

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
2 ORLANDO, FLORIDA, RELATING TO CONCURRENCY;
3 AMENDING CHAPTER 59, ORLANDO CITY CODE, TO
4 UPDATE VARIOUS PARTS OF THE CITY'S CONCURRENCY
5 MANAGEMENT ORDINANCE; PROVIDING AMENDED
6 EXEMPT DEVELOPMENT AND REFERENCING SCHOOL
7 CONCURRENCY; PROVIDING UPDATED LEVELS OF
8 SERVICE FOR POTABLE WATER, SOLID WASTE,
9 WASTEWATER, PARKS AND RECREATION, AND
10 STORMWATER SERVICES; DELETING OUTDATED
11 PROVISIONS RELATING TO PUBLIC TRANSPORTATION
12 CONCURRENCY; PROVIDING UPDATED CONCURRENCY
13 EVALUATION PROCESSES FOR POTABLE WATER, SOLID
14 WASTE, WASTEWATER, PARKS AND RECREATION, AND
15 STORMWATER SERVICES; PROVIDING AMENDMENTS TO
16 REGULATIONS RELATING TO CAPACITY RESERVATION
17 TIME PERIODS, CAPACITY RESERVATION FEES,
18 EXTENSION OF CAPACITY RESERVATION CERTIFICATES,
19 AND THE TRANSFER OF CERTIFICATES; DELETING
20 PROVISIONS RELATING TO THE REFUND OF
21 RESERVATION FEES; FURTHER PROVIDING
22 AMENDMENTS RELATING TO CAPACITY BANKS,
23 CAPACITY REPORTING AND MONITORING, AND THE
24 CAPACITY RESOLUTION PROCESS; PROVIDING
25 TECHNICAL AND GRAMMATICAL AMENDMENTS;
26 PROVIDING LEGISLATIVE FINDINGS, AND FOR
27 SEVERABILITY, CODIFICATION, CORRECTION OF
28 SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

29
30 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of
31 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations
32 that are consistent with and implement the city's adopted comprehensive plan; and
33

34 **WHEREAS**, section 163.3203(3), Florida Statutes, encourages the use of
35 innovative land development regulations and requires that all land development
36 regulations be combined into a single land development code for the city; and
37

38 **WHEREAS**, from time to time, amendments and revisions to the city's adopted
39 comprehensive plan (the "Growth Management Plan"), progress in the field of planning
40 and zoning, or changes to state law make it necessary or desirable to amend the land
41 development regulations of the city; and
42

43 **WHEREAS**, at its regularly scheduled meeting of July 19, 2016, the Municipal
44 Planning Board recommended to the City Council of the City of Orlando, Florida (the
45 "Orlando City Council"), that the provisions of this ordinance are consistent with the
46 applicable provisions of the city's adopted Growth Management Plan, are in the best
47 interest of the public health, safety, and welfare, are in harmony with the purpose and
48 intent of the Land Development Code of the City of Orlando, Florida (the "Land

49 Development Code”), will not result in disorderly and illogical development patterns, and
50 will not result in incompatible land uses; and

51
52 **WHEREAS**, the Orlando City Council hereby finds and determines that this
53 ordinance is consistent with the applicable provisions of the city’s adopted Growth
54 Management Plan, is in the best interest of the public health, safety, and welfare, is in
55 harmony with the purpose and intent of the city’s Land Development Code, will not result
56 in disorderly and illogical development patterns, and will not result in incompatible land
57 uses; and

58
59 **WHEREAS**, the Orlando City Council hereby finds and declares that this
60 ordinance is in the best interest of the public health, safety, and welfare; and

61
62 **NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY**
63 **OF ORLANDO, FLORIDA, AS FOLLOWS:**

64
65 **SECTION 1. CH. 59, AMENDED.** Chapter 59, Code of the City of Orlando,
66 Florida, is hereby amended as provided in **Exhibit A** to this ordinance, with words
67 ~~stricken~~ being deletions, words underlined being additions, and **** denoting omitted
68 and unchanged text.

69
70 **SECTION 2. CODIFICATION.** The city clerk and the city attorney shall cause
71 the Code of the City of Orlando, Florida, to be amended as provided by this ordinance
72 and may renumber, re-letter, and rearrange the codified parts of this ordinance if
73 necessary to facilitate the finding of the law.

74
75 **SECTION 3. SCRIVENER’S ERROR.** The city attorney may correct scrivener’s
76 errors found in this ordinance by filing a corrected copy of this ordinance with the city
77 clerk.

78
79 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its
80 application to any person or circumstance is held invalid, the invalidity does not affect
81 other provisions or applications of this ordinance which can be given effect without the
82 invalid provision or application, and to this end the provisions of this ordinance are
83 severable.

84
85 **SECTION 5. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

86
87 **DONE, THE FIRST READING**, by the City Council of the City of Orlando,
88 Florida, at a regular meeting, the _____ day of _____, 2017.

89
90 **DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City
91 of Orlando, Florida, by the city clerk of the City of Orlando, Florida, the _____ day of
92 _____, 2017.
93

94 **DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON**
95 **FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City
96 Council of the City of Orlando, Florida, at a regular meeting, the _____ day of
97 _____, 2017.

98
99 BY THE MAYOR OF THE CITY OF
100 ORLANDO, FLORIDA:

101
102
103 _____
104 Mayor

105
106 ATTEST, BY THE CLERK OF THE
107 CITY COUNCIL OF THE CITY OF
108 ORLANDO, FLORIDA:

109
110 _____
111 City Clerk

112
113 _____
114 Print Name

115
116
117 THIS ORDINANCE DRAFTED BY AND
118 APPROVED AS TO FORM AND LEGALITY
119 FOR THE USE AND RELIANCE OF THE
120 CITY OF ORLANDO, FLORIDA:

121
122 _____
123 City Attorney

124
125 _____
126 Print Name

127
128 **[Remainder of page intentionally left blank.]**