

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
2 ORLANDO, FLORIDA, RELATING TO COMMUNITY  
3 RESIDENTIAL HOMES; AMENDING FIGURES 2A.LDC AND  
4 2C.LDC, AND PART 1B., CHAPTER 58, ORLANDO CITY  
5 CODE, TO MAKE COMMUNITY RESIDENTIAL HOMES A  
6 PERMITTED USE IN SINGLE FAMILY AND MULTIFAMILY  
7 ZONING DISTRICTS AS REQUIRED BY CHAPTER 419,  
8 FLORIDA STATUTES; AMENDING SECTION 62.200,  
9 ORLANDO CITY CODE, TO AMEND THE DEFINITION OF  
10 COMMUNITY RESIDENTIAL HOME TO CONFORM TO  
11 CHAPTER 419, FLORIDA STATUTES; PROVIDING FOR  
12 SEVERABILITY, CODIFICATION, CORRECTION OF  
13 SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.  
14

15 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the City of  
16 Orlando, Florida (the "City"), adopt or amend and enforce land development regulations  
17 that are consistent with and implement the City's adopted comprehensive plan; and  
18

19 **WHEREAS**, section 163.3203(3), Florida Statutes, encourages the use of  
20 innovative land development regulations and requires that all land development  
21 regulations be combined into a single land development code for the City; and  
22

23 **WHEREAS**, from time to time, amendments and revisions to the City's adopted  
24 comprehensive plan (the "Growth Management Plan"), progress in the field of planning  
25 and zoning, or changes to state law make it necessary or desirable to amend the land  
26 development regulations of the City; and  
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28 **WHEREAS**, at its regularly scheduled meeting of July 15, 2014, the Municipal  
29 Planning Board recommended to the City Council of the City of Orlando, Florida (the  
30 "Orlando City Council"), that the provisions of this ordinance are consistent with the  
31 applicable provisions of the City's adopted Growth Management Plan, are in the best  
32 interest of the public health, safety, and welfare, are in harmony with the purpose and  
33 intent of the Land Development Code of the City of Orlando, Florida (the "Land  
34 Development Code"), will not result in disorderly and illogical development patterns, and  
35 will not result in incompatible land uses; and  
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37 **WHEREAS**, the Orlando City Council hereby finds and determines that this  
38 ordinance is consistent with the applicable provisions of the City's adopted Growth  
39 Management Plan, is in the best interest of the public health, safety, and welfare, is in  
40 harmony with the purpose and intent of the City's Land Development Code, will not  
41 result in disorderly and illogical development patterns, and will not result in incompatible  
42 land uses; and  
43

44 **WHEREAS**, the Orlando City Council hereby finds and declares that this  
45 ordinance is in the best interest of the public health, safety, and welfare, and that it is

46 necessary in order to conform the Land Development Code to Chapter 419, Florida  
47 Statutes, relating to community residential homes; and

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49 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**  
50 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

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52 **SECTION 1. FIGURE 2A.LDC, CHAPTER 58, AMENDED.** Figure 2A.LDC,  
53 Traditional City, Chapter 58, Code of the City of Orlando, Florida, is hereby amended to  
54 add "(36)" (indicating footnote 36) to the boxes corresponding to Residential Care  
55 Facility 1 – 6 Clients in the R-1S, R-2A, R-2B, R-3A, R-3B, R-3C, R-3D, MXD-1, and  
56 MXD-2 zoning districts.

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58 **SECTION 2. FIGURE 2C.LDC, CHAPTER 58, AMENDED.** Figure 2C.LDC, City,  
59 Chapter 58, Code of the City of Orlando, Florida, is hereby amended to add "(36)"  
60 (indicating footnote 36) to the boxes corresponding to Residential Care Facility 1 – 6  
61 Clients in the R-1S, R-2A, R-2B, R-3A, R-3B, R-3C, R-3D, MXD-1, and MXD-2 zoning  
62 districts.

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64 **SECTION 3. PART 1B., CHAPTER 58, AMENDED.** Part 1B. "Zoning Tables,"  
65 Chapter 58, Code of the City of Orlando, Florida, is hereby amended to add footnote 36,  
66 to be located after existing footnote 35, and to read as follows:

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68 36. Notwithstanding anything in this code to the contrary, a residential care  
69 facility use with six or fewer residents which otherwise meets the definition of a  
70 community residential home use is hereby made a permitted use in the zoning districts  
71 indicated by this footnote, but are subject to the applicable regulations of Chapter 419,  
72 Florida Statutes.

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74 **SECTION 4. SECTION 66.200, AMENDED.** Section 66.200, Code of the City of  
75 Orlando, Florida, is hereby amended as follows:

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79 *Community Center:* A building used for recreational, social, educational and  
80 cultural activities, usually owned and operated by a public or non-profit group or agency.

81  
82 ~~*Community Residential Home (CRH):* A dwelling unit in conformance with State~~  
83 ~~Regulations which provides a living environment for 7 to 14 unrelated residents who~~  
84 ~~operate as the functional equivalent of a family, including such supervision and care by~~  
85 ~~support staff as may be necessary to meet the physical, emotional, and social needs of~~  
86 ~~the residents.~~

87  
88 ~~Homes of 6 or fewer residents which otherwise meet the definition of a~~  
89 ~~Community Residential Home shall be deemed a single family unit and non-commercial,~~

90 residential use. This term shall include Residential Care Facilities and ALFs with 14 or  
91 fewer residential clients.

92  
93 “Community residential home” means a dwelling unit licensed to serve residents  
94 who are clients of the Department of Elderly Affairs, the Agency for Persons with  
95 Disabilities, the Department of Juvenile Justice, or the Department of Children and  
96 Family Services or licensed by the Agency for Health Care Administration which  
97 provides a living environment for 7 to 14 unrelated residents who operate as the  
98 functional equivalent of a family, including such supervision and care by supportive staff  
99 as may be necessary to meet the physical, emotional, and social needs of the residents.

100  
101 ~~Community Residential Home Resident: An aged person, a physically disabled or~~  
102 ~~handicapped person, a developmentally disabled person, a non-dangerous mentally ill~~  
103 ~~person or child as defined by Florida Statutes. Nothing in this Section shall permit~~  
104 ~~persons to occupy a community residential home who would constitute a direct threat to~~  
105 ~~the health and safety of other persons or whose residency would result in substantial~~  
106 ~~physical damage to the property of others.~~

107  
108 *Compatible Development (Transit):* See Transit Compatible Development.

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110 \*\*\*\*

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112 **SECTION 5. CODIFICATION.** The City Clerk and the City Attorney shall cause  
113 the Code of the City of Orlando, Florida, to be amended as provided by this ordinance  
114 and may renumber, re-letter, and rearrange the codified parts of this ordinance if  
115 necessary to facilitate the finding of the law.

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117 **SECTION 6. SCRIVENER’S ERROR.** The City Attorney may correct scrivener’s  
118 errors found in this ordinance by filing a corrected copy of this ordinance with the City  
119 Clerk.

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121 **SECTION 7. SEVERABILITY.** If any provision of this ordinance or its  
122 application to any person or circumstance is held invalid, the invalidity does not affect  
123 other provisions or applications of this ordinance which can be given effect without the  
124 invalid provision or application, and to this end the provisions of this ordinance are  
125 severable.

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127 **SECTION 8. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

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129 **DONE, THE FIRST PUBLIC NOTICE,** in a newspaper of general circulation in  
130 the City of Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this  
131 \_\_\_\_\_ day of \_\_\_\_\_, 2014.

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**DONE, THE FIRST READING AND FIRST PUBLIC HEARING**, by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

**DONE, THE SECOND 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 \_\_\_\_\_, 2014.

**DONE, THE SECOND READING, THE SECOND 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, this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

BY THE MAYOR/MAYOR PRO TEMPORE  
OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor / Mayor Pro Tempore

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

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

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

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

\*\*[Remainder of page intentionally left blank.]\*\*r