following development types shall not be required to be a Planned Development within the BVN District:

1. **Residential Uses.**

   Single-family residential developments that are four (4) units or less.

2. **Non-Residential Uses.**

   a. Free-standing professional office buildings that have either a gross floor area (GFA) of less than 3,500 square feet ("S.F") or are one-half (0.5) acre in land size (residential conversion).

   b. Free-standing houses of worship, government institutions, and utility facilities that have either a building GFA of less than 5,000 S.F. or are one-half (0.5) acre in land size.

3. **Redevelopment.**

   Redevelopment of existing structures where there is neither an increase in GFA nor an increase in land size. If a change of use occurs subsequent to redevelopment, the new development shall comply with the BVN District requirements, unless it is excepted pursuant to 1 or 2 above.
Sec. 38-1391.3. Development Density and Intensity; Conversion.

A. Compliance with Future Land Use Map Designation. Permitted land uses and allowable densities/intensities within the BVN District shall be consistent with the Future Land Use Map designation in the Comprehensive Policy Plan. Any proposed changes to the Future Land Use Map designation shall follow the comprehensive plan amendment procedures for application, review and approval.

B. Density/Intensity Conversion. Since specific uses may be proposed by a developer during the Planned Development review process, this subsection establishes conversion formulas between residential and certain non-residential uses. The formula for the conversion from residential to office, hotel, or timeshare shall be as follows: a density of ten (10) dwelling units per acre shall be equivalent to an intensity of .23 FAR. The formula for the conversion from residential to retail or tourist commercial as part of the PD shall be based on an equivalent average daily trips (ADT) generated by the particular use.

To encourage development density/intensity transition, cluster development and/or transfer of development density/intensity within a project shall be allowed, and approved as part of the Planned Development process only if the density/intensity remains consistent with the Future Land Use Map designation.

Sec. 38-1391.4. Street Design.

A. Street Design Requirements. In addition to the Orange County Engineering Standards for Roadway Design, the following requirements shall apply within the right-of-way:

1. Arterial and Collector Roadways. The arterial and collector roadways of Palm Parkway, Apopka-Vineland Road, and Lake Street, shall be four (4) lane divided roadways. These roadways, as well as Fenton Street, if it is constructed as a four (4) lane divided roadway, shall have at least:

   a twenty-foot (20') wide landscaped median (see Sec. 38-1394.1 Streetscape); and
• an eighteen-foot (18') wide landscaped parkway on each side of the roadway, including an eight-foot (8') wide concrete sidewalk on each side of the roadway.

2. **Ruby Lake Road and Related Internal Roadway Corridors.** Ruby Lake Road and related internal roadway corridors as defined in the *Orange Center Land Use Study Transportation Analysis* (May 1999) shall be two (2) lane undivided roadways. These roadways shall have a fifteen-foot (15') wide landscaped parkway on each side of the roadway, including a minimum five-foot (5') wide concrete sidewalk on each side of the roadway.

3. **Local Roads.** Local roads shall be two (2) lane roadways. Local roads shall have a minimum eleven-foot (11') wide landscaped parkway on each side of the roadway, including a five-foot (5') concrete sidewalk on each side of the roadway. If planned as part of an urban village, which is defined as a place where the front building setback is zero feet (0') and the buildings on the entire block are oriented toward the road, then the required parkway for a local road may be designed as a paved pedestrian way. In an urban village, the eleven foot (11') wide paved sidewalk shall allow for urban street tree planting and pedestrian lighting, and the street tree planting requirements shall match the streetscape requirements of this Division 9 (see Section 38-1394.1).

SITE DEVELOPMENT

Sec. 38-1392.1. **Minimum Unified Development Site Size.** Within the BVN District, land uses shall have the following minimum unified development site size:
<table>
<thead>
<tr>
<th>FUTURE LAND USE DESIGNATION</th>
<th>MINIMUM LOT SIZE*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>0.75 acres</td>
</tr>
<tr>
<td>Activity Center Mixed Use (ACMU) or other non-office, non-residential use</td>
<td>4.50 acres</td>
</tr>
<tr>
<td>Activity Center Residential (ACR)</td>
<td>6.00 acres</td>
</tr>
<tr>
<td>Low-Medium or Medium Density Residential</td>
<td>6.00 acres</td>
</tr>
</tbody>
</table>

A planned development site of less than the applicable minimum acreage noted on the table above may be nevertheless approved as a PD land use plan provided such site does not meet the minimum acreage requirements because it is located adjacent to a previously approved PD. However, failure to unify a site of less than the minimum acreage with adjacent land not having a PD description shall not, in and of itself, be deemed sufficient reason to waive the applicable minimum acreage requirement.

In order to approve a PD land use plan for a site that does not satisfy the minimum acreage requirement, the DRC shall make a determination that the applicable minimum acreage requirement cannot be met due to the configuration or location of improved or approved adjacent developments, or limitations due to roadways or planned roadways, or some combination of both. Upon determining that the minimum acreage requirement cannot be met, the DRC may impose conditions, including restricting uses and establishing special development standards. Once the DRC renders a finding that sufficient lands are not available to meet the minimum site size, the applicant shall submit a PD proposal for the entire site that addresses a unified approach similar to a full-scale development. Specifically, the application shall address a unified approach to the development, including roadway configuration, joint/shared driveway accesses between uses, landscaping, sign control, environmental and retention issues and other considerations unique to the site. In order to achieve a unified development plan, the proposed unified development plan shall take into consideration the approved PD land use plans of adjacent sites.

If the applicant chooses to pursue a variance under Section 38-1227 to the minimum acreage requirements noted on the table above, the other requirements of this section shall still be met.
Sec. 38-1392.2. Setbacks.

Since all new development in the BVN District will be zoned Planned Development (subject to the identified exceptions), the minimum setback requirements will vary according to the type of roadway a property fronts on as described in the chart below. For property abutting land zoned residential, designated residential on the Future Land Use Map, or contains existing residential development, the minimum building setback shall be thirty-five feet (35'). In certain cases, the distance between buildings and property lines is also dependent upon the height of the buildings (see section 38-1393.1, Height Limitations). All other setbacks shall be as follows:

<table>
<thead>
<tr>
<th>FRONT ROADWAY FACILITY</th>
<th>FRONT</th>
<th>SIDE</th>
<th>STREETSIDE</th>
<th>REAR</th>
</tr>
</thead>
<tbody>
<tr>
<td>Thoroughfare</td>
<td>20'</td>
<td>10'</td>
<td>Thoroughfare 20'</td>
<td>20'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Collector 15'</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local Road 0' or 10'</td>
<td></td>
</tr>
<tr>
<td>Collector Road</td>
<td>15'</td>
<td>10'</td>
<td>Thoroughfare 20'</td>
<td>20'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Collector 15'</td>
<td></td>
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<td>Local Road 0' or 10'</td>
<td></td>
</tr>
<tr>
<td>Local Road</td>
<td>0' or 10'</td>
<td>0' or 5'</td>
<td>Thoroughfare 20'</td>
<td>15'</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Collector 15'</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Local Road 0' or 10'</td>
<td></td>
</tr>
</tbody>
</table>

Sec. 38-1392.3. Bufferyards.

Bufferyards are intended to provide ample area for green space between the edge of the road pavement and the building or paved parking area. Uses and structures that shall be allowed inside bufferyards include landscaping, masonry walls, flag poles, monument signs, and underground utilities. Sidewalks are allowed within a front bufferyard, but not in side or rear bufferyards unless the sidewalk creates pedestrian access to adjoining properties and buildings. The streetscape requirements, (see Section 38-1394.1), provide landscape standards for a front bufferyard.

A. Principal and accessory structures and uses. Principal and accessory buildings shall not be allowed in bufferyards.
Accessory structures such as stormwater ponds, cooling towers, mechanical yards, dumpsters, freestanding concession stands, and freestanding ticket booths, shall not be allowed in bufferyards. However, authorized transit stop facilities, such as bus stop shelters, shall be allowed within a bufferyard provided they do not exceed one hundred (100) square feet in size. Compensation at a 1:1 ratio must be made if a transit route easement or drop-off/pick-up bay encroaches into the bufferyard.

B. **Pedestrian Orientation for Individual Buildings.** For freestanding individual buildings facing a street, direct pedestrian access shall lead from sidewalks within bufferyards or public rights of way to the building’s main entrance. The pedestrian access path shall at a minimum consist of the following design requirements:

- Five foot (5') wide paved surface (concrete, bricks, or pavers);
- Pavement markings at all crossings of vehicular use areas; and
- Minimum ten (10') wide landscape strip along one side of the path.

C. **Pedestrian Orientation for Multiple Buildings.** For multi-building developments, a pedestrian plan shall be submitted during the development plan review. Direct pedestrian pathways shall link the complex’s internal pedestrian system to sidewalks located within bufferyards or public rights of way. The pedestrian access path shall meet the following minimum design requirements:

- Six foot (6') wide paved surface (concrete, bricks, or pavers);
- Pavement markings at all crossings of vehicular use areas;
- Minimum twelve foot (12') wide landscape strip along one side (or six foot (6') on each side) of the connecting pathway. Landscape provided for pedestrian pathway may be counted toward the landscape requirements for parking lot and building base; and
- Pedestrian lighting.
Sec. 38-1392.4. Access Management.

An access management plan shall be submitted during the development plan review stage. The access management plan shall comply with the Orange Center Land Use Study Transportation Analysis (May 1999). Development proposals shall:

A. comply with the study requirements for vacation of various internal roadways in compliance with state statute;

B. to the extent possible, comply with re-alignment for planned roadways;

C. control the external roadway access from Apopka-Vineland Road, Lake Street, and Fenton Street (with attention to use of joint access/shared driveway facilities and with median openings); and

1. Specifically, median openings on Apopka Vineland Road between Lake Street and Fenton Street shall be located at the median openings existing as of February 13, 2001. Any additional openings shall not be less than 660 feet from these established median openings.

2. Right-in, right-out access drives shall not be spaced less than 300 feet apart unless approved by the County Engineer for reasons of traffic safety or good engineering practice. Where right-in access is provided serving development in excess of fifty (50) peak hour trips, the developer/applicant shall provide a right turn deceleration lane and corresponding turn radius to meet proper engineering standards; and

D. align internal access consistent with the internal roadway network.

Shared access driveways and cross access easements shall be provided for abutting compatible uses within a Planned Development in order to minimize the number of driveway cuts. Where shared driveways
and cross access easements are provided, a joint access easement shall be recorded as part of a subdivision plat or as a separate instrument prior to issuance of the first building permit.

In addition, the access management plan shall identify all existing or proposed transit facilities along the adjacent roadways.

Sec. 38-1392.5. Utilities.

All utility lines shall be placed underground. Above ground utilities or fixtures shall be screened from public view to the maximum extent possible. Above ground outlets, pad mounted transformers, pedestals, meters, or the like shall be screened from public view with a minimum five foot (5') wide landscaped buffer area. Shrubs must be at least three feet (3') tall and seventy-five percent (75%) opaque at planting and grow to a height and density capable of completely screening the outlet, transformer, or the like, within one year.

All roof top equipment and utilities shall not be visible from public view. Any parapet wall, roof structure, or similar screening device used to screen the equipment and utilities shall include similar materials and colors, or be designed as an integral part of the primary building.


Parking space dimension and drive aisle standards shall be consistent with applicable provisions of the Orange County Code. Parking lot landscape requirements shall follow applicable provisions of the Orange County Code, except as set forth below:

A. Landscape Area. A minimum of ten percent (10%) of a parking lot area shall be landscaped. Bufferyards shall not be deemed as parking lot landscape area. At a minimum, one landscape planter (island) shall be located every one hundred feet (100') of continuous parking spaces. Tree-wells (diamonds) or landscape strips are allowed between planter islands. The parking lot perimeter and landscape islands shall be curbed. Minimum landscape planter width shall be thirteen feet (13') from face of curb to face of curb and extend the full length of the parking stall depth. Minimum tree well area, if used, shall be thirty (30) square feet.
B. **Planting Requirements.** Canopy trees shall be planted within parking lot areas. The minimum number of canopy trees shall be based on a standard of 0.8 caliper inches of canopy trees for every parking space. All trees shall be Florida Number One, as presented in "Grades and Standards for Nursery Plants," FDOA (1988), with a minimum four inch (4") caliper with a minimum height of not less than fourteen feet (14') at the time of planting. *(See Appendix "B," which is attached hereto and incorporated herein by reference.)*

C. **Tree Preservation.** Orange County may require that specimen trees existing prior to development not be removed. For purposes of this section, a “specimen tree” shall mean any tree that is at least twenty-four (24) inches measured diameter at breast height that has been identified by Orange County as being of outstanding size, excellent form, and/or a healthy sample of the species.

Credit may be granted for the preservation of specimen trees and other healthy canopy trees located within the designated parking lot area. Retained trees shall be credited toward the required caliper inches at a rate of one (1) caliper inch of retained trees at one (1) inch of the required parking lot trees. *(See Appendix "C," which is attached hereto and incorporated herein by reference, and refer to Article VIII of Chapter 15 of the Orange County Code regarding tree protection and removal for recommended stock list and replacement requirements.)*

**Sec. 38-1392.7. Service Area Screening and Fencing.**

Service areas and dumpsters shall be oriented away from adjacent residential development. Service areas and dumpsters shall be visually screened from public view by a masonry wall constructed at least six feet (6') high as measured from grade. No part of the dumpster or materials stored within the service area shall extend above the masonry wall. The masonry wall shall be decoratively finished concrete masonry unit (CMU), brick, stucco or other material matching the exterior of the principal building. Chain link, painted or unpainted CMU walls, barbed wire, and wood are prohibited as part of the screening wall. Each wall shall include a wood gate equal in height and color to the masonry wall.

Landscaping shall be planted adjacent to those portions of the wall abutting a bufferyard or visible to the public, excepting the gate, but such trees and plants shall not count toward meeting bufferyard landscape
requirements.

BUILDINGS

Sec. 38-1393.1 Height Limitations for Multi-Family Residential and Non-Residential Buildings.

Building height for multi-family and nonresidential buildings shall be based on proximity to single family residential properties. For multi-family residential or nonresidential buildings abutting existing single family residential development within the BVN District, single family zoned land outside the BVN District, or lands outside the BVN District designated as Low-Density Residential on the Future Land Use Map, the building heights shall be as follows:

<table>
<thead>
<tr>
<th>BUILDING HEIGHT</th>
<th>MINIMUM BUILDING SETBACK</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 35 feet</td>
<td>Refer to Planned Development Zoning District Standards</td>
</tr>
<tr>
<td>Between 35+ feet and 50 feet</td>
<td>100 feet from property line</td>
</tr>
<tr>
<td>Between 50+ feet and 65 feet</td>
<td>200 feet from property line</td>
</tr>
<tr>
<td>Between 65+ feet and 75 feet</td>
<td>300 feet from property line; refer to Appendix “D” and Appendix “E,” both of which are attached hereto and incorporated herein by reference</td>
</tr>
<tr>
<td>75+ feet</td>
<td>Refer to Appendix “D” and Appendix “E”; also, comply with Sec. 38-1300</td>
</tr>
</tbody>
</table>

Sec. 38-1393.2. Facade Design.

Building facade design shall be in accordance with the Orange County Architectural Standards and Guidelines for Commercial Buildings and Projects. In addition:
A. A minimum of fifteen percent (15%) of the ground floor primary facade shall be windowed.

B. A minimum of ten percent (10%) of the ground floor secondary facade shall be windowed.

Sec. 38-1393.3. Roof treatments.

Roofs shall be designed in accordance with the Orange County Architectural Standards and Guidelines for Commercial Buildings and Projects, subject to the following:

A. No visible flat roofs. A primary facade of a structure shall have sloped roofs (e.g., gable, hip, or lean to) or parapet walls with sloped features (e.g. canopies, awnings, colonnades) or a combination of the two. At least seventy-five percent (75%) of the linear length of a primary facade shall have one or more sloped roofs, one or more sloped features, or a combination thereof.

B. Parapet wall finish material shall match the main wall finish material. A parapet wall shall be decorative in style. A flat parapet wall shall have a cornice.

C. Parapet walls when used on a flat canopy (non-walls) shall be constructed at the edge of the flat roof. (This type of parapet wall and canopy are common to service stations or drive up bank facilities.) The material used for parapet walls on a flat canopy shall be compatible with the material used on the principal building.

D. Metal framed roof panels, corrugated metal roof panels, and similar roof materials shall be prohibited.

E. A sloped roof (gable, hip and lean to) shall be used in conjunction with a large area of flat roof to create smaller mass and variation on the subject building facade.

F. Minimum pitch for a sloped roof or sloped feature shall be a slope of 4:12.

Sec. 38-1393.4. Color and Material.

Building color and materials shall be in accordance with the Orange County Architectural Standards and Guidelines for Commercial Buildings and Projects, subject to the following:
A. High contrast and primary colors on a building facade shall be prohibited.

B. A maximum of three (3) colors may be used on the body of any one building, plus one additional color for trim and cornice work. However, for any section of a building that, by a clear break in the building style or architectural treatment, gives the appearance of constituting a separate building structure, such section shall be allowed a maximum of three (3) colors (which colors may be different than those used elsewhere on the body of the building). These limits on the number of allowable colors exclude unpainted natural stone or roof material.

C. Corrugated panels shall be prohibited.

STREETScape AND LANDSCAPE

Sec. 38-1394.1. Streetscape.

Streetscape shall be designed in a uniform manner within the green space located within public rights-of-way. The landscape plan submitted with the development plan shall include the streetscape design. The landscape plan shall demonstrate that safe sight distances can be achieved at driveway and street intersections after plantings reach maturity. Clusters of accent landscape planting areas shall be allowed at entrance driveway or around ground signs. Accent landscape planting areas shall not be closer than one hundred feet (100') from one another.

A. Streetscape Planting. Wherever a public right-of-way has a median, the developer/property owner shall install streetscape in both the median and parkway as follows:

1. Thoroughfare: One (1) shade tree every 40', 4" caliper, 14' height minimum; and Five (5) ornamental trees every 100'; and Continuous shrub hedges, minimum 24" in height at planting.
2. Collector Road: One (1) shade tree every 40', 4" caliper, 14' height minimum; and Three (3) ornamental trees every 100'.

3. Local Road: Three (3) shade trees every 100', 4" caliper, 14' height minimum; or Five (5) under-story trees in tree-wells for every 100' if parkway is paved for public sidewalk.

All median and parkway planting shall be done in compliance with the Florida Highway Landscape Guide, dated April 1995, and FDOT Standard Index 700 for clear zones.

B. Acceptable Trees. Only live oaks and laurel oaks shall be planted as streetscape shade trees, unless otherwise prohibited. All trees planted in the right-of-way shall be "Florida Fancy," as defined in "Grades and Standards for Nursery Plants" by the Florida Department of Agriculture, 1998.

Sec. 38-1394.2. Site Landscape.

A. Building Base. A green space shall be designed around the base of each building according to criteria set forth below:

<table>
<thead>
<tr>
<th>Number of Habitable Stories</th>
<th>Minimum Width of Building Base Green Space</th>
</tr>
</thead>
<tbody>
<tr>
<td>One story</td>
<td>Ten feet</td>
</tr>
<tr>
<td>Two stories</td>
<td>Thirteen feet</td>
</tr>
<tr>
<td>Three stories</td>
<td>Sixteen feet</td>
</tr>
<tr>
<td>Four stories</td>
<td>Nineteen feet</td>
</tr>
<tr>
<td>Five or more stories</td>
<td>Twenty feet</td>
</tr>
</tbody>
</table>
(i) For multiple story buildings where the ground floor is solely used as a drop-off, porte-cochere, or service area, the ground floor shall not be counted as a habitable story. If a roofline or upper floor overhangs the first floor, the building base shall be measured from the furthest extension of the building. The maximum width required for a green space is twenty feet from the edge of the designated building base.

(ii) Tree planting requirements within the building base landscape area shall include one canopy tree for each one hundred (100) square feet of green space. The green space may be planted with grass, shrubs, hedges and other acceptable landscape material. A maximum of fifty percent (50%) of building base landscape area may be grass. Pedestrian access paths to the building shall be allowed in the building base landscape area, but shall not count as green space. The building base landscape area may be used for meeting landscape requirements for the perimeter of a parking lot when adjacent to the subject building.

(iii) Hardscape plaza for pedestrian facilities may be allowed on up to twenty-five percent (25%) of the required building base green space areas between the building and parking lot area. In lieu of building base green space, a hardscape plaza between buildings may be allowed on up to one hundred percent (100%). The required amount of landscape or greenspace areas and trees in the hardscape plaza, however, shall remain the same as those identified in A(ii) above.

B. Sign Area Landscaping. A landscape planting area shall be required around all ground sign bases. The minimum ground sign planting area shall equal at least three (3) times the copy area of the ground sign. (If the sign has one face, the required landscape area shall be based on the copy area of that one face. If the sign is double-faced, the required landscape area shall be based on the copy area of both faces.)

C. Perimeter Landscaping. Landscape buffers between land uses shall be consistent with applicable provisions of the Orange County Code. Hedges planted along common property lines shall be of identical species.

Sec. 38-1394.3. Plant material.

Unless otherwise specified herein, all landscape material shall
equal a quality of "Florida Number One" or better. The minimum size of landscaping at time of planting shall meet the following standards:

1. Canopy tree size: Four inch (4") caliper and a height of fourteen feet (14')
2. Under story tree size: Three inch (3") caliper and a height of twelve feet (12')
3. Shrub size: Thirty inch (30") height and planted at thirty inches (30") on center

SIGNAGE

Sec. 38-1395.1. In General.

Signs, both permanent and temporary, are subject to the requirements established within applicable provisions of the Orange County Code, including the Sign Ordinance, except as set forth below.

Sec. 38-1395.2. Prohibited Signs.

In addition to signs prohibited under applicable provisions of the Orange County Code, the following signs shall be prohibited:

1. Pole signs;
2. Billboards and other off-premise or off-site signs;
3. Exterior temporary signs (banners, balloons, etc.), with the exception of real estate signs, special event signs or banners as may be allowed pursuant to the Orange County Code;
4. Exterior neon signs;
5. Awning signs and internally lit or backlit awnings;
6. Any type of signs, temporary or permanent, that have moving parts, or appear to have movement;
7. Flashing or blinking signs; and
8. Electronic message center signs or boards, with the exception of those showing only time and temperature.
Sec. 38-1395.3. Permissible Signs.

Sign copy area shall be consistent with applicable provisions of the Orange County Code. Exterior signs shall either be monument-style ground signs or wall-mounted signs.

A. **Ground Signs.** The monument structure and material of a ground sign shall match the material and architectural style of the principal building. Lighting for ground signs shall be external illumination only. The maximum height and copy area for a ground sign shall be as follows:

<table>
<thead>
<tr>
<th>SIGN TYPE</th>
<th>MAXIMUM HEIGHT PER SIGN*</th>
<th>MAXIMUM COPY AREA PER SIGN</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Tenant</td>
<td>Six feet</td>
<td>54 square feet</td>
</tr>
<tr>
<td>Multiple Tenant</td>
<td>Eight feet</td>
<td>96 square feet</td>
</tr>
</tbody>
</table>

*Note: Sign height shall be defined as the height from the finished grade to the top of the sign.

B. **Wall Signs.** Only one wall sign per establishment may be placed on the primary facade. No wall signs may be placed on a secondary facade. Wall signs may be internally or externally illuminated. The maximum height and area for wall signs shall be consistent with applicable provisions of the Orange County Code, subject to the following requirements:

1. For a single tenant sign, the sign shall not extend above the roofline.
2. For a multiple tenant sign, the sign shall not extend above the highest point of the cornice line or eave overhang of the first floor.

**LIGHTING**

Sec. 38-1396.1. Mounting Height.

Lighting shall be provided pursuant to the following criteria:

1. Parking and driveway lights shall not exceed eighteen feet
(18') in height. Light poles shall be centered in the landscape islands whenever feasible and be a minimum of five feet (5') from the face of the curb. In areas without landscape islands, light fixtures shall be placed at the intersections of parking lot spaces.

2. Exterior building lighting shall not be mounted higher than the cornice line or eve overhang with the exception of internally lit wall signs and balcony lighting, which shall be recessed in the ceiling.

3. Lighting under canopies or behind awnings shall be recessed.

4. Lighting for pedestrian walkways shall not exceed twelve feet (12') in height.

Sec. 38-1396.2. Lighting Fixtures.

Lighting fixtures shall be provided pursuant to the following criteria:

1. The lamp source/light bulbs for any exterior lighting, whether for signs, entrance doors, service or drop-off areas, shall be shielded and not visible from public view, regardless of the mounting height.

2. Permitted light fixtures shall be decorative acorn type with a textured clear lens/globe, with frosted/phosphor coated light bulbs, and an internal optical system, that specifically reduce glare.

3. Featured lighting for landscaping, buildings, and water features may be allowed, provided light sources are completely shielded from public view.

4. Parking and pedestrian area lighting (other than for or over a public sidewalk) shall use metal halide phosphor coated lamp sources/light bulbs.

Sec. 38-1396.3. Illumination.

Lighting shall meet the following illumination standards:

1. Two hundred and fifty (250) watt maximum for acorn fixtures used in parking areas, and one hundred (100) watt maximum for acorn fixtures used in conjunction with
pedestrian walkways and bikepaths.

2. Parking area: Minimum - 0.6 foot candles (fc); Maximum (outside a twenty foot {20'} radius from pole) - 3.6 fc.

3. Pedestrian Walkway, Drop off area, and Bikeway: Minimum - 0.2 fc; Maximum - 2.5 fc.

4. Property Line: Illumination at the property line shall be 0.0 fc to 1.0 fc with as close to 0.0 fc as reasonably feasible when lighting is located next to residential. No light source shall be located closer than fifteen feet (15') from any property line, except pedestrian, sign, and landscape lighting shall be allowed within fifteen feet (15') of the property line along rights-of-way. Also, light fixtures along a public right-of-way shall be staggered.

5. Lighting at ATM’s shall comply with Florida Statutes.

6. All lighting shall be designed as recommended by the Illuminating Engineering Society (IES).

PROPERTY OWNERS ASSOCIATION

Sec. 38-1397.1 Property Owners Association.

A property owners association (POA) shall be created to promote, support and monitor compliance with the integrated approach to development required for the BVN District. The POA shall periodically review and report to Orange County on the street design, streetscape, landscape, signage and lighting in the BVN District as to the ongoing creation and continuance of a coherent community and sense of place. Additionally, the POA may be involved in the BVN District’s or a larger area’s marketing and tourist information networking efforts. The conditions of development approval shall require participation in the POA.

MUNICIPAL SERVICE TAXING UNIT

Sec. 38-1397.2 Municipal Service Taxing Unit.

A municipal service taxing unit (MSTU) may be created as a funding mechanism to implement and maintain the required landscaping improvements on public property within the BVN District.
MISCELLANEOUS

Sec. 38-1397.3. Miscellaneous.

A. Special Event Tents. Tents for special events shall only be white in color, and shall not be located on the subject property for more than ten (10) days.

B. Accessory Structures. Freestanding concession/ticket booths, storage sheds, containers, and the like, shall not be allowed between the primary building and adjacent right-of-way.

C. Heavy Vehicle Parking. No overnight parking of tractor-trailers, company truck fleets, delivery trucks, and/or promotional trucks may be allowed within parking lot areas. Company truck fleets or delivery trucks shall be parked in designated areas and shall be screened from public view by masonry wall and landscaping.

D. Stormwater Ponds. Stormwater ponds shall be designed to have sufficient side slope to avoid the need for security fencing.

E. Fences. Coated or uncoated chain-link fence, wire mesh fence, barbed wire and wood fences shall not be allowed between buildings and rights-of-way.

Section 2. Effective date. This ordinance shall become effective pursuant to general law.


ORANGE COUNTY, FLORIDA
By: Board of County Commissioners

By: [Signature]

ATTEST: Martha C. Austin, Comptroller
As Clerk of the Board of County Commissioners

By: [Signature]

Deputy Clerk

U:\ORDRES\BVN2.WPD( w/o strikethrus02/06/01)
Appendix ‘B’

PARKING LOT LANDSCAPE

TOTAL PARKING AREA: 32,980 SF
TOTAL PARKING: 84 SPACES
TYPICAL PARKING DIMENSION: 9’x20’

LANDSCAPE AREA REQUIRED: 3,298 SF
LANDSCAPE AREA PROVIDED: 3,803 SF

CANOPY TREES REQUIRED: 0.8” X 84 CARS
= 67.2 CAL. INCHES
CANOPY TREES PROVIDED: 68 CAL. INCHES
(17 TREES @ 4” CAL.)
Appendix ‘C’

UNDISTURBED AREA FOR RETAINED TREE
APPENDIX "E"
BUILDING SETBACK FROM SINGLE FAMILY RESIDENTIAL DISTRICT

ALLOWABLE BUILDING HEIGHT PER CURRENT SEC. 38-1300 (200 FOOT MAX. FOR HOTEL AND TIMESHARE)

6 STORIES OR SEVENTY-FIVE FOOT BUILDING HEIGHT

SIXTY-FIVE FOOT BUILDING HEIGHT

FIFTY FOOT BUILDING HEIGHT

SINGLE STORY OR THIRTY-FIVE FOOT BUILDING HEIGHT

DISTANCE VARIES (1000'-1320')
75' HEIGHT RESTRICTION AT VARIOUS DISTANCES FROM PROPERTY LINE, SEE APPENDIX "D" FOR 75' RESTRICTION AREA

SCALE = 1" : 200'