

Specific PUD Ordinance as identified in section 118-827. This Parcel Specific PUD Ordinance must comply with the approval criteria as identified in section 118-828.

(Ord. No. 99-29, § I, 4-22-99)

**Secs. 118-962—118-985. Reserved.**

*Subdivision II. Administration\**

**Sec. 118-986. Preapplication conference.**

Before submitting an application for an industrial and commercial planned unit development, an applicant at his option may confer with the city manager to obtain information and guidance before entering into binding commitments or incurring substantial expense in the preparation of plans, surveys, and other data.

(Code 1988, § 24-53(1))

**Sec. 118-987. Preliminary development plan.**

(a) An applicant seeking approval of an industrial and commercial planned unit development shall submit a preliminary development plan. The planning and zoning board, at the request of the developer, may approve the preliminary development plan in stages.

(b) The preliminary development plan shall include all of the following appropriate and applicable information:

- (1) A map showing street systems, plot lines and plot design.
- (2) Area proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, golf courses, school sites, public buildings, waterways, lagoons, ponds, natural preserves and similar public and semipublic uses.
- (3) A plot plan for each building site and common open area, showing the approximate location of all buildings, structures, and improvements and indicating the open space around buildings and structures.
- (4) Elevation and perspective drawing of all proposed structures and improvements,

except single-family residences, and their accessory buildings. The preliminary drawing need not be the result of the final architectural decisions and need not be in detail.

- (5) A development schedule indicating:
  - a. The approximate date when construction of the project can be expected to begin;
  - b. The stages in which the project will be built and the approximate date when construction of each stage can be expected to begin;
  - c. The anticipated rate of development;
  - d. The approximate date when the development of each of the stages in the development will be completed; and
  - e. The area and location of common open space that will be provided at each stage.
- (6) Agreements, provisions, or covenants which govern the use, maintenance, and continued protection of planned unit development and any of its common open areas.
- (7) The following plan and diagrams, insofar as the planning and zoning board finds that the planned unit development creates special problems of traffic, parking, landscaping or economic feasibility:
  - a. An off-street parking and service access plan.
  - b. A circulation diagram indicating the proposed movement of vehicles, goods and pedestrians within the planned unit development to and from existing thoroughfares, also any special engineering features and traffic-regulation devices needed to facilitate or ensure the safety of this circulation pattern must be shown.
  - c. A landscaping and tree planting plan.
  - d. Diagram of water distributions and other utilities.

(Code 1988, § 24-53(2))

\*Cross reference—Administration, ch. 2.

**Sec. 118-988. Approval of preliminary development plan.**

(a) Within 60 days after the filing of the preliminary development plan for an industrial and commercial planned unit development, the planning and zoning board shall approve, approve with modifications, or disapprove the preliminary development plan.

(b) Before the planning and zoning board approves or disapproves the preliminary development plan, it shall give notice as provided by law and hold a public hearing. The hearing shall be held no more than 30 days after the receipt of the preliminary development plan by the planning and zoning board. The plan must be made publicly available at least 15 days before the public hearing.

(Code 1988, § 24-53(3))

**Sec. 118-989. Approval of final development plan.**

Unless otherwise specified by the PUD zoning ordinance, the developer shall have three years from the adoption date of the PUD zoning ordinance in which to:

- (i) File and obtain approval of a final plat of a commercial or industrial planned unit development, or any portion thereof; or
- (ii) File and obtain approval of a final development plan of a commercial or industrial planned unit development, or a portion thereof and commence construction contemplated by such plan. Site clearing and tree removal activities do not constitute commencement of construction for the purposes of this subsection.

Commercial and industrial planned unit developments adopted prior to September 30, 2009 are hereby granted an extension to allow three years from September 30, 2009 in order to satisfy the conditions under subsection i. or ii. above.

(Code 1988, § 24-53(4); Ord. No. 09-19, § 6, 10-8-09)

**Sec. 118-990. Failure to begin construction.**

If no construction has begun or no use established in the industrial and commercial planned

unit development within one year from the approval of the final development plan, the final development plan shall lapse and be of no further effect. If a final development plan lapses under this division, the city clerk shall file a notice of revocation with the recorded final development plan.

(Code 1988, § 24-53(5))

**Sec. 118-991. Building permits; certificates of occupancy.**

The building inspector shall issue building permits for buildings and structures in the area covered by the approved final development plan for the industrial and commercial planned unit development if they are in conformity with the approved final development and all other applicable ordinances and regulations. He shall issue a certificate of occupancy for any completed building or structure located in an area covered by the approved final development plan if the completed building or structure conforms to the requirements of approved final development plan and all other applicable ordinances and regulations.

(Code 1988, § 24-53(6))

**Sec. 118-992. Change in final plan.**

No major changes shall be made in the final plan for the industrial and commercial planned unit development without the approval of the planning and zoning board.

(Code 1988, § 24-53(7))

**Sec. 118-993. Subdivision and resale.**

An industrial and commercial planned unit development may be subdivided or resubdivided for the purpose of sale or lease after the certificate of completion has been issued and the subdivision or resubdivision has been approved by the planning and zoning board.

(Code 1988, § 24-53(8))

**Secs. 118-994—118-1020. Reserved.**

*Subdivision III. Shopping Center Developments***Sec. 118-1021. Location.**

Planned shopping centers shall be permitted only if they have at least 300 feet of frontage.  
(Code 1988, § 24-54(a))

**Sec. 118-1022. Principal permitted uses.**

In a planned unit shopping center development, no building, structure, land or water shall be used, in whole or in part, except for one or more of the following uses:

- (1) Banks and trust companies, and other financial institutions.
- (2) Professional and business offices.
- (3) Bakeries, the products of which are sold at retail on the premises.
- (4) Laundromat, laundry and dry cleaning pickup stations.
- (5) Service and repair shops, including but not limited to beauty salons, barbershops, shoe repairing, hat cleaning, radio and television repair, watch and clock repair.
- (6) Restaurants, tearooms, cafeterias, delicatessens and other eating and drinking establishments.
- (7) Studios, photography, art, music and dancing.
- (8) Florist, interior decorating, antique shops.
- (9) Retail stores, including but not limited to book, confectionery, department, drug and sundries, food and grocery, furniture, hardware, paint, haberdashery, costume jewelry, leather goods, millinery, modiste, notions, phonograph and phonograph records and supplies, package liquors, sporting goods, radio and television, office supplies



- and stationery, shoe, toy, tailor, variety, art goods and artist's supplies, business machines, music stores.
- (10) Indoor theaters, indoor amusement enterprises, including but not limited to bowling alleys, pool and billiards.
- (11) Any other retail store or service establishment that in the judgment of the planning and zoning board is consistent with those included in this section and that will not detract from the character of the shopping center and that, further, is in harmony with the spirit of this chapter and the comprehensive plan.

(Code 1988, § 24-54(b)(1))

#### **Sec. 118-1023. Accessory uses.**

In a planned unit shopping center development, the following accessory uses may be used in conjunction with one or more of the principal uses:

- (1) Enclosed storage spaces.
- (2) Drive-in service windows and similar facilities.

(Code 1988, § 24-54(b)(2))

#### **Sec. 118-1024. Prohibited uses.**

In a planned unit shopping center development, the following uses are specifically prohibited:

- (1) Residential dwellings.
- (2) Commercial nurseries.
- (3) Churches, cemeteries and public uses of an industrial nature.
- (4) Trailer camps, courts or parks.
- (5) Wholesale establishments, except offices.
- (6) Mortuaries or funeral homes.
- (7) Storage yards or any outside storage of goods, or any facility specifically designed or used for storage purposes, except as an accessory use subject to divisions 2 and 3 of this article, article IV and division 2 of article VI of this chapter.

- (8) New and used automobile, trailer or farm equipment sales and service facilities.
- (9) Drive-in services, including restaurants, dairy bars, laundries, etc., parked on or adjacent to streets, highways or roads.
- (10) Sales from stands, wagons, trucks, etc., on vacant property or parked on or adjacent to streets, highways or roads.
- (11) Shops, including carpenter, sheet metal, paint, sign painting, silver plating, soldering, upholstery, umbrella, bicycle or motorcycle rental or repair, exterminating, secondhand or rummage, feed, tire recapping, live bait, taxidermy, woodworking.
- (12) Storage garages.

(Code 1988, § 24-54(c))

#### **Sec. 118-1025. Special exceptions.**

In a planned unit shopping center development district, the uses permitted as special exceptions are as follows:

- (1) Gasoline stations and auto tuneup.
- (2) Communication towers and communication antennas.

(Code 1988, § 24-54(d); Ord. No. 97-31, § 10, 9-11-97)

#### **Sec. 118-1026. Area regulations.**

The following shall apply to any building erected or any use of land within the planned unit shopping center development district:

- (1) *Minimum property size.* A planned shopping center shall be constructed on a tract of land of not less than two acres.
- (2) *Maximum building height.* No building or structure shall exceed four stories or 45 feet in height.
- (3) *Minimum yard setback.* The development plan of a planned shopping center shall provide safeguards for all property surrounding the tract whereon the shopping center is to be located.

(Code 1988, § 24-54(e))

**Sec. 118-1027. Off-street parking.**

The minimum off-street parking and loading requirements for the planned unit shopping center development district shall be as provided in article VIII of this chapter.  
(Code 1988, § 24-54(e)(4))

**Secs. 118-1028—118-1055. Reserved.**

*Subdivision IV. Industrial Planned Unit Developments*

**Sec. 118-1056. Intent.**

The intent of the industrial planned unit development is to permit flexibility in the design and arrangement of industrial buildings and their vehicular access and circulation patterns. The proposed industrial planned unit development must be designed to produce a stable and desirable character in harmony with the surrounding development.  
(Code 1988, § 24-55)

**Sec. 118-1057. Permitted uses.**

Permitted uses in the industrial planned unit development are the same as for the I-1 industrial district.  
(Code 1988, § 24-55(1))

**Sec. 118-1058. Permitted accessory structures and uses.**

Permitted accessory uses and structures in the industrial planned unit development are the same as for the I-1 industrial district.  
(Code 1988, § 24-55(2))

**Sec. 118-1059. Special regulations.**

Special regulations for the industrial planned unit development are the same as for the I-1 industrial district.  
(Code 1988, § 24-55(3))

**Sec. 118-1060. Prohibited uses and structures.**

In the industrial planned unit development, the uses and structures prohibited are the same as for the I-1 industrial district.  
(Code 1988, § 24-55(4))

**Sec. 118-1061. Dimension and area regulations.**

Dimension and area regulations for industrial planned unit developments are as follows:

- (1) *Area.* Industrial planned unit developments shall contain at least five acres of land.
- (2) *Street frontage.* The minimum frontage for an industrial planned unit development on a single public street shall be 1,000 continuous feet.
- (3) *Access points.* All industrial planned unit development access points on a public street shall be located at least 600 feet apart and at least 600 feet from the intersection of any street right-of-way lines. The planning and zoning board may require wider spacing between access points and intersecting street right-of-way lines when the planned unit development has more than the minimum required frontage on a public street. All access points shall be specifically approved by the planning and zoning board.
- (4) *Setbacks.* All buildings shall be located at least 75 feet from all property lines and at least 75 feet from the right-of-way line of any street serving the industrial planned unit development. The planning and zoning board may reduce the required building setbacks where such buildings would be adjacent to railroad sidings if such reductions would not be detrimental to surrounding areas.
- (5) *Height.* No building shall exceed 50 feet in height.  
(Code 1988, § 24-55(5))

**Sec. 118-1062. Off-street parking and loading.**

The minimum off-street parking and loading requirements for the industrial planned unit development shall be as provided in article VIII of this chapter.

(Code 1988, § 24-55(6))

**DIVISION 4. URBAN VILLAGE PLANNED UNIT DEVELOPMENT (UVPUD)\****Subdivision I. In General***Sec. 118-1063. Intent/description/design features.**

(a) This division is intended to implement the policies of the comprehensive plan concerning the urban village future land use classification.

(b) Development within the urban village future land use classification shall be designed based on an urban development pattern which encourages the formation of a suburban village. Through the urban village planned unit development process, which may involve the approval of multiple UVPUDs, all development within the urban village future land use classification shall follow the general design principles of:

- (1) Creating a series of walkable residential neighborhoods;
- (2) Developing an integrated park and trail system to facilitate pedestrian travel and recreation;
- (3) Developing a comprehensive network of roads and traffic calming solutions to complement and support the existing Marsh Road infrastructure;
- (4) Establishing connectivity to natural systems while preserving wetlands and other natural resources and protecting water quality and quantity;

\*Editor's note—Ord. No. 12-24, § 3, adopted May 24, 2012, repealed the former Div. 4, §§ 118-1063—118-1068, and enacted a new Div. 4 as set out herein. The former Div. 4 pertained to similar subject matter and derived from Ord. No. 12-02, § 1, 1-26-12.

- (5) Creating a mixed-use character through the integration of a diversity of uses; and
  - (6) Creating a focus center within the urban village.
- (c) The urban village planned unit development shall provide a compact integrated development pattern with a park or central feature located within a one-fourth-mile walking distance of the majority of residences in each neighborhood.
- (d) To ensure adequate housing diversity, urban village planned unit development should generally contain a variety of housing types which may include both attached and detached housing product with ownership and rental opportunities, as well as live/work housing.
- (e) The street network shall be designed to create a hierarchy of interconnected streets and traffic calming solutions to allow travel through and between neighborhoods and beyond the urban village planned unit development. Roadway cross sections shall be designed to accommodate multiple modes of transportation.
- (f) Emphasis shall be placed on pedestrian and bike paths and shall be incorporated in street cross sections and open spaces.
- (g) The standards and procedures of the urban village planned unit development are intended to promote flexibility of design and to permit planned diversification and integration of uses and structures, while retaining in the city commission the absolute authority to establish such limitations and regulations as it deems necessary to protect and promote the public health, safety and general welfare.
- (h) Consistent with the goal of ensuring the entirety of lands designated with the urban village future land use designation developing in such a way as to meet the goals and policies of the comprehensive plan, the city commission shall have the flexibility in deciding whether to require a mixture of residential and nonresidential uses and a variety of housing types and lot sizes within individual urban village planned unit developments based on anticipated development patterns.

(Ord. No. 12-24, § 3, 5-24-12)

**Sec. 118-1064. General requirements.**

(a) The urban village planned unit development shall be located in the urban village future land use designation as defined in the city's comprehensive plan.

(b) All development proposals within an urban village planned unit development shall, as determined by the city commission, be consistent with the requirements and/or guidelines of the Sixth Amendment to the Restated Interlocal Agreement for Joint Planning Area between Orange County and the City of Winter Garden (Dated January 24, 2007) as approved by the city commission, as such may be amended from time to time.

(c) All development within the urban village planned unit development shall comply with the Wekiva Parkway and Protection Act, and shall meet or exceed the standards of the resource protection overlay as established by the city's comprehensive plan. In the event of a conflict or conflicts between the urban village planned unit development zoning district and the resource protection overlay, the resource protection overlay shall control to the extent such conflict exists.

(d) Maximum density in the urban village planned unit development for any neighborhood shall be four dwelling units per gross acre except in the village center where the density may be up to 12 dwelling units per gross acre. However, certain neighborhoods may use residential clustering while maintaining the overall maximum density for the neighborhood. Maximum intensity for nonresidential development is 0.3 floor area ratio.

(e) Stormwater facilities within the urban village residential planned unit development shall generally be designed as amenities and low impact design (LID) techniques will be used where practical.

(f) New development shall connect to city utilities, potable water, sanitary sewer, and reclaimed water when available.

(g) Residential and nonresidential uses are allowed in the village center and may occupy the same building where nonresidential occupies the first floor with residential on the upper floors.

(h) Accessory dwelling units, not to exceed 850 square feet, above garages shall be allowed for a maximum of 50 percent of the residential units in the urban village planned unit development.  
(Ord. No. 12-24, § 3, 5-24-12; Ord. No. 12-69, § 1, 12-19-12)

**Sec. 118-1065. Permitted uses.**

Uses permitted in the urban village residential planned unit development may include and shall be limited to the following:

- (1) *Primary residential uses.* Primary residential uses permitted are single-family detached and multifamily residential dwelling units, including apartments, in semidetached, attached, and multistoried structures.
- (2) *Nonresidential uses.* Nonresidential uses include religious, public or semipublic uses, cultural, recreational, retail, schools, personal service, offices and professional centers providing services to residents of the urban village planned unit development and to residents of surrounding properties. The nonresidential uses shall be compatible with the primary residential use. No building devoted primarily to a commercial use shall be built or established prior to the primary residential buildings or uses it is designed or intended to serve. These uses shall be located in the village center and shall be accessible from all primary residential use areas.

(Ord. No. 12-24, § 3, 5-24-12)

**Sec. 118-1066. Unified ownership or control.**

For an urban village planned unit development, unified ownership or control is not required. An urban village planned unit development can be made up of numerous property owners. However, parcels that do not contain nonresidential uses must have direct pedestrian and vehicular access to the village center and other commercial and institutional areas.

(Ord. No. 12-24, § 3, 5-24-12)