

APR 11 2000 AA/CG/BS

ORDINANCE NO. 2000-08

Submitted by
Mark G.

7/10/2000

#000161

Effective:
April 19, 2000

AN ORDINANCE AFFECTING THE USE OF LAND IN UNINCORPORATED ORANGE COUNTY, FLORIDA; AMENDING CHAPTER 38 ("ZONING") OF THE ORANGE COUNTY CODE; AMENDING DEFINITIONS OF "BOARDINGHOUSE," "LODGING HOUSE," AND "FAMILY," AND CREATING DEFINITION FOR "STUDENT HOUSING"; CREATING UR-3 UNIVERSITY RESIDENTIAL DISTRICT; AMENDING CONDITIONS FOR BOARDINGHOUSES AND LODGING HOUSES; CREATING SITE DEVELOPMENT STANDARDS FOR UR-3 DISTRICT AND STUDENT HOUSING; AMENDING CRITERIA USED IN DETERMINING WHETHER ALTERATION TO APPROVED DEVELOPMENT PLAN OR LAND USE PLAN FOR PLANNED DEVELOPMENT (PD) IS SUBSTANTIAL; ADDING NOTIFICATION REQUIREMENTS FOR FIRST TIME PURCHASER OF LOT IN PD APPROVED FOR MULTI-FAMILY LAND USE; ESTABLISHING CRITERIA FOR MULTI-FAMILY DEVELOPMENT IN PD FOR BENEFIT OF SINGLE-FAMILY ZONED PROPERTY; ESTABLISHING CRITERIA FOR STUDENT HOUSING DEVELOPMENT; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ORANGE COUNTY:

Section 1. General. Chapter 38 ("Zoning") of the Orange County Code is amended as set forth in Sections 2 through 9 below, with the new language being shown by the underlines and the deleted language being shown by the strikethroughs.

Section 2. Amendments to Section 38-1. Section 38-1 ("Definitions") is amended by amending the definitions for "boardinghouse," "lodging house," and "family," and by creating a definition for "student housing" and inserting it in its alphabetically correct place:

- *Boardinghouse, lodging house or rooming house* shall mean a dwelling used for the purpose of providing meals or lodging or both to persons other than members of the family occupying such dwelling, or any unit designed, constructed and marketed where the individual bedrooms are leased separately and have shared common

facilities. This definition shall not include a nursing home or community residential home.

● *Family* shall mean an individual; or two (2) or more persons related by blood, marriage or adoption, exclusive of household servants, occupying a dwelling and living as a single nonprofit housekeeping unit, ~~as distinguished from persons occupying a boardinghouse, lodging house or hotel, as hereby defined;~~ or four (4) or fewer persons. A number of persons, not exceeding five (5), not related by blood, marriage or adoption, exclusive of household servants, occupying a dwelling and living as a single nonprofit housekeeping unit, in either case as distinguished from persons occupying a boardinghouse, lodging house, rooming house or hotel, as herein defined though not related by blood, marriage or adoption, shall be deemed to constitute a family.

● *Student housing* shall mean any multi-family development or portion thereof where the dwelling units are designed and constructed as three (3) or more bedrooms with three (3) or more bathrooms which is marketed and/or rented to students attending a local college, university, or community college, or any multi-family development or portion thereof comprised of dwelling units consisting of three (3) or more bedrooms and less than three (3) bedrooms where the bedrooms are leased separately.

In all other respects, Section 38-1 shall remain unchanged.

Section 3. Amendment to Section 38-3. Section 38-3 ("General restrictions on land use") is amended by creating a subsection (h) to read as follows:

(h) In a single family dwelling, the leasing of bedrooms is prohibited unless the single family dwelling is owner occupied.

In all other respects, Section 38-3 shall remain unchanged.

Section 4. Amendments to Section 38-77. Section 38-77 ("Use Table") is amended to read as shown in Appendix "A," which is attached hereto and incorporated herein. In addition to changes resulting from amendments in other sections of this ordinance, including Section 5, the "Use