

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO ROADWAY DESIGN AND ACCESS MANAGEMENT; AMENDING CHAPTER 61, PART 2B, ORLANDO CITY CODE, TO UPDATE THE MAJOR THOROUGHFARE PLAN; 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 July 18, 2017, the Municipal Planning Board recommended to 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 City seeks to improve the current functional classification system of the roadways to account for the surrounding land uses and neighborhoods; and

**WHEREAS**, the City seeks to clarify the access management system and functional classification system of the roadways for citizens, developers, and staff; 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. CHAPTER 61, PART 2B, AMENDED.** Chapter 61, Part 2B, Code of the City of Orlando, Florida, is hereby amended as follows:

**2B. - MAJOR THOROUGHFARE PLAN**

**Sec. 61.210. - Enumeration.**

~~The following street center line setbacks have been established to accommodate changes which should occur within the City of Orlando generally as a result of the increase of vehicular and pedestrian traffic, congestion and intensified use of property associated with growth and development and based upon Transportation Planning Bureau Technical Report #8, Plan Recommendations October 1989.~~

~~Street center line setbacks are established by the Transportation Planning Bureau within the limits of the right-of-way for each street. In establishing such center lines the Transportation Planning Bureau shall give consideration to previous dedications, established section lines and logical street alignments. The center line setbacks and typical cross sections apply to both sides of the streets unless otherwise specified.~~

~~All segments of the Major Thoroughfare Plan have been assigned an access classification consistent with the standards of Section 61.211.~~

The street right of way widths listed in Table 3 below have been established to accommodate changes which should occur within the City of Orlando generally as a result of the increase of vehicular and pedestrian traffic, congestion and intensified use of property associated with growth and development.

Right of way widths and centerlines are established by the Transportation Department. In establishing such rights of way the City staff shall give consideration to previous dedications, established section lines and logical street alignments. The right of way widths in this Chapter are measured from the center line of the overall right of way. These widths apply to both sides of the streets unless otherwise specified. All public or private streets within the City of Orlando city limits that are not listed in Table 3 are designated as Local Streets. Cross sections that will be used on a particular roadway segment will be determined to meet needs and policies in place at the time of redevelopment. Typical cross sections that may be used for the various types of roadways in specific contexts

can be found in the City's "Guideline for Street Cross Sections" maintained by the Transportation Planning Division.

Modifications to the designation of new or existing roadways as arterial, collector, or local will be initiated by the City Transportation Official and completed via an amendment to Table 3.

All segments of the Major Thoroughfare Plan have been assigned an access classification consistent with the standards of section 61.211 of this code.

#### **Sec. 61.211. - Access Management Classification System.**

This section adopts an access classification system and standards to implement the Traffic Circulation Element of the Growth Management Plan for the regulation and control of vehicular ingress to, and egress from the Major Thoroughfare System. The implementation of the classification system and standards is intended to protect public safety and general welfare, provide for the mobility of people and goods, and preserve the functional integrity of the Major Thoroughfare System. All segments of the Major Thoroughfare System shall be assigned an access classification and standards. The standards shall provide planning and design guidance for driveway connections and be the basis for connection permitting and the planning and development of City-related road-street construction projects.

#### **Sec. 61.212. - Standards for the Access Management System.**

~~(a) Figure 1 provides the classification system and standards for each major thoroughfare within the City. Access classes are defined as follows. For facilities in the Major Thoroughfare System, the Access Classification shall be based on the roadways' primary role in the overall network and by the nature of the abutting land uses as described in the following:~~

~~(b) Access Class 2. These are highly controlled facilities distinguished by the ability to serve high speed and high volume traffic over long distances in a safe and efficient manner. These facilities also are distinguished by a system of existing or planned frontage roads. This access class is characterized by a highly controlled limited number of connections, median openings, and infrequent traffic signals.~~

(a) Classification A. These facilities are controlled access roads where direct access to abutting land will be controlled to maximize the operation of the through traffic movement. These facilities may include existing or planned restrictive medians, shared left turn lanes, or be undivided. The Access Classification is intended to provide maximum separation between traffic signals and driveway connections. Arterial roadways abutting large land parcels and lying outside the Traditional City overlay district or similarly developed neighborhoods shall be classified as A.

~~(c) Access Class 3. These facilities are controlled access roads where direct access to abutting land will be controlled to maximize the operation of the through traffic movement. This class will be used where existing land use and roadway sections have not completely built out to the maximum land use or roadway capacity or where the probability of significant land use change in the near future is high. These facilities will be distinguished by existing or planned restrictive medians and maximum distance between traffic signals and driveway connections.~~

(b) Classification B. These facilities serve a greater role in bringing traffic into the main streams of mobility and are allowed to provide less restrictive access than that permitted for Access Class A. Connection separation is less than that required for Classification A, but is still sufficiently controlled to create a safe environment for vehicular and other mobility modes. This Classification applies to both arterial and collector roadways that lie outside the Traditional City overlay district and similarly developed neighborhoods and that generally abut smaller land parcels.

~~(d) Access Class 4. These facilities are controlled access roads where direct access to abutting land will be controlled to maximize the operation of the through movement. This class will be used where existing land use and roadway sections have not completely built out to the maximum land use or roadway capacity or where the probability of significant land use change in the near future is high. These facilities are distinguished by existing or planned non-restrictive median treatments.~~

(c) Classification C. As these roadways are typically abutted by the most compact land parcels and have generally lower posted speed limits the control of access is the least restrictive. Driveway and intersection connections are allowed with the least separation for any facilities in the Major Thoroughfare System. All segments of the Major Thoroughfare plan that are within core areas, those segments within predominately residential areas, and those segments designated as Urban Collectors shall be given the Access Classification of C.

(d) Separation requirements for each Access Management Classification are given in Figure 1 and Figure 2 below. All separation distances shall be measured at the outermost limit of the right-of-way between the nearest two paved edges of driveways or the back of curb of roadways (see Figure 2a). Connection permits on every facility segment on the Major Thoroughfare System issued after adoption of this amendment shall meet the requirements of this section.

~~(e) Access Class 5. This class will be used where existing land use and roadway sections have been built out to a greater extent than those roadway segments classified as Access Classes 3 and 4 and where the probability of major land use change is not as high as those roadway segments classified Access Classes 3 and 4. This access class also will be used to classify collectors. These facilities will be distinguished by existing or planned restrictive medians.~~

~~(f) Access Class 6. This class will be used where existing land use and roadway sections have been built out to a greater extent than those roadway segments classified as Access Classes 3 and 4 and where the probability of major land use change is not as high as those roadway segments classified Access Classes 3 and 4. This access class also will be used to classify collectors. These facilities will be distinguished by existing or planned non-restricted medians or centers.~~

~~(g) Access Class 7. This class shall be used where existing roadway sections and existing land uses are built out to the maximum feasible intensity and where significant road widening will be limited. This class will be assigned to facilities with high speed travel difficulties. These facilities can have either restrictive or non-restrictive medians.~~

~~(h) Access Class 8. This class shall only be used in the zoning district AC-3A (Downtown Orlando), where the existing roadway sections are built out to the maximum feasible and other modes of transportation are encouraged. this class also recognizes the difficulty of providing high speed travel but shall not be used to compromise the public health, welfare or safety. (i) Connection permits on every facility segment on the Major Thoroughfare Plan issued after adoption of this amendment shall meet the requirements of this section.~~

**Sec. 61.213. - Other Access Management Standards Considerations—  
Existing Properties.**

(a) At the time of adoption of this amendment by City Council, existing permitted connections, median openings, and signals not meeting the standards of the assigned classification shall be allowed to remain in place. Such features shall be brought into compliance with the standards of the assigned classification in the Major Thoroughfare Plan under the following conditions:

- (1) when new connection permits are needed;
- (2) ~~when changes in existing property use which increase land use intensity on the site~~ changes to a land use with greater density or intensity on the site;
- (3) when substantial enlargements or improvements are proposed; or
- (4) ~~significant change in trip generation according to the most recent trip generation manual or independent fee calculation; or~~
- ~~(5) as changes to the roadway design allow.~~

(b) A development site that cannot meet the minimum connection spacing standards of ~~Figure 4~~ on a particular segment of the adjacent roadway may be required to make use of shared access driveways and cross-access corridors. shall at least ~~comply with the minimum connection standard depicted in Figure 2 and 2-~~

A. These conditions may also limit access to a specific use, or prohibit an increase in intensity as outlined in Chapter 58, Part 1, Table 3, Land Use Intensity Table, ~~and require joint use driveways and cross-access easements.~~ Redevelopment sites which qualify for ~~these exceptions~~ a variance from the separation distance requirements shall not have site frontage greater than 660 feet under single ownership.

(c) Due to inadequate lot frontage, location of existing driveways on abutting properties or other similar physical constraints, a development site may not meet the minimum spacing requirements. A development site that cannot be permitted access and has no reasonable alternative means of access to the public road system shall be issued approval for a non-conforming connection by the ~~Public Works Director~~ City Transportation Engineer with conditions specified in section 61.213(b) of this code.

(d) The minimum connection and median opening ~~spacing~~ separations specified in this section (Figures 1, and 2 and 2-A Access Management Classification System) may be ~~waived~~ modified if the ~~Public Works Director~~ City Transportation Engineer approves the use and design of ~~requires~~ auxiliary lanes or storage lanes. Greater distances between connections and median openings ~~shall~~ may be required by the City to provide sufficient site-specific turn lane storage, or to further the goals, objectives, and policies of the Growth Management Plan, based on health, safety, or welfare issues.

(e) Where a development site is composed of more than one building site, the building sites shall not be considered as separate properties for the purpose of the standards associated with the access class of the roadway segment. Such sites with frontage exceeding the minimum standards of the assigned access class may not be permitted automatically the maximum number of connections, median openings, or signals possible based on the spacing standards. The number of connections permitted shall be the minimum number necessary to provide reasonable access based on operational, safety and functional integrity considerations.

(f) ~~Development sites and building sites directly abutting roadways where corridor studies adopted by City Council shall comply with the access management standards contained in such studies.~~ New connections shall not be located within the functional area of an existing intersection. A single driveway connection may be placed closer to the intersection than allowed in this section if separation standards cannot be met to provide reasonable access to the property. Approval of such a connection may be provided upon review of a study performed by a registered engineer provided by the applicant. The City Transportation Engineer must determine that the connection does not create a safety or operational problem on the roadway or at the intersection prior to the approval.

(g) ~~The speed referred to in Figures 1, 2 and 2-A shall indicate the speed limit posted for the roadway segment at the time of the access class designation. When a change in posted speed limit on a segment is approved by the~~

250 ~~pertaining authority (the City of Orlando, Orange County or Florida department~~  
 251 ~~of Transportation), the access class designation shall be updated and~~  
 252 ~~appropriately applied.~~

253 ~~(h) New connections shall not be located within the functional area of an~~  
 254 ~~existing intersection. Corner clearances for connections must meet or exceed~~  
 255 ~~the minimum connection spacing requirements for the assigned access class. A~~  
 256 ~~single connection may be placed closer to the intersection if corner clearance~~  
 257 ~~standards cannot be met to provide reasonable access to the property.~~  
 258 ~~Approval of a connection may be provided upon review of a study performed by~~  
 259 ~~a registered engineer provided by the applicant. The Planning Official and the~~  
 260 ~~Public Works Director shall determine that the connection does not create a~~  
 261 ~~safety or operational problem on the roadway or at the intersection.~~

262 ~~(i) (g) Traffic signals meeting signal warrants may be spaced at intervals closer~~  
 263 ~~than the minimum standard for the access class for the roadway segment when~~  
 264 ~~the Public Works Director City Transportation Engineer determines that the~~  
 265 ~~addition of such signals is needed for the safety and operation of the roadway~~  
 266 ~~based on a detailed engineering study performed by a registered engineer and~~  
 267 ~~subject to review by the Planning Official.~~

268 (h) Nothing in this section shall preclude an intersection from undergoing a  
 269 Signal Warrant Study, submitted by a registered engineer qualified to conduct  
 270 such studies and approved by the City Transportation Engineer, prior to  
 271 consideration of actual design and construction of traffic signals at a specific  
 272 location on the Major Thoroughfare System. Satisfaction of warrants at an  
 273 intersection does not require that a signal be installed. Final approval of the  
 274 signal design and installation is at the discretion of the City Transportation  
 275 Engineer.

276 **Sec. 61.214. - Variance.**

277 The City may, upon request of the property owner or on its own initiative,  
 278 allow a variance to the right-of-way ~~setback from street centerline~~ requirements  
 279 contained within Chapter 61 of this code. The determination as to a variance  
 280 under this ~~S~~section shall be made by the ~~Bureau Chief of Transportation~~  
 281 ~~Planning City Transportation, the Zoning Official, and a representative of the~~  
 282 ~~Office of Legal Affairs.~~

283 A variance may be granted if justice and fairness so require. Some factors to  
 284 be considered, though not exclusive, are the following:

285 1. A Planning, Development & Engineering study which is inconsistent with the  
 286 right-of-way setback requirements in Chapter 61 of this code.

287 2. Whether the public health, safety, and welfare would be compromised by the  
 288 granting of a variance.

289 3. Whether the City's actual requirements for right-of-way are inconsistent with  
 290 the general requirements under Chapter 61 of this code.

**SECTION 2. Chapter 61, Figure 1, AMENDED.** Chapter 61, Figure 1, Code of the City of Orlando, Florida, is hereby deleted in its entirety and replaced as shown in Exhibit A.

**SECTION 3. Chapter 61, Figure 2, AMENDED.** Chapter 61, Figure 2, Code of the City of Orlando, Florida, is hereby deleted in its entirety and replaced as shown in Exhibit B.

**SECTION 4. Chapter 61, Figure 2-A, AMENDED.** Chapter 61, Figure 2-A, Code of the City of Orlando, Florida is hereby deleted in its entirety and replaced as shown in Exhibit C.

**SECTION 5. Chapter 61, Figure 3, AMENDED.** Chapter 61, Figure 3, Code of the City of Orlando, Florida, is hereby deleted in its entirety and replaced as shown in Exhibit D.

**SECTION 6. Chapter 61, Figure 4, DELETED.** Chapter 61, Figure 4, Code of the City of Orlando, Florida, is hereby deleted in its entirety.

**SECTION 7. 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 8. 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 9. 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 10. 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 \_\_\_\_\_, 2018.

**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 \_\_\_\_\_, 2018.

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

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

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:

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

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

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