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ORDINANCE 2017-17

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ORLANDO, FLORIDA, RELATING TO DUPLEX AND TANDEM DEVELOPMENT; AMENDING PROVISIONS IN THE LAND DEVELOPMENT CODE TO INCLUDE DEFINITIONS, REQUIREMENTS FOR BUILDING SIZE, ACCESS, APPEARANCE REVIEW, SETBACKS, LOT SPLITS, ARCHITECTURAL STYLE, LANDSCAPING, DESIGN VARIANCES AND OTHER DEVELOPMENT AND DESIGN STANDARDS FOR DUPLEX AND TANDEM DEVELOPMENT CITYWIDE; PROVIDING ADDITIONAL REGULATIONS FOR DUPLEX AND TANDEM DEVELOPMENT IN THE TRADITIONAL CITY OVERLAY DISTRICT AND COLONIALTOWN SPECIAL PLAN OVERLAY DISTRICT; PROVIDING LEGISLATIVE FINDINGS, AND FOR SEVERABILITY, CODIFICATION, CORRECTION OF SCRIVENER’S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the development of duplexes has become more prevalent in the City of Orlando’s (“City”) existing established R-2A and R-2B zoning districts; and

WHEREAS, the predominant use in the City’s R-2A and R-2B zoning districts is the single-family detached residential dwelling unit; and

WHEREAS, unlike single-family housing, duplex dwelling units have inherent design challenges that are currently not addressed in the City of Orlando’s Land Development Code; and

WHEREAS, urban design and appearance review standards for duplexes will improve compatibility and help them blend with the character of existing single family homes; and

WHEREAS the City Council desires to adopt design criteria for new duplex development that will provide flexibility of design and maintain the prevailing appearance and general character of established residential neighborhoods.

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

SECTION I: PART 1B, FIGURE 1, CHAPTER 58, AMENDED. Part 1B, Figure 1, Chapter 58, Code of the City of Orlando, Florida is amended as set forth in Exhibit A to this Ordinance and incorporated herein by reference.

SECTION 2: PART 1B, CHAPTER 58, FIGURE 2A.LDC, AMENDED. Part 1B, Chapter 58, Figure 2A.LDC, Code of the City of Orlando, Florida is amended as set forth in Exhibit B to this Ordinance and incorporated herein by reference.

SECTION 3: PART 1B, CHAPTER 58, FOOTNOTE 12 AMENDED. Part 1B, Chapter 58, Footnote 12, Code of the City of Orlando, Florida, is hereby amended as follows:

12. Wherever duplexes and tandems are allowed as permitted or conditional uses, they are

55 subject to a series of requirements including design standards and appearance review. See
56 Part 3C of this Chapter.

57 ~~— (a) — Floor Area Ratio. The maximum Floor Area Ratio (FAR) for Tandem Single~~
58 ~~Family Developments and Duplexes shall be 0.50.~~

59 ~~— (b) — Tandems Permitted on Corner and Through Lots. Tandem Single Family~~
60 ~~Developments shall be permitted on corner and through lots that are otherwise zoned for~~
61 ~~and meet the site standards for duplexes. See Part 3 of this Chapter for specific design~~
62 ~~standards. Planned Development approval shall be required when two detached principal~~
63 ~~units are proposed for interior lots.~~

64 **SECTION 4: PART 1B, CHAPTER 58, FOOTNOTE 16 AMENDED.** Part 1B, Chapter 58,
65 Footnote 16, Code of the City of Orlando, Florida, is hereby amended as follows:
66

67 16. ~~Reserved.~~ Non-conforming residential lots are subject to the provisions of section 58.1152
68 (a)-(e) concerning FAR, height, location of required parking, appearance review and modification of
69 standards.
70

71 **SECTION 5: PART 1B, CHAPTER 58, FOOTNOTE 22 AMENDED.** Part 1B, Chapter 58,
72 Footnote 22, Code of the City of Orlando, Florida, is hereby amended as follows:
73

74 22. (a) ~~Where Permitted. In the R-1AA, R-1A, R-1, and R-1N and R-2A zoning districts an~~
75 ~~Accessory Apartment, or Accessory Cottage, or Garage Apartment may be allowed~~
76 ~~as a second dwelling unit on a single-family building site under the following~~
77 ~~conditions:~~

78
79 i) *Accessory Apartment.*

80 (1) Inside the Traditional City, one Accessory Apartment shall be allowed as
81 a Permitted Use when the building site is at least 1.5 times the minimum
82 lot size for the applicable zoning district.

83 (2) Outside the Traditional City, one Accessory Apartment may be allowed
84 as a Conditional Use in accordance with the regulations and procedures
85 provided in Chapter 65, Part 2D, when the building site is at last 1.5
86 times the minimum lot size for the applicable zoning district.
87

88 ii) *Accessory Cottage.*

89 (1) Inside the Traditional City, one Accessory Cottage shall be allowed as a
90 Permitted Use when the building site is at least 2.0 times the minimum
91 lot size for the applicable zoning district.

92 (2) Outside the Traditional City ~~in the R-1AA, R-1A, R-1 and R-1N~~
93 ~~Districts~~, one Accessory Cottage may be allowed as a Conditional Use in
94 accordance with the regulations and procedures provided in Chapter 65,
95 Part 2D provided that the building site is at least 2.0 times the minimum
96 lot size for the applicable zoning district.
97

98 (b) In R-2A and R-2B zoning districts an Accessory Apartment or Accessory Cottage
99 may be allowed as a second dwelling unit on a single-family building site under the
100 following conditions:

101
102 i) Minimum lot size. The lot must meet the minimum size for duplex
103 development.

104 ii) Maximum number of units.
105

- 106 (1) In the R-2A zoning district, a maximum of two units are allowed per lot.
 107 Accessory Apartments or Accessory Cottages are prohibited on any
 108 building site in the R-2A zoning district where there is an existing duplex
 109 or tandem dwelling, or in connection with any new duplex or tandem
 110 dwelling development.
 111 (2) In the R-2B zoning district, the maximum number of units per lot shall
 112 not exceed the density established for the zoning district.
 113
 114 iii) Conversion to tandem dwelling. On any building site in an R-2A or R-2B
 115 district, any new accessory cottage over 450 sq. ft. and built in connection
 116 with a one family dwelling must conform to the standards for tandem
 117 dwelling in Part 3C of this Chapter. An existing or new accessory cottage
 118 may not be split into a separate lot for purposes of creating a tandem
 119 dwelling unless the tandem dwelling standards are met.
 120
 121 (bc) Design Standards. The living quarters of an accessory cottage dwelling (ACD) shall
 122 not exceed 40% of the living quarters of the principal structure or 1,200 square feet,
 123 whichever is less. However, principal structures with living quarters less than 1,700
 124 square feet may have an ACD up to 700 square feet. Appearance Review is required
 125 for ACD's, wherein ACD structures shall have the same exterior finish as the
 126 principal structure located on the same lot and shall incorporate at least two similar
 127 architectural details found on such principal structure into their design. Examples of
 128 similar architectural details include, but are not limited to, windows, doors, roof style,
 129 cornice detailing, vents, and dormers.

131 **SECTION 6: Part 3C, CHAPTER 58, AMENDED.** Part 3C, Chapter 58, Code of the City
 132 of Orlando, Florida is hereby amended as follows:

133
 134 **3C. DUPLEX AND TANDEM DWELLING DEVELOPMENT**

135 **Sec. 58.514. - Purpose of Tandem Single Family Development Regulations. Applicability**
 136 **and Conflicts.**

- 137
 138
 139 (a) Intent. The ~~Tandem Single Family Development~~ standards and requirements of this
 140 part are intended to provide flexibility for creative site planning, to expand the choice
 141 and type of dwelling units available to the public, to maintain compatibility with, and
 142 the integrity of, the neighborhood through architecture and building orientation
 143 appropriate to such neighborhoods, ~~and~~ to create alternative opportunities for fee
 144 simple ownership on real property ~~otherwise eligible for duplex development, and to~~
 145 ~~encourage development of duplex and tandem units that are compatible with adjacent~~
 146 ~~single family homes.~~
 147
 148 (b) Applicability. Except for duplex or tandem dwellings subject to the specific design
 149 standards of a planned development zoning district, the standards and requirements of
 150 this Part apply City-wide to the construction of new duplex and tandem dwellings, and
 151 substantial improvements or substantial enlargements to existing duplex and tandem
 152 dwellings.
 153
 154 (c) Conflicts. If any provisions of these regulations are determined to be in conflict with
 155 any other City regulation, these regulations shall prevail except where otherwise
 156 specified or regulated by a historic district or other overlay zoning district.
 157
 158

159 **Sec. 58.515. - ~~Design Review~~ Development Standards for Tandem Single Family**
160 **Development.**

161 In addition to the Zoning District and the Use Regulations of Figures 1 and 2 and the standards
162 applying to the review of Subdivision Plats, the following standards apply except where otherwise
163 specified or regulated by a historic district or other overlay zoning district:

164
165 ~~Design. The final composition of the houses on a corner lot Tandem Development project shall have~~
166 ~~appearances that are distinguishable and different from one another as determined by the Appearance~~
167 ~~Review Officer. As a guide, the following architectural elements should be considered in designing the~~
168 ~~Tandem houses and shall be considered during Appearance Review:~~

169 ~~Exterior Finish~~

170 ~~Roof Form~~

171 ~~Window and Window Groupings~~

172 ~~Porch/Balcony~~

173 ~~First Floor Elevation~~

174 ~~Location of Garage~~

175 ~~Appeals of an Appearance Review Officer's determination may be made to the Board of Zoning~~
176 ~~Adjustment.~~

177
178 (a) Corner building sites in the R-2A District. Duplex dwellings are prohibited on corner
179 building sites in the R-2A district. Tandem dwellings are allowed on corner building sites
180 in the R-2A district.

181 (b) Principal pedestrian entrance on corner building sites. Corner building sites shall be
182 developed such that the front dwelling unit has a principal pedestrian entrance oriented
183 towards the front lot line and the rear dwelling unit has a principal pedestrian entrance
184 oriented to the street side lot line.

185 (c) Environmental Features. The design of the development shall protect environmental
186 features of significant ecological or amenity value as recognized by this Chapter or the
187 adopted Growth Management Plan. The Design shall to the extent possible retain
188 existing mature canopy and understory trees.

189 (d) Adjacent Land Uses. The development shall be designed in a manner compatible with
190 adjacent land uses. Compatibility of design within a neighborhood shall be considered
191 during the review of the development.

192 (e) Accessory Building & Structures. Accessory buildings shall be located subject to the
193 requirements of Chapter 58, Part 5A. Walls, fences, and swimming pools may be located
194 on each lot provided they conform to the appropriate regulations contained within this
195 Chapter.

196 (f) Duplex Dwellings – Rear Setback. The minimum rear yard setback for a duplex may be
197 reduced by 5 feet if the following conditions are met: (1) the duplex is a front-to-back
198 style, (2) the duplex building site is no more than 55 feet wide, and (3) the building site
199 has a maximum of one detached accessory building that does not exceed 100 sq. ft.

200 (g) Street Trees. At least one canopy street tree per 50 feet of street frontage is required.
201 Location and species are required to meet Part 2D, Chapter 62, of this Code. If a canopy
202 tree cannot be installed due to power lines or other constraints, the following
203 requirements apply:

- 204
205
206 1. The building site must include understory street trees per location and species as
207 required by Part 2D, Chapter 62, of this Code and

- 208 2. The front yard of the site must include one onsite canopy tree for each canopy
209 street tree that is not installed. This is in addition to the required onsite
210 landscaping per section 60.223 of this Code.

211
212 (h) Court homes are allowed on adjacent building sites.

213
214 **Sec. 58.516. – Procedural Requirements.**

215 ~~Tandem Single Family Development may be approved in connection with a Preliminary~~
216 ~~Subdivision or Minor Plat approval wherever such dwellings are permitted under this Chapter. An~~
217 ~~applicant wishing to undertake Tandem Single Family Development shall specifically request such~~
218 ~~approval in connection with application for Preliminary Subdivision or Minor Plat approval.~~

219
220 **Sec. 58.517 58.516. - Development Site Standards and Principal Building Setbacks for**
221 **Tandem Single Family Development.**

222 Tandem Single Family Development shall comply with the following lot development standards:

- 223
224 (a) ~~Development Site Standards. Only lots which would otherwise conform to the zoning district~~
225 ~~standards for duplex development may be subdivided for Tandem Single Family Development.~~
226 Except where otherwise specified or regulated by a historic district or other overlay zoning
227 district, tandem dwellings are permitted on building sites that are otherwise zoned for and meet
228 the building site standards for duplex dwellings. On corner lots outside the R-2A zoning district,
229 tandem dwellings are encouraged in lieu of duplex dwellings.

230
231 ~~Variances Prohibited with Approval. Except as specifically permitted by these Tandem Single Family~~
232 ~~Development regulations, the development standards as otherwise provided in this Chapter shall apply~~
233 ~~and no variances shall be granted in conjunction with the original approval of a Tandem Single Family~~
234 ~~Development.~~

235
236 ~~Building Site Standards For One Family Lots.~~

- 237
238 (b) Minimum Mean Lot Width: The building site must meet the lot width of applicable zoning
239 district, however each tandem lot may have a lesser width.
240 (c) Maximum Residential Density: As permitted by the Code for the applicable zoning district.
241 (d) Maximum building size.
242 1. The maximum 0.5 floor area ratio must be met on each tandem lot.
243 2. On interior lots, the gross square footage of the rear unit cannot exceed the gross square
244 footage of the front unit.
245 (e) Maximum Impervious Surface Ratio (ISR): Varies by zoning district. Each created lot shall meet
246 the ISR requirement of the applicable zoning district.
247 (f) Minimum Principal Building Separation. There shall be a minimum separation of 10 ft. between
248 buildings/structures, with no less than 5 ft. on each side of the property line.
249 (g) Minimum Required Setbacks for Tandem Dwellings.

250
251 A. Lots Resulting from Corner Lot Subdivision (see FIGURE 8A).

- 252 1. Corner Lots unit
253 Front yard setback: As per the zoning district
254 Side yard setback: 5 ft.
255 Street side yard setback: 15 ft. for living quarters; 20 ft. for vehicular space(s)
256 Rear yard setback: 5 ft.
257
258 2. Interior Lots unit
259 Front yard setback: 15 ft. for living quarters; 20 ft. for vehicular space(s)
260 Side yard setback: 5 ft. (facing tandem unit) and 15 ft. (facing adjacent lot)
261 Rear yard setback: 5 ft.

262
263 ~~*Porches.* An unscreened open air porch of at least thirty six (36) square feet in size which is constructed~~
264 ~~of similar material to the facade of the principal structure may be extended up to three (3) feet into the~~
265 ~~required street side yard setback pursuant to a Modification of Development Standards process.~~
266 ~~Wherever such an extension has been approved, no other modification of the street side yard setback~~
267 ~~may be approved by the Zoning Official.~~

268
269 B. Lots Resulting from Through Lot Subdivision (see FIGURES 8B & 8C).

270 1. ~~Corner-Lots~~ unit
271 Front yard setback: As per the zoning district
272 Side yard setback: 5 ft.
273 Street side yard setback: 15 ft.
274 Rear yard setback: 5 ft.

275
276 2. ~~Interior-Lots~~ unit
277 Front yard setback: As per the zoning district
278 Side yard setback: 5 ft.
279 Rear yard setback: 5 ft.

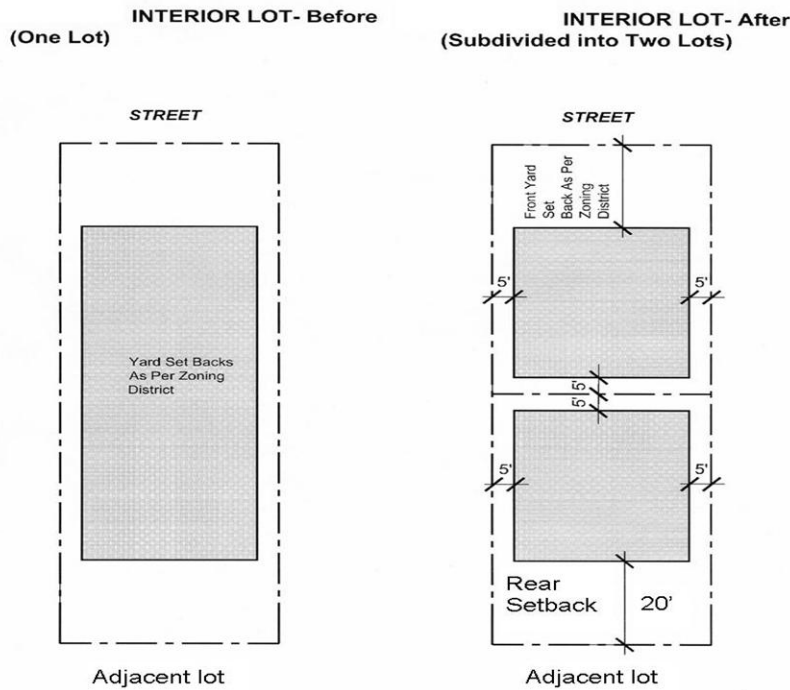
280
281 C. Lots Resulting from Interior Lot Subdivision (see FIGURE 8D)

282 1. Front unit
283 Front yard setback: As per the zoning district
284 Side yard setback: As per the zoning district
285 Rear yard setback: 5 ft.

286
287 2. Rear unit
288 Front yard setback: 5 ft.
289 Side yard setback: As per the zoning district
290 Rear yard setback: 20 ft.

291
292 ~~*Orientation.* The front and front door of any dwelling unit in a Tandem Single Family Development~~
293 ~~shall be oriented to such dwelling unit's required front yard.~~

Figure 8-D



Sec. 58.517. Appearance Review.

To ensure that each duplex and tandem dwelling is harmonious and architecturally compatible with existing residential structures 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. These standards apply to the front and side elevations of each building.

- (a) Variety in Design. Duplexes or tandem dwellings with identical front elevations must not be located on adjacent building sites. Simple reverse configurations of the same elevation on adjacent building sites are not sufficient. In order to qualify as a different façade elevation, dwellings must have different roofline configurations. In addition, at least four of the following architectural elements must be different from the adjacent building site(s):

- 311 1. Architectural banding, trim, or cornice detail
- 312 2. Window trim, the number of mullions or muntins, or shutters
- 313 3. Window size and placement
- 314 4. A covered entryway or front porch design
- 315 5. Building projections and recesses
- 316 6. Decorative roofline elements such as brackets or chimneys
- 317 7. Façade articulation such as bay windows or dormers
- 318 8. Exterior color and material
- 319 9. One and two-story units
- 320 10. Other generally accepted architectural elements, as determined appropriate by the
- 321 Appearance Review Officer
- 322
- 323 (b) Side-by-side Duplexes. Such duplexes must not have front elevations that are mirror
- 324 images. The left side and right side of the building must be designed to include
- 325 variety in at least three of the following elements:
- 326 1. Roof style
- 327 2. Architectural banding, trim, or cornice detail
- 328 3. Window trim, the number of mullions or muntins, or shutters
- 329 4. Window size and placement
- 330 5. A covered entryway or front porch design
- 331 6. Balconies or juliette balconies
- 332 7. Building projections and recesses
- 333 8. Decorative roofline elements such as brackets or chimneys
- 334 9. Façade articulation such as bay windows or dormers
- 335 10. One and two- story units
- 336 11. Other generally accepted architectural elements, as determined appropriate
- 337 by the Appearance Review Officer
- 338
- 339 (c) Compatibility. The appearance review officer will consider the following factors
- 340 when evaluating the compatibility of duplex or tandem dwelling development with
- 341 the surrounding neighborhood:
- 342 1. Logic of overall design
- 343 2. Site plan
- 344 3. Landscaping and pervious surface
- 345 4. Driveway design, circulation and parking
- 346 5. Environmental features and tree preservation
- 347 6. Alignment of curb cut(s) to maximize ability to plant street trees and
- 348 preserve on-street parking
- 349 7. Compliance with the traditional city standards and requirements for
- 350 residential development in section 62.600, of this Code.
- 351 8. Compatibility with adjacent land uses
- 352 9. Features of existing development and neighborhood form
- 353 Staff may also make recommendations pertaining to setbacks and building height.
- 354 Although these items are regulated by code, adjustments may be appropriate to
- 355 improve neighborhood compatibility, address site constraints, or improve the design
- 356 and character of the building.
- 357
- 358 (d) Architectural Style. Each building must have consistent architectural elements that
- 359 create a recognizable architectural style, including but not limited to classical revival,
- 360 colonial revival, craftsman, Florida vernacular, Mediterranean revival, mid-century
- 361 modern, minimal traditional, Florida ranch, or other style identified in an industry-
- 362 accepted architectural guidebook. All architectural elements, details, features, and
- 363 finishes on the exterior of the building must be both consistent and compatible with
- 364 the architectural style employed. Architectural elements and variations shall not be

365 restricted to a single façade. The appearance review officer will consider the
366 following elements when evaluating conformance with this requirement:

- 367 1. Roof type, pitch, form, material and overhang
- 368 2. Exterior elevation, materials and finishes
- 369 3. Window proportions, groupings, trim, muntins and details
- 370 4. Column size, taper, base and moulding
- 371 5. Balcony width and depth
- 372 6. Porch width, depth, elevation and railings
- 373 7. Chimney details
- 374 8. Dormers/parapets
- 375 9. Brackets, shutters, railings, rafter tails and decorative details
- 376 10. Transparency
- 377 11. Building projections and recesses
- 378 12. Entryway and front door design
- 379 13. Garage placement and door design
- 380 14. Exterior lighting
- 381 15. Incorporation of architectural features into any fire separation wall
- 382 16. Other generally accepted architectural elements, as determined appropriate
383 by the Appearance Review Officer

384
385 Together, these elements should create a cohesive structure that avoids boxy, flat
386 facades; highlights architectural features using authentic and durable materials; and
387 minimizes the visual impact of garages from the public right-of-way.
388

389 (e) Side Elevations. Interior side elevations that do not face a corner must include at least
390 one of the following elements to prevent blank walls:

- 391 1. A minimum of 10% transparent or translucent materials on each story below
392 the roof line; or
- 393 2. Vertical and/or horizontal articulation that includes stepping the wall plane in
394 or out by at least 2 feet according to the following requirements.
 - 395 i. The articulation must be provided on one-story walls and on both
396 floors for two-story walls.
 - 397 ii. The inset or projection must extend a distance of at least 6 feet along
398 the side property line and may continue another 36 feet of wall
399 length before repeating the articulation.
 - 400 iii. Projections designed to accomplish the articulation requirement must
401 meet the required side setback.

402
403 (f) Design Variances. An applicant proposing to construct a duplex or tandem that does
404 not comply with the standards in this section may apply for a design variance from
405 the design review and development standards this Code. The following factors will
406 be considered in review of the request:

- 407 1. Neighborhood compatibility
- 408 2. Site constraints
- 409 3. Ability to preserve on-site trees or street trees
- 410 4. Creative architectural design not anticipated by this code

411 **Sec. 58.519. Appearance Review.**

412 All applications for subdivision plats for Tandem Single Family Residential Developments shall
413 include a detailed site plan, with building elevations, for appearance and neighborhood compatibility
414 review. For developments located within the Traditional City, the design guidelines of Chapter 62, Part
415 6, Traditional City Design Standards shall be used for review.
416

417 **Sec. 58.518 Duplex and Tandem Dwelling Lot Splits**
418

- 419 (a) Intent. The duplex and tandem dwelling lot split standards are intended to allow each
420 dwelling unit within an existing duplex dwelling building site (including those that may
421 currently be in condominium ownership and existing nonconforming side-by-side
422 duplexes and court homes) to be converted to fee-simple ownership, similar to attached
423 dwelling developments (see Part 3B of this Chapter), where such use is otherwise
424 permitted by this Code. These standards are also intended to ensure proper and
425 functional design. In order to ensure maintenance of common areas within duplex
426 dwelling developments, the City encourages fee simple owners to record clear
427 covenants, conditions, and restrictions for maintenance of common areas and common
428 facilities.
429
- 430 (b) Process. Duplex and tandem dwelling lot splits may be approved in conjunction with a
431 subdivision plat or lot split approval wherever such dwellings are permitted by this
432 Code. An applicant wishing to undertake a duplex or tandem dwelling lot split shall
433 specifically request such approval in conjunction with an application for plat or lot split
434 approval. All applications shall include a detailed site plan, with building elevations,
435 for appearance and neighborhood compatibility review.
436
- 437 (c) Effect of Approval. Where a subdivision plat has been approved for a duplex or tandem
438 dwelling lot split development, the final plat must substantially conform to the duplex
439 or tandem dwelling lot split approval. No building permit will be issued for any duplex
440 or tandem dwelling lot split development except in accordance with the approved
441 subdivision plat or lot split.
442
- 443 (d) Ownership and Maintenance of Common Areas and Structures. Common areas and
444 structures must meet the requirements of Part 5D, Chapter 65 of this Code
445 (Improvements Retained in Private Ownership) and Part 5E of this Code, (Maintenance
446 of Common Improvements and Open Space).
447
- 448 (e) Building Site Standards. In order to establish two separate lots, the duplex or tandem
449 dwelling building site must conform to the following minimum standards:
450 1. The duplex or tandem dwelling building site must conform with section 58.110,
451 Figure 1 for two family conventional development in the zoning district in which it
452 is located, or
453 2. Must be a legal non-conforming dwelling or lot of record.
454
- 455 (f) Lot Standards. Both lots within a building site must comply with the following
456 minimum standards:
457 1. Minimum lot area for each dwelling is 2,000 sq. ft.
458 2. Front-to back lots are not required to have street frontage for the rear lot, but must
459 include a vehicular cross-access easement to the right of way.
460 3. No existing accessory dwelling unit in an R-2A or R-2B district may be converted
461 to a tandem dwelling unless it conforms to the development standards for tandem
462 dwellings.
463
- 464 (g) Duplex Dwelling Development Standards. Duplex dwelling lot split developments must
465 conform to all of the following additional standards:
466 1. The original undivided lot is considered one unified parcel or building site for
467 zoning purposes.
468 2. Utility lines must either be separate and independent, or for any shared utility, must
469 have a joint maintenance agreement.

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Secs. 58.519 – 58.529. Reserved.

SECTION 7: PART 2F, CHAPTER 60, SEC. 60.223 AMENDED. Part 2F, Chapter 60, Section 60.223, Code of the City of Orlando, Florida is hereby amended as follows:

Sec. 60.223. - One-Family and Two-Family Residential Development Standards.

* * * * *

(c) *On-Site Trees.* Each one-family or two-family lot shall have canopy trees (with a minimum 2-inch caliper each) planted or retained as follows:

1. A minimum of 2 canopy trees for lots 6,000 square feet or less.
2. A minimum of 3 canopy trees for lots between 6,001 and 10,000 square feet.
3. A minimum of 4 canopy trees for lots between 10,001 square feet to 14,000 square feet.
4. A minimum of 6 canopy trees for lots between 14,001 square feet to 20,000 square feet.
5. A minimum of 9 canopy trees for lots between 20,001 and 43,560 square feet (1 acre).
6. A minimum of 12 canopy trees for each acre for lots greater than 1 acre.
7. For duplex or tandem building site lots less than 10,001 sq. ft., at least one of the required canopy trees must be in the front yard. For duplex or tandem building site lots equal to or greater than 10,001 sq. ft., at least two of the required canopy trees must be in the front yard.

On-site trees shall not be removed below the above minimum standards to establish vegetable gardens, landscape improvements, or site improvements, unless otherwise replaced.

* * * * *

SECTION 8: PART 2E, CHAPTER 61, SEC. 61.240 AMENDED. Part 2E, Chapter 61, Section 61.240 of the Code of the City of Orlando, Florida is hereby amended as follows:

Sec. 61.240. - Standards for Construction of Driveway Approaches, Curbcuts, Driveways and Similar Alterations.

Except where specific approval is granted by the Public Works Director due to unique and peculiar circumstances or needs resulting from the size, location or special size of property requiring a modification of standards as set forth below, the minimum standards for the construction of driveway approaches, curbcuts, driveways and other similar alterations shall be as follows:

Width (Residential Except Multifamily). In properties developed for residential use (except multifamily), curbcuts and driveway approach shall conform to the following, as illustrated in Figure 6-A for residential driveways:

	Minimum Curbcut (a)	Minimum Driveway Width	Maximum Driveway Width (b)
Single Standard driveway	13 ft.	7 ft.	12 ft. 18 ft.
Double driveway—SF	16 ft.	10 ft.	18 ft.

Double driveway—other	22 ft.	16 ft.	24 ft.
Joint-Use driveway <u>(for two adjacent building sites)</u>	20 ft.	14 ft.	24 ft.
Ribbon Driveways	16 ft. <u>13 ft.</u>	23"Width per Ribbon 28"Width Between Ribbons	36" Per Ribbon
Curvilinear Driveway	13 ft.	7 ft.	12 ft. (c)

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- a) The width of all curbcuts shall include two, three-foot wide (minimum) flares, or transitions, on each side of the driveway as shown on Figure 6-A.
- b) This width shall be as measured at the property line.
- c) No part of a curvilinear driveway shall exceed 12 feet in width within any required front yard.

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Other requirements (Residential except multifamily). For duplex and tandem building sites, driveways cannot create a “Y” or “tuning fork” shape as shown in Figure 6-B.

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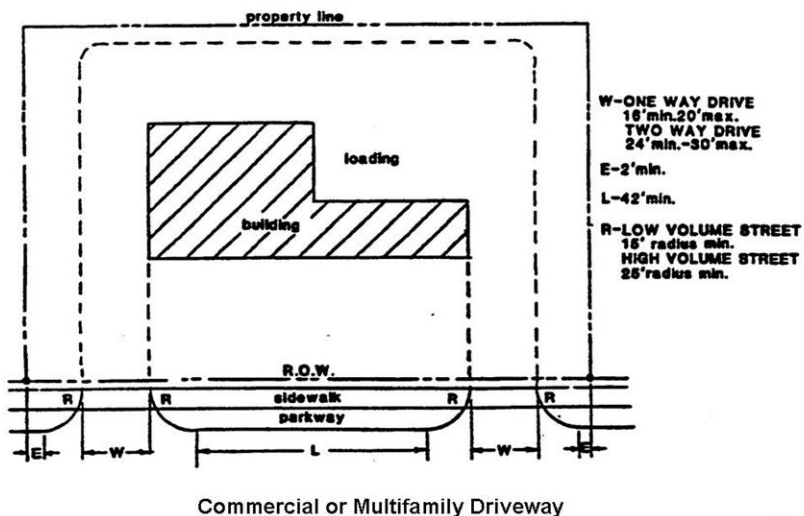
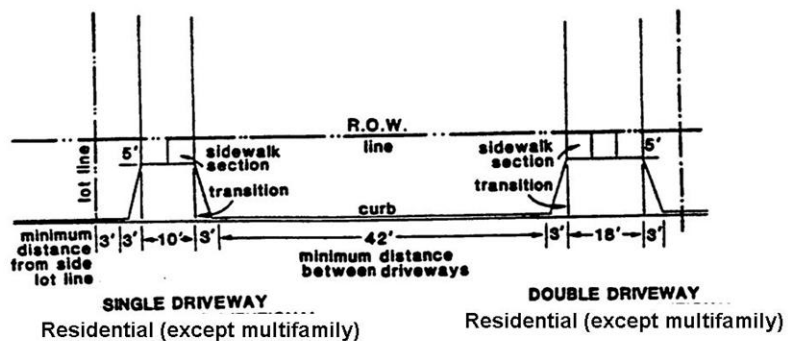
Spacing. Where more than one curbcut is to be located on any single property, including a duplex or tandem building site, the minimum distance between such curbcuts on local streets shall be 42 feet, and on all thoroughfares shall be in accordance with the requirements set forth in Chapter 61, Part 1.

525

526 *Drafter's Note-Insert Figure 6A and Figure 6B after SEC. 61.240.*

527

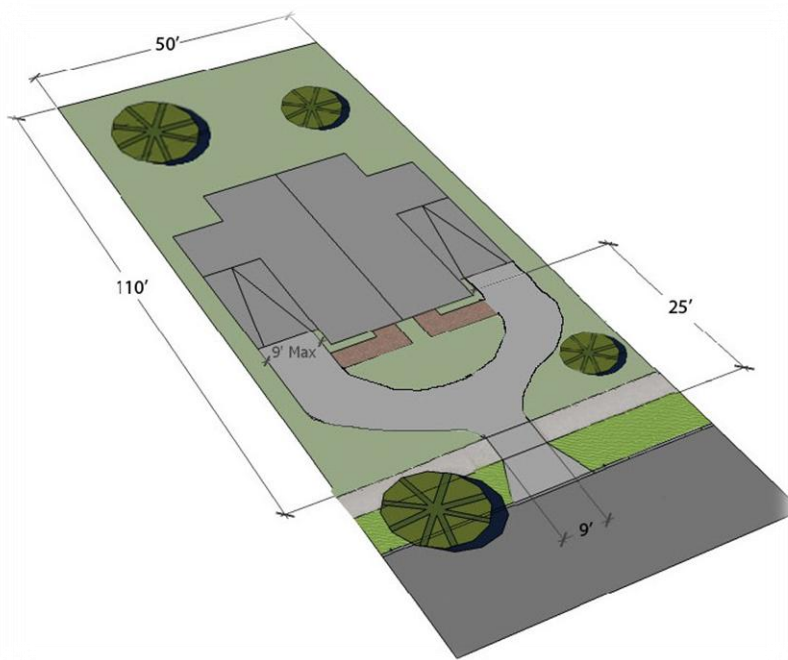
FIGURE 6A



528

529
530
531

Figure 6-B—Tuning Fork Driveway



532

533

534 **SECTION 9: PART 3A, CHAPTER 61, SEC. 61.302 AMENDED.** Part 3A, Chapter 61,
535 Section 61.302 of the Code of the City of Orlando is hereby amended as follows:

536 **Sec. 61.302. - General Requirements.**

537 * * * * *

538 (g) *Residential Setbacks.* All vehicular use areas on residential properties, except for multi-family, shall
539 provide a minimum separation of two feet between vehicular use areas and property lot lines. For duplex
540 and tandem development, all vehicular use areas that abut living space (not a garage) on the front façade,
541 must provide a minimum two-foot separation between the vehicular use area and the living space that
542 includes landscaping or planter boxes.

543

544 **SECTION 10: PART 3C, CHAPTER 61, SEC. 61.322, FIGURE 26 AMENDED.** Part 3C,
545 Chapter 61, Section 61.322, Figure 26 is hereby amended as follows:

546 * * * * *

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

Use	Per Dwelling Unit	Per Rated Patron Capacity	Special Requirements
Accessory Apartments	1		
Assisted living facilities		0.2	Plus 1 space

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

548

549 **SECTION 11: PART 4, CHAPTER 62, SEC. 62.497 AMENDED.** Part 4, Chapter 62, Section
550 62.497, Code of the City of Orlando, Florida is hereby amended as follows:

551
552

Sec. 62.497. - Colonialtown special plan.

553 (A) *Applicability.* The Colonialtown Special Plan shall be a zoning overlay district applicable to
554 those properties in the Colonialtown neighborhood depicted in Figure 43(g). This Special
555 Plan shall govern all development on these properties in accordance with the standards set
556 forth herein.

557 (B) *Objectives.* The Colonialtown Special Plan is intended to achieve the following objectives:

- 558 (1) Shape the future growth and physical changes to the Colonialtown neighborhood in a
- 559 manner that is compatible with the character of existing homes; and
- 560 (2) Preserve the quality of life for area residents; and
- 561 (3) Maintain the one- and two-family character of the neighborhood.

562 (C) *Development Standards.*

- 563 (1) ~~Tandem Single Family Development shall be prohibited.~~ On any property zoned R-
- 564 2A/T/SP, the maximum floor area ratio for single family and duplex development is 0.40
- 565 FAR.
- 566 (2) No property shall increase the maximum allowable density as dictated by the zoning
- 567 district by virtue of a rezoning from R-1A/T/SP or R-2A/T/SP to a Planned Development.
- 568 (3) On any property zoned R-1A/T/SP, the required side yard setbacks may be flexible,
- 569 provided that the two side yards shall collectively measure at least fifteen (15) feet, and
- 570 provided that one side yard setback measures at least eight (8) feet and the other measures
- 571 at least five (5) feet.
- 572 (4) On any property zoned R-2A/T/SP, the maximum allowable ground floor porch
- 573 encroachment allowed by section 62.600(e) is 6 feet. Second story porch encroachments
- 574 are prohibited.

575 **SECTION 12: PART 6, CHAPTER 62, SEC. 62.600 AMENDED.** Part 6, Chapter 62, Section
576 62.600 Code of the City of Orlando, Florida is hereby amended as follows:

577
578

579 **Sec. 62.600. - General Requirements.**

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

582 (a) Projections and Recesses. In order to encourage projections, recesses and varied building
583 planes in Traditional City neighborhoods, the Appearance Review Officer shall be
584 authorized to permit up to 30% of the building frontage of residential principal structures to
585 extend up to a maximum of 20% of the required front yard setback into the front yard
586 setback. The Appearance Review Officer shall be responsible to review both the amount of
587 the projection into the setback and the width of the projection. Wherever such a projection
588 into the front yard setback has been approved, no other modification of front yard setback
589 standards (see Chapter 65, Part 2F) shall be approved by the Zoning Official. All projections
590 legally existing on the effective date of this ordinance shall be considered conforming.
591 Approval of projections into the front yard setback shall be based upon the following
592 standards:

- 593 1. *Scale.* The apparent size and bulk of the components of the facade shall be in
594 proportion to the apparent size and bulk of the structure.
595 2. *Facade Material.* The exterior facade material for a projection shall be the same as
596 the existing principal structure.
597 3. *Roof Styles.* Roof styles for a projection shall either be the same as the existing
598 principal structure or shall be a combination as shown in Figure 47 (Compatible Roof
599 Shapes).
600 ****

601 (b) Orientation. At least one ~~public~~ principal pedestrian entrance of each residential principal
602 structure shall be oriented towards the front lot line or street side lot line. For duplex or
603 tandem development on a corner lot or a through lot, both dwelling units must have a
604 principal pedestrian entrance oriented toward their respective front lot lines.

605
606 (c) Transparency.

- 607 1. The front and street side exterior walls of such structures shall each contain a
608 minimum of 15% of transparent or translucent materials on each story below the roof
609 line.
610 2. The street side exterior walls of such structures shall each contain a minimum of 10%
611 transparent or translucent materials on each story below the roof line.
612 3. The transparency/ translucency requirement shall apply only to new construction or to
613 those areas of a structure which are altered as part of a substantial enlargement or
614 improvement. Garage facades shall not be included in the transparency/translucency
615 calculation.

616
617 (d) Pedestrian Access. Pedestrian access from the public sidewalk, street right-of-way or
618 driveway to the front doorway of the residential principal structure shall be provided via an
619 improved surface. A pedestrian access up to 75 square feet that is separate from a driveway
620 shall not be calculated as impervious surface.

621
622 (e) Garages and Carports.

- 623 1. In order to make the living area of a ~~house~~ residential building visually more
624 dominant than its parking facilities, no more than 50% of the lineal ground floor
625 principal facade of the principal structure may be garage or carport. ~~(except that~~
626 ~~duplexes may be allowed to have garage doors up to 9 feet wide and garages with an~~
627 ~~interior dimension of up to 12 feet wide where the Appearance Review Officer finds~~
628 ~~the design of the principal facade meets the intent of this section) and all~~

- 629 2. An open-air parking space that includes living space above (except for an open-air
- 630 balcony not to exceed 8 feet deep) shall be regulated as a carport.
- 631 3. All garages or carports shall be flush with, or recessed from, the ground floor
- 632 principal facade of the principal structure.
- 633 4. Open-air porches shall not be considered part of the front facade of the principal
- 634 structure.
- 635 5. Front facing garages or carports for a duplex must be recessed at least 5 feet from the
- 636 ground floor principal facade of the principal structure.
- 637

638 ~~(f) Accessory Cottages/Garage Apartments/Rental Cottages. A garage apartment or rental~~
 639 ~~cottage shall be permitted on any building site having enough building site area to permit~~
 640 ~~two or more dwelling units. No garage apartment or rental cottage shall occupy more than~~
 641 ~~35% of the required rear yard. Garage apartments and rental cottages shall conform to the~~
 642 ~~following requirements:~~

643 ~~Minimum setbacks:~~

- 644 ~~Front yard: set back from the front lot line a distance at least equal to that of the~~
- 645 ~~principal structure.~~
- 646 ~~Side yard: 5 feet.~~
- 647 ~~Rear yard: 5 feet for one story; 15 feet for two story.~~
- 648 ~~Street side yard: 15 feet.~~
- 649

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

656
 657 ~~(g) First Story Porch. An unscreened covered porch which is open on three (3) sides (except for~~
 658 ~~supporting columns and architectural features) shall be permitted on the first story of a~~
 659 ~~residential building. Such porch may extend into the required front yard setback up to eight~~
 660 ~~(8) feet and into the required street side yard setback up to five (5) feet, provided that the~~
 661 ~~following conditions are met:~~

- 662 1. ~~The porch has a minimum depth of six (6) feet;~~
- 663 2. ~~The porch is constructed of materials similar to that of the principal facade; and~~
- 664 3. ~~The porch design is consistent with the architectural style of the principal structure as~~
 665 ~~determined by the Appearance Review Officer in accordance with generally accepted~~
 666 ~~architectural standards.~~
- 667

668 ~~(h) Second Story Porches and Balconies. An unscreened porch or balcony may be permitted on~~
 669 ~~the second story of a residential building. Such porch or balcony may encroach up to eight~~
 670 ~~(8) feet into the required front yard setback and up to five (5) feet into the required street~~
 671 ~~side yard setback, provided that the following conditions are met:~~

- 672 1. ~~there is a first story porch directly below the second story porch or balcony;~~
- 673 2. ~~the second story porch or balcony has a minimum depth of six (6) feet;~~
- 674 3. ~~if covered, the second story porch or balcony has a separate roof line which is~~
 675 ~~compatible with the design of the principal structure;~~
- 676 4. ~~the second story porch or balcony is constructed of materials similar to that of the~~
 677 ~~principal facade; and~~
- 678 5. ~~the second story porch or balcony is consistent with the architectural style of the~~
 679 ~~principal structure as determined by the Appearance Review Officer in accordance~~
 680 ~~with generally accepted architectural standards.~~

681
682 (i) *Porch Roof Projections.* Roof projections (eaves) may encroach up to two (2) feet beyond
683 the porch into the required front or street side yard. Wherever a porch or roof extends into
684 the front yard or street side yard setbacks, as allowed by this section, no other modification
685 of front yard or street side yard setbacks may be approved by the Zoning Official.
686

687 **SECTION 13: PART 3B, CHAPTER 65, SEC. 65.411 AMENDED.** Part 3B, Chapter 65,
688 Section 65.411 of the Code of the City of Orlando, Florida is hereby amended as follows:
689

690 **Sec. 65.411. Subdivisions Eligible for Waivers of the Platting Process.**

691 The planning official may exempt the following subdivisions of land from the requirement to plat
692 provided by section 65.401:
693

694 (A) *Lot Split.* A lot split that will result in the creation of no more than two additional development
695 lots, so that the lot to be split becomes no more than three lots, may be approved by the planning
696 official if the following conditions are met:
697

698 *****

699 (8) For Duplex and Tandem Dwelling Lot Splits, joint maintenance easements and
700 agreements already exist on the lot to be split or are provided by separate instrument.
701

702 **SECTION 14: PART 5E, Chapter 65, SEC. 65.581 AMENDED.** Part 5E, Chapter 65, Section
703 65.581, Code of the City of Orlando, Florida is hereby amended as follows:
704

705 **5E. MAINTENANCE OF COMMON IMPROVEMENTS AND OPEN SPACE**

706
707 **Sec. 65.581. Establishing a Means of Common Ownership and Management.**

708 Prior to approval of the Final Site Plan or Final Subdivision Plat or Lot Split, the
709 developer/builder shall provide documents to establish a means of common ownership and
710 management of all common open space and common improvements. Such documents shall
711 establish an organization or entity to own and manage the open space and/or improvements,
712 describe its membership and responsibilities, and shall include a maintenance and fiscal program
713 for the improvements. In no event shall a Certificate of Completion be issued for a development
714 involving common open space and/or improvements until the entity of common ownership and
715 management has been incorporated.
716

717 **Sec. 65.582. Funding Mechanism Required.**

718 (A) *Recorded Document.* Prior to approval of any Final Site Plan or Final Subdivision Plat or Lot
719 Split, the developer/builder shall provide and record documents to establish a funding mechanism
720 for the maintenance of the common improvements and/or open space. The documents shall
721 provide a method for the organization or entity established in this Section to assess the property
722 owners having beneficial use of the improvements and open space for the cost of their
723 maintenance. The method of assessment shall provide the legal right for the organization or entity
724 to impose liens against those properties for which payment of any assessment is not made.
725 Collection of assessments and enforcing the payment thereof shall be the responsibility of the
726 organization or entity and shall not be the responsibility of the City of Orlando. The assessments
727 imposed by the organization or entity shall not relieve property owners from any taxes, fees,
728 charges or assessments imposed by the City or any other governmental agency.
729

730 (B) *Notice to Buyers*. The documents shall also provide for notice to purchasers and prospective
731 purchasers of properties that the organization or entity shall have the authority to make
732 assessments and impose liens as provided in this Section.
733

734 **SECTION 15: PART 2, CHAPTER 66, SEC. 66.200, AMENDED.** Part 2, Chapter 66,
735 Section 66.200, Code of the City of Orlando, Florida is hereby amended to read as follows:
736

737 **Sec. 66.200 – Definitions**
738

739 ****

740 *Court Home Development* – Any Duplex or tandem development in which two abutting Duplex
741 and/or tandem building sites are designed so that a single driveway serves three or more of the
742 dwelling units on the two abutting sites, or where two driveways on the abutting building sites are
743 located adjacent to each other along or near their common property line. This term also includes
744 any situation where a new Duplex or tandem development is to be built abutting an existing
745 Duplex or tandem development in such a way that the existing and new developments taken
746 together will compose a Court Home Development.
747

748 ...

749 *Dwelling, Front-to-Back Duplex*: Any Duplex Dwelling Development that has the majority of
750 one dwelling unit located behind the other dwelling unit with respect to the front lot line.
751

752 ...

753 *Dwelling, One Family (or Single Family)*: A dwelling designed for and occupied exclusively by
754 one family. This term includes Conventional, ~~Average lot, Clustered-Tandem,~~ and Zero-lot-line
755 One Family dwellings.
756

757 *Dwelling, Side-by-Side Duplex*: Any Duplex Dwelling development where both dwelling units
758 are side-by-side and are approximately the same distance from the front lot line.
759

760 ...

761 *Dwelling, Two Family (or Duplex)*: A single structure on a single lot or building site containing
762 two dwelling units, each of which is totally separated from the other by a wall or ceiling,
763 unpierced for any purpose including access, communication, or utility connection. The minimum
764 height of the wall between the two units shall be at least 8 feet, and the space on either side of this
765 wall shall contain heated living space and/or a garage.
766

767 ****

768 **SECTION 16. CODIFICATION.** The city clerk and the city attorney shall cause the Code of
769 the City of Orlando, Florida, to be amended as provided by this ordinance and may renumber, re-letter,
770 and rearrange the codified parts of this ordinance if necessary to facilitate the finding of the law.
771

772 **SECTION 17. SCRIVENER’S ERROR.** The city attorney may correct scrivener’s errors
773 found in this ordinance by filing a corrected copy of this ordinance with the city clerk.
774

775 **SECTION 18. SEVERABILITY.** If any provision of this ordinance or its application to any
776 person or circumstance is held invalid, the invalidity does not affect other provisions or applications of
777 this ordinance which can be given effect without the invalid provision or application, and to this end the
778 provisions of this ordinance are severable.
779

779 **SECTION 19. EFFECTIVE DATE.** This ordinance takes effect 30 days after adoption.

780 **DONE, THE FIRST PUBLIC NOTICE**, in a newspaper of general circulation in the City of
781 Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of
782 _____, 2017.

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

785
786 **DONE, THE SECOND PUBLIC NOTICE**, in a newspaper of general circulation in the City of
787 Orlando, Florida, by the City Clerk of the City of Orlando, Florida, this _____ day of
788 _____, 2017.

789
790 **DONE, THE SECOND READING AND HEARING, AND ENACTED ON FINAL**
791 **PASSAGE**, by an affirmative vote of a majority of a quorum present of the City Council of the City of
792 Orlando, Florida, at a regular meeting, this _____ day of _____, 2017.

793

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

796

797

Mayor / Mayor Pro Tempore

798

799

Print Name

800

801

802 ATTEST, BY THE CLERK OF THE
803 CITY COUNCIL OF THE CITY OF
804 ORLANDO, FLORIDA:

805

806 _____
807 City Clerk

808

809 _____
810 Print Name

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

815

816 _____
817 City Attorney

818

819 _____
820 Print Name