

1 **AN ORDINANCE OF THE CITY COUNCIL OF THE**
2 **CITY OF ORLANDO, FLORIDA, RELATING TO THE**
3 **DOWNTOWN HISTORIC PRESERVATION OVERLAY**
4 **DISTRICT; IMPOSING A TEMPORARY**
5 **MORATORIUM FOR THIRTY-SIX MONTHS ON THE**
6 **REQUIREMENTS, PROCESSING AND**
7 **CONSIDERATION OF CERTIFICATES OF**
8 **APPROPRIATENESS PRIOR TO THE ERECTION,**
9 **ALTERATION, RESTORATION OR DEMOLITION OF**
10 **EXEMPT HISTORIC LANDMARKS OR STRUCTURES**
11 **WITHIN THE DOWNTOWN HISTORIC**
12 **PRESERVATION OVERLAY DISTRICT; ADOPTING**
13 **FINDINGS OF FACT; PROVIDING FOR EXTENSION**
14 **OR EARLY TERMINATION OF THE TEMPORARY**
15 **MORATORIUM AND PROCEDURES; PROVIDING**
16 **LEGISLATIVE FINDINGS, AND FOR SEVERABILITY,**
17 **CORRECTION OF SCRIVENER’S ERRORS, AND AN**
18 **EFFECTIVE DATE.**

19
20 **WHEREAS**, as provided in section 2(b), Article VIII of the Constitution of the State of
21 Florida, and section 166.021(1), Florida Statutes, the City of Orlando, Florida, a municipal
22 corporation (“City”), enjoys all governmental, corporate, and proprietary powers necessary to
23 conduct municipal government, perform municipal functions, and render municipal services,
24 and may exercise any power for municipal purposes, except as expressly prohibited by law.;
25 and
26

27 **WHEREAS**, as provided in section 166.021(3), Florida Statutes, the governing body
28 of each municipality in the state has the power to enact legislation concerning any subject
29 matter upon which the state legislature may act, except when expressly prohibited by law.;
30 and
31

32 **WHEREAS**, the Central Business District (“CBD”) situated within Downtown Orlando
33 serves as the “beating heart” of the City; driving economic development, shaping community
34 identity, and playing a significant role in the overall economic vitality of the City.; and
35

36 **WHEREAS**, The CBD is located within the boundaries of the Community
37 Redevelopment Agency (“CRA”), which was created via resolution of the City Council of the
38 City of Orlando (“Orlando City Council”) in 1980 to aggressively pursue redevelopment and
39 revitalization activities within the area.; and
40

41 **WHEREAS**, working in conjunction with the CRA, the Downtown Development Board
42 (“DDB”) was created via Special Act of the Florida Legislature in 1971 as an agency of the
43 City to strengthen the role of Downtown Orlando and the CBD as the economic, governmental
44 and cultural center of the City.; and
45

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46 **WHEREAS**, the Downtown Historic Preservation Overlay District (“Downtown HP
47 Overlay District”) was established by Orlando City Council via ordinance on October 20, 1980.;
48 and

49
50 **WHEREAS**, the Downtown HP Overlay District is situated within the boundaries of the
51 CBD.; and

52
53 **WHEREAS**, in addition to the Downtown HP Overlay District, nine (9) properties
54 situated within the Downtown HP Overlay District have been designated as Historic
55 Landmarks by the Orlando City Council via ordinances adopted on or about, February 27,
56 1978, August 7, 1978 and September 21, 1987.; and

57
58 **WHEREAS**, in accordance with Orlando City Code, no Historic Landmark or structure
59 situated within the Downtown HP Overlay District can be erected, altered, restored,
60 demolished or moved without first obtaining a Certificate of Appropriateness from the City’s
61 Historic Preservation Officer or Historic Preservation Board, as applicable.; and.

62
63 **WHEREAS**, the standards of review governing the issuance of a Certificate of
64 Appropriateness by the City’s Historic Preservation Officer or Historic Preservation Board
65 require that all exterior alterations, restorations and/or demolitions be carried out in
66 accordance with the standards, values and characteristics of the particular historic
67 preservation district or historic landmark, which, in some instances, results in significant
68 limitations on the re-development of structures located within the CBD.; and

69
70 **WHEREAS**, recently there has been an increase in blight, vacancies and
71 underdevelopment within the CBD.; and

72
73 **WHEREAS**, future development and economic growth within the CBD, in addition to
74 the protection and revitalization objectives of the City, CRA and DDB, are being severely
75 impeded by the restrictive regulations governing structures situated within the Downtown HP
76 Overlay District and certain Historic Landmarks, ultimately contributing to the lack of growth
77 and re-development within the CBD.; and

78
79 **WHEREAS**, the Orlando City Council hereby finds that the temporary moratorium and
80 procedures imposed by this ordinance are being imposed for a reasonable duration intended
81 to give the City the time reasonably necessary to investigate the impacts of the establishment
82 of the Downtown HP Overlay District and the designation of Historic Landmarks on the growth
83 and re-development of properties located within the CBD, and if necessary, to promulgate
84 reasonable regulations relating to such issues.; and

85
86 **WHEREAS**, the Orlando City Council hereby finds and declares that this ordinance is
87 in the best interest of the public health, safety, and welfare.
88

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

91
92 **SECTION 1. FINDINGS OF FACT.** The foregoing recitals are hereby ratified and
93 confirmed as being true and correct are hereby made a part of this ordinance.
94

95 **SECTION 2. DEFINITIONS.** For the purpose of this ordinance, the following terms are
96 defined as follows:

- 97
98 a. *Certificate of Appearance Approval* shall have the same
99 meaning and effect as set forth in Chapter 65, Part 4F.
100
101 b. *Certificate of Appropriateness* shall have the same meaning
102 and effect as set forth in Chapter 62 and Chapter 65, Part 4B,
103 Orlando City Code.
104
105 c. *Exempt Historic Landmarks* means any site, building or
106 structure:
107
108 i. Which has been designated as an Historic Landmark by
109 Orlando City Council via ordinance: Documentary No.
110 14167 (adopted on February 27, 1978); Documentary No.
111 14446 (adopted on August 7, 1978); or Documentary No.
112 21518 (adopted on September 21, 1987); and
113
114 ii. Which is located entirely within the Downtown HP Overlay
115 District; and
116
117 iii. For which the property owner has submitted a written
118 application to the City's Planning Official requesting
119 designation as an Exempt Historic Landmark.
120
121 d. *Historic Landmark* shall have the same meaning and effect as
122 set forth in Chapter 65, Parts 4B and 7, Orlando City Code.
123
124 e. *Major Review Process* shall have the same meaning and effect
125 as set forth in Chapter 65, Part 4B, Orlando City Code.
126
127 f. *Minor Review Process* shall have the same meaning and effect
128 as set forth in Chapter 65, Part 4B, Orlando City Code.
129
130 g. *Substantial Permit Approvals and Plans* means the receipt of a
131 Certificate of Appearance and submittal of a completed permit
132 application, accompanied by a full set of plans signed and
133 sealed by an authorized design professional. The plan set shall

134 include any relevant civil and site work plans needed to issue a
135 building permit.
136

137 **SECTION 3. TEMPORARY MORATORIUM.** Beginning on the effective date of this
138 ordinance and continuing for a period of thirty-six (36) months, or as extended or terminated
139 as provided in section 5 of this ordinance:
140

- 141 a. A temporary moratorium is hereby imposed on the requirement
142 that an Exempt Historic Landmark or structure located within the
143 Downtown HP Overlay District must obtain a Certificate of
144 Appropriateness prior to its erection, alteration, or restoration.
145
- 146 b. Notwithstanding the temporary procedures set forth below, a
147 temporary moratorium is hereby imposed on the requirement
148 that an Exempt Historic Landmark or structure located within the
149 Downtown HP Overlay must obtain a Certificate of
150 Appropriateness via the Major Review Process prior to
151 demolition.
152
- 153 c. This moratorium shall not apply to properties designated as
154 Historic Landmarks by City Council or properties located within
155 HP Overlay Districts established by the City, unless expressly
156 referenced in this ordinance.
157

158 **SECTION 4. TEMPORARY PROCEDURES.** Beginning on the effective date of this
159 ordinance and continuing for a period of thirty-six (36) months, or as extended or terminated
160 as provided in section 5 of this ordinance:
161

- 162 a. A Certificate of Appearance Approval must be obtained prior to
163 any alteration or restoration of an Exempt Historic Landmark or
164 structure located within the Downtown HP Overlay District, or
165 the erection of new development after demolition of the
166 foregoing, which is visible from the public right-of-way and
167 requires a building permit, engineering permit, sidewalk café
168 permit, or right-of-way encroachment permit.
169
- 170 b. Exempt Historic Landmarks or structures located within the
171 Downtown HP Overlay District must obtain a Certificate of
172 Appropriateness via the Minor Review Process prior to
173 demolition.
174
- 175 c. Following receipt of a Certificate of Appropriateness
176 recommending demolition of an Exempt Historic Landmark or
177 structure located within the Downtown HP Overlay, an applicant

178 shall be required to obtain a building permit for the new
179 development of the property prior to receiving a demolition
180 permit, except for demolition of structures that are non-
181 contributing and non-landmarked. In those cases, additional
182 conditions may be imposed via the Minor Review Process for
183 post-demolition improvements to the site to mitigate impacts
184 from the demolition; including, but not limited to, lighting,
185 landscaping, security features, and storage.

- 186
187 d. The termination of the temporary moratorium and procedures
188 imposed by this ordinance shall not impact any Exempt Historic
189 Landmarks or structures located within the Downtown HP
190 Overlay District that have Substantial Permit Approvals and
191 Plans for a period of time not to exceed twenty-four (24) months
192 from the date of termination of the temporary moratorium and
193 procedures.
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195 **SECTION 5. EXTENSION OR EARLY TERMINATION OF THE TEMPORARY**
196 **MORATORIUM AND TEMPORARY PROCEDURES.** The temporary moratorium and
197 procedures imposed by sections 3 and 4 of this ordinance may be extended or terminated
198 early by adoption of an ordinance or resolution of the Orlando City Council.
199

200 **SECTION 6. NON-CODIFICATION.** The provisions of this ordinance shall not be
201 included or incorporated within the Code of the City of Orlando, Florida.
202

203 **SECTION 7. SEVERABILITY.** If any provision of this ordinance or its application to
204 any person or circumstance is held invalid, the invalidity does not affect other provisions or
205 applications of this ordinance which can be given effect without the invalid provision or
206 application, and to this end the provisions of this ordinance are severable.
207

208 **SECTION 8. EFFECTIVE DATE.** This ordinance take effect upon adoption.
209

210 **DONE, THE FIRST READING,** by the City Council of the City of Orlando, Florida, at
211 a regular meeting, the _____ day of _____, 2026.
212

213 **DONE, THE PUBLIC NOTICE,** in a newspaper of general circulation in the City of
214 Orlando, Florida, by the city clerk of the City of Orlando, Florida, the _____ day of
215 _____, 2026.
216

217 **DONE, THE SECOND READING AND PUBLIC HEARING, AND ENACTED ON**
218 **FINAL PASSAGE,** by an affirmative vote of a majority of a quorum present of the City Council
219 of the City of Orlando, Florida, at a regular meeting, the _____ day of
220 _____, 2026.
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ORDINANCE NO. 2026-18

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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:

Assistant City Attorney

Print Name