



Board of County Commissioners

Development Process Overview

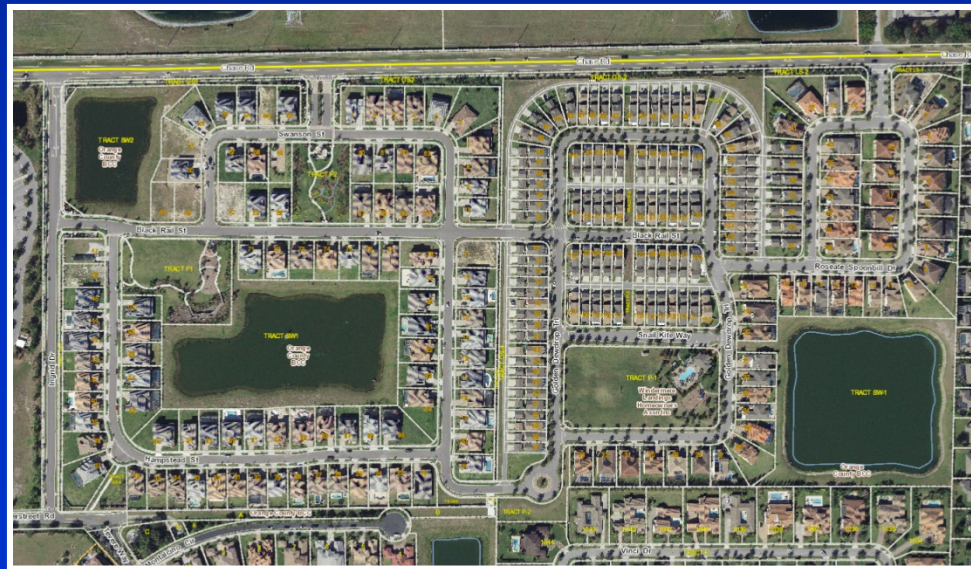
Residential and Commercial Subdivisions

July 11, 2017



Presentation Outline

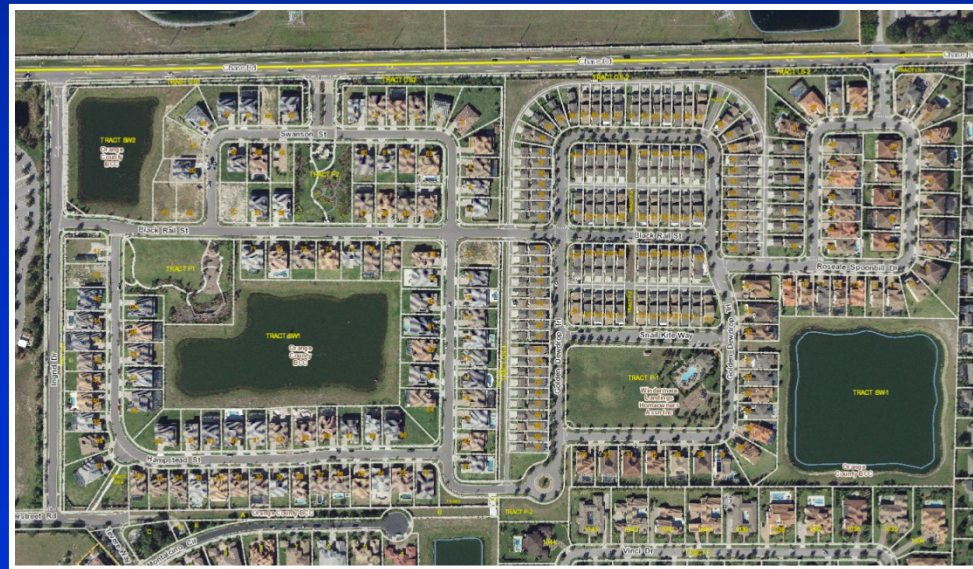
- Background
- Processes and Standards
- Conditions of Approval
- Public Participation
- Summary





Presentation Outline

- Background
- Processes and Standards
- Conditions of Approval
- Public Participation
- Summary





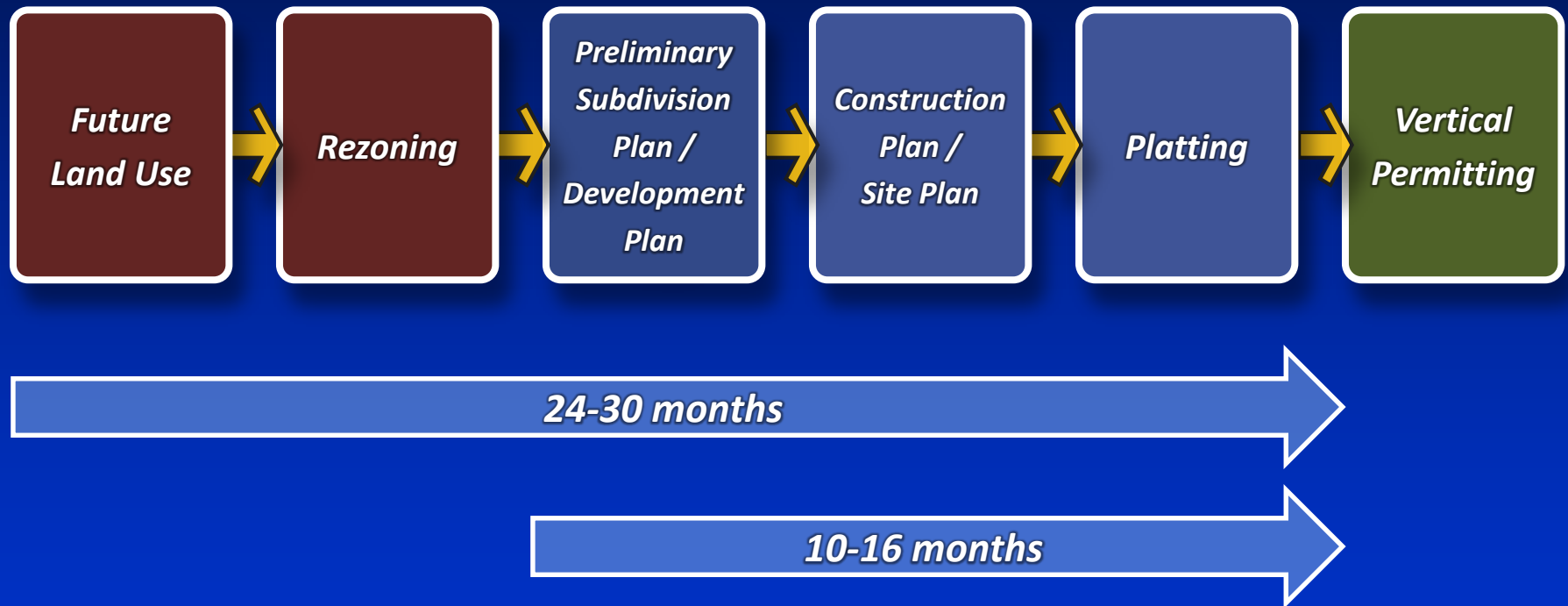
Background

Scheduled Work Sessions:

- ☒ Comprehensive Planning – Overview
- ☒ Comprehensive Planning – Framework Policies
- ☒ Zoning – Overview
- ☒ Environmental Permitting
- ☒ Residential and Commercial Subdivisions



Background





Background

▪ Definition of a Subdivision (F.S. 177.031)

Subdivision means the division of land into **three or more lots**, parcels, tracts, tiers, blocks, sites, units, or any other division of land; **includes the development of new streets and alleys**, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.



Background

▪ Definition of a Subdivision (OC Code Sec. 30-78)

Subdivision shall mean the division of a parcel of land, whether improved or unimproved, into **two (2) or more lots** or parcels of land for the purpose, whether immediate or future, of transfer of ownership or building development where subdivider advocates, proposes, suggests or exhibits a proposed plan, map or plat of development of the land or **where the subdivider proposes to create a street, right-of-way or easement that joins or connects to an existing public street for ingress and egress** or to change an existing public street.



Background

- **PSPs/DPs are reviewed against Orange County Land Development Regulations**
 - Comprehensive Plan
 - Chapter 30 – Planning and Development
 - Chapter 34 – Subdivision Regulations
 - Chapter 38 – Zoning Regulations
 - PD Requirements from prior BCC approval
- **Construction Plans and Plat are required before vertical construction**



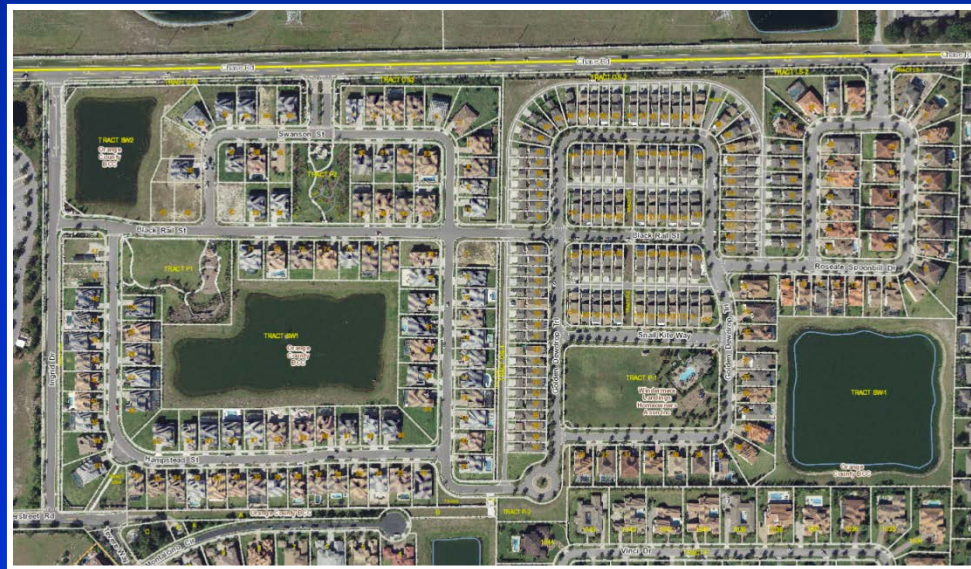
Background

- Per F.S. 177.071, before a plat is offered for recording, it must be approved by the appropriate governing body
- Per Sec. 34-48 of Orange County Code:
 - If a public hearing has not occurred (commercial plat, one lot plat), then plat must be approved by BCC at a public meeting
 - If a public hearing has occurred (PSP), then Mayor has the authority to approve the plat



Presentation Outline

- Background
- Processes and Standards
- Conditions of Approval
- Public Participation
- Summary





Process and Standards

■ Application Types

- Conventional Lot Split
- Preliminary Subdivision Plan (PSP)
- Development Plan (DP)
- Combination PSP / DP
 - PSPs are required in Horizon West Town Center
 - Saves time on the initial approval



Conventional Lot Split

- Sec. 34-46 allows County Zoning Manager to make determination whether division of land constitutes a subdivision
- Code allows a lot to be split twice (3 total lots) before request is determined to be subdivision
- When lot split maximum is exceeded a formal subdivision is required
 - New lots are required to meet zoning standards
 - Intent of many Rezoning and BZA applications is to accommodate lot splits



Conventional Lot Split Example

Location Dean Road / South of E. Colonial Dr.

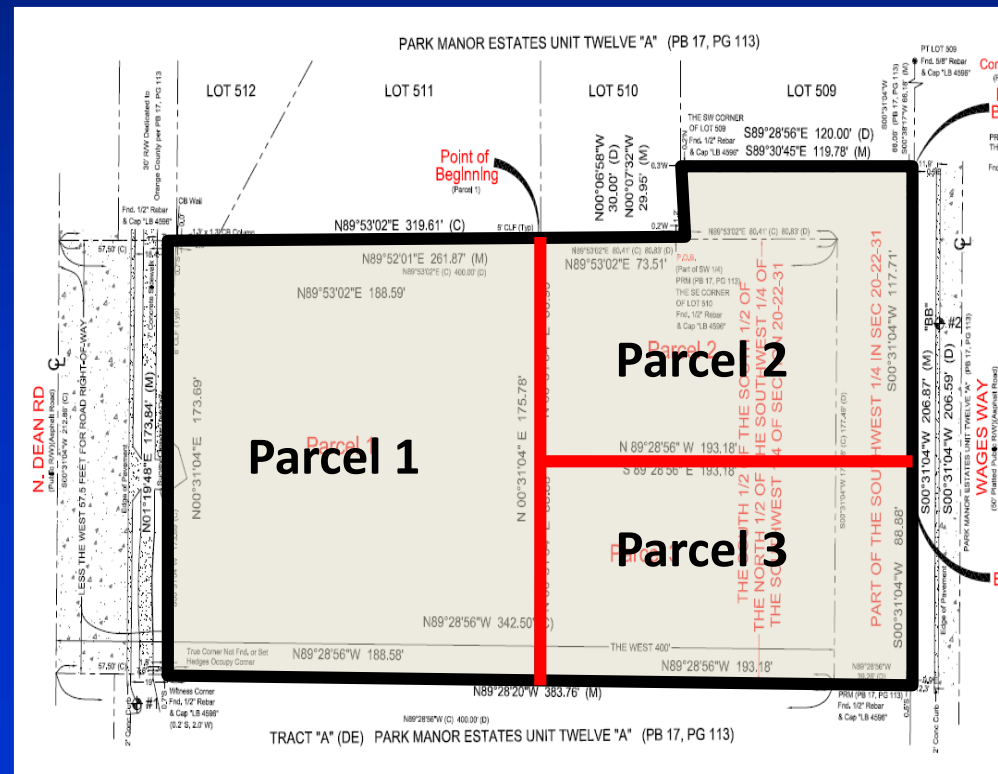
Original parcel 1.61 ac.

Zoning of R-1

Lot Split approved on
2/22/17

All new lots meet:

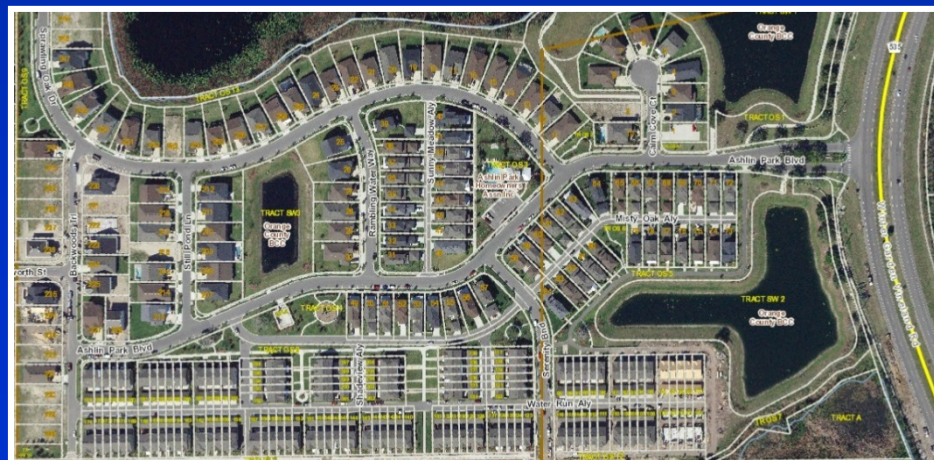
- Min. lot size of 5,000 SF
- Min lot width of 50'
- Public road access





Preliminary Subdivision Plan (PSP)

- OC Code Sec. 34-5 defines a PSP as a plan with supporting data for a proposed subdivision developed for the purpose of **establishing the general layout and provision of streets, lots, blocks, drainage and utilities**
- Board approves new PSPs and Substantial Changes





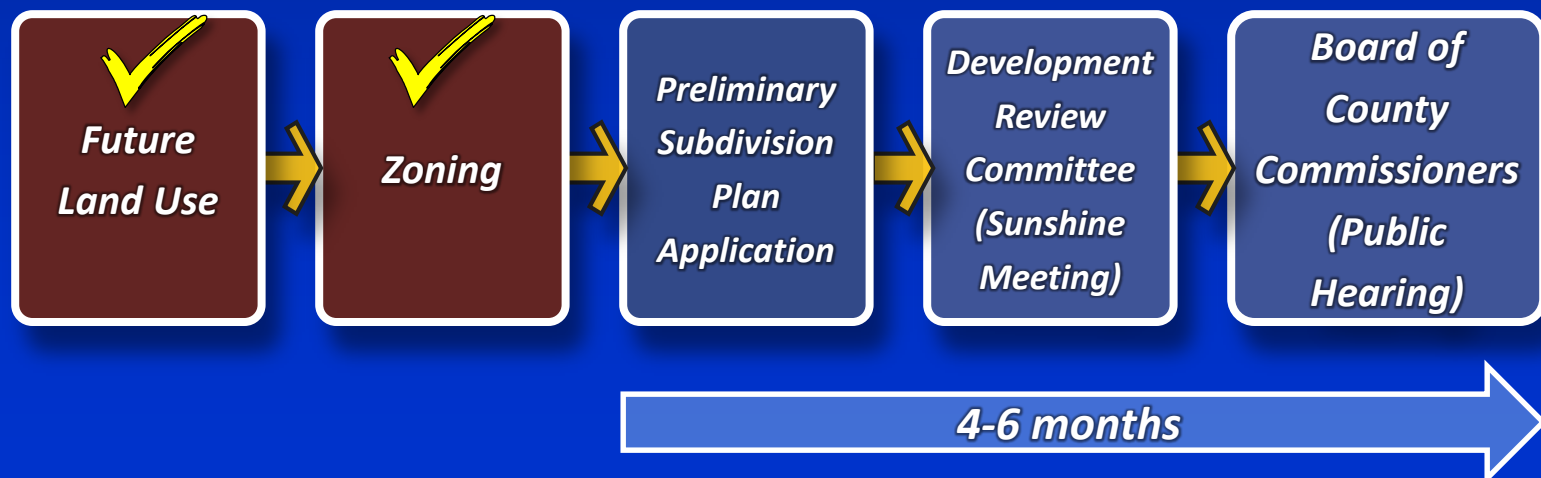
Preliminary Subdivision Plan (PSP)

■ DRC Review

– Development Engineering is lead division

– Other reviewers include:

- Planning
- Zoning
- EPD
- Parks
- Traffic Engineering
- Transportation Planning
- Public Works Engineering
- Utilities
- Fire Department
- OCPS
- Health Department





Example Residential PSP

Savona PSP Substantial Change

Approved on

8/19/14

87 SF detached lots

PSP depicts:

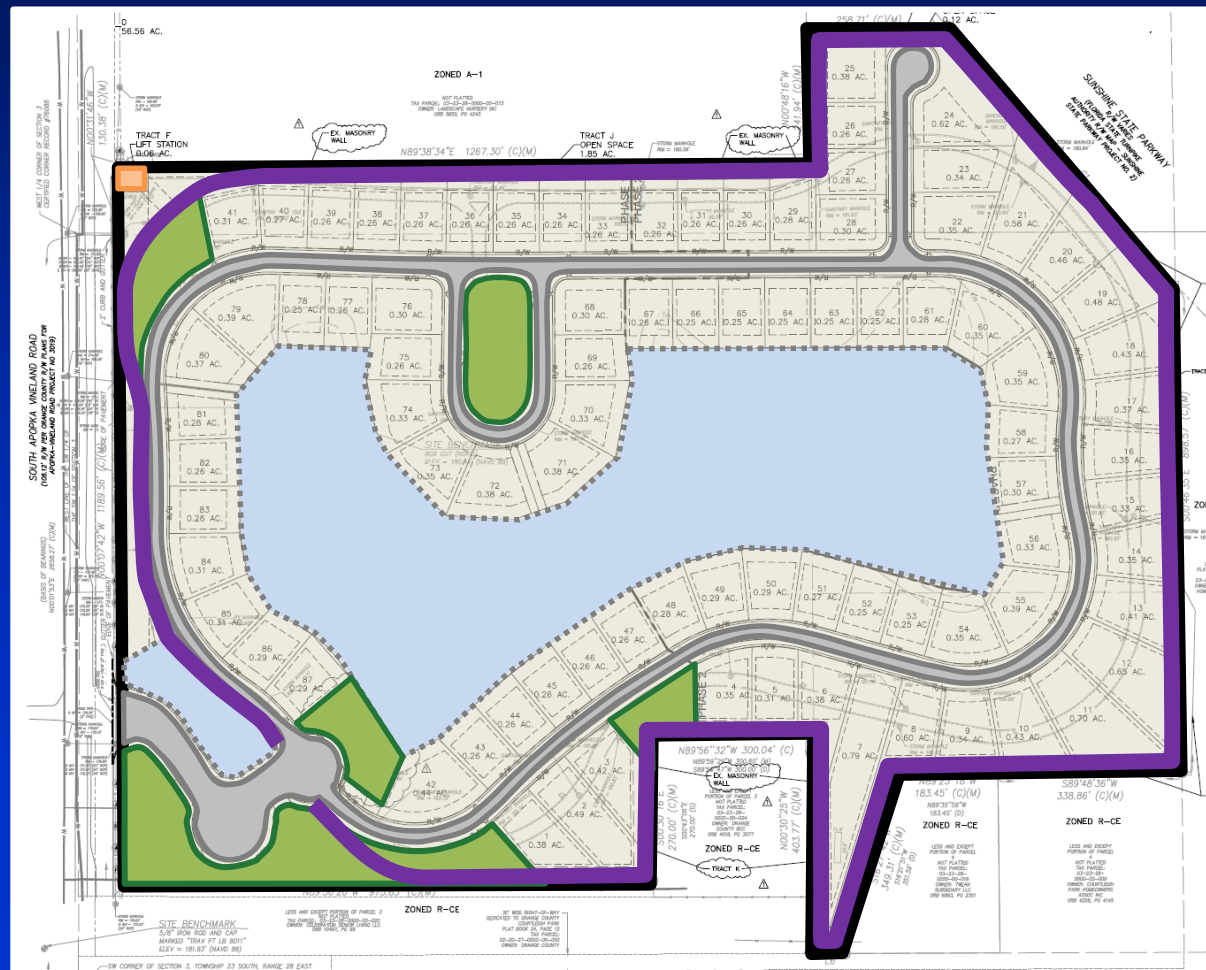
Lots

Infrastructure

- Roads
- Lift Station
- Stormwater Pond

Park Area / Open Space

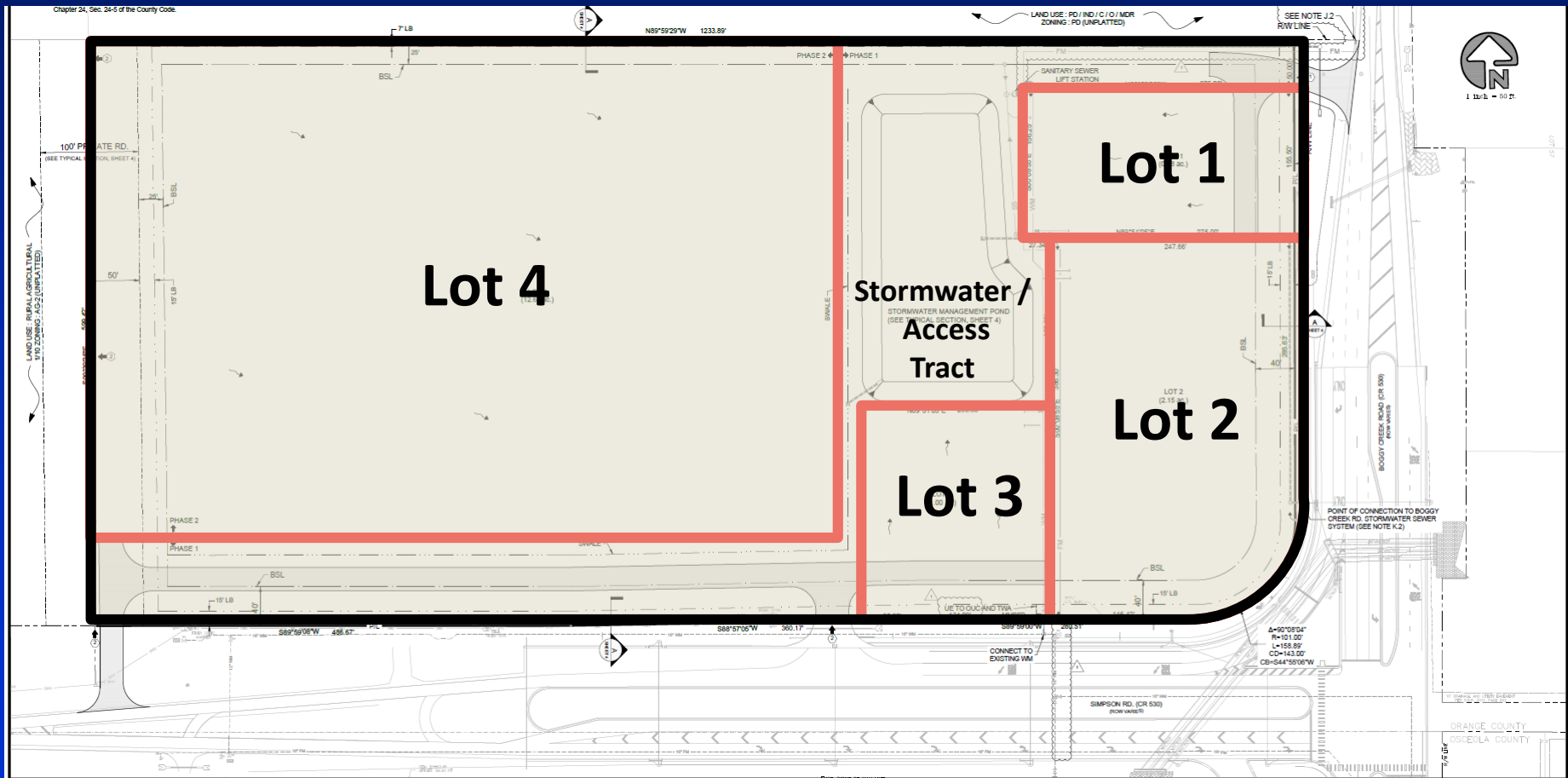
Wall Tracts





Example Commercial PSP

Boggy Creek Crossings PSP Approved on 3/15/16





Development Plans (DPs)

- Required for all non-residential properties within Planned Developments (PDs)
- Shows project details:
 - Site layout
 - Stormwater
 - Parking
 - Landscaping
 - Lighting
 - Building elevations
- DRC is typically final approval (exceptions include student housing and Four Corners CVC)
- DPs can be appealed to BCC



Example Commercial DP

Wawa at Boggy
Creek Crossings DP
Approved 10/10/16

Site access

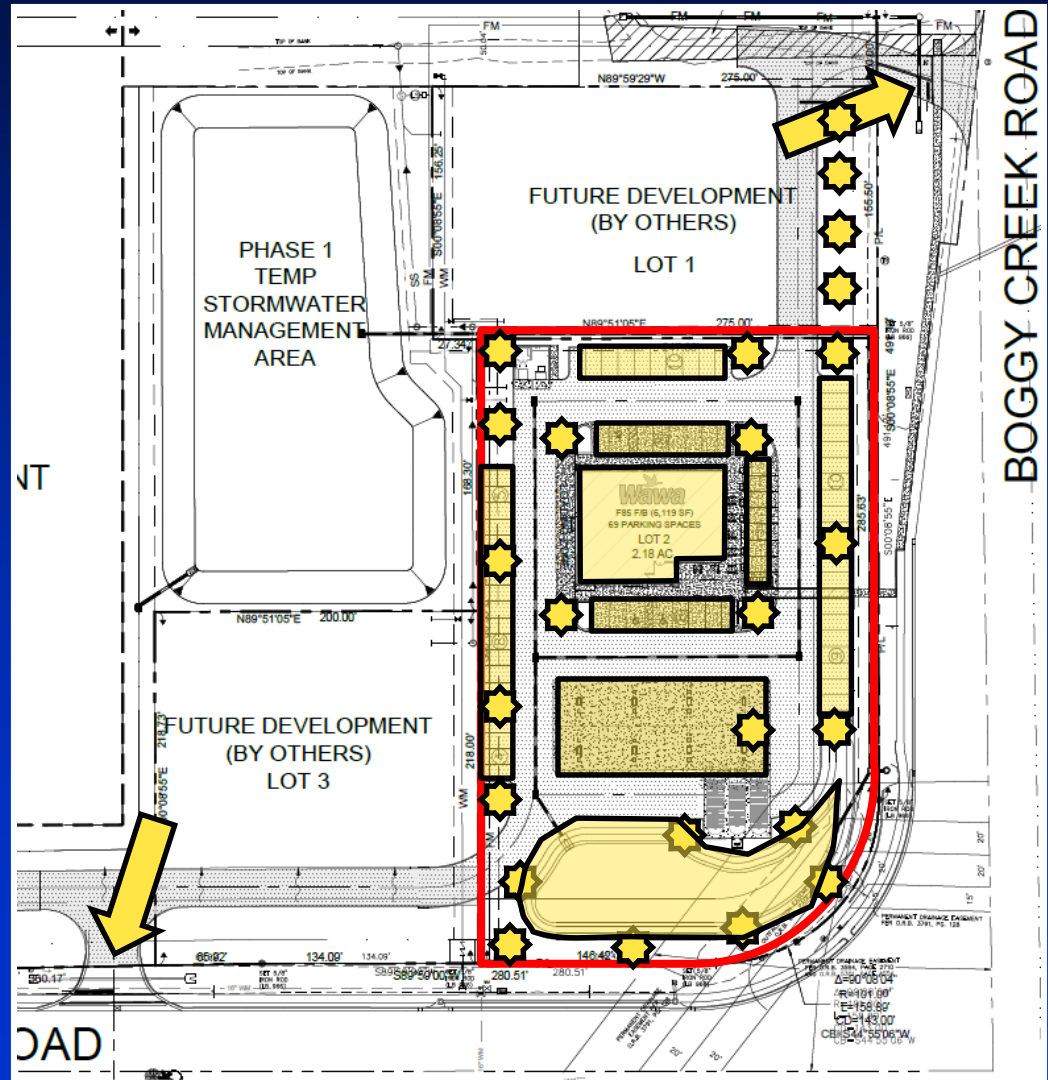
Stormwater

Building location

Parking

Geometries

Landscaping





Concurrent Actions

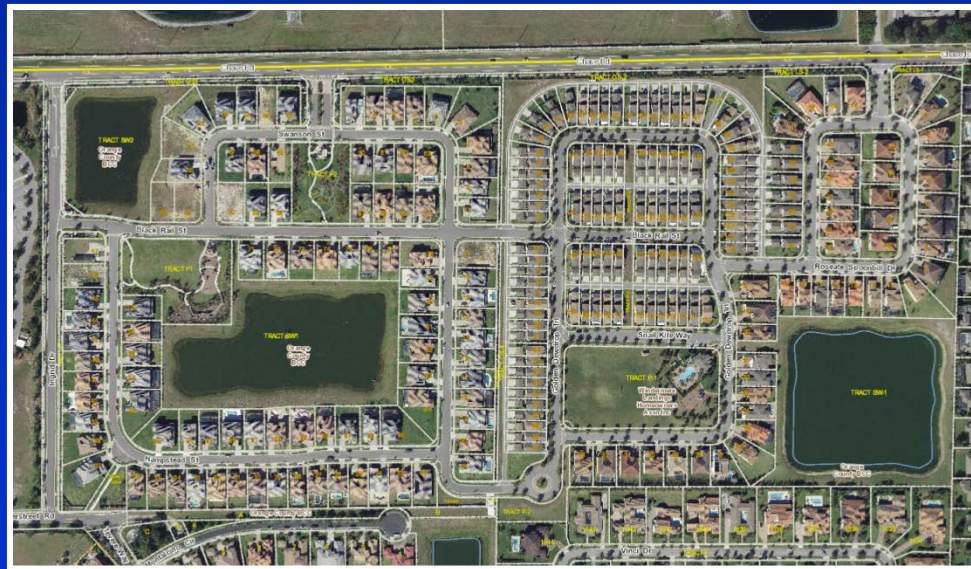
- Land Development Code requires certain concurrent approvals
 - Planned Development (PD)
 - Capacity Enhancement Agreement (CEA)
 - Road Agreement
 - Adequate Public Facilities (APF) Agreement
 - Preliminary Subdivision Plan (PSP)
 - Petition to Vacate (PTV)
 - Conservation Area Impact (CAI) Permit

2 This instrument prepared by
and after recording return to:
4 Mohammed N. Abdullah, PE
Traffic & Mobility Consultants, LLC
6 3101 Magnolia Blvd, Ste 205
Orlando, FL 32803
8
10 Parcel ID Number(s):
36-23-27-5452-01-002 (partial)
12
14 [SPACE ABOVE THIS LINE FOR RECORDING DATA]
16
18 **PROPORTIONATE SHARE AGREEMENT FOR
SWEETWATER CAR WASH**
Reams Road Improvements: From Center Drive to Taborfield Avenue
20
22 This Proportionate Share Agreement (the "Agreement") effective as of the latest date of
execution (the "Effective Date") is made and entered into by and between Lakeside II Partners,
LLC, a Florida limited liability company ("Owner"), whose mailing address is 7586 W Sand Lake
24 Road, Orlando, Florida, 32819, and ORANGE COUNTY, a charter county and political
subdivision of the State of Florida ("County"), whose mailing address is P.O. Box 1393, Orlando,
26 Florida, 32802-1393.
28 WHEREAS, Owner is the owner of fee simple title to certain real property, as more
particularly described on Exhibit "A," attached hereto and incorporated herein by this reference
(the "Property"); and
30 WHEREAS, the Property is located in County Commission District 1, within the County's
Urban Service Area, and the proceeds of the PS Payment, as defined herein, will be allocated to
32 Reams Road Improvements; and
34 WHEREAS, Owner intends to develop the Property as 6,800 square foot car wash (the
"Project"); and
36 WHEREAS, Owner received a letter from County dated February 20, 2017 stating that
Owner's Capacity Encumbrance Letter ("CEL") application #17-01-0002 for the Project was
denied; and
38 WHEREAS, the Project will generate seven (7) deficient PM Peak Hour trips (the "Excess
Trips") for the deficient roadway segment on Reams Road from Center Drive to Taborfield



Presentation Outline

- Background
- Processes and Standards
- **Conditions of Approval**
- Public Participation
- Summary





Conditions of Approval

- Conditions of approval are generally categorized as:
 - Standard conditions
 - Specific conditions
 - Waivers
 - Compatibility conditions

DRC Staff Report
Orange County Planning Division
BCC Hearing Date: March 21, 2017
CASE # CDR-16-07-238
Commission District # 6

1. REQUEST

This public hearing is to consider a recommendation from the Development Review Committee's (DRC) meeting of January 25, 2017, to approve a substantial change to the South Park PD / Sand Lake Corners Preliminary Subdivision Plan to add a 2,200 square foot coffee shop with drive through on 1.02 acres.

2. PROJECT ANALYSIS

A. Location:	South of Sand Lake Road / East of South John Young Parkway
B. Parcel ID:	33-23-29-7457-04-001
C. Total Acres:	53.34 (entire PSP) / 1.02 (affected area)
D. Water Supply:	Orlando Utilities Commission
E. Sewer System:	Orange County Utilities
F. Schools:	N/A
G. School Population:	N/A
H. Parks:	N/A
I. Proposed Use:	2,200 Square Foot Coffee Shop with Drive-Through
J. Site Data:	Maximum Building Height: 19' Building Setbacks: 50' Front 10' Side 10' Rear
K. Fire Station:	52 - 4765 West Sand Lake Road
L. Transportation:	Unless the property is otherwise vested or exempt, the applicant must apply for and obtain a capacity encumbrance letter prior to construction plan submittal and must apply for and obtain a capacity reservation certificate prior to approval of the plat.

Nothing in the decision to approve this preliminary subdivision plan / development plan shall be construed as a guarantee that the applicant will be able to satisfy the requirements for obtaining a capacity encumbrance letter or a capacity reservation certificate.

1



Standard Conditions

- Consistency
- Representation
- State of Florida permit
- Disclosure
- Real Estate (Conveyances, MSBU)
- Engineering (Plat, Site work, Stormwater)
- Utilities (MUP)
- Concurrency (Schools, Transportation)
- Environmental (ESA, CAI permit, NPDES)



Specific Conditions

- CC&Rs or disclosure (landfill proximity)
- Signs (billboards/pole signs, master sign plan)
- Outside storage and display
- Gated communities
- Prohibition on short term rental



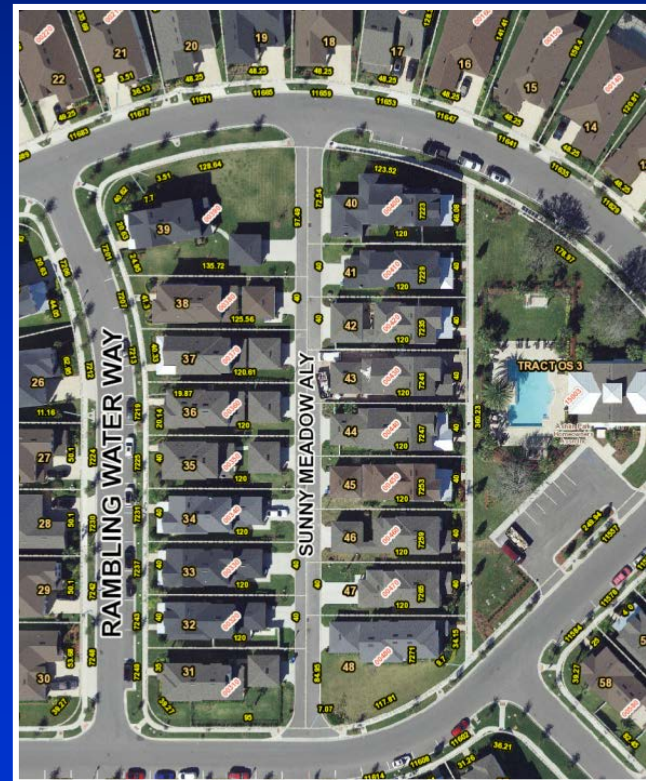


Waivers

- **Waivers are granted when standard technical code requirements don't fit the project**
- **Chapter 38 vs Chapter 30/34 waivers**
 - Only Horizon West allows Chpt 38 waivers on PSP (all others must show on PD)
 - Only Chapter 38 waivers are advertised
- **Limit waivers to specific parcels or areas**

Waivers

- Common PSP waivers:
 - Frontage on new vs road
 - Access via easement vs public ROW
 - Sidewalk in ROW vs easement
 - Alternative fence/wall type
 - Setbacks





Compatibility Conditions

- Most appropriate time for compatibility conditions is PD approval:
 - Use
 - Buffers / Setbacks
 - Height
- Examples at PSP include:
 - Walls / fences / screening
 - Access
 - Height
 - Minimum living area
- Conditions require a nexus





Standard of Review

- PSPs/DPs are Quasi-Judicial in nature
 - Technical review
 - Board discretion is limited

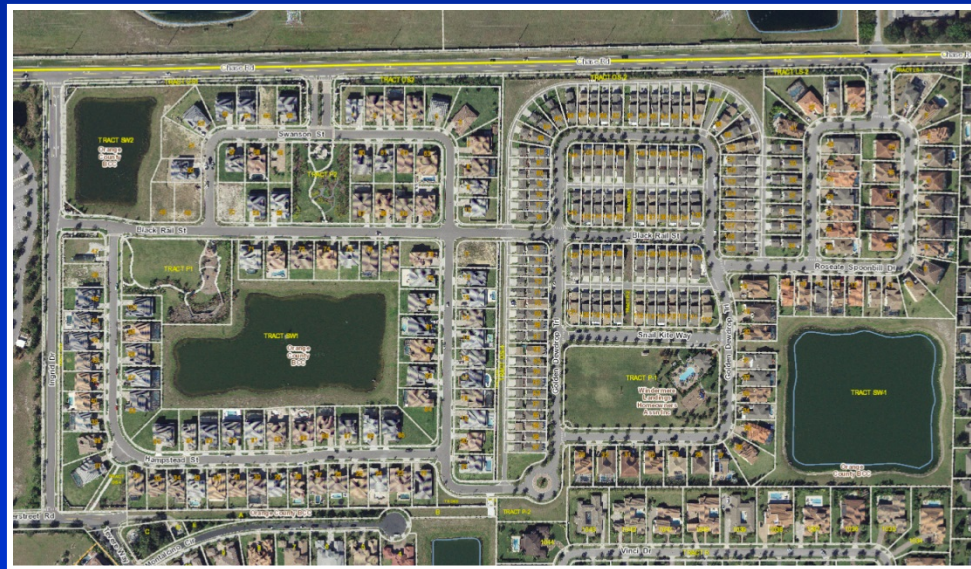
- Action Requested:

Make a finding of consistency with the Comprehensive Plan (CP) and approve the Boggy Creek Crossings PD I Boggy Creek Crossings Preliminary Subdivision Plan (PSP) dated "Received January 11, 2016", subject to the conditions listed under the DRC Recommendation in the Staff Report. District 4



Presentation Outline

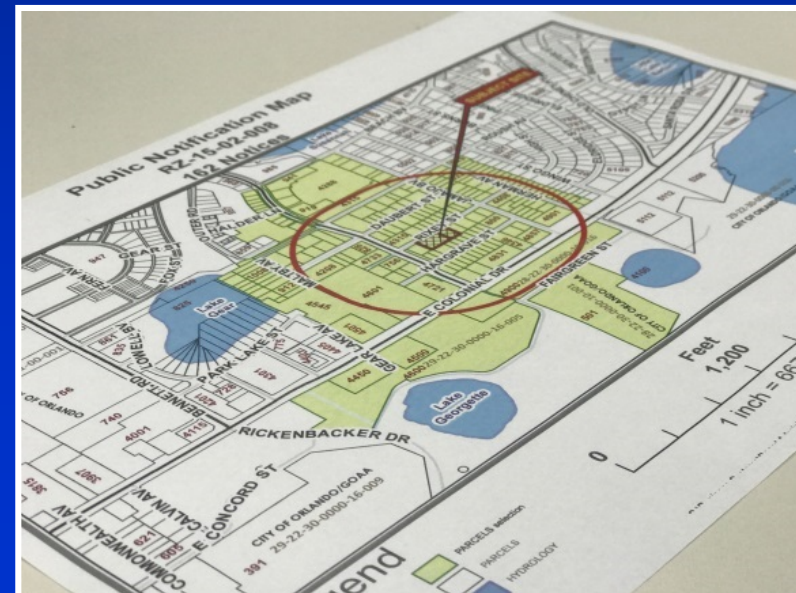
- Background
- Processes and Standards
- Conditions of Approval
- **Public Participation**
- Summary





Public Participation

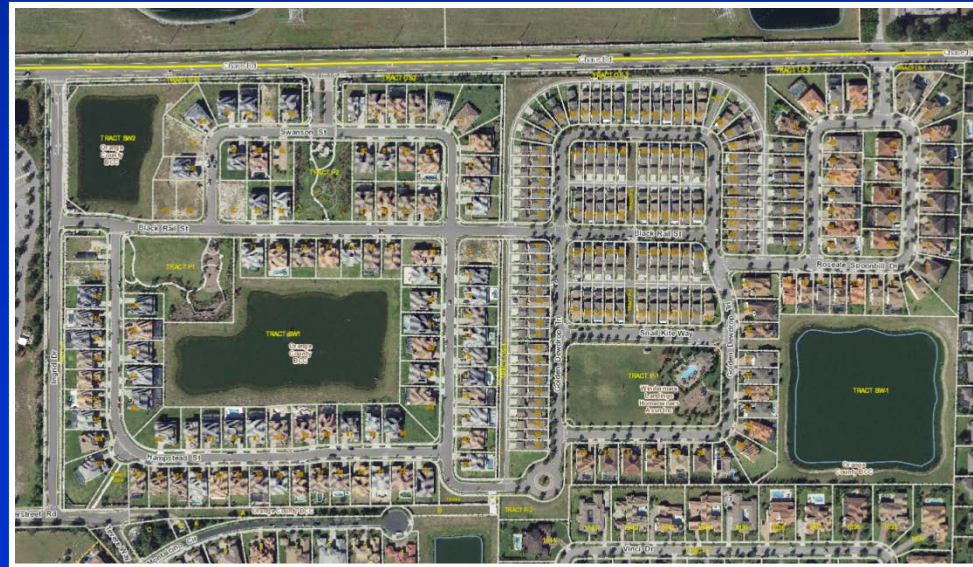
- **Generally no community meeting required**
 - Land use is already approved
 - Technical review
- **Public Outreach Methods**
 - On-Site Posters
 - County Calendar Postings
 - Newspaper Ads
 - Mailed notifications





Presentation Outline

- Background
- Processes and Standards
- Conditions of Approval
- Public Participation
- Summary





Summary

- **PSPs are required for the development of a subdivision**
- **Major projects go through a DRC review process**
- **Land use is already approved through zoning**
- **Most conditions of approval reflect site specific conditions**
- **Public notice is important part of hearing process**