

ORDINANCE NO. 2018-44

1 AN ORDINANCE OF THE CITY COUNCIL OF THE
2 CITY OF ORLANDO, FLORIDA, RELATING TO
3 ACCESSORY DWELLING UNITS, TOWNHOMES
4 AND MULTI-FAMILY HOUSING; AMENDING
5 CHAPTER 5, ORLANDO CITY CODE, TO PROVIDE
6 CONSISTENT TERMINOLOGY; AMENDING
7 CHAPTERS 58, 61, 62, 65, 66, AND 67, LAND
8 DEVELOPMENT CODE, TO ALLOW ACCESSORY
9 DWELLING UNITS AND TOWNHOMES AS A
10 PERMITTED USE WITH APPEARANCE REVIEW IN
11 CERTAIN ZONING DISTRICTS, TO PROVIDE
12 DESIGN, DEVELOPMENT, APPEARANCE REVIEW
13 AND BUILDING SITE STANDARDS FOR
14 ACCESSORY DWELLING UNITS, TOWNHOMES,
15 MULTIPLEX AND MULTIFAMILY DEVELOPMENT,
16 AND TO UPDATE DEFINITIONS AND PROVIDE
17 CONSISTENT TERMINOLOGY; PROVIDING
18 LEGISLATIVE FINDINGS, AND FOR
19 SEVERABILITY, CODIFICATION, CORRECTION OF
20 SCRIVENER'S ERRORS, AND AN EFFECTIVE
21 DATE.

22
23 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of
24 Orlando, Florida (the "city"), adopt or amend and enforce land development
25 regulations that are consistent with and implement the city's adopted
26 comprehensive plan; and

27
28 **WHEREAS**, section 163.3202(3), Florida Statutes, encourages the use of
29 innovative land development regulations and requires that all land development
30 regulations be combined into a single land development code for the city; and

31
32 **WHEREAS**, from time to time, amendments and revisions to the city's
33 adopted comprehensive plan (the "Growth Management Plan"), progress in the
34 field of planning and zoning, or changes to state law make it necessary or
35 desirable to amend the land development regulations of the city; and

36
37 **WHEREAS**, at its regularly scheduled meeting of May 15, 2018, the
38 Municipal Planning Board recommended to the City Council of the City of
39 Orlando, Florida (the "Orlando City Council"), that the provisions of this ordinance
40 are consistent with the applicable provisions of the city's adopted Growth
41 Management Plan, are in the best interest of the public health, safety, and
42 welfare, are in harmony with the purpose and intent of the Land Development

ORDINANCE NO. 2018-44

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.

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

SECTION 1. CHAPTER 5, SECTION 5.19, AMENDED. Chapter 5, Section 5.19, Orlando City Code, is hereby amended as follows:

Sec. 5.19. - Classes of Violations and Reduced Civil Penalties.

(2) Violations of City codes and ordinances which constitute civil infractions for which citations may be issued are as follows:

Code/Ordinance Chapter or Section	Description	Class

CH. 58, ZONING DISTRICTS AND USES		

Sec. 58.513	Attached dwelling <u>Townhome</u> development	I

ORDINANCE NO. 2018-44

SECTION 2. CHAPTER 58, PART 1B, AMENDED. Chapter 58, Part 1B, Land Development Code, is hereby amended as follows:

1B. - ZONING TABLES

FG-2A.LDC - (Table of allowable uses in zoning districts Inside [and Outside of] the Traditional City) - R-1S; R-2A; R-2B; R-3A; R-3B; R-3C; R-3D; MXD-1; MXD-2; O-1; O-2; O-3; MU-1; MU-2; AC-N; AC-1; AC-2; AC-3; AC-3A; H; CON; IC; IP; IG

FIGURE 2A.LDC

FIGURE 2: Use this table to determine what uses are permitted, conditionally permitted, or prohibited in each zoning district (includes districts inside and outside of the Traditional City). Numbers in parentheses refer to footnotes following the tables.

	R-1S	R-2A	R-2B	R-3A	R-3B	R-3C	R-3D	MXD-1	MXD-2	O-1	O-2
RESIDENTIAL											
Accessory Apts- dwelling units (13)	P (22)	P (22)	P (22)	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>
Accessory Cottage Dwellings	P (22)	P (22)	P (22)	P	P		P	P	P	P	P

Attached Dwellings Townhomes			<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>		<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>

	O-3	MU-1	MU-2	AC-N	AC-1	AC-2	AC-3	AC-3A			

ORDINANCE NO. 2018-44

<u>Attached Dwellings Townhomes</u>	<u>GPA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>PA</u>	<u>GPA</u>	<u>CA</u>			
<p>***</p> <p>FOOTNOTES:</p> <p>***</p> <p>13. An accessory apartment may be permitted where the total building site area is at least 1.5 the minimum required. <u>All accessory dwelling units must comply with Part 3A of this chapter. Where permitted includes any PD with a similar default zoning.</u></p> <p>***</p> <p>22. <u>Reserved.</u></p> <p>(a) In the R-1AA, R-1A, R-1, and R-1N zoning districts an Accessory Apartment or Accessory Cottage may be allowed as a second dwelling unit on a single-family building site under the following conditions:</p> <p>i) Accessory Apartment.</p> <p>(1) Inside the Traditional City, one Accessory Apartment shall be allowed as a Permitted Use when the building site is at least 1.5 times the minimum lot size for the applicable zoning district.</p> <p>(2) Outside the Traditional City, one Accessory Apartment may be allowed as a Conditional Use in accordance with the regulations and procedures provided in Chapter 65, Part 2D, when the building site is at last 1.5 times the minimum lot size for the applicable zoning district.</p> <p>ii) Accessory Cottage.</p> <p>(1) Inside the Traditional City, one Accessory Cottage shall be allowed as a Permitted Use when the building site is at least 2.0 times the minimum lot size for the applicable zoning district.</p> <p>(2) Outside the Traditional City, one Accessory Cottage may be allowed as a Conditional Use in accordance with the regulations and procedures provided in Chapter 65, Part 2D provided that the building site is at least 2.0 times the minimum lot size for the applicable zoning district.</p>											

ORDINANCE NO. 2018-44

- (b) ~~In R-2A and R-2B zoning districts an Accessory Apartment or Accessory Cottage may be allowed as a second dwelling unit on a single-family building site under the following conditions:~~
- ~~i) Minimum lot size. The lot must meet the minimum size for duplex development.~~
 - ~~ii) Maximum number of units.~~
 - ~~(1) In the R-2A zoning district, a maximum of two units are allowed per lot. Accessory Apartments or Accessory Cottages are prohibited on any building site in the R-2A zoning district where there is an existing duplex or tandem dwelling, or in connection with any new duplex or tandem dwelling development.~~
 - ~~(2) In the R-2B zoning district, the maximum number of units per lot shall not exceed the density established for the zoning district.~~
 - ~~iii) Conversion to tandem dwelling. On any building site in an R-2A or R-2B district, any new accessory cottage over 450 sq. ft. and built in connection with a one family dwelling must conform to the standards for tandem dwellings in Part 3C of this Chapter. An existing or new accessory cottage may not be split into a separate lot for purposes of creating a tandem dwelling unless the tandem dwelling standards are met.~~
- (c) ~~Design Standards. The living quarters of an accessory cottage dwelling (ACD) shall not exceed 40% of the living quarters of the principal structure or 1,200 square feet, whichever is less. However, principal structures with living quarters less than 1,700 square feet may have an ACD up to 700 square feet. Appearance Review is required for ACD's, wherein ACD structures shall have the same exterior finish as the principal structure located on the same lot and shall incorporate at least two similar architectural details found on such principal structure into their design. Examples of similar architectural details include, but are not limited to, windows, doors, roof style, cornice detailing, vents, and dormers.~~

FIGURE 3. LAND USE INTENSITY TABLE

Use this table to identify the land use intensity class of the proposed use and all contiguous use(s):

ORDINANCE NO. 2018-44

Class II

~~Attached~~Townhomes/multiplex dwellings

SECTION 3. CHAPTER 58, PART 2AI, AMENDED. Chapter 58, Part 2AI, Land Development Code, is hereby amended as follows:

2AI. - PARRAMORE HERITAGE OVERLAY DISTRICT (PH)

Sec. 58.499.17. - Appearance Review Standards and Guidelines.

Residential development on both conforming and non-conforming lots within the PH Overlay District must undergo Appearance Review. The Zoning District and the Use Regulations of Figures 1 and 2 of this Chapter, the Traditional City Design Standards specified in Chapter 62, Part 6, and the Specific Standards described in Chapter 65, Part 2F, Section 65.310, shall apply.

In addition to the standards specified above, the following architectural elements shall be considered during Appearance Review:

d. *Mechanical Equipment.* The provisions of Section 58.984—Mechanical Equipment Used in Single Family, Duplex and ~~Attached Dwelling~~Townhome Development shall be utilized with the following exception of the rear yard, where such mechanical equipment shall be located not less than ten (10) feet from the rear lot line. The alternative standards specified in Section 58.985 may be utilized.

Figure 7D. Parramore Heritage Area Boundary

[Drafter's Note: Please insert this title for the figure included in this Part]

SECTION 4. CHAPTER 58, PART 3, AMENDED. Chapter 58, Part 3, Land Development Code, is hereby amended as follows:

PART 3. - SPECIFIC RESIDENTIAL USES

3A. - ACCESSORY APARTMENTS DWELLING UNITS

Sec. 58.500. - Purpose of Accessory Dwelling Unit Requirements.

The standards and requirements of this Part are intended to add inexpensive dwelling units to meet the needs of older households, single member households, and single parent households; to make housing available to those persons who might otherwise have difficulty finding homes within the City; and to protect the stability, property values and one-family residential character of neighborhoods by ensuring that accessory apartments are developed only under conditions appropriate to further the purposes of this Chapter. These standards apply to all accessory dwelling units (ADU's) throughout the City.

Sec. 58.501. - Design Standards for Accessory Dwelling Units.

Accessory apartments dwelling units shall conform to all of the general requirements for accessory uses set forth in Part 5 of Chapter 58, the zoning district and use regulations set forth in Figures 1-2, and the following requirements:

~~*Location and Number.* Only one accessory apartment shall be permitted on any building site, and it shall be located within the principal structure. For the purposes of this section only, an accessory apartment connected to a principal structure by a breezeway, roofed passage or similar structure shall not be deemed to be located within the principal structure.~~

~~*Maximum Floor Area.* No accessory apartment shall exceed 25% of the gross floor area of the principal structure within which it is located. No structural alteration of a pre-existing principal structure shall be counted as gross floor area for the purposes of this requirement until two years after the completion thereof.~~

~~*Appearance.* The accessory apartment shall be so designed that the appearance of the dwelling remains that of a one family dwelling unit. Any new entrance created for the accessory apartment shall be located on the side or rear side of the dwelling.~~

~~*Variances Prohibited.* No zoning variances may be granted in connection with the approval of any accessory apartment.~~

A. Location and Number.

ORDINANCE NO. 2018-44

1. In the O-1 and O-2 zoning districts, only one accessory dwelling unit is permitted on any single family residential building site or an on-site office site, providing it meets the minimum development standards for area shown in the table below.
2. In the R-2A zoning district, a maximum of two units (a duplex or tandem development) are allowed per Building Site. Accessory Dwelling Units are prohibited on any building site in the R-2A zoning district where there is an existing duplex or tandem dwelling, or in connection with any new duplex or tandem dwelling development.
3. In the R-2B zoning district, multifamily development (to include ADUs) is permitted if in compliance with Part 3H of Chapter 58.

B. Conversion to tandem dwelling. On any building site in an R-2A or R-2B district, any new accessory dwelling over 500 sq. ft. and built in connection with a one family dwelling must conform to the standards for tandem dwellings in Part 3C of this Chapter. An existing or new accessory dwelling unit may not be split into a separate lot for purposes of creating a tandem dwelling unless the tandem dwelling standards are met.

C. Development Standards for ADUs. The following are the development standards for all ADUs.

	<u>Development Standards</u>	
	<u>Minimum Lot Size for an ADU up to 500 sq. ft. *</u>	<u>Minimum Lot Size for an ADU up to 1,000 sq. ft.*</u>
<u>R-1AA</u>	<u>10,000</u>	<u>15,000</u>
<u>R-1A</u>	<u>7,700</u>	<u>11,550</u>
<u>R-1</u>	<u>6,000</u>	<u>9,000</u>
<u>R-1N</u>	<u>5,500</u>	<u>8,250</u>
<u>R-2A</u>	<u>5,500</u>	<u>**</u>
<u>R-2B</u>	<u>5,000</u>	<u>**</u>
<u>R-3A</u>	<u>5,500</u>	<u>**</u>
<u>R-3B</u>	<u>5,000</u>	<u>**</u>
<u>R-3C</u>	<u>4,500</u>	<u>**</u>
<u>R-3D</u>	<u>4,500</u>	<u>**</u>
<u>MXD-1</u>	<u>5,000</u>	<u>**</u>
<u>MXD-2</u>	<u>4,500</u>	<u>**</u>

ORDINANCE NO. 2018-44

<u>O-1</u>	<u>5,500</u>	<u>**</u>
<u>O-2</u>	<u>4,500</u>	<u>**</u>

*All accessory dwelling units must be smaller than the principal structure. Also, see "Lots of Record" subpart below for ADUs on non-conforming lots of record.

** Must comply with Tandem Code – Part 3C of Chapter 58

1. Maximum Floor Area. Unless limited elsewhere in this Chapter, the maximum floor area ratio for the single family unit plus the ADU cannot exceed 0.50 Floor Area Ratio or the maximum FAR of the principal structure of the zoning district whichever is less. No ADU may be larger than 1,000 sq. ft.
 2. Setbacks. Subject to Modification of Standards (see Sec. 65.302(9)), the setbacks for accessory dwelling units are as follows:
 - a. Connected to the principal structure: the same as for the principal structure.
 - b. Detached in an accessory building: the same as for all accessory structures. (ADUs that are greater than 500 sq. ft. in all R-2, R-3, MXD, and in Office districts must comply with the setbacks of tandem development – See Part 3C of Chapter 58).
- D. Appearance. ADUs must be designed to appear to be part of a one family dwelling unit. An ADU structure must have the same exterior finish as the principal structure on the same building site and must emulate the architectural style and details of the principal structure into its design. Examples of similar architectural details include, but are not limited to, windows, doors, roof style, cornice detailing, vents, and dormers. An Appearance Review is required prior to approval of building permits. As an alternative to emulating the architecture and finish materials of the principal structure, such design may be approved by the Appearance Review Official (in consultation with the Planning Official) when evidence is provided that demonstrates the architecture of the ADU complements the primary structure and will not be out of character with the surrounding neighborhood.
- E. Building Code. Must comply with the Florida Building Code as well as Section 30A.24 of the City Code.
- F. Parking.
1. Principal Structure - Each building site must have one parking space and driveway that complied with the Land Development Code at the time the principal structure was constructed.
 2. Larger ADUs - If the ADU is greater than 500 sq. ft. in size, an additional parking space located behind the front yard setback and at

ORDINANCE NO. 2018-44

least 20 feet from the street side lot line is required. The second required parking space must be in independently accessible to the street and not enclosed within the principal structure.

3. Smaller ADU Parking Exception – ADUs that are 500 sq. ft. or smaller that have code compliant parking for the principal structure at the time the principal structure was constructed are not required to have an additional parking space for the ADU.

G. Impact fees. See Chapter 56.

H. Non-Conforming Lots of Record. Lots of Record that are non-conforming in minimum size may apply for a variance for the addition of an ADU. If approved, the maximum size of the ADU cannot exceed 500 square feet, and the FAR for the principal structure and ADU cannot exceed 0.50.

I. Compliance with the GMP. Conformance with this code will be considered compliance with the City of Orlando's Growth Management Plan.

Sec. 58.502. – Elderly Cottage Housing Opportunity (ECHO housing).

~~(A) Purpose. Elderly Cottage Housing Opportunity (ECHO Housing), is intended to expand the supply of intergeneration dwelling options. ECHO housing units are small, self-contained dwelling units intended for the elderly, placed in the rear yard of an existing home of a family member.~~

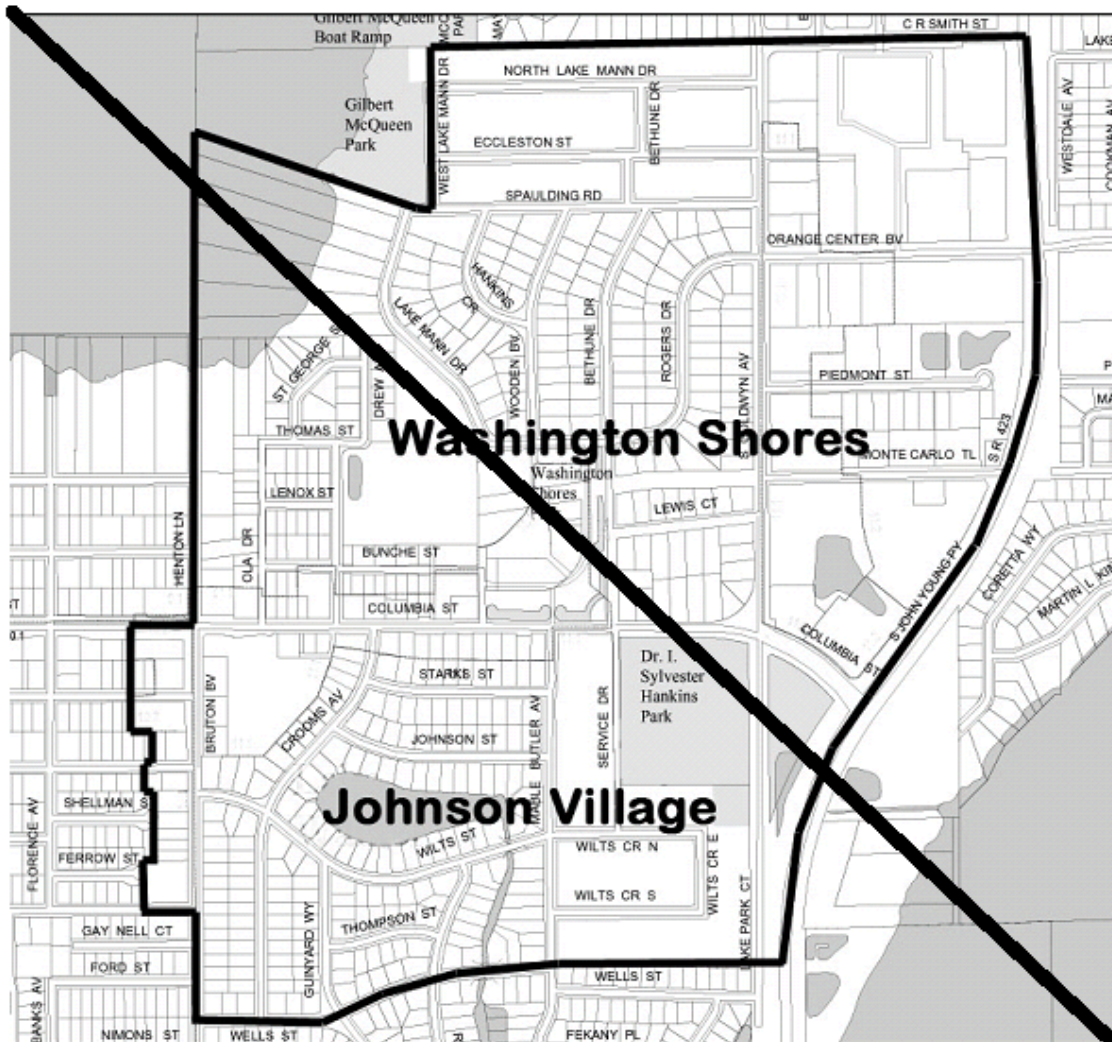
~~(B) Zoning Official Letter of Determination. Those interested in constructing an ECHO housing unit must apply for a Zoning Official Letter of Determination, issued by the Zoning Official. Only after its issuance can a Building Permit be sought. If construction has not commenced within twelve (12) months of the zoning official determination, all zoning and permitting approvals become null and void.~~

~~(C) Requirements for eligible residential lots.~~

- ~~(1) Zoning. Lots zoned R-1AA, R-1A, R-1, R-1N, R-2A and that conform to the lot size standards for single-family lots on Figure 1 of Chapter 58: Zoning Districts and Uses shall be eligible for ECHO housing. As a part of a pilot program, location shall be limited to the scope of the Washington Shores Special Plan study area as depicted in Figure 8 (ECHO housing neighborhood boundaries).~~

ORDINANCE NO. 2018-44

Figure 8: ECHO housing neighborhood boundaries



(2) *Principal structure.* The ECHO housing unit shall not be used as a replacement for the main dwelling. Therefore, the principal structure must be in good living condition prior to issuance of a Zoning Official Letter of Determination.

(3) *Tandem.* Both the principal structure and the ECHO housing unit structure must remain in the ownership of the same individual. No Tandem lots shall be permitted.

(D) *Restrictions.*

(1) *Same Family.* The person(s) living in the ECHO housing unit must be part of the same family living within the principal structure.

(2) *Limitation.* Only one ECHO housing unit allowed per site.

(3) *Occupants.* The ECHO housing unit shall be limited to 2 occupants or less.

ORDINANCE NO. 2018-44

(4) ~~Size.~~ ECHO housing unit shall be restricted to 450 square feet and one-story in height.

(5) ~~Setbacks.~~ Same as Accessory Structures.

(6) ~~Other accessory structures.~~ A shed less than 100 square feet shall be permissible on site in addition to the ECHO housing unit; no other accessory structures are allowed.

~~(E) Architecture and Design.~~

(1) ~~Design Compatibility.~~ Building quality and design of a permanent ECHO housing unit must match that of the principal structure and have a permanent foundation. ECHO housing units shall have the same exterior finish as the principal structure located on the same lot and shall incorporate at least two similar architectural details found on such principal structure into their design. Examples of similar architectural details include, but are not limited to, windows, doors, roof style, cornice detailing, vents, and dormers. No mobile homes, recreational vehicles or travel trailers permitted. Appearance review is required.

(2) ~~Parking.~~ No additional parking is required for an ECHO housing unit; however the principal unit must have a conforming required parking.

(3) ~~Covered walkway.~~ A covered walkway may be attached to the principal structure from the ECHO housing unit, without the unit being considered part of the principal structure for setback purposes. However, this area shall not be screened in to create a porch, breezeway or other type of feature.

~~(F) Other.~~ All other standards for Accessory structures shall apply.

Secs. 58.5023—58.509. - Reserved.

3B. - ATTACHED DWELLING TOWNHOME DEVELOPMENT

Sec. 58.510. - Purpose of Attached Dwelling Development Regulations Applicability and Conflicts.

A. Intent. The Attached Dwelling Townhome Development standards are intended to allow for flexible and creative site planning to facilitate townhome use development as a fee simple alternative to conventional single family development. Design flexibility for creative site planning is intended to encourage historical townhouse townhome development that

ORDINANCE NO. 2018-44

has vehicular access and parking in the rear, ~~reduced front yard setbacks that are compatible with adjacent development,~~ and elevated first floors.

B. Applicability. Except for townhomes subject to the specific design standards of a planned development zoning district, the standards and requirements of this Part apply to the construction of new townhomes, and substantial improvements or substantial enlargements to existing townhomes.

C. Conflicts. If any provisions of these regulations are determined to be in conflict with any other City regulation, these regulations prevail except where otherwise specified or regulated by a historic district or other overlay zoning district.

Sec. 58.511. - ReviewDevelopment Standards.

In addition to the Zoning District and Use Regulations of Figures 1—2 and the standards ordinarily applying to the review of Master Plan and Subdivision Plat applications, the following standards shall apply:

A. Development Site Standards:

~~Design. All lot layouts, circulation, and open space provided shall permit an attractive variety of orientations and groupings of dwellings and driveways, minimizing adverse effects of noise, glare, and traffic on residences.~~

~~Variety of Housing Styles. The development shall be designed to encourage variety in housing styles and floor plans.~~

~~Ownership and Maintenance.~~

1. The development shall meet the requirements of Chapter 65, Part 5D (Improvements Retained in Private Ownership), and Part 5E (Maintenance of Common Open Space and Improvements and Open Space).

~~Environmental Features. The design of the development shall protect environmental features of significant ecological or amenity value as recognized by this Chapter or the adopted Growth Management Plan.~~

~~Facilities Layout. An efficient, safe, and effective layout of circulation, drainage, and similar systems shall be provided.~~

~~Adjacent Land Uses.~~

ORDINANCE NO. 2018-44

2. The development shall be designed in a manner to adequately protect adjacent land uses, which shall include for this purpose any landscaped bufferyard which may be required by Chapter 60, Part 2 along the boundaries of the development as necessary to ensure compatibility of land uses, which shall be maintained as common or dedicated open space.

~~Accessory Buildings. Accessory buildings may only be located within building restriction lines. Walls, fences, and swimming pools may be located on each lot provided they conform to the appropriate regulations contained within this Chapter.~~

3. Density for townhome units is calculated as follows:
- a) Maximum density is established by dividing the total number of dwelling units by the net area of the development site.
 - b) Minimum density is established by dividing 43,560 square feet by the average size of the individual building sites (townhome lots) in square feet.
4. Impervious Surface Ratio (ISR): Maximum amount must be established consistent with the applicable zoning district. If the development site is below the maximum ISR, any remaining available impervious surface must be allocated to individual lots as part of the master plan or conditional use permit. ISR in the front and street side setbacks cannot exceed 40%, consistent with Section 61.302(f)(2).
5. Not more than 8 dwelling units may be provided within a single building.
6. If the development site includes platting new streets, or includes more than 20 dwellings, in addition to the standard parking requirement in Chapter 61 Figure 26, guest parking is required at a ratio of 1 space per 5 dwellings. On-street parking on streets being constructed within the development site may count toward this requirement.
7. Development sites with 31 to 99 units must provide a minimum of 2 access points to the surrounding street network. One of these access points may be operated as an "Emergency Only" access and may use a stabilized, pervious surface approved by the City Engineer or designee.
8. Development sites with 100 or more units must provide a minimum of 2 access points with impervious surfaces suitable for all users.
9. Front-loaded townhomes are prohibited. Driveway and parking access must be from the rear of the unit.
10. Driveways must meet the following minimum requirements:

ORDINANCE NO. 2018-44

- a) The maximum width is 24 feet at the property line.
- b) Up to four units served: The minimum width is 14 feet at the property line, narrowing to 12 feet at a point 15 feet from the property line.
- c) Five or more units served:
 - i. One-way (access to two streets): The minimum width is 14 feet at the property line, narrowing to 12 feet at a point 15 feet from the property line.
 - ii. Two-way: The minimum width is 20 feet wide at the property line, narrowing to 16 feet at a point 15 feet from the property line.

11. Maneuvering areas for perpendicular parking spaces must meet the following requirements:

- a) A minimum of 22 feet clear pavement is required behind each parking space. This 22 feet width may be incorporated into the width of a shared driveway or an alley.
- b) The 22-foot width must be measured from the face of the garage door, the back of a carport, or the back of an uncovered parking space, as applicable.

12. A minimum 2-foot wide clear area must be maintained adjacent to any backing and maneuvering area that is less than 24 feet wide, and along both sides of the driveways throughout the development site.

- a) This area may be decorative pavement, or landscaped with grass or other groundcover.
- b) This area may not contain a fence, wall or landscaping that includes species with mature heights greater than 18 inches.
- c) This area may only be included in the minimum width of any required bufferyard if it is not paved, and if the required landscaping and/or fences can be accommodated outside the clear area.

B. Building Site Standards:

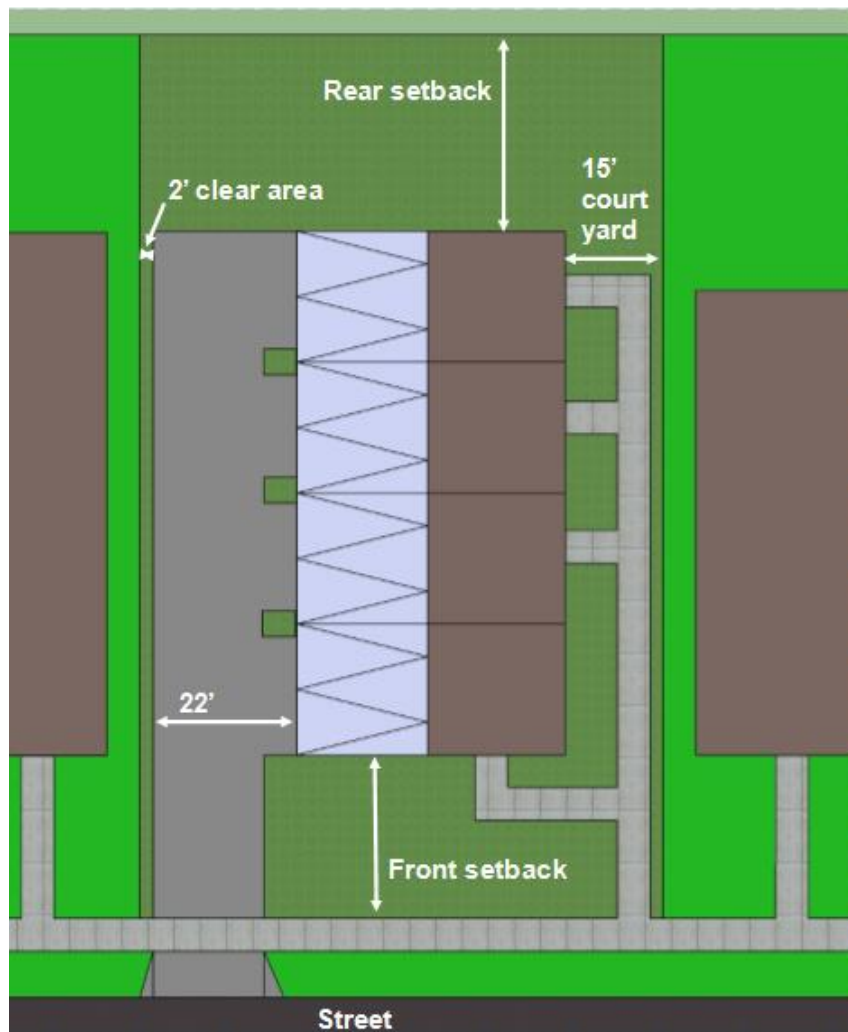
- 1. Minimum lot width: 20 feet
- 2. Minimum area each lot: 1000 square feet
- 3. Setbacks:
 - a) For street facing units, each unit must meet the setbacks for the applicable zoning district, except that as part of master plan, a modification to the maximum setbacks in AC and MU districts may be allowed in order to provide a landscaped front yard and/or street side yard.
 - b) For units facing a courtyard, the perimeter of the development site must meet the applicable setbacks for the zoning district. Individual

ORDINANCE NO. 2018-44

units need to meet the front and rear setbacks established by the dimensions for courtyards and driveways.

4. Height limit: Per the applicable zoning district. Roof decks, whether covered or open air, are included within the height of the building at a minimum height of 8 feet.
5. Building Separation: A minimum 10-foot separation is required between all buildings on the development site.
6. Frontage requirements. Each unit must be developed consistent with one of the two following options:
 - a) Frontage on a public street, or a private street that meets public street design standards.
 - b) Frontage onto a courtyard. The courtyard must include the following:
 - i. Minimum width of 15 feet if units face one side of the courtyard. If a bufferyard is required, the courtyard must include sufficient landscaping to meet the bufferyard standard. The 15 feet width courtyard can accommodate up to a 5 foot wide buffer. If a wider bufferyard is required, the width of the courtyard must be increased to meet the bufferyard standard.
 - ii. Minimum width of 25 feet if units face both sides of the courtyard.
 - iii. Minimum 5 foot sidewalk required for the length of the courtyard. The sidewalk must connect the primary pedestrian entrance of each unit to a sidewalk on a public or private street.
 - iv. A maximum of 4 units are allowed on a single-sided courtyard that dead-ends into an adjacent development site. See Figure 7E.
 - v. Fencing is not required. If included, fences, walls or other privacy barriers must not block access between individual lots on the side of the building where the primary pedestrian entrances are located.

Figure 7E: Townhomes facing a single-sided courtyard



Sec. 58.512. - Procedural Requirements.

~~Attached Dwelling Development may be approved in connection with Preliminary Subdivision or Minor Plat approval wherever such dwellings are permitted under this Chapter. An applicant wishing to undertake Attached Dwelling Development shall specifically request such approval in connection with application for Preliminary Subdivision or Minor Plat approval.~~

~~Modification of Standards. When, in the judgment of the Municipal Planning Board, reasonable development of a building site justifies such action, the front and rear yards may be reduced up to a maximum of 40 percent. No other variances shall be considered by the Board of Zoning Adjustment.~~

C. Review process.

ORDINANCE NO. 2018-44

1. Townhomes must follow the procedures for a master plan review as specified under Section 65.331.
2. If townhomes are a conditional use in the zoning district, in lieu of a master plan, a conditional use permit (CUP) is required per Chapter 65, Part 2D. The zoning districts that require a CUP have a minimum density that is higher than the maximum density for townhome development (at a minimum lot size of 1000 sq. ft. per unit). In order to develop townhomes in these districts, they must be combined with other multifamily uses or non-residential uses on the development site to meet the minimum density or intensity, as described in Section 58.207.
3. For all townhome development, a subdivision plat establishing fee simple lots is required per Chapter 65, Part 3. The plat must also identify easements, tracts and/or alleys as necessary to provide locations for shared utilities, driveways, and open space. Maintenance agreements for the common areas must also be executed at the time of platting.

D. *Developments with Modifications.* An applicant proposing a modification from the standards in Part 3B of this Chapter, or the standards described in Section 65.334-1(a), may apply for a Master Plan with Modifications. The following factors will be considered in review of the request:

1. Neighborhood compatibility
2. Site constraints
3. Ability to preserve on-site trees or street trees
4. Creative architectural design not anticipated by this code
5. Ability to provide safe and attractive pedestrian access
6. Ability to minimize views of vehicular use areas from the public realm
7. Ability to minimize curb cuts and maximize opportunities for street trees and on-street parking

Sec. 58.513. - Development Site Appearance Review Standards for Townhomes and Principal Building Setbacks.

~~Attached dwelling development shall comply with the following standards:~~

~~*Development Site Standards:*~~

~~Min. Development Site Area: None.~~

~~*Building Site Standards:*~~

~~*One Family Lots:*~~

~~Minimum Perimeter Setback: 10 ft.~~

~~Minimum Mean lot width: 20 ft.~~

ORDINANCE NO. 2018-44

~~Minimum area each lot: 1600 sq. ft.~~

~~Minimum Average all lots: 1800 sq. ft.~~

~~Minimum lot depth: None.~~

~~Maximum Residential Density: Varies by Zoning District.~~

~~Maximum ISR: Varies by Zoning District.~~

~~*Principal Building Setbacks.* Except as otherwise specifically permitted by this Chapter the following standards shall apply.~~

~~Front Yard: 20 ft.~~

~~Side yard: 10 ft. (The side yard setback shall apply to end units only.)~~

~~Street Side yard: 15 ft.~~

~~Rear Yard: 20 ft.~~

To ensure that each townhome development is harmonious and architecturally compatible with existing development in the surrounding neighborhood, an appearance review in accordance with Part 3, Chapter 62 of this Code and the following additional standards are required prior to the issuance of a building permit.

A. *Articulation* - Each façade that faces a street must include projections or recesses such as a front porch, front stoop, bay window, building recesses, or other feature to diminish the boxy townhome shape.

B. *Orientation* - All dwellings must include a primary pedestrian entrance that faces a street or a courtyard.

C. *Pedestrian access* - A pedestrian path from the public sidewalk to the primary pedestrian entrance is required.

D. *Ground floor elevation* - For street facing dwellings, building foundations must be elevated a minimum of 18" above the finished grade as measured at the front façade of the dwelling.

E. *Porches* - If constructed, a porch that meets the standards of Section 62.600(g) may encroach up to 6 feet into the required front and street side yard setbacks.

F. *Minimum Landscaping Area* - Townhomes are required to meet the multifamily standards of the landscaping code (Chapter 60) for the development site as a whole. In addition, stormwater swales or ponds are not allowed in the front or street side setbacks unless low impact design standards for rain gardens are met.

G. *Transparency* - A minimum 15% transparent materials is required on all façades facing a public street, private street, or courtyard, on each story below the roof line. A minimum 10% transparent materials is required on all interior side façades on each story below the roof line.

ORDINANCE NO. 2018-44

- H. Screening of utilities - Utilities such as backflow preventers, metering boxes, gang mailboxes, and mechanical equipment must be placed to the side or rear of the site, and must be screened with landscaping, a decorative enclosure, or a wall.
- I. Fire walls - Protrusions of fire walls must be minimized and incorporated into the architecture of the building.
- J. Compatibility. The appearance review official will consider the following factors when evaluating the compatibility of townhome development with the surrounding neighborhood:
1. Logic of overall design
 2. Site plan
 3. Landscaping and pervious surface
 4. Driveway design, circulation and parking
 5. Environmental features and tree preservation
 6. Alignment of curb cut(s) to maximize ability to plant street trees and preserve on-street parking
 7. Where applicable, compliance with the traditional city standards and requirements for residential development in Section 62.600
 8. Compatibility with adjacent land uses
 9. Features of existing development and neighborhood form
- The City may also make recommendations pertaining to alternate setbacks and building height. Although these items are regulated by code, adjustments may be appropriate to improve neighborhood compatibility, address site constraints, or improve the design and character of the building.
- K. Architectural Style. Each building must have consistent architectural elements that create a recognizable architectural style, including but not limited to classical revival, colonial revival, craftsman, Florida vernacular, Mediterranean revival, mid-century modern, minimal traditional, Florida ranch, or other style identified in an industry-accepted architectural guidebook. All architectural elements, details, features, and finishes on the exterior of the building must be both consistent and compatible with the architectural style employed. Architectural elements and variations cannot be restricted to a single façade and must be wrapped along the entire length of all street-facing facades. The appearance review official will consider the following elements when evaluating conformance with this requirement:
1. Roof type, pitch, form, material and overhang
 2. Exterior elevation, materials and finishes
 3. Window proportions, groupings, trim, muntins and details

ORDINANCE NO. 2018-44

4. Column size, taper, base and moulding
5. Balcony width and depth
6. Porch width, depth, elevation and railings
7. Chimney details
8. Dormers/parapets
9. Brackets, shutters, railings, rafter tails and decorative details
10. Transparency
11. Building projections and recesses
12. Entryway and front door design
13. Garage placement and door design
14. Exterior lighting
15. Incorporation of architectural features into any fire separation wall
16. Other generally accepted architectural elements, as determined appropriate by the appearance review official

Together, these elements should create a cohesive structure that avoids boxy, flat facades; highlights architectural features using authentic and durable materials; provides distinct identity to each unit in a manner appropriate to the style employed, and minimizes the visual impact of garages from the public right-of-way.

3H. - MULTI-FAMILY: MULTIPLEX (3—58 DWELLING UNITS IN R-2B, R-3B, O-1, AND O-2 ZONING DISTRICTS)

Sec. 58.560. – Purpose.

~~Multiplex-family~~ standards of this Part are intended to conserve the general character of established neighborhoods which have developed as a mixture of single family dwelling units, duplexes, and small apartment buildings of 3 to 85 dwelling units. New development shall maintain the prevailing bulk, height, and general design of the surrounding structures and buildings. This type has the appearance of a medium-sized single family home or multiple small-scale structures and is appropriately scaled to fit within primarily single-family neighborhoods or into medium-density neighborhoods. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting infill development.

Sec. 58.562. - Development Standards and Building Site Standards.

Standards.

~~Min. Bldg. Site Stds.:~~

~~-Area: 1,000 sq. ft. + 2,500 sq. ft./unit.~~

~~-Mean width: 10 ft. + 20 ft./unit.~~

~~-Depth: 110 ft.~~

~~Max. Res. density: 16 units/ac.~~

~~Prin. Bldg. Setbacks:~~

~~-Front yard: 20 ft.~~

~~-Side yard: 5 ft.~~

~~-Street side yard: 15 ft.~~

~~-Rear yard: 25 ft.~~

~~Min. Vehic. Use Setback in Front yard: Same as yard standard.~~

~~Min. Bldg. Separation: 10 ft.~~

A. *Minimum Lot Size Standards.* Meet the minimum lot depth and minimum site frontage standards for that zoning district.

B. *Maximum Residential Density.* Determined by the maximum density of each zoning district. If the result is a decimal, densities with 0.5 or higher may be rounded up to the nearest whole number. R-2B lots are limited to 5 units.

C. *Unit size.* The majority of units on a single development site must be 750 square feet or less, or comply with multi-family regulations.

D. *Building Setbacks.* Defaults to zoning district.

E. *Minimum Building Separation.* 10 feet.

F. *Frontage Requirements.* The front door of the unit(s) facing the primary street frontage must face the street. Rear units may face the front of the lot or may be side-oriented to face other units. Rear-facing units are not allowed.

G. *Vehicular Use Area.* Parking is not permitted between the front building(s) and the street, but is permitted on the side and the rear of the building(s).

H. *Pedestrian Access.* A pedestrian path from the public sidewalk to the primary pedestrian entrance is required for the unit(s) facing the primary street frontage.

I. *Building Height.* The maximum height defaults to the zoning district or three-stories, whichever is less.

J. *Single-Family Home or Duplex Preservation.* A master plan application is required for eligible sites that desire to expand beyond the existing one family or two family unit(s).

1. Each new unit will be limited to 750 square feet.

ORDINANCE NO. 2018-44

2. In historic districts, the existing structures must be preserved and maintained, unless otherwise approved by the Historic Preservation Board.

K. Driveways must meet the following minimum requirements:

1. The maximum width is 24 feet at the property line.
2. Up to four units served: The minimum width is 14 feet at the property line, narrowing to 12 feet at a point 15 feet from the property line.
3. Five or more units served:
 - a) One-way (access to two streets): The minimum width is 14 feet at the property line, narrowing to 12 feet at a point 15 feet from the property line.
 - b) Two-way: The minimum width is 20 feet wide at the property line, narrowing to 16 feet at a point 15 feet from the property line.
4. For preservation of existing structures or significant trees, modifications may be granted by the Transportation Official through the master plan application.

L. Maneuvering areas for perpendicular parking spaces must meet the following requirements:

1. A minimum of 22 feet clear pavement is required behind each parking space. This 22 feet width may be incorporated into the width of a shared driveway or an alley.
2. The 22-foot width is measured from the face of the garage door, the back of a carport, or the back of an uncovered parking space, as applicable.

M. A minimum 2-foot wide clear area must be maintained adjacent to any backing and maneuvering area that is less than 24 feet wide, and along both sides of the driveways throughout the development site.

1. This area may be decorative pavement, or landscaped with grass or other groundcover.
2. This area may not contain a fence, wall or landscaping that includes species with mature heights greater than 18 inches.
3. This area may only be included in the minimum width of any required bufferyard if it is not paved, and if the required landscaping and/or fences can be accommodated outside the clear area.

N. Multiplex developments must follow the procedures for a master plan review as specified under Section 65.331.

Sec. 58.563 - Appearance Review Standards for Multiplexes.

- A. Articulation. Each façade that faces a street must include projections or recesses such as a front porch, front stoop, bay window, building recesses, or other feature to prevent a boxy shape.
 - B. Orientation. All buildings must include a primary pedestrian entrance that faces a street. For projects with multiple principal buildings, the front units must face the street, while more flexibility will be allowed for the internal and rear units.
 - C. Transparency. A minimum 15% transparent material is required on all façades facing a public street, private street, or courtyard, on each story below the roof line. A minimum 10% transparent material is required on all interior side façades on each story below the roof line.
 - D. Landscaping. Multiplex developments are required to meet the multi-family standards of the landscaping code (Chapter 60) for the development site as a whole. In addition, stormwater swales or ponds are not allowed in the front or street side setbacks unless low impact design standards for rain gardens are met.
 - E. Mechanical Equipment Screening. Utilities such as backflow preventers, metering boxes, gang mailboxes, and mechanical equipment must be placed to the side or rear of the site, and must be screened with landscaping, a decorative enclosure, or a wall.
 - F. Compatibility. The appearance review official will consider the following factors when evaluating the compatibility of multiplex development with the surrounding neighborhood:
 - 1. Logic of overall design
 - 2. Site plan
 - 3. Landscaping and pervious surface
 - 4. Driveway design, circulation and parking
 - 5. Environmental features and tree preservation
 - 6. Alignment of curb cut(s) to maximize ability to plant street trees and preserve on-street parking
 - 7. Where applicable, compliance with the traditional city standards and requirements for residential development in Section 62.600
 - 8. Compatibility with adjacent land uses
 - 9. Features of existing development and neighborhood form
- The City may also make recommendations pertaining to alternate setbacks and building height. Although these items are regulated by code, adjustments may be appropriate to improve neighborhood compatibility, address site constraints, or improve the design and character of the building.

ORDINANCE NO. 2018-44

G. Architectural Style. Each building must have consistent architectural elements that create a recognizable architectural style, including but not limited to classical revival, colonial revival, craftsman, Florida vernacular, Mediterranean revival, mid-century modern, minimal traditional, Florida ranch, or other style identified in an industry-accepted architectural guidebook. All architectural elements, details, features, and finishes on the exterior of the building must be both consistent and compatible with the architectural style employed. Architectural elements and variations cannot be restricted to a single façade and must be wrapped along the entire length of all street-facing facades. The appearance review official will consider the following elements when evaluating conformance with this requirement:

1. Roof type, pitch, form, material and overhang
2. Exterior elevation, materials and finishes
3. Window proportions, groupings, trim, muntins and details
4. Column size, taper, base and moulding
5. Balcony width and depth
6. Porch width, depth, elevation and railings
7. Chimney details
8. Dormers/parapets
9. Brackets, shutters, railings, rafter tails and decorative details
10. Transparency
11. Building projections and recesses
12. Entryway and front door design
13. Garage placement and door design
14. Exterior lighting
15. Incorporation of architectural features into any fire separation wall
16. Other generally accepted architectural elements, as determined appropriate by the appearance review official

Together, these elements should create a cohesive structure that avoids boxy, flat facades; highlights architectural features using authentic and durable materials; provides distinct identity to each unit in a manner appropriate to the style employed; and minimizes the visual impact of garages from the public right-of-way.

Secs. 58.5643—58.569. - Reserved.

3I. - MULTI-FAMILY DEVELOPMENTS ABOVE AND BELOW 75 FEET IN HEIGHT 8 UNITS

ORDINANCE NO. 2018-44

Sec. 58.570. - Purpose.

Multi-family standards of this Part are intended to provide flexible building and site design in locations where residential redevelopment and development is desired at medium~~moderate~~ to high intensity.

Sec. 58.572. - Development Standards and Building Site Standards. Standards.

		Lowrise (Up to 75 Ft.)	Highrise (Above 75 Ft.)
	Min. Devel. Site Stds:		
	Open Space		100 sq. ft./unit
	Min Bldg. Site Stds:		
	Mean Width	85 ft.	95 ft.
	Depth	125 ft.	140 ft.
	Min. Res. Density	Varies — by zoning district	(See Figure 1) Varies — by zoning district (See Figure 1)
	Bldg. Setbacks:		
	Front yard	25 ft.	35 ft.
	Side yard	20 ft.	25 ft. + 1 ft. per 4 — ft. of bldg. ht. over 100 ft.
	Street side yard	25 ft.	25 ft. + 1 ft. per 4 — ft. of bldg. ht. over 100 ft.

ORDINANCE NO. 2018-44

	Rear yard	35 ft.	40 ft. + 1 ft. per 4 ft. of bldg. ht. over 100 ft.
	Min. Vehic. Use Setback in Front yard	Same as yard standard	10 ft.
	Min. Bldg. Separation	20 ft.	100 ft.

- 892
- 893 A. *Minimum Lot Size Standards.* Must meet the minimum lot depth and site
- 894 frontage standards for that zoning district.
- 895 B. *Frontage Requirements.* The front unit(s) must face the front. Each unit
- 896 must be developed consistent with one of the two following options:
- 897 1. *Frontage on a public street, or a private street that meets public*
- 898 *street design standards.*
- 899 2. *Modifications may be granted through the master plan application*
- 900 *for rear units to front on a courtyard or a water body.*
- 901 C. *Pedestrian Access.* A pedestrian path from the public sidewalk to the
- 902 primary pedestrian entrance is required.
- 903 D. *Building Setbacks.* For street facing units, each unit must meet the
- 904 setbacks for the applicable zoning district, except that as part of master
- 905 plan or CUP review, maximum setbacks in AC and MU districts may be
- 906 increased to provide a landscaped front yard and/or street side yard.
- 907 E. *Vehicular Use Area.* Parking is not permitted between the building and
- 908 the street, but is permitted on the side and rear of the building.
- 909 F. *Vehicular Access for 31 to 99 units.* Development sites with 31 to 99 units
- 910 must provide a minimum of 2 access points to the surrounding street
- 911 network. One of these access points may be operated as an “Emergency
- 912 Only” access and may use a stabilized, pervious surface approved by the
- 913 City Engineer.
- 914 G. *Vehicular Access for 100 or more units.* Development sites with 100 or
- 915 more units must provide a minimum of 2 access points with impervious
- 916 surfaces suitable for all users.
- 917 H. *Cross Access.* Each project must provide cross access to adjacent
- 918 properties, unless wetlands, lakes, limited access highways or other
- 919 physical barriers prevent connectivity, as required by GMP Transportation
- 920 Policy 1.10.5.
- 921 I. *Minimum Building Separation.* 20 ft.
- 922 J. *Residential Zoning District Setback.* 20 ft.

K. Pedestrian circulation. A network of pedestrian connections must be designed to connect all entrances of each building to the right-of-way, as required by Section 61.314(a) and (c).

L. Crosswalks. All crosswalks at driveways and curb cuts must be designed with pavers and/or textured colored concrete or similar to clearly define the pedestrian zone, as required by Section 61.314(e). Thermoplastic paint may be incorporated, but cannot meet this condition alone.

Sec. 58.573 - Appearance Review Standards for Multi-Family Developments Above 8 Units.

A. Articulation. Each façade that faces a street must include projections or recesses such as a front porch, front stoop, bay window, building recesses, or other feature to prevent a boxy shape.

B. Transparency. A minimum 15% transparent material is required on all façades facing a public street, private street, or courtyard, on each story below the roof line. A minimum 10% transparent material is required on all interior side façades on each story below the roof line.

C. Landscaping. Developments are required to meet the multi-family standards of the landscaping code (Chapter 60) for the development site as a whole. In addition, stormwater swales or ponds are not allowed in the front or street side setbacks unless low impact design standards for rain gardens are met.

D. Mechanical Equipment Screening. Utilities such as backflow preventers, metering boxes, gang mailboxes, and mechanical equipment must be placed to the side or rear of the site, and must be screened with landscaping, a decorative enclosure, or a wall.

E. Compatibility. The appearance review official will consider the following factors when evaluating the compatibility of the development with the surrounding neighborhood:

1. Logic of overall design
2. Site plan
3. Landscaping and pervious surface
4. Driveway design, circulation and parking
5. Environmental features and tree preservation
6. Alignment of curb cut(s) to maximize ability to plant street trees and preserve on-street parking
7. Where applicable, compliance with the traditional city standards and requirements for residential development in Section 62.600, of this Code.
8. Compatibility with adjacent land uses

9. Features of existing development and neighborhood form
Staff may also make recommendations pertaining to alternate setbacks
and building height. Although these items are regulated by code,
adjustments may be appropriate to improve neighborhood compatibility,
address site constraints, or improve the design and character of the
building.

F. *Architectural Style.* Each building must have consistent architectural
elements that create a recognizable architectural style, including but not
limited to classical revival, colonial revival, craftsman, Florida vernacular,
Mediterranean revival, mid-century modern, minimal traditional, Florida
ranch, or other style identified in an industry-accepted architectural
guidebook. All architectural elements, details, features, and finishes on the
exterior of the building must be both consistent and compatible with the
architectural style employed. Architectural elements and variations must
not be restricted to a single façade and must be wrapped along the entire
length of all street-facing facades. The appearance review official will
consider the following elements when evaluating conformance with this
requirement:

1. Roof type, pitch, form, material and overhang
2. Exterior elevation, materials and finishes
3. Window proportions, groupings, trim, muntins and details
4. Column size, taper, base and moulding
5. Balcony width and depth
6. Porch width, depth, elevation and railings
7. Chimney details

Together, these elements should create a cohesive structure that avoids
boxy, flat facades; highlights architectural features using authentic and
durable materials; provides distinct identity to each unit in a manner
appropriate to the style employed, and minimizes the visual impact of
garages from the public right-of-way.

Secs. 58.5743—58.579. - Reserved.

3L. - ZERO-LOT-LINE DEVELOPMENT

Sec. 58.601. - Review Standards.

In addition to the Zoning District and Use Regulations of Figures 1—2 and the standards ordinarily applying to the review of Subdivision Plat applications, the following standards shall apply:

~~Attached Dwelling Townhome~~ Dwelling Townhome Development Standards. The development shall conform to the applicable review standards for ~~Attached Dwelling Townhome~~ Development set forth in Chapter 58, Part 3B except that accessory buildings may be located outside of building restriction lines. Decks may be constructed in up to fifty (50) percent of any required side yard setback.

SECTION 5. CHAPTER 58, PART 5, AMENDED. Chapter 58, Part 5, Land Development Code, is hereby amended as follows:

PART 5. - ACCESSORY USES AND STRUCTURES

5A. - GENERAL REQUIREMENTS

Sec. 58.901. – Accessory Structure Location and Zoning Standards.

~~(i) Window Location in a Residential Zoning District.~~

~~1. No second story windows facing the rear property line shall be permitted unless:~~

- ~~a. The entire structure meets the required principal building rear yard setback; or~~
- ~~b. The windows are opaque, frosted, clerestory or have a similar window treatment.~~

~~2. No second story windows facing an interior side property line shall be permitted unless:~~

- ~~a. The entire structure meets the required principal building side yard and rear yard setbacks; or~~
 - ~~b. The entire structure is at least 15 feet from the side property line;~~
- ~~or~~

ORDINANCE NO. 2018-44

c. ~~The windows are opaque, frosted, clerestory or have a similar window treatment.~~

(ji) *Backyard Chicken Coop Accessory Structures.*

5B. - SPECIFIC ACCESSORY USES AND STRUCTURES

5B(18). - MECHANICAL EQUIPMENT

Sec. 58.984. - Mechanical Equipment Used in ~~Single-Family, Duplex and Attached Dwelling~~Residential Development.

Mechanical equipment for ~~single-family, duplex and attached dwelling~~residential units shall:

Sec. 58.985. - Alternative Standards.

Air conditioning systems rated at least 15 SEER and 12.5 EER which service single-family, duplex or ~~attached dwelling~~townhome units may be located no less than one (1) foot from the side lot line and no less than five (5) foot from the rear lot line.

SECTION 6. CHAPTER 61, PARTS 2 AND 3, AMENDED. Chapter 61, Parts 2 and 3, Land Development Code, are hereby amended as follows:

PART 2. - STREETS AND RIGHTS-OF-WAY

2C. - LOCAL PUBLIC STREET AND RIGHT-OF-WAY DESIGN

Sec. 61.225. - Sidewalks.

(A) *Sidewalks Required.* Except as provided otherwise herein, sidewalks shall be provided on both sides of all streets in accordance with the requirements of Figure 4, Figure 6, and the following:

(2) *Sidewalk-Bikeway Trade-Offs.* The City Engineer shall be authorized to allow construction of a single paved sidewalk-bikeway in ~~Attached Dwelling~~ Townhome development, Special Plan Areas, Multiplex Development, and Mobile Home Developments in lieu of the required sidewalks on local streets only, when the sidewalk-bikeway forms part of an integrated bicycle and pedestrian system in common or dedicated open space. The sidewalk-bikeway shall be ten (10) feet in width, or such other appropriate dimension determined by the City Engineer after consideration of site conditions, pedestrian and bicyclist needs, and the requirements of this section.

PART 3. - PARKING AND LOADING

3A. - OFF-STREET PARKING

Sec. 61.302 General Requirements.

All vehicular use areas shall conform to the following general requirements, and to any additional requirements provided for property located within the Traditional City, Downtown Area, or any Special Plan Overlay District:

(f) *Front and Street Side Yard Parking.* In all residential and office zoning districts except MXD-2, and for townhomes and multifamily development in any zoning district, parking shall be prohibited in the required front and street side yard setbacks, except that non-required parking may be permitted in the required front and street side yard setbacks of one- and two-family dwellings. Such non-required parking shall not be used for RV parking. In the IP districts, parking lots and vehicular use areas shall be

ORDINANCE NO. 2018-44

prohibited in the front 50% of the required front yard setback. Additional requirements for non-required parking within the front and street side yard setbacks of any one- or two-family dwelling shall be as follows:

3C. - NUMBER OF PARKING SPACES

Sec. 61.322. - Parking Space Requirements.

FIGURE 26. MINIMUM NUMBER OF PARKING SPACES REQUIRED FOR RESIDENTIAL USES

Use	Per Dwelling Unit	Per Rated Patron Capacity	Special Requirements
Accessory Apartments Dwelling Units	<u>1-See Section 58.501</u>		

Attached Dwellings and Multiplexes (up to 7 units)	1		Plus 1 space for each dwelling units over 2,000 sq. ft. of gross floor area
<u>Duplexes, and Tandems and Townhomes</u>	1		Plus 1 space for each dwelling unit over 1,500 sq. ft. of gross floor area

ORDINANCE NO. 2018-44

Multi-family <u>and multiplex</u> dwellings:			For government assisted elderly housing, these standards shall be reduced by 40%. For housing in a mixed-use development, the number of spaces per unit may be reduced by 0.25 within a one-half mile radius of a commuter rail station, or by up to 25% with a Conditional Use Permit.
Efficiency apt.	<u>40.75</u>		
Studio & 1-bedroom	<u>1.51</u>		
<u>1-bedroom</u>	<u>1.5</u>		

SECTION 7. CHAPTER 62, PART 6, AMENDED. Chapter 62, Part 6, Land Development Code, is hereby amended as follows:

PART 6. - TRADITIONAL CITY DESIGN STANDARDS RESIDENTIAL DESIGN STANDARDS IN RESIDENTIAL AND OFFICE DISTRICTS

Sec. 62.600. - General Requirements.

The following standards shall apply to all residential uses located in residential and office districts in the Traditional City. These standards shall not apply to residential uses in other districts.

ORDINANCE NO. 2018-44

~~(f) Accessory Cottages. Legally existing non-conforming accessory cottages in single family zoning districts shall be permitted to remain provided that the building site area is 1.5 times the minimum required in the zoning district. However, no expansion or enlargement shall be permitted. Any accessory cottage which has been discontinued may be re-established at any time within the existing structure as long as the site meets the area requirements of this Section.~~

~~(g) First Story Porch.~~

~~(h) Second Story Porches and Balconies.~~

~~(i) Porch Roof Projections.~~

SECTION 8. CHAPTER 65, PART 2, AMENDED. Chapter 65, Part 2, Land Development Code, is hereby amended as follows:

PART 2. - ZONING APPLICATIONS AND PROCEDURES

Sec. 65.302. - Where Modification of Standards Procedures Apply.

The Modification of Standards procedures of this Part shall apply to the following types of uses and activities:

(b) The modification of standards requirements shall apply to the following land development standards:

ORDINANCE NO. 2018-44

9. Certain Accessory Buildings. Two story accessory buildings in residential zoning districts may have the same rear yard setback as the required side yard setback providing the following is found to be true:

- i. The property is not located within an historic preservation district, and
- ii. The second story heated and cooled space is not greater than 500 square feet, and
- iii. No major trees are to be removed, and
- iv. The accessory structure is in compliance with all other codes.

Sec. 65.331. - Master Plan Review.

- (b) When master plan review is required. Master Plan Review shall be required for a project that meets any one or more of the thresholds described below. If a master plan is required, it must be reviewed and approved prior to the issuance of any building permit for the project. A master plan may be reviewed administratively if the criteria in subsection (c) below are met.

10. The proposed development includes 342 or more multifamily or townhome~~residential~~ units.

SECTION 9. CHAPTER 66, PART 2, AMENDED. Chapter 66, Part 2, Land Development Code, is hereby amended as follows:

PART 2. - DEFINITIONS

Sec. 66.200. - Definitions.

~~Accessory Apartment: See Dwelling, Accessory Apartment.~~

ORDINANCE NO. 2018-44

~~Attached Dwelling: See Dwelling, Attached.~~

~~Dwelling, Accessory Apartment: A dwelling unit which is an accessory use within a one family dwelling in a residential district.~~

~~Dwelling, Accessory Cottage: A dwelling unit which is an accessory use and located in an accessory building. This term includes, but is not limited to, garage apartment dwellings and guest cottages.~~

~~Dwelling, Attached: A principal structure that is divided into at least three one family dwellings, each of which has at least its own front yard and is attached by a vertical masonry party or partition wall(s) integrated into the building from the ground to the roof, thus creating distinct and non-communicating dwellings intended for fee simple ownership. The minimum height of the attaching wall between attached structures shall be at least 8 feet, and the space on either side of this wall shall contain heated living space and/or a garage. This term includes townhouse development and rowhouse development. See Townhome.~~

~~Dwelling, Garage Apartment: A dwelling unit which is an accessory use and located within an accessory building which provides parking for motor vehicles.~~

~~Dwelling, Multi-Family: Any group of three or more dwelling units occupying a single building site, whether composed of one or more than one principal building. This term includes apartments, multiplexes, and condominiums. However, this term shall not include Townhomes ~~Attached dwellings~~. This term shall include the following types of multi-family dwelling units:~~

ORDINANCE NO. 2018-44

(a) *Efficiency Apartment*: A dwelling unit up to 500 square feet in size that consistsing of not more than one habitable room together with kitchenette-cooking and sanitary facilities.

(b) *Studio Apartment*: A dwelling unit up to 750 square feet in size that consistsing of not more than one habitable room together with kitchenette-cooking and sanitary facilities, and may also include a partial separation for a sleeping area, but having a partial separation within the room for the sleeping area.

(c) *One bedroom*: A dwelling unit of any size that includes cooking and sanitary facilities, and includes not more than one room that meets the definition of a bedroom as set forth in section 381.0065, Florida Statutes. This also includes a dwelling unit more than 750 square feet in size that consists of one habitable room together with cooking and sanitary facilities.

(d) *Two or more bedrooms*: A dwelling unit that does not meet one of the definitions above.

Dwelling, Multiplex: A type of multi-family dwelling that consists of 3 to 8 size-controlled, side-by-side and/or stacked dwelling units and/or multiple small-scale detached structures.

Dwelling Unit, Accessory: A dwelling unit which is an accessory use to a detached single family dwelling unit on one lot or an on-site office on an O-1 or O-2 zoned parcel. For the purpose of these regulations, any heated or cooled space adjacent to an Accessory Dwelling Unit and connected internally will be considered as part of the Accessory Dwelling Unit. This terms includes accessory apartments, garage apartments, and accessory cottage dwellings.

Residential Use: Any of the following uses:

~~Accessory apartment.~~

Accessory Dwelling Unit.

Adult Family Care Home.

ORDINANCE NO. 2018-44

Assisted Living Facility.
~~Attached dwelling.~~
Community Residential Home.
Emergency shelter.
Emergency shelter home for children.
Family Day Care Home.
Group Housing.
Mobile home dwelling.
Multifamily dwelling.
Multiplex dwelling.
Nursing home.
One family dwelling.
Residential-Office mixed development.
Townhome.
Treatment & recovery facility.
Two family dwelling.

Rowhouse: See ~~Dwelling, Attached~~Townhome.

~~*Rowhouse, Designed Community:* In addition to attached dwelling definition, a Designed Community rowhouse is an attached one or two family dwelling unit in a row of at least six such dwellings. Each unit shall have its own rear yard. This term shall also apply to townhouse.~~

~~*Townhouse:* A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.~~

Townhome: A dwelling unit that is part of a building that includes at least three units that are attached to each other by a vertical masonry party or partition wall(s) integrated into the building from the ground to the roof, thus creating distinct and non-communicating dwellings located on fee-simple platted lots. The minimum height of the attaching wall between attached structures must be at least 8 feet, and the space on either side of this wall must contain heated living space and/or a garage. This term

ORDINANCE NO. 2018-44

includes townhouses, rowhouses, single family attached units, and attached dwelling development.

SECTION 10. CHAPTER 67, PART 6, AMENDED. Chapter 67, Part 6, Land Development Code, is hereby amended as follows:

PART 6. - ALTERNATIVE DEVELOPMENT STANDARDS FOR LOW AND VERY LOW INCOME HOUSING PROJECTS

Sec. 67.603. - Specific Residential Developments.

Attached Dwelling Townhome, Zero-lot-line, and Z-lot development configurations may be utilized as part of an alternative housing development.

Sec. 67.604. - Development Site Standards and Principal Building Setbacks.

The Alternative Housing Development may be designed as an Attached Dwelling Townhome, Z-lot, or Zero-lot-line development. In all cases, the following development site standards and building setbacks shall apply:

Principal Building Setbacks. Except as otherwise specifically permitted by this Chapter, the following standards shall apply. The front yard setback shall be measured from the face of the structure to the property line or, if present, the city services easement. If the Developer elects a 0 ft. side yard setback, the project shall be platted as a Zero-lot-line, Z-lot, or Attached Dwelling Townhome development utilizing the Alternative Development standards. For Zero-lot-line or Z-lot development, access and maintenance easements shall be required in accordance with the Zero-lot-line development standards. For Attached Dwelling Townhome development, there shall be no minimum building separation requirement; however, a minimum perimeter setback of 10 ft. shall be required in accordance with the Attached Dwelling Townhome development standards.

ORDINANCE NO. 2018-44

SECTION 11. 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 12. 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 13. 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 14. 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 _____, 2018.

DONE, THE FIRST READING AND HEARING, by the City Council of the City of Orlando, Florida, at a regular meeting, this _____ day of _____, 2018.

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 _____, 2018.

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 _____, 2018.

BY THE MAYOR OF THE CITY OF
ORLANDO, FLORIDA:

Mayor

ORDINANCE NO. 2018-44

1428

1429 ATTEST, BY THE CLERK OF THE
1430 CITY COUNCIL OF THE CITY OF
1431 ORLANDO, FLORIDA:

1432

1433

1434 _____
City Clerk

1435

1436

1437 _____
Print Name

1438

1439 APPROVED AS TO FORM AND LEGALITY
1440 FOR THE USE AND RELIANCE OF THE
1441 CITY OF ORLANDO, FLORIDA:

1442

1443

1444 _____
Assistant City Attorney

1445

1446

1447 _____
Print Name