

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**
2 **ORLANDO, FLORIDA, RELATING TO THE DEVELOPMENT**
3 **AND USE OF LAND; AMENDING SECTION 62.498 OF THE**
4 **LAND DEVELOPMENT CODE TO EXTEND THE BOUNDARY**
5 **OF THE CONWAY ROAD SPECIAL PLAN OVERLAY**
6 **DISTRICT; PROVIDING FOR SEVERABILITY,**
7 **CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS,**
8 **AND AN EFFECTIVE DATE.**
9

10 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the City of
11 Orlando, Florida (the “City”), adopt or amend and enforce land development regulations
12 that are consistent with and implement the City’s adopted comprehensive plan; and
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14 **WHEREAS**, section 163.3202(3), Florida Statutes, encourages the use of
15 innovative land development regulations and requires that all land development
16 regulations be combined into a single land development code for the City; and
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18 **WHEREAS**, from time to time, amendments and revisions to the City’s adopted
19 comprehensive plan (the “Growth Management Plan”) and progress in the field of
20 planning and zoning make it necessary or desirable to amend the land development
21 regulations of the City; and
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23 **WHEREAS**, on December 9, 2003, Orange County adopted the Conway Road
24 Corridor overlay district to promote an enhanced corridor for properties on Conway Road
25 between Curry Ford Road and the Beachline Expressway; and
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27 **WHEREAS**, on March 7, 2005, the City adopted the Conway Road Special Plan
28 overlay district to protect the character of the properties on Conway Road between Lake
29 Underhill Road and the Beachline Expressway; and
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31 **WHEREAS**, on October 20, 2015, Orange County extended the Conway Road
32 Corridor overlay district to include unincorporated parcels and lots along Hoffner Avenue
33 between Conway Road and Semoran Boulevard, (hereinafter the “Orange County
34 Conway Road/Hoffner Avenue Corridor overlay district”); and
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36 **WHEREAS**, in order to maintain regulatory consistency between the
37 incorporated and unincorporated parcels and lots along Hoffner Avenue the City desires
38 to amend the Conway Road Special Plan overlay district to include the incorporated
39 properties along Hoffner Avenue between Conway Road and Semoran Boulevard; and
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41 **WHEREAS**, at its regularly scheduled meeting of June 21, 2016, the Municipal
42 Planning Board recommended to the City Council of the City of Orlando, Florida (the
43 “Orlando City Council”), that the provisions of this ordinance are consistent with the
44 applicable provisions of the City’s adopted Growth Management Plan, are in the best
45 interest of the public health, safety, and welfare, are in harmony with the purpose and

46 intent of the City's Land Development Code, will not result in disorderly and illogical
47 development patterns, and will not result in incompatible land uses; and
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49 **WHEREAS**, the Orlando City Council hereby finds and determines that this
50 ordinance is consistent with the applicable provisions of the City's adopted Growth
51 Management Plan, is in the best interest of the public health, safety, and welfare, is in
52 harmony with the purpose and intent of the City's Land Development Code, will not
53 result in disorderly and illogical development patterns, and will not result in incompatible
54 land uses; and
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56 **WHEREAS**, the Orlando City Council hereby finds and declares that this
57 ordinance is in the best interest of the public health, safety, and welfare; and
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59 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
60 **OF ORLANDO, FLORIDA, AS FOLLOWS:**
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62 **SECTION 1. SECTION 62.498, AMENDED.** Section 62.498, Orlando City Code,
63 is hereby amended as follows:
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65 **Sec. 62.498. Conway Road Special Plan.**
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67 (e) Prohibited Fences. Chain link fences shall be prohibited within the front yard
68 setback of properties in the Plan area which are located adjacent to the Conway Road
69 right-of-way.
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71 (f) Annexations. Property within the Orange County Conway Road/Hoffner
72 Avenue Corridor overlay district that is annexed into the City shall become part of the
73 Conway Road Special Plan overlay district without further amendment to Figure 43(H).
74 The initial application for a zoning permit for annexed property must indicate that the
75 property is located in the Conway Road Special Plan overlay district.
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77 ****[Drafter's note: Please insert Figure 43(h) here.]****
78

79 **SECTION 2. FIGURE 43(h), AMENDED.** Figure 43(h) is hereby amended to
80 extend the boundary of the Conway Road Special Plan overlay district to include the
81 incorporated properties on Hoffner Avenue between Conway Road and the western
82 boundary of the Semoran Gateway Special Plan overlay district. The amended Figure
83 43(h) is attached to this Ordinance as **Exhibit "A."**
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85 **SECTION 3. ZONING DESIGNATION.** Pursuant to the City's Land Development
86 Code, the land area depicted in Exhibit "A" to this ordinance is designated as the
87 Conway Road Special Plan overlay district on the City's official zoning map.
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SECTION 4. AMENDMENT OF OFFICIAL ZONING MAP. The City zoning official, or designee, is hereby directed to amend the City's official zoning maps in accordance with this ordinance.

SECTION 5. 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 6. 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 7. 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 8. EFFECTIVE DATE. This ordinance takes effect upon adoption.

DONE, THE FIRST 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 _____, 2016.

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 _____, 2016.

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 _____, 2016.

DONE, THE SECOND READING AND 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 _____, 2016.

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

Mayor / Mayor Pro Tempore

Ordinance 2016-61

134 ATTEST, BY THE CLERK OF THE
135 CITY COUNCIL OF THE CITY OF
136 ORLANDO, FLORIDA:

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139 _____
City Clerk

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

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146 _____
Assistant City Attorney