

ORDINANCE NO. 2022-46

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, RELATING TO THE  
3 MANAGEMENT OF LATE NIGHT USES, SOUND  
4 ATTENUATION, AND PARKING FACILITIES WITHIN  
5 DOWNTOWN ORLANDO; AMENDING CHAPTER 5 OF  
6 THE ORLANDO CITY CODE, ENTITLED CODE  
7 ENFORCEMENT; AMENDING CHAPTER 33 OF THE  
8 ORLANDO CITY CODE, ENTITLED ALCOHOLIC  
9 BEVERAGES; AMENDING CHAPTER 42 OF THE  
10 ORLANDO CITY CODE, ENTITLED NOISE; AMENDING  
11 CHAPTER 61, PART 3, OF THE LAND DEVELOPMENT  
12 CODE, ENTITLED PARKING AND LOADING;  
13 AMENDING CHAPTER 62, PART 5, OF THE LAND  
14 DEVELOPMENT CODE, ENTITLED DESIGN  
15 STANDARDS IN AC-3A DISTRICT; AMENDING  
16 CHAPTER 65, PART 5A, OF THE LAND DEVELOPMENT  
17 CODE, ENTITLED GENERAL REQUIREMENTS;  
18 PROVIDING COMPLIANCE SCHEDULE FOR PARKING  
19 FACILITIES; PROVIDING LEGISLATIVE FINDINGS, AND  
20 FOR CODIFICATION, CORRECTION OF SCRIVENER'S  
21 ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE.  
22

23 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of  
24 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations  
25 that are consistent with and implement the city's adopted comprehensive plan; and  
26

27 **WHEREAS**, section 163.3202(3), Florida Statutes, encourages the use of  
28 innovative land development regulations and requires that all land development  
29 regulations be combined into a single land development code for the city; and  
30

31 **WHEREAS**, at its regularly scheduled meeting of May 17, 2022, the city's  
32 Municipal Planning Board (the "MPB") considered application case numbers LDC2022-  
33 10010, LDC2022-10011, and LDC2022-10012, requesting amendments to the city's Land  
34 Development Code (the "LDC") to regulate surface parking lots, address sound  
35 attenuation and outdoor speakers, and provide a special permit process for late night  
36 uses, all within the Downtown Entertainment Area; and  
37

38 **WHEREAS**, while the operation of principal use parking facilities is currently  
39 prohibited under Orlando City Code, the Orlando City Council hereby finds that authorizing  
40 operation of surface parking lots for use by the general public in the Downtown  
41 Entertainment Area, under specified conditions to better ensure public safety and facilitate  
42 vehicular access to downtown, constitutes a public purpose; and  
43

44 **WHEREAS**, concurrently with the LDC amendments, amendments to Chapter 33  
45 and Chapter 42 of the Orlando City Code are necessary to manage the noise and alcohol  
46 uses in the Downtown Entertainment Area; and



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(t) Land Development Regulations of the City of Orlando, more particularly:

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Chapter 65—Officers, Boards, and Procedures

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**Sec. 5.04. - Enforcement Procedure.**

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(2) For the purposes of this Chapter, "violator" means any owner, operator, or legally responsible ~~individual person~~ or business entity, who owns, leases, or maintains property that is alleged to have violated City codes and ordinances. Owners are ultimately responsible for controlling conditions and uses on their property. "Violator" also refers to the individual or business entity that actually committed the alleged code violation. "Violator" also refers to the Responsible Person as provided in Sec. 33.02(p).

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**ARTICLE II. - CODE ENFORCEMENT CITATIONS**

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**Sec. 5.19. - Classes of Violations and Reduced Civil Penalties.**

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(2) Violations of City codes and ordinances which constitute civil infractions for which citations may be issued are as follows:

Code/Ordinance Chapter or Section	Description	Class
***	***	***
<b>CH. 33, ALCOHOLIC BEVERAGES</b>		
***	***	***
<u>Sec. 33.07</u>	<u>Late Night Alcohol Uses in the Downtown Entertainment Area</u>	<u>IV</u>

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***	***	***
CH. 61, ROADWAY DESIGN AND ACCESS MANAGEMENT		
***	***	***
<u>Sec. 61.371</u>	<u>General Requirements</u>	<u>IV</u>
***	***	***
CH. 62, HISTORIC PRESERVATION & ARCHITECTURAL DESIGN		
***	***	***
<u>Sec. 62.506</u>	<u>Sound Attenuation in the Downtown Entertainment Area</u>	<u>IV</u>
***	***	***
CH. 65, OFFICERS, BOARDS AND PROCEDURES		
***	***	***
<u>Sec. 65.544</u>	<u>Late Night Uses in the Downtown Entertainment Area</u>	<u>IV</u>

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**SECTION 2. CHAPTER 33, AMENDED.** Chapter 33, Orlando City Code, entitled Alcoholic Beverages, is hereby amended as follows:

**Chapter 33 - ALCOHOLIC BEVERAGES**

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**Sec. 33.02. - Classifications and Definitions.**

The classifications and definitions contained in the Beverage Law are hereby adopted as the classifications and definitions for this Chapter. Additional definitions for this Chapter are set forth as follows:

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(p) *Responsible Person.* Responsible Person means the permittee, owner, proprietor, manager, assistant manager, employee, or other person exercising control over the operation of an establishment.

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145  
146  
147 **Sec. 33.07.- Late Night Alcohol Uses in the Downtown Entertainment Area.**

148 All proposed and existing establishments serving or selling alcoholic beverages for  
149 onsite consumption after midnight within the Downtown Entertainment Area, as described  
150 in section 42.07(6), Orlando City Code, shall comply with the following by October 1, 2022:  
151

152 (1) Responsible Person. Each establishment selling alcohol after midnight within  
153 the Downtown Entertainment Area shall identify a Responsible Person for  
154 operating the establishment at any time that alcohol is sold or provided on the  
155 site. Each Responsible Person shall register with the Code Enforcement  
156 Division. The Responsible Person must remain on-site during all operations of  
157 the establishment until closing.

158  
159 (2) Promoters Required to Obtain BTR. Any person involved in promoting the  
160 establishment shall be an employee of the establishment or register separately  
161 for a Business Tax Receipt from the City of Orlando pursuant to Section 36.03,  
162 Orlando City Code.

163  
164 (3) Trash and Litter. All litter shall be removed from the exterior of the property in  
165 the immediate public rights-of-way prior to 4:00 AM each operating night.

166  
167 (4) Permit Documents. All local licenses and permit requirements for the  
168 establishment, including a list of the Responsible Persons registered with the  
169 Code Enforcement Division, shall be kept on the premises of the establishment  
170 and provided upon demand to any agent of the City, including and not limited  
171 to Code Enforcement, Police, and Fire or Building inspectors.

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174  
175 **SECTION 3. CHAPTER 42, AMENDED.** Chapter 42, Orlando City Code, entitled  
176 Noise, is hereby amended as follows:

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179  
180 **Sec. 42.04. - Prohibited Acts.**

181  
182 (1) No person shall produce, cause to be produced, or allow to be produced, by any  
183 means, any noise which exceeds the applicable sound level limits as set forth in  
184 Chart 1 and section 42.03(2) within any private property which, when measured  
185 50 feet from the source of the noise or from the real property line of the property  
186 generating said noise or 50 feet from the source of the noise, exceeds the  
187 applicable sound level limits set forth in Chart 1 and as measured as set forth  
188 in section 42.03(2).

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189  
190 (2) No person shall produce, cause to be produced, or allow to be produced, by any  
191 means, any noise which exceeds the applicable sound level limits as set forth in  
192 Chart 1 and section 42.03(2) within any public property ~~which~~, when such noise is  
193 ~~measured 50 feet from the source of the noise or from the real property line of the~~  
194 ~~property generating said noise or 50 feet from the source of the noise,~~ exceeds  
195 ~~the applicable sound level limits set forth in Chart 1 and as measured as set forth~~  
196 ~~in section 42.03(2).~~

197  
198 **Sec. 42.05. - Additional Prohibited Acts.**

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201  
202 (3) *In the Downtown Entertainment Area:*

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205  
206 b. Any such machine, instrument, speaker, or device being used inside of a  
207 building, structure, room, chamber, or other similarly defined area ~~shall not in~~  
208 ~~any way face or direct the sound toward any~~ that is located within 20 feet from  
209 an open entrance or exit, or any window or other similar opening in the building,  
210 structure, room, chamber, or other similarly defined area shall be oriented  
211 toward the interior and pointed opposite and away from such openings.

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214  
215 **Sec. 42.07. - Use of Mechanical Loud Speakers or Amplifiers Out of Doors.**

216  
217 (1) Unless exempt pursuant to subsection 42.07(6), it is hereby made unlawful to use  
218 any mechanical loud speaker or other sound amplification device on a truck or  
219 other moving vehicle or out of doors on public or private property except under a  
220 permit issued by the City of Orlando Chief of Police or the City's Permitting Services  
221 ~~Division~~. For purposes of this section, "out of doors" shall mean the loud speaker  
222 or other sound amplification device is located outside and not wholly enclosed  
223 within a building or structure. Sound amplification devices located wholly within  
224 automobiles and handheld mobile electronic devices are hereby made exempt  
225 from this subsection, except that it is hereby made unlawful for any person to make,  
226 maintain, create, or allow to be created any unreasonably disturbing noise from  
227 any car sound amplification device (whether wholly or partially contained within the  
228 automobile or not) or handheld mobile electronic device that is of such character,  
229 intensity, or duration as to be detrimental to the life, health, comfort, or repose of  
230 any individual of ordinary sensibilities residing in or occupying the area.  
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232 (2) Except as provided in subsections (6), (7), and (8) below, no person shall use a  
233 loud speaker or other sound amplification device on a truck or other moving vehicle  
234 or out of doors on a public or private property between the hours of 10:00 p.m. and  
235 7:00 a.m.

236  
237 (3) No person shall use a loud speaker or other sound amplification device out of doors  
238 within 1,000 feet of any school, physical place of worship at which a religious  
239 organization regularly conducts religious services, hospital, court of law, or public  
240 transportation facility as defined in § 496.425(1)(b), Florida Statutes, during normal  
241 business hours of operation of that entity without the permission from that property  
242 owner.

243  
244 (4) Each permit application shall include the name, address, and telephone number  
245 of the permit applicant. The applicant shall submit a plan showing the proposed  
246 location and orientation of the loud speaker(s) or sound amplification device(s) to  
247 be used, the street address and specific location at that address for the proposed  
248 use, the hours of operation of the loud speaker(s) or sound amplification device(s),  
249 ~~and~~ a description of the loud speaker(s) or sound amplification device(s) including  
250 its decibel level, and such other information pursuant to City Code section 62.506,  
251 as applicable. The applicant shall certify that such speaker(s) and device(s) will be  
252 monitored to ensure that it is operated within the decibel levels prescribed in Chart  
253 1 set forth in section 42.03 herein.

254  
255 If the loud speaker(s) or sound amplification device(s) is being used out of doors  
256 temporarily for a ~~particular~~special event, the permit application must be submitted  
257 to the Chief of Police at least three business days, excluding holidays, in advance  
258 of the installation of the equipment and must be accompanied by a ~~\$20.00~~  
259 processing permit fee set by resolution of the City Council. Such usage must  
260 comply with this Chapter. If the use of such speaker or device out of doors will be  
261 continual, the permit application must be submitted to the ~~Permitting Services~~  
262 Division Planning Official pursuant to City Code section 62.506 prior to the  
263 installation of the equipment ~~and must be accompanied by a fee which shall be set~~  
264 ~~forth by resolution of City Council.~~

265  
266 (5) The Chief of Police or ~~the Permitting Services Division~~ Planning Official shall ~~issue~~  
267 approve a permit application provided that the proposed use and speaker or  
268 device:

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271  
272 (b) Will not interfere with any governmental function or with any event previously  
273 permitted pursuant to Chapter 18A, Orlando City Code, or with any event  
274 scheduled through the Families, Parks and Recreation Department if the

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275 proposed use of the speaker or device is temporary for a ~~particular~~special  
276 event; and

277  
278 (c) Is not for a location within 1,000 feet of an activity or another location previously  
279 permitted under this section for the same date and time if the proposed use of  
280 the speaker or device is temporary for a ~~particular~~special event; and

281  
282 (d) Is not for an individual, entity or organization that has been found guilty of  
283 violating Chapter 42 of the City Code or s. 316.3045, Fla. Stat. at least three  
284 times within a twelve-month period or at least four or more times within a  
285 twenty-four month period prior to the date of the permit application; and

286  
287 ~~(de)~~ Is not for a fully enclosed restaurant, bar, or other similar establishment that  
288 does not have a permitted sidewalk café or other approved designated outdoor  
289 space for patrons.

290  
291 If the use of the loud speaker sound amplification device is not temporary for a  
292 ~~particular~~special event, but instead is continual, the permit shall be valid for a  
293 period of 12 months from the date of issuance, at which time the City may renew  
294 the permit for the next 12-month period under the same conditions provided the  
295 renewal fee is paid and the number, type, and location of the speaker(s) or  
296 device(s) has not changed. The City may also consider the number of citations  
297 that had been issued, if any, to the applicant for violations under this Chapter  
298 during the prior 12-month period when determining renewal of the permit. If, at the  
299 time of renewal, the number of speakers or devices has increased or the type or  
300 location of the speakers or devices has changed, the permit application process  
301 shall begin anew. Annual renewal of the permit is the responsibility of each permit  
302 holder.

303  
304 If the loud speaker or sound amplification device is being used continually at a  
305 fixed location on a daily basis, the permit must be posted in a conspicuous place  
306 upon the premises at which the speaker or device is being used.

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309  
310 (6) For the purpose of providing an exemption from the prohibitions contained in  
311 subsections (2), and (3) above, there is hereby created a Downtown  
312 Entertainment Area which is described in Figure 1. Within said Area, loud  
313 speakers or other sound amplification devices for non-continual use may be used  
314 out of doors, upon obtaining a permit pursuant to subsection (5) above, between  
315 7:00 ~~p~~a.m. and 102:00 ~~a~~p.m. on weekdays and 7:00 ~~p~~a.m. and 12:00 a.m.  
316 (midnight) on weekends and without regard to the other prohibitions set forth in  
317 subsections (2) and (3) above. However, sections 42.02 through 42.05 set forth



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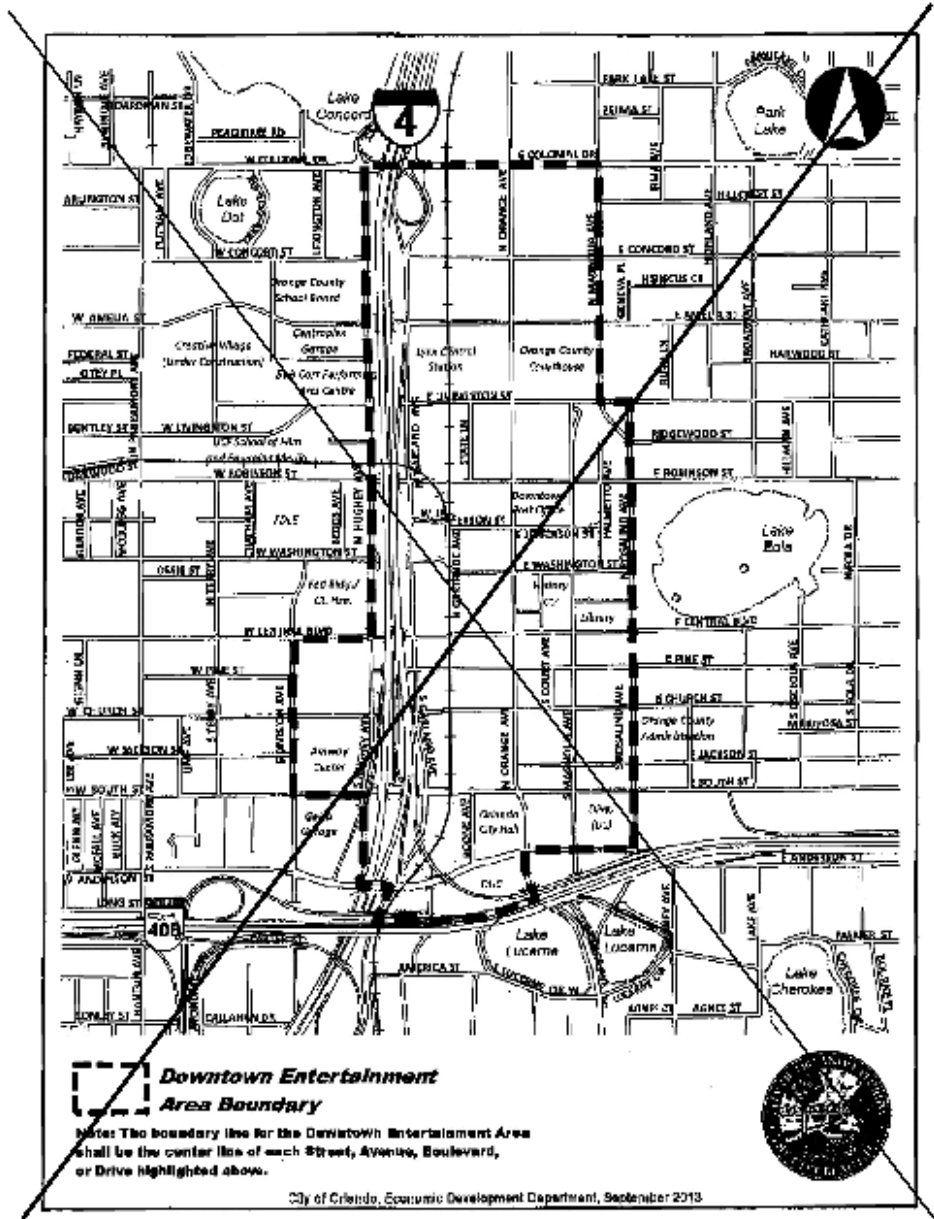
herein shall still apply. The Chief of Police is authorized to extend the loudspeaker use by two additional hours for the following five holidays and special occasions: St. Patrick’s Day, Cinco de Mayo, Fourth of July, Halloween, and New Year’s Eve.

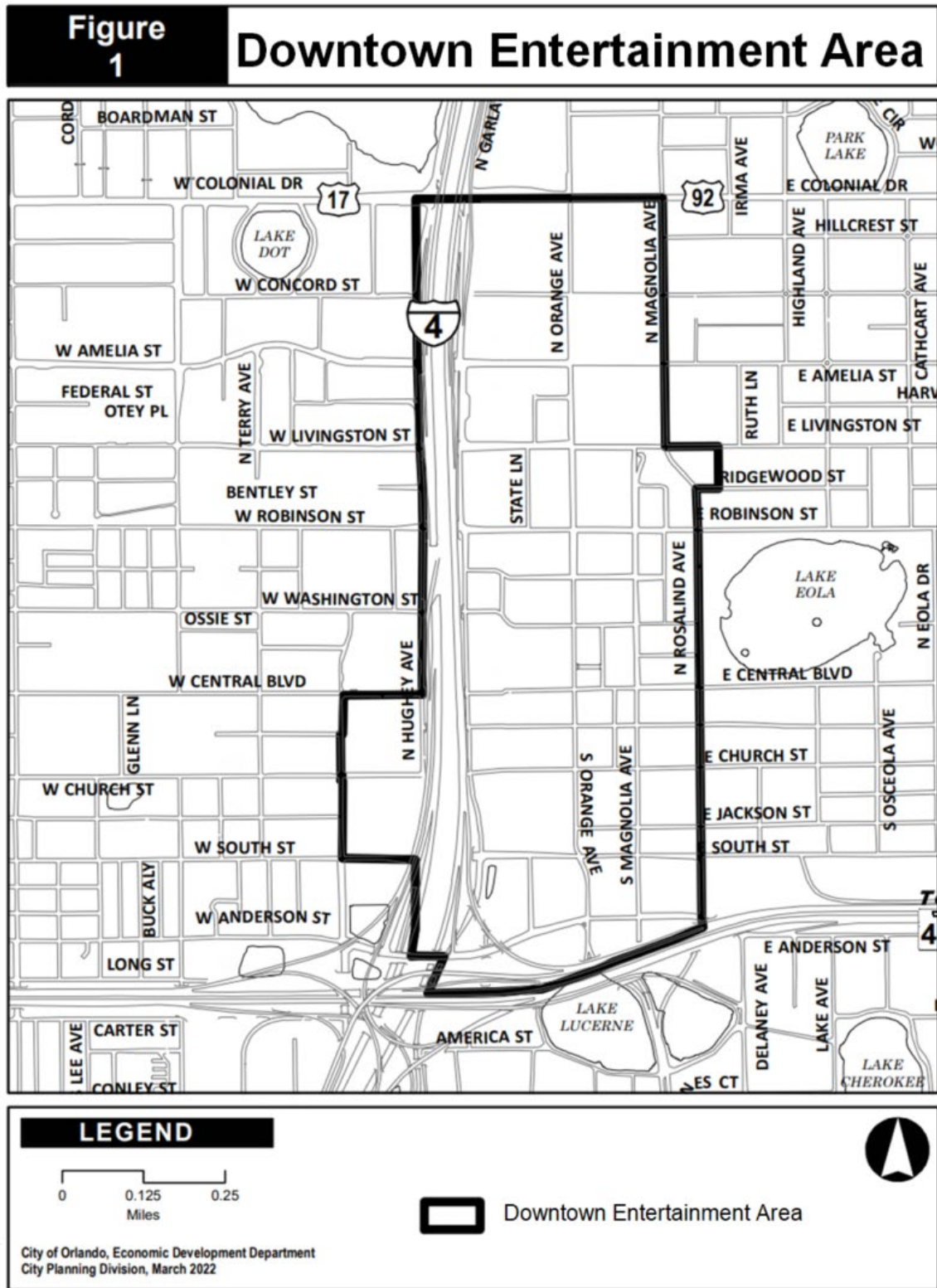
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(8) Except for loud speakers and sound amplification devices installed by the City, such speakers and devices that are permitted for continual use out of doors under subsection (1) shall not be located within the public rights-of-way, including the air space above such public rights-of-way, unless such use is for a permitted sidewalk café or for space that is part of an encroachment agreement with the City. In that instance, such speakers and devices shall comply with the standards set forth in City Code section 62.506 and shall not face or direct the sound upward toward airspace or toward any adjacent businesses, streets, alleys, rights-of-way, or property. Instead, such speakers and devices, whether permanently mounted or affixed to the exterior of the building or structure or freestanding, shall be set in such a way that the sound is directed downward and inward toward patrons and complies with the sound levels and standards set forth in sections 42.02 through 42.05 herein. ~~If the speakers or devices are free standing, they shall not be elevated more than five feet off of the ground.~~

[\*\*Drafter’s Note-Insert new Figure 1 at the end of the Chapter\*\*]

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- 1) Surface Parking Lots that allow general public parking must obtain a Planning Official determination. An application for a Planning Official determination must contain the submittal requirements in subsection (c) below.
- 2) Surface Parking Lots closed between 10 PM and 6 AM are exempt from the requirement to obtain a Planning Official determination, if the property owner provides an affidavit certifying that the Surface Parking Lot is closed between 10 PM and 6 AM, and includes supporting documentation, such as a posted sign identifying hours of operation for the Surface Parking Lot and physical barriers that prevent use of the Surface Parking Lot when it is closed.
- 3) Surface Parking Lots designed and permitted as accessory to a primary use, such as offices, residential buildings, religious institutions, hotels or governmental offices, are exempt from the requirement to obtain a Planning Official determination, unless the Surface Parking Lot allows general public parking.

(c) An application for a Planning Official determination must include the following:

- 1) A site plan demonstrating compliance with Chapter 61, Sections 61.303 to 61.309.
- 2) If the Surface Parking Lot is open after dark, a lighting plan demonstrating compliance with Chapter 63, Part 2M.
- 3) A landscaping plan demonstrating compliance with Chapter 61, Part 3B.
- 4) Location of fences or walls (if proposed) on the site plan, which demonstrate compliance with Chapter 58, Part 5B(5).
- 5) An operations plan identifying the following:
  - i. Contact information for property owner, the operator, and the security company;
  - ii. Hours of operation;
  - iii. If the Surface Parking Lot is open after 10 PM, the provision of security cameras; and
  - iv. Existing or proposed signage that includes hours of operation, contact information to report a problem, and towing rules (if applicable).

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431 (d) The Planning Official shall consider the following during review:

- 432
- 433 1) Conformance with the City code standards referenced in this Part.
- 434
- 435 2) Conformance with the principles of Crime Prevention Through Environmental
- 436 Design (CPTED), in consultation with the Orlando Police Department.
- 437
- 438 3) Any physical site constraints that make it reasonably impractical and cost
- 439 prohibitive to retrofit a site to provide required landscaping or parking lot
- 440 circulation.

441

442 (e) If the Planning Official determination is approved, the Planning Official may impose

443 the following operational standards as conditions of approval, in addition to any

444 other appropriate conditions:

- 445
- 446 1) If the Surface Parking Lot is open after 10 PM, an attendant or security guard
- 447 must be on site until 3 AM or until the last vehicle leaves the lot, whichever
- 448 occurs earlier. All security guards must be licensed by the State of Florida and
- 449 bonded.
- 450
- 451 2) Surface Parking Lots that are closed to entry after 10 PM must be posted as
- 452 such and provide physical barriers to entry.
- 453
- 454 3) Lighting must be on during operating hours after dark.
- 455
- 456 4) Maintenance of a durable parking surface and striping is required.
- 457
- 458 5) The property owner must update its submittal requirements in (c) above if any
- 459 operational changes are made after approval of the Planning Official
- 460 determination, subject to review for Crime Prevention Through Environmental
- 461 Design by the Police Department.

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465 **SECTION 5. CHAPTER 62, PART 5, AMENDED.** Chapter 62, Part 5, Land

466 Development Code, entitled Design Standards in AC-3A District, is hereby amended as

467 follows:

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469 **PART 5. - DESIGN STANDARDS IN AC-3A DISTRICT**

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473 **Sec. 62.506. - Sound Attenuation in the Downtown Entertainment Area.**

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474 In order to control noise within the Downtown Entertainment Area, as described in section  
475 42.07(6), Orlando City Code, the following requirements regarding sound attenuation shall  
476 be enforced.

477  
478 (a) Determination Required for Outdoor Speakers. All continual use outdoor speakers  
479 require a Planning Official determination approving their use within the Downtown  
480 Entertainment Area. The Planning Official shall review the application for outdoor  
481 speakers and consider the following:

482  
483 1) Each application for an outdoor speaker on private property shall be  
484 accompanied by a noise report prepared by a qualified independent acoustical  
485 engineer. The noise report shall test, or model, the outdoor speakers for  
486 compliance with the noise ordinance, including any noise attenuation or other  
487 mitigation needed to comply with the ordinance. This may include reorienting  
488 the speakers, limiting their output, installation of an array of smaller speakers,  
489 installation of acoustical treatments which absorb or block the noise, and other  
490 appropriate measures that comply with the limits established by the noise  
491 ordinance.

492  
493 2) All outdoor speakers approved by the City as part of an Encroachment  
494 Agreement on the public rights-of-way shall also submit a noise report similar  
495 to the above.

496  
497 3) If the Planning Official approves the application, he or she may impose  
498 appropriate conditions and safeguards to limit the manner in which an outdoor  
499 speaker is used, including restricting the time and activity that may take place  
500 to minimize noise and vibration effects. Any conditions must be reasonably  
501 calculated to mitigate for ambient noise to meet acceptable residential  
502 standards.

503  
504 4) All existing outdoor speakers as of July 1, 2022 must notify the Planning Official  
505 by October 1, 2022 of their intent to keep operating by making an application  
506 for the above. Any existing outdoor speakers that are not part of an application  
507 under this Section must cease operations on October 1, 2022.

508  
509 5) All conditions and mitigation measures required under a Planning Official  
510 determination must be completed within sixty (60) days after issuance.

511  
512 (b) All speakers within approved Sidewalk Café areas shall not operate between the  
513 hours of midnight and 7:00 AM. Sidewalk Café speakers shall be less than 4",  
514 ambient-type speakers, and shall only be permanently installed through the  
515 appropriate Historic Preservation or Appearance Review process.

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517 (c) New Development. For new residential and hotel development within the  
518 Downtown Entertainment Area, the Planning Official is authorized to approve or  
519 require acoustical treatments to mitigate for ambient noise to meet acceptable  
520 residential standards. An application for new development may provide a noise  
521 report with suggested improvements, such as double paned windows and other  
522 acoustical treatments, to mitigate for ambient noise and create a code-compliant  
523 environment for such development.

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526  
527 **SECTION 6. CHAPTER 65, PART 5A, AMENDED.** Chapter 65, Part 5A, Land  
528 Development Code, entitled General Requirements, is hereby amended as follows:

529  
530 **5A. - GENERAL REQUIREMENTS**

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533  
534 **Sec. 65.544. - Late Night Uses in the Downtown Entertainment Area.**

535 All uses open between the hours of midnight and 6:00 AM within the Downtown  
536 Entertainment Area, as described in section 42.07(6), Orlando City Code, are considered  
537 a Late Night use and must obtain a Special Use Permit from the Planning Official prior to  
538 receiving a certificate of use, permits for any improvement, or operating during these  
539 hours.

540  
541 (a) *General Requirements.* A Special Use Permit is required for new Late Night uses  
542 and when there is a change in ownership for an existing Late Night use. An  
543 applicant shall submit a Special Use Permit application as provided by the  
544 Planning Official.

545  
546 (b) *Review Considerations.* In reviewing an application, the Planning Official shall  
547 consider the following as part of the Special Use Permit review:

- 548  
549 1) *Description of the Operations.* The description shall be accompanied by floor  
550 and site plans of the establishment. The description and plans shall clearly  
551 indicate locations for any dancing, live music, DJ's, (assembly areas), identify  
552 all seating and bar areas, and identify any proposed tenant improvements. The  
553 site plan shall include exterior improvements (whether permanent or  
554 temporary), including the use of the public rights-of-way (proposed sidewalk  
555 cafes, queuing lines, barriers, podiums, or any other appurtenances used). The  
556 description shall include whether any persons under the age of 21 will be  
557 allowed within the premises, and the proposed plans for checking ID's.  
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- 2) Alcohol Licensing. The type of alcohol license, and any paperwork being submitted to the State of Florida (site plans defining the premises). A catering license shall not be utilized for a bar or nightclub operation.
- 3) Security Plan. A security plan must be maintained by the establishment, though it is not required to be submitted as part of the application. The security plan should include the location and operation of doormen, in-house security and any third-party security guards for the establishment (including any off-duty police officers). The plan should also include details, at minimum, for weekend and weekday operations based on the anticipated attendance.
- 4) Outdoor Speakers. Any outdoor speakers shall be identified on a separate site plan, and be accompanied by a noise report detailing compliance with the Noise Ordinance (see Chapter 62.507)
- 5) Crime Prevention. The site and floor plans shall apply the principles of Crime Prevention Through Environmental Design (CPTED), including but not limited to, provision of exterior lighting improvements, security cameras, and other physical improvements.

(c) Standards of Review. The Planning Official shall review and approve, approve with conditions, or deny an application for a Special Use Permit based on the purpose and intent and all other requirements of the Land Development Code, whether the use is consistent with all applicable policies of the City’s adopted Growth Management Plan, compatibility of the use with surrounding land uses and the general character of the area, including such factors as height, bulk, scale, intensity, traffic, noise, drainage, dust, lighting, and appearance.

(d) Conditions of Approval. The Planning Official may impose reasonable conditions of approval for the Special Use Permit such as sound attenuation, buffering, CPTED improvements, or other condition to prevent negative impacts to nearby property, increase safety, ensure compatibility of uses, and reduce public nuisances.

(e) Appeals. If an applicant disagrees with the Planning Official’s decision on a Special Use Permit or any condition thereof, the applicant may appeal to the Municipal Planning Board in accordance with Part 2G herein.

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**SECTION 7. COMPLIANCE SCHEDULE FOR PARKING FACILITIES.** Parking facilities subject to the requirements of Chapter 61, Part 3H, shall comply with the requirements of that part in accordance with the following schedule:

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- A. Any required affidavit and supporting documents must be submitted to the Planning Official by November 1, 2022.
- B. Any required application for a Planning Official determination must be submitted to the Planning Official by November 1, 2022.
- C. Permits associated with any improvements required by a Planning Official determination must be applied for by February 1, 2023.
- D. All required improvements associated with permits must be completed by August 1, 2023.
- E. A certificate of use and business tax receipt are required by August 1, 2023.

Any parking facility, as applicable, that fails to meet this compliance schedule must cease operation until compliance is reached. Continued operation without meeting the compliance schedule is considered an illegal use and may result in code enforcement action.

**SECTION 8. 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 9. 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 10. SEVERABILITY.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other 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 11. 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, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**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, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

**DONE, THE SECOND READING, A PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City

**ORDINANCE NO. 2022-46**

646 Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of  
647 \_\_\_\_\_, 2022.

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BY THE MAYOR OF THE CITY OF  
ORLANDO, FLORIDA:

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\_\_\_\_\_  
Mayor

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655 ATTEST, BY THE CLERK OF THE

656 CITY COUNCIL OF THE CITY OF

657 ORLANDO, FLORIDA:

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\_\_\_\_\_  
City Clerk

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\_\_\_\_\_  
Print Name

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665 APPROVED AS TO FORM AND LEGALITY

666 FOR THE USE AND RELIANCE OF THE

667 CITY OF ORLANDO, FLORIDA:

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\_\_\_\_\_  
Assistant City Attorney

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\_\_\_\_\_  
Print Name

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