

ORDINANCE 2017-27

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO PERSONAL STORAGE FACILITIES; AMENDING CHAPTER 58, ORLANDO CITY CODE, TO ALLOW PERSONAL STORAGE FACILITIES AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS AND TO UPDATE THE ASSOCIATED BUILDING SITE DESIGN AND CONDITIONAL USE STANDARDS; 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 163.3202(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 April 18, 2017, 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**, personal storage facilities are currently a permitted use in the AC-1, AC-2, AC-3 zoning districts outside the Traditional City, and in the I-C, I-P and I-G districts throughout the city; and

**WHEREAS**, self-storage has been one of the fastest growing segments of the commercial real estate industry for the past four decades; and

**WHEREAS**, in order to meet the needs of today's self-storage customers, modern facilities are designed as multi-story, climate controlled and secure units that are accessed internally, which design is more compatible with urban settings like the Traditional City; and

**WHEREAS**, the Orlando City Council desires to allow personal storage facilities as a Conditional Use in all MU, AC and I zoning districts throughout the City, with continued restrictions on outdoor storage within the Traditional City; 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.

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

**SECTION 1. PART 1B, CHAPTER 58, FIGURE 2B.LDC, AMENDED.** Part 1B, Chapter 58, Figure 2B.LDC, Code of the City of Orlando, Florida, is hereby amended as follows:

|                              | <i>MU-1</i>      | <i>MU-2</i> | <i>AC-N</i> | <i>AC-1</i>                 | <i>AC-2</i>                 | <i>AC-3</i>                 | <i>AC-3A</i> | <i>IC</i> | <i>IG</i>                    | <i>IP</i>                    |
|------------------------------|------------------|-------------|-------------|-----------------------------|-----------------------------|-----------------------------|--------------|-----------|------------------------------|------------------------------|
| Personal Storage <u>(31)</u> | <del>C(31)</del> | <u>C</u>    |             | <del>P(1)</del><br><u>C</u> | <del>P(1)</del><br><u>C</u> | <del>P(1)</del><br><u>C</u> |              | <u>PC</u> | <del>P(19)</del><br><u>C</u> | <del>P(19)</del><br><u>C</u> |

**SECTION 2. PART 1B, CHAPTER 58, FOOTNOTE 19 AMENDED.** Part 1B, Chapter 58, Footnote 19, Code of the City of Orlando, is hereby amended as follows:

19. ~~No outdoor storage allowed in the Traditional City.~~ Reserved.

**SECTION 3. PART 1B, CHAPTER 58, FOOTNOTE 31 AMENDED.** Part 1B, Chapter 58, Footnote 31, Code of the City of Orlando, is hereby amended as follows:

31. ~~For personal storage facilities in the MU-1 district, the FAR calculation shall include the first floor only.~~ See Section 58.774 for Conditional Use standards for personal storage facilities in the MU-1 district.

**SECTION 4. PART 4H, CHAPTER 58, AMENDED.** Part 4H, Chapter 58, Code of the City of Orlando, Florida, is hereby amended as follows:

#### **4H. - PERSONAL STORAGE FACILITIES**

\*\*\*\*

##### **Sec. 58.772. - Building Site Design.**

*Minimum Building Site or Development Size.* 3 acres of building site or 65,000 square feet of enclosed storage area or 650,000 cubic feet of enclosed storage area.

*Floor Area Ratio (FAR).* The FAR calculation includes the first floor only.

*Maximum Building Length.* (Reserved.)

125        *Landscaping Variances Prohibited.* The building site ~~shall~~must be designed to  
126 accommodate the landscaping requirements of Chapter 60, Part 2. No variances from these  
127 landscaping requirements ~~shall~~will be approved for personal storage facilities.

128  
129        *Other Prohibited Variances.* No variances from the maximum Floor Area Ratio (FAR) or  
130 Impervious Surface Ratio (ISR) standards of the Zoning District and Use Regulations of  
131 Figures 1—2 ~~shall~~will be approved for personal storage facilities.

132  
133 \*\*\*\*

134  
135 **Sec. 58.774. – Conditional Use Standards for Personal Storage in the MU-1 District.**

136  
137        The following criteria shall be considered by the Municipal Planning Board and City  
138 Council when reviewing all Conditional Use requests for personal storage facilities ~~in the MU-~~  
139 ~~1 district:~~

- 140  
141        1. In MU and AC zoning districts, a ~~At least 1,000 square feet~~ 10% of the ground floor  
142 area, and no less than 75% of the primary street frontage, shall ~~must~~ be devoted as  
143 functional space to at least one additional principal use. The additional principal uses  
144 may be ~~either~~ eating and drinking establishments, retail or personal service.

145  
146        It is the intent of this section that the ~~second~~ additional principal use ~~shall~~must be  
147 distinct from, ~~and~~ unrelated to and not an accessory to the Personal Storage Facility.

148  
149        The first 1,500 square feet of additional principal use ~~shall be~~ is exempt from the  
150 minimum and maximum parking space requirements.

- 151  
152        2. In I-C and I-G zoning districts within the Traditional City, at least one additional  
153 principal use may be required for properties located along major thoroughfares. The  
154 additional principal use may be eating and drinking establishments or personal service.

155  
156        It is the intent of this section that the additional principal use must be distinct from,  
157 unrelated to and not an accessory to the Personal Storage Facility.

158  
159        The first 1,500 square feet of additional principal use is exempt from the minimum and  
160 maximum parking space requirements.

- 161  
162        3. Building height is limited to 50 feet for Personal Storage Facilities sharing a property  
163 line with R-1 and R-2 zoned properties. Additional height restrictions may be required  
164 through the Conditional Use process.

- 165  
166        4. Building facades visible from the public right-of-way or a lake shall ~~must~~ have the  
167 appearance of an office and/or retail building through the use of doors, windows,  
168 awnings, and other appropriate building elements.

35. Exterior building material ~~shall~~must be stucco, brick, stone or a combination of those materials and must wrap the entire building. Appearance review is required prior to the issuance of building permits.

46. Buildings that can accommodate two or more stories ~~shall~~must be designed to have the appearance of a multi-story building through the use of windows, doors, awnings, canopies and other appropriate building elements.

57. The 15% minimum transparency, as required in Section 62.600, ~~shall~~must consist of functioning windows that provide visibility into a room from the public right-of-way and out of a room from the interior.

68. Detailed building elevations ~~shall~~must be submitted prior to ~~the Municipal Planning Board meeting for the Conditional Use public hearing~~any action or recommendation by the City.

\*\*\*\*

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

**DONE, THE FIRST READING AND HEARING,** by the City Council of the City of Orlando, Florida, at a regular meeting, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

**DONE, THE SECOND READING AND 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 \_\_\_\_\_, 2017.

188  
189  
190  
191  
192  
193  
194  
195  
196  
197  
198  
199  
200  
201  
202  
203  
204  
205  
206  
207  
208  
209  
210  
211  
212  
213  
214  
215  
216  
217

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

\_\_\_\_\_  
Mayor / Mayor Pro Tempore

\_\_\_\_\_  
Print Name

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