

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO CONCURRENCY; AMENDING CHAPTER 59, ORLANDO CITY CODE, TO UPDATE VARIOUS PARTS OF THE CITY'S CONCURRENCY MANAGEMENT ORDINANCE; PROVIDING AMENDED EXEMPT DEVELOPMENT AND REFERENCING SCHOOL CONCURRENCY; PROVIDING UPDATED LEVELS OF SERVICE FOR POTABLE WATER, SOLID WASTE, WASTEWATER, PARKS AND RECREATION, AND STORMWATER SERVICES; DELETING OUTDATED PROVISIONS RELATING TO PUBLIC TRANSPORTATION CONCURRENCY; PROVIDING UPDATED CONCURRENCY EVALUATION PROCESSES FOR POTABLE WATER, SOLID WASTE, WASTEWATER, PARKS AND RECREATION, AND STORMWATER SERVICES; PROVIDING AMENDMENTS TO REGULATIONS RELATING TO CAPACITY RESERVATION TIME PERIODS, CAPACITY RESERVATION FEES, EXTENSION OF CAPACITY RESERVATION CERTIFICATES, AND THE TRANSFER OF CERTIFICATES; DELETING PROVISIONS RELATING TO THE REFUND OF RESERVATION FEES; FURTHER PROVIDING AMENDMENTS RELATING TO CAPACITY BANKS, CAPACITY REPORTING AND MONITORING, AND THE CAPACITY RESOLUTION PROCESS; PROVIDING TECHNICAL AND GRAMMATICAL AMENDMENTS; PROVIDING LEGISLATIVE FINDINGS, AND FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

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

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

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

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

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

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

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

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

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

SECTION 2. 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 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

Print Name

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