

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO MAXIMUM FLOOR AREA RATIO IN HISTORIC PRESERVATION OVERLAY DISTRICTS; AMENDING CHAPTER 58, PART 1B OF THE LAND DEVELOPMENT CODE, ENTITLED ZONING TABLES; PROVIDING FOR SEVERABILITY, 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 163.3202(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"), progress in the field of planning and zoning, or changes to state law make it necessary or desirable to amend the land development regulations of the city; and

WHEREAS, at its regularly scheduled meeting of February 20, 2024, the city's Municipal Planning Board (the "MPB") considered application case number LDC2024-10000 requesting amendments to the city's Land Development Code (the "LDC") to limit the maximum Floor Area Ratio (FAR) for single family, duplex and tandem developments located within Historic Preservation Overlay Districts in order to further preserve the historic character of the overlay districts; and

WHEREAS, based upon the evidence presented to the MPB, including the information and analysis contained in the "Staff Report to the Municipal Planning Board" for the application, the MPB recommended that the City Council of the City of Orlando, Florida (the "Orlando City Council"), approve said application and adopt an ordinance in accordance therewith; and

WHEREAS, the Orlando City Council hereby finds and determines that this ordinance is in the best interest of the public health, safety, and welfare, and is consistent with the applicable provisions of the State Comprehensive Plan, the Strategic Regional Policy Plan, and the City's GMP; and

WHEREAS, in accordance with section 65.483 of the Land Development Code, the Orlando City Council hereby finds and determines that this ordinance is consistent with the applicable provisions of the city's adopted Growth Management Plan, is in the best interest of the public health, safety, and welfare, is 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 Orlando City Council hereby finds and declares that this ordinance is in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

SECTION 1. CHAPTER 58, PART 1B, AMENDED. Chapter 58, Part 1B, Land Development Code, entitled Zoning Tables, is hereby amended as follows:

1B. - ZONING TABLES

FG-1A.LDC - (Table of Zoning District Regulations Inside [and Outside of the] Traditional City) - R-1AA; R-1A; R-1; R-1N; R-2A; R-2B; R-3A; R-3B; R-3C; R-3D

FIGURE 1A.LDC

FIGURE 1: Table of Zoning District Regulations. Use this table to determine regulations that apply within each zoning district (includes districts inside and outside of the Traditional City). For additional regulations for specific uses, see Chapter 58, Parts 3 and 4. Numbers in parentheses refer to footnotes following the tables.

Standards	R-1AA	R-1A	R-1	R-1N	R-2A	R-2B	R-3A	***
Gross Res. Density (du/ac):								
Minimum								
Maximum	4.7	5.7	7.0	8.0	12	16	12 (9)	
Max. Single Family, Tandem and Duplex FAR (16) <u>(41)</u>	(16)	(16)	(16)	(16)	0.50	.050	.050	

FG-1B.LDC - (Table of Zoning District Regulations Inside [and Outside of] the Traditional City ("T. City")) - MXD-1; MXD-2; O-1; O-2; O-3; MU-1; MU-2

FIGURE 1: Table of Zoning District Regulations. Use this table to determine district regulations that apply within each zoning district (includes districts inside and outside of the Traditional City ("T. City")). For additional regulations for specific uses, see Chapter 58, Parts 3 and 4. Numbers in parentheses refer to footnotes following the tables.

Standards	MXD-1	MXD-2	O-1	O-2	O-3	MU-1	MU-2	***
Gross Res. Density (du/ac):								
Minimum	12	30		12	30	15	30	
Maximum	21 (9)	75 (9)	21 (9)	40 (9)	75 (9)	30 (9)	75(9)	
Max. Single Family, Tandem and Duplex FAR (16) <u>(41)</u>	0.50	0.50	0.50	0.50		.50		

FG-1C.LDC - (Table of Zoning District Regulations Inside [and Outside of] the Traditional City) - AC-N; AC-1; AC-2; AC-3; AC-3A; IC; IG; IP; H; P; C

FIGURE 1: Table of Zoning District Regulations. Use this table to determine regulations that apply within each zoning district (includes districts inside and outside of the Traditional City). Numbers in parentheses refer to footnotes following the tables.

Standards	AC-N	AC-1	AC-2	AC-3	AC-3A	IC	IG	***
Gross Res. Density (du/ac):								
Minimum	15	20	30	30	75			
Maximum	30 (9)	40 (9)	100 (9)	200 (9)	200 (9)			
Max. Single Family, Tandem and Duplex FAR (16) <u>(41)</u>	0.50	0.50	0.50					

FOOTNOTES:

41. The maximum single family, tandem and duplex Floor Area Ratio (FAR) in Historic Preservation Overlay Districts (HP) shall be 0.40. Attic and basement spaces shall not be counted towards the FAR calculation unless connected by code-compliant stairs or an elevator.

SECTION 2. SEVERABILITY. If any clause or provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other clauses, provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 3. CODIFICATION. The City Clerk and the City Attorney shall cause the Code of the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.

SECTION 4. SCRIVENER'S ERROR. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 5. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST READING, by the City Council of the City of Orlando, Florida, at a regular meeting, the _____ day of _____, 2024.

DONE, THE PUBLIC NOTICE, in a newspaper of general circulation in the City of Orlando, Florida, by the city clerk of the City of Orlando, Florida, the _____ day of _____, 2024.

DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, the _____ day of _____, 2024.

BY THE MAYOR OF THE CITY OF ORLANDO,
FLORIDA:

Mayor

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

City Clerk

Print Name

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

Assistant City Attorney

Print Name