

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
2 OF ORLANDO, FLORIDA, RELATING TO  
3 DEVELOPMENT REVIEW IN THE CREATIVE VILLAGE;  
4 AMENDING CHAPTER 65 OF THE LAND  
5 DEVELOPMENT CODE TO ESTABLISH THE CREATIVE  
6 VILLAGE DEVELOPMENT REVIEW COMMITTEE;  
7 PROVIDING POWERS AND DUTIES; PROVIDING FOR  
8 GEOGRAPHIC AND SUBJECT MATTER JURISDICTION  
9 OF THE COMMITTEE; FURTHER PROVIDING FOR  
10 MEMBERSHIP AND OFFICERS OF THE COMMITTEE,  
11 STAFF SUPPORT, AND FOR REQUESTS FOR QUASI-  
12 JUDICIAL HEARING; PROVIDING LEGISLATIVE  
13 FINDINGS, AND FOR SEVERABILITY, CODIFICATION,  
14 CORRECTION OF SCRIVENER'S ERRORS, AND AN  
15 EFFECTIVE DATE.

16  
17 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of  
18 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations  
19 that are consistent with and implement the city's adopted comprehensive plan; and  
20

21 **WHEREAS**, section 163.3203(3), Florida Statutes, encourages the use of  
22 innovative land development regulations and requires that all land development  
23 regulations be combined into a single land development code for the city; and  
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25 **WHEREAS**, from time to time, amendments and revisions to the city's adopted  
26 comprehensive plan (the "Growth Management Plan"), progress in the field of planning  
27 and zoning, or changes to state law make it necessary or desirable to amend the land  
28 development regulations of the city; and  
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30 **WHEREAS**, at its regularly scheduled meeting of October 18, 2016, the  
31 Municipal Planning Board recommended to the City Council of the City of Orlando,  
32 Florida (the "Orlando City Council"), that the provisions of this ordinance are consistent  
33 with the applicable provisions of the city's adopted Growth Management Plan, are in the  
34 best interest of the public health, safety, and welfare, are in harmony with the purpose  
35 and intent of the Land Development Code of the City of Orlando, Florida (the "Land  
36 Development Code"), will not result in disorderly and illogical development patterns, and  
37 will not result in incompatible land uses; and  
38

39 **WHEREAS**, the Orlando City Council hereby finds and determines that this  
40 ordinance is consistent with the applicable provisions of the city's adopted Growth  
41 Management Plan, is in the best interest of the public health, safety, and welfare, is in  
42 harmony with the purpose and intent of the city's Land Development Code, will not result  
43 in disorderly and illogical development patterns, and will not result in incompatible land  
44 uses; and  
45

46           **WHEREAS**, in accordance with section 2.113, Code of the City of Orlando,  
47 Florida, the Orlando City Council hereby finds as follows:

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49           1. The establishment of the CVDRC (as provided herein) will create sufficient  
50 betterment to the community to justify the City Council's delegation of a portion of its  
51 authority; and

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53           2. The CVDRC is a better option than any other board, public or private, already  
54 in existence that could serve the same purpose; and

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56           3. The costs, both direct and indirect, of establishing and maintaining the board  
57 do not offset its potential benefit; and

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59           4. The CVDRC is not likely necessary to enable the City to obtain state of federal  
60 grants or other financing; and

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62           5. The CVDRC is not likely necessary in order to comply with state or federal  
63 legislation; and

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65           6. The CVDRC shall not have bonding authority; and

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67           7. The CVDRC shall not have final authority to enter into contracts and spend  
68 City funds; and

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70           8. The creation of the CVDRC is the best method of achieving the benefit  
71 desired.

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

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

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79           **SECTION 1. PART 1K, CH. 65, ESTABLISHED.** Part 1K, Chapter 65, Code of  
80 the City of Orlando, Florida, is hereby established, and shall read as follows:

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82           **1K. – CREATIVE VILLAGE DEVELOPMENT REVIEW COMMITTEE**

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84           **Sec. 65.214. – Creative Village Development Review Committee established;**  
85 **purpose.**

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87           Pursuant to section 2.113 of this code, there is hereby established a Creative  
88 Village Development Review Committee (CVDRC). The primary purpose of the CVDRC  
89 is to review certain applications for land development orders and to make  
90 recommendations to Council on whether to approve, approve with conditions, or deny  
91 such applications.

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93           **Sec. 65.215. – CVDRC duties; meetings.**

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95 (a) Review applications. The primary duty of the CVDRC is to review certain  
96 applications for land development orders and to make recommendations to Council on  
97 whether to approve, approve with conditions, or deny such applications.

98  
99 (b) Provide advice. At the request of Council, the MPB, the planning official, the  
100 DDB, the CRA, or other City official or board, the CVDRC should provide advice  
101 regarding the use and development of land within the CVDRC's geographic jurisdiction.

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103 (c) Meetings. The CVDRC should hold meetings as necessary to make timely  
104 decisions on applications and requests for advice. The executive secretary is  
105 responsible for scheduling meetings and also for establishing deadlines for the  
106 submission of applications.

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108 **Sec. 65.216. – CVDRC jurisdiction.**

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110 (a) Geographic jurisdiction. The geographic jurisdiction of the CVDRC is hereby  
111 made coterminous with the boundaries of the Creative Village planned development.

112  
113 (b) Subject matter jurisdiction. Notwithstanding anything in this code to the  
114 contrary, the CVDRC is responsible for review of applications for the following land  
115 development orders:

- 116  
117 1. Major certificate of appearance approval as provided by Part 4F,  
118 Chapter 65 of this code.
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120 2. Minor certificate of appearance approval when the applicant seeks  
121 reconsideration of a denial or approval with conditions by the appearance review official  
122 as provided by section 65.513 of this code.
- 123  
124 3. Specific parcel master plan as required by the Creative Village planned  
125 development zoning ordinance.
- 126  
127 4. Conditional use permit as provided by Part 2D, Chapter 65 of this code.
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129 5. Zoning variances (including design variances) as provided by Part 2J,  
130 Chapter 65 of this code.
- 131  
132 6. Major subdivision plat as provided by Part 3D, Chapter 65 of this code.
- 133  
134 7. Abandonments of streets and rights-of-way as provided by Part 4E,  
135 Chapter 65 of this code.
- 136  
137 8. Master plan (including without limitation plans for public improvements)  
138 as required by the Creative Village planned development zoning ordinance.
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140 9. Street name change as provided by Part 4I, Chapter 65 of this code.
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142 10. Any other land development order required by the Creative Village  
143 planned development zoning ordinance.
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145 Applications reviewed by the CVDRC are hereby made exempt from review by  
146 the ARB, MPB, and TRC.

147  
148 **Sec. 65.217. – CVDRC membership; officers.**  
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150 The CVDRC shall consist of the following five members: the City planning official,  
151 the director of the City's Transportation Department, the director of the City's Public  
152 Works Department, the executive director of the City's Community Redevelopment  
153 Agency, and a member of the City's Appearance Review Board. The member of the  
154 Appearance Review Board shall be selected by the Appearance Review Board. The  
155 planning official shall be the presiding officer of the CVDRC. When the planning official is  
156 absent, the CVDRC shall appoint one of its present members to act as the presiding  
157 officer. The CVDRC may provide for other officers as it deems appropriate.

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159 **Sec. 65.216. – Staff support.**  
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161 (a) Executive secretary. The City's zoning official, or his or her designee from  
162 City staff, shall be the executive secretary of the CVDRC. The executive secretary must  
163 attend each meeting of the CVDRC and is primarily responsible for the effective  
164 operation of the CVDRC. The executive secretary is a nonvoting ex officio member of  
165 the CVDRC.

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167 (b) Recording secretary. The executive secretary shall appoint a member of City  
168 staff to be the recording secretary of the CVDRC. The recording secretary must attend  
169 each meeting of the CVDRC and is primarily responsible for keeping the records and  
170 papers of the CVDRC. The recording secretary must also perform other CVDRC duties  
171 as assigned by the executive secretary. The recording secretary is a nonvoting ex officio  
172 member of the CVDRC.

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174 (c) Development review official. The City's planning official shall appoint a  
175 professional planner from his or her staff to be the development review official. The  
176 official shall be responsible for accepting, reviewing, and processing applications for land  
177 development orders before the CVDRC and also for performing other duties as assigned  
178 by the executive secretary.

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180 (d) Counsel. The city attorney may appoint one of his or her assistant attorneys  
181 to provide legal advice to the CVDRC.

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183 **Sec. 65.217. – Requests for quasi-judicial hearing.**  
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185 Requests for a quasi-judicial hearing on applications considered by the CVDRC  
186 may be filed pursuant to Article XXXII, Chapter 2, of this code, but may be filed only by  
187 the applicant or by the planning official on behalf of the City.

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189 **Secs. 65.2148 – 65.249. – Reserved.**  
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191 **SECTION 2. CODIFICATION.** The city clerk and the city attorney shall cause  
192 the Code of the City of Orlando, Florida, to be amended as provided by this ordinance  
193 and may renumber, re-letter, and rearrange the codified parts of this ordinance if  
194 necessary to facilitate the finding of the law.  
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**SECTION 3. 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 4. 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 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 \_\_\_\_\_, 2017.

**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 \_\_\_\_\_, 2017.

**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 \_\_\_\_\_, 2017.

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:

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

ORDINANCE NO. 2017-1

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Print Name

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