

Exhibit M – Amendments, Modifications, & Variances

The Creative Village Planned Development zoning district is intended to govern the development and use of the Creative Village for many years to come. While establishing the foundational development standards and use regulations necessary to advance the vision of the Creative Village, the land development regulations of this ordinance should also be flexible, recognizing that 1), development plans often change in small ways between the planning and permitting stages of development, that 2), intensive infill redevelopment in highly urbanized environments often presents unpredictable physical constraints to development, and that 3), by its nature, the Creative Village is a development for emergent technology and creative industries that need development and use regulations that promote adaptation to rapidly changing market conditions.

Therefore, development proposed in the Creative Village may differ from the land development regulations of this ordinance, with such differences being characterized as a Substantial Amendment, a Non-Substantial Amendment, a Minor Modification, or an Allowable Variance. Whether a proposal is a Substantial Amendment, a Non-Substantial Amendment, a Minor Modification, or an Allowable Variance shall be a determination made by the planning official.

Substantial Amendment. A Substantial Amendment to this ordinance must be made by amendment to this ordinance, with such amendment being reviewed by the Municipal Planning Board and adopted by the Orlando City Council pursuant to law. A development proposal is a Substantial Amendment if it:

- Is inconsistent with the Creative Village Vision Plan; or
- Is inconsistent with applicable provisions of the Growth Management Plan; or
- Proposes a new principal use not previously permitted in the Creative Village; or
- Proposes a change of land use on the boundary of the Creative Village unless the use change is less intense or dense than the actual prior use or the prior planned use; or
- Proposes to add land to the Creative Village; or
- Proposes more intensity or density than the actual prior use or the prior planned use unless proportionally offset by an intensity or density reduction in another part of the Creative Village.

Non-Substantial Amendment. The Orlando City Council may, upon recommendation from the Creative Village Development Review Committee, approve a Non-Substantial Amendment to this ordinance as part of any land development order reviewed under the jurisdiction of the Creative Village Development Review Committee. A development proposal is a Non-Substantial Amendment if it does not constitute a Substantial Amendment and if it:

- Proposes a change to a numerical development standard; or
- Proposes a change to a design development standard; or
- Proposes a change to a master plan relating to public facilities or common areas (e.g., streetscape plans, open space plans, or public art plans); or

Allowable Variances and Minor Modifications. Allowable Variances and Minor Modifications may be approved pursuant to the procedures set forth in Part 2J and Part 2F, Chapter 65, Orlando City Code, respectively, except that Allowable Variances shall be reviewed by the Creative Village

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Development Review Committee and then approved, approved with conditions, or denied by the Orlando City Council. The planning official may also approve minor modifications and design modifications to fences, walls, landscaping, accessory structures, signs, and bufferyard requirements. Additionally, the planning official may approve up to a 20% modification of any applicable numerical development standard if the planning official finds that the proposed modification is consistent with the applicable goals, objectives, and policies of the GMP, is compatible with nearby existing land uses, would not result in inadequate public facilities, and is otherwise consistent with the public health, safety, and welfare. When approving such a modification of a development standard, the planning official may impose one or more of the conditions of development provided at section 65.334, Orlando City Code, but such condition or conditions must be reasonably calculated to mitigate the identifiable land use impacts of the modified standard.