

1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
2 ORLANDO, FLORIDA, RELATING TO CONCURRENCY;  
3 AMENDING CHAPTER 59, ORLANDO CITY CODE, TO  
4 UPDATE VARIOUS PARTS OF THE CITY'S CONCURRENCY  
5 MANAGEMENT ORDINANCE; PROVIDING AMENDED  
6 EXEMPT DEVELOPMENT AND REFERENCING SCHOOL  
7 CONCURRENCY; PROVIDING UPDATED LEVELS OF  
8 SERVICE FOR POTABLE WATER, SOLID WASTE,  
9 WASTEWATER, PARKS AND RECREATION, AND  
10 STORMWATER SERVICES; DELETING OUTDATED  
11 PROVISIONS RELATING TO PUBLIC TRANSPORTATION  
12 CONCURRENCY; PROVIDING UPDATED CONCURRENCY  
13 EVALUATION PROCESSES FOR POTABLE WATER, SOLID  
14 WASTE, WASTEWATER, PARKS AND RECREATION, AND  
15 STORMWATER SERVICES; PROVIDING AMENDMENTS TO  
16 REGULATIONS RELATING TO CAPACITY RESERVATION  
17 TIME PERIODS, CAPACITY RESERVATION FEES,  
18 EXTENSION OF CAPACITY RESERVATION CERTIFICATES,  
19 AND THE TRANSFER OF CERTIFICATES; DELETING  
20 PROVISIONS RELATING TO THE REFUND OF  
21 RESERVATION FEES; FURTHER PROVIDING  
22 AMENDMENTS RELATING TO CAPACITY BANKS,  
23 CAPACITY REPORTING AND MONITORING, AND THE  
24 CAPACITY RESOLUTION PROCESS; PROVIDING  
25 TECHNICAL AND GRAMMATICAL AMENDMENTS;  
26 PROVIDING LEGISLATIVE FINDINGS, AND FOR  
27 SEVERABILITY, CODIFICATION, CORRECTION OF  
28 SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

29  
30 **WHEREAS**, section 163.3202(1), Florida Statutes, requires that the city of  
31 Orlando, Florida (the "city"), adopt or amend and enforce land development regulations  
32 that are consistent with and implement the city's adopted comprehensive plan; and  
33

34 **WHEREAS**, section 163.3203(3), Florida Statutes, encourages the use of  
35 innovative land development regulations and requires that all land development  
36 regulations be combined into a single land development code for the city; and  
37

38 **WHEREAS**, from time to time, amendments and revisions to the city's adopted  
39 comprehensive plan (the "Growth Management Plan"), progress in the field of planning  
40 and zoning, or changes to state law make it necessary or desirable to amend the land  
41 development regulations of the city; and  
42

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

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

51  
52 **WHEREAS**, the Orlando City Council hereby finds and determines that this  
53 ordinance is consistent with the applicable provisions of the city’s adopted Growth  
54 Management Plan, is in the best interest of the public health, safety, and welfare, is in  
55 harmony with the purpose and intent of the city’s Land Development Code, will not result  
56 in disorderly and illogical development patterns, and will not result in incompatible land  
57 uses; and

58  
59 **WHEREAS**, the Orlando City Council hereby finds and declares that this  
60 ordinance is in the best interest of the public health, safety, and welfare; and

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

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

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70 **SECTION 2. CODIFICATION.** The city clerk and the city attorney shall cause  
71 the Code of the City of Orlando, Florida, to be amended as provided by this ordinance  
72 and may renumber, re-letter, and rearrange the codified parts of this ordinance if  
73 necessary to facilitate the finding of the law.

74  
75 **SECTION 3. SCRIVENER’S ERROR.** The city attorney may correct scrivener’s  
76 errors found in this ordinance by filing a corrected copy of this ordinance with the city  
77 clerk.

78  
79 **SECTION 4. SEVERABILITY.** If any provision of this ordinance or its  
80 application to any person or circumstance is held invalid, the invalidity does not affect  
81 other provisions or applications of this ordinance which can be given effect without the  
82 invalid provision or application, and to this end the provisions of this ordinance are  
83 severable.

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85 **SECTION 5. EFFECTIVE DATE.** This ordinance takes effect upon adoption.

86  
87 **DONE, THE FIRST READING**, by the City Council of the City of Orlando,  
88 Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

89  
90 **DONE, THE PUBLIC NOTICE**, in a newspaper of general circulation in the City  
91 of Orlando, Florida, by the city clerk of the City of Orlando, Florida, the \_\_\_\_\_ day of  
92 \_\_\_\_\_, 2017.  
93

**DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON FINAL PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of Orlando, Florida, at a regular meeting, the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BY THE MAYOR OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA:

\_\_\_\_\_  
City Clerk

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

THIS ORDINANCE DRAFTED BY AND APPROVED AS TO FORM AND LEGALITY FOR THE USE AND RELIANCE OF THE CITY OF ORLANDO, FLORIDA:

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

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

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