

APPROVED  
BY ORANGE COUNTY BOARD  
OF COUNTY COMMISSIONERS

ORDINANCE NO. 2008-02

~~FEB 05 2008~~ *JUL/A*

EFFECTIVE DATE

~~FEB 14 2008~~

AN ORDINANCE AFFECTING THE USE OF LAND IN THE UNINCORPORATED AREA OF ORANGE COUNTY, FLORIDA; ESTABLISHING INTERIM TRANSIT ORIENTED DEVELOPMENT ("TOD") CRITERIA, STANDARDS, AND GUIDELINES APPLICABLE TO NEW DEVELOPMENTS PROPOSED TO BE SITUATED WITHIN ONE-HALF MILE OF ANY PLANNED COMMUTER RAIL STATION LOCATED IN UNINCORPORATED ORANGE COUNTY; PROVIDING AN EFFECTIVE DATE

WHEREAS, in July 2007 the Board of County Commissioners (BCC) entered into interlocal agreements to assist in facilitating the Central Florida Commuter Rail System (Commuter Rail System) in unincorporated Orange County; and

WHEREAS, unincorporated Orange County will have two commuter rail station locations on the Commuter Rail System; and

WHEREAS, the BCC recognizes that by implementing Transit Oriented Development (TOD) policies and standards in those land use projects located near these two stations Orange County can make significant progress in improving the quality of life; and

WHEREAS, the BCC wishes to ensure that the County Code is amended in such a way as to be supportive of TOD objectives within a ½ mile radius of the two stations located in unincorporated Orange County; and

WHEREAS, implementing TOD policies in the Orange County Code is consistent with the County's Comprehensive Plan, specifically Future Land Use Policy 3.6.9, supporting effective transportation management by supporting transportation-oriented development, and Future Land Use Policy 3.6.11, providing that the County shall encourage Transit Oriented Development to promote multi-modal travel (see also Transportation Element Policy 2.1.4).

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**

**COMMISSIONERS OF ORANGE COUNTY, FLORIDA:**

*Section 1. Creating Division 16 at Article VII, Chapter 38, of the Orange*

*County Code.* A new Division 16, Article VII, Chapter 38, Orange County Code, is

hereby created to read as follows with underlines showing additions:

**Article VII, Division 16, Chapter 38. TRANSIT ORIENTED**

**DEVELOPMENT (TOD) OVERLAY ZONE**

**Sec. 38-1085. Intent, purpose, area, standards, and consistency.**

(1) Intent and purpose. The transit oriented development (TOD) overlay zone is hereby established with the purpose of establishing an area located within ½ mile of commuter rail stations in unincorporated Orange County within which mixed-use, pedestrian friendly development is encouraged. The intent of the TOD overlay zone is to reduce reliance on the automobile and to promote lively, pedestrian friendly development that will serve as an attractive place to live, work, shop and recreate.

(2) Area. The TOD overlay zone is comprised of that area located within a half-mile radius of each commuter rail station within unincorporated Orange County. This area is generally identified on Maps A and B which are attached hereto and incorporated herein by reference.

(3) Standards. The following standards, described in more detail below, are encouraged to be applied to development within the TOD Overlay Zone:

(a) Development will achieve greater density and intensity in the TOD.

(i) Greater density and intensity than the community norm is encouraged in the TOD with density and intensity greatest at the core (transit station) and lessening towards the edge of the TOD when said development promotes a pedestrian-friendly environment and provides convenient access to the transit facility;

(ii) Surface lots are discouraged when developed in conjunction with the higher density/intensity areas referenced in paragraph (i), above; structured parking is

preferred.

(b) Promoting a Mix of Uses in the TOD.

(i) Active and pedestrian friendly uses on the first floor of development are encouraged;

(ii) Multiple compatible uses and/or a mix of uses designed to generate and facilitate pedestrian traffic is encouraged;

(iii) Auto-oriented uses, such as automobile service stations and drive through facilities, are discouraged.

(c) Promoting a Quality Pedestrian Environment in the TOD.

(i) The primary façade of each building, including entranceways, are ideally sited and oriented for accessibility to and from the street with buildings placed adjacent to the streets to the maximum extent possible;

(ii) Buildings should incorporate architectural features to convey a sense of place and development should provide varied and detailed building facades, which focus pedestrian attention on the environmental setting;

(iii) Amenities, including but not limited to architectural features, windows, and landscaping, are encouraged to create a pedestrian friendly environment;

(iv) Site layout and building design should allow for direct pedestrian movement between transit, mixed uses and surrounding areas;

(v) Sidewalks are preferred along street frontage to provide connectivity and should be wide enough to accommodate the volume and type of pedestrian traffic expected in the area;

(vi) Street patterns should be developed to simplify access for all modes of

transportation and should be designed to serve vehicular traffic as well as pedestrians, bicyclists and transit customers;

(vii) Design of the project should focus on the creation of a pleasant environment for the pedestrian so that pedestrian routes, such as sidewalks, are buffered from streets and parking facilities by locating buildings close to the sidewalks, by lining trees along the street, and by buffering the sidewalk with landscaping;

(viii) Pedestrian scale lighting for pedestrian routes, such as sidewalks, is encouraged;

(ix) Secure and convenient bicycle parking spaces are encouraged;

(x) Side or rear parking for all development is encouraged unless implementation would prohibit a pedestrian, transit friendly environment;

(xi) Development design measures should be implemented to allow transit to be convenient to community centers, to provide for direct transit routes, to locate stops on streets, to allow for convenient extensions of existing transit routes, and to design routes to be functionally adequate for transit vehicle use.

(4) All development shall be consistent with the underlying land use on the property and/or any development order issued pursuant to chapter 380, F.S., with station objectives, and with the elements stated in the County's Comprehensive Plan and this Code.

(5) For those properties located within the TOD Overlay Zone and the South Orange Avenue Corridor Overlay District, as described in Division 12 of this Chapter, the provisions of both overlay districts shall apply.

**Sec. 38-1086. Definitions.**

For purposes of this Division, the following definitions shall have the following meaning:

“Active” use shall mean retail, restaurants, and personal services that promote pedestrian activity, interaction, and convenience and that are developed in close proximity with high transparency and multiple entrances to enliven the block and the streetscape.

“Commuter Rail Station” shall mean the Sand Lake Road Station or the Meadow Woods Station, as described in the Central Florida Commuter Rail Environmental Assessment and Preliminary Engineering documents, the Transit Oriented Development Workshop Sketchbook and as is more specifically identified in Maps A and B attached hereto.

“Development” shall have the meaning given in section 380.04, F.S.

“Development permit” shall have the meaning given in section 163.3164, F.S.

“Drive through facility” shall refer to those uses described at section 9-559 of this Code.

“Primary Facade” shall refer to that façade described at section 9-554 of this Code.

**Sec. 38-1087. Approval procedure.**

Preapplication conference. Notwithstanding any other preapplication conference requirements stated in this Code, prior to an applicant seeking development approval within the TOD, the applicant shall engage in a preapplication Conference. Four (4) copies of a TOD concept plan shall be submitted to the County Planning Manager at least

ten (10) working days prior to a preapplication conference which shall be scheduled by the applicant with the planning manager, zoning manager and county engineer or their designees. The purpose of this meeting will be to acquaint the staff with the proposed project and to provide the prospective applicant with preliminary review comments to identify major concerns or the need for additional support data. Within five (5) working days following the meeting, the Planning Manager shall send a letter to the prospective applicant/consultants summarizing the major points of the meeting.

*Appeal.* The concept plan shall not be binding and the applicant shall have the right to review the concept plan with the Director of Growth Management. The decision of the Director of Growth Management may be appealed to the Development Review Committee (DRC).

*Exception.* Any development permit, except special exceptions and rezoning requests, that are directly associated with existing single family development within the TOD shall be exempt from the preapplication conference requirement.

**Section 38-1088. Transit Oriented Development (TOD) Concept plan requirements.**

The TOD concept plan shall consist of a generalized sketch which is drawn to scale (the proportion and locations of land uses may be generalized), and which shows or addresses (with supporting information) the following items and matters:

- (1) Boundary of the subject property, identified by a heavy line.
- (2) Major natural features such as lakes, streams and conservation areas.
- (3) Existing or proposed streets abutting the project and other major streets and intersections within five hundred (500) feet of access points to the subject property.
- (4) Generalized location map and legal description, including acreage.

(5) Proposed land use types and their locations (land use or building bubbles are acceptable).

(6) Gross densities.

(7) Approximate minimum lot size.

(8) Approximate number of units.

(9) Approximate floor area for commercial or industrial.

(10) Adjacent zoning.

(11) Anticipated internal major road network.

(12) Anticipated maximum building height.

(13) Anticipated phasing plan.

(14) Anticipated elements that will achieve the TOD Standards set forth in section 38-1085 of this Code.

*Section 2. Effective date.* This ordinance shall become effective pursuant to general law.

ADOPTED THIS 5<sup>th</sup> DAY OF FEBRUARY, 2007.



**ORANGE COUNTY, FLORIDA**

By: Board of County Commissioners

By: Richard T. Crotty

Richard T. Crotty  
County Mayor

ATTEST: Martha O. Haynie, County Comptroller  
As Clerk of the Board of County Commissioners


By: Martha O. Haynie  
Deputy Clerk

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# Orange County, Florida

## Transit Oriented Development (TOD) Overlay Zone "Exhibit A"

### Legend

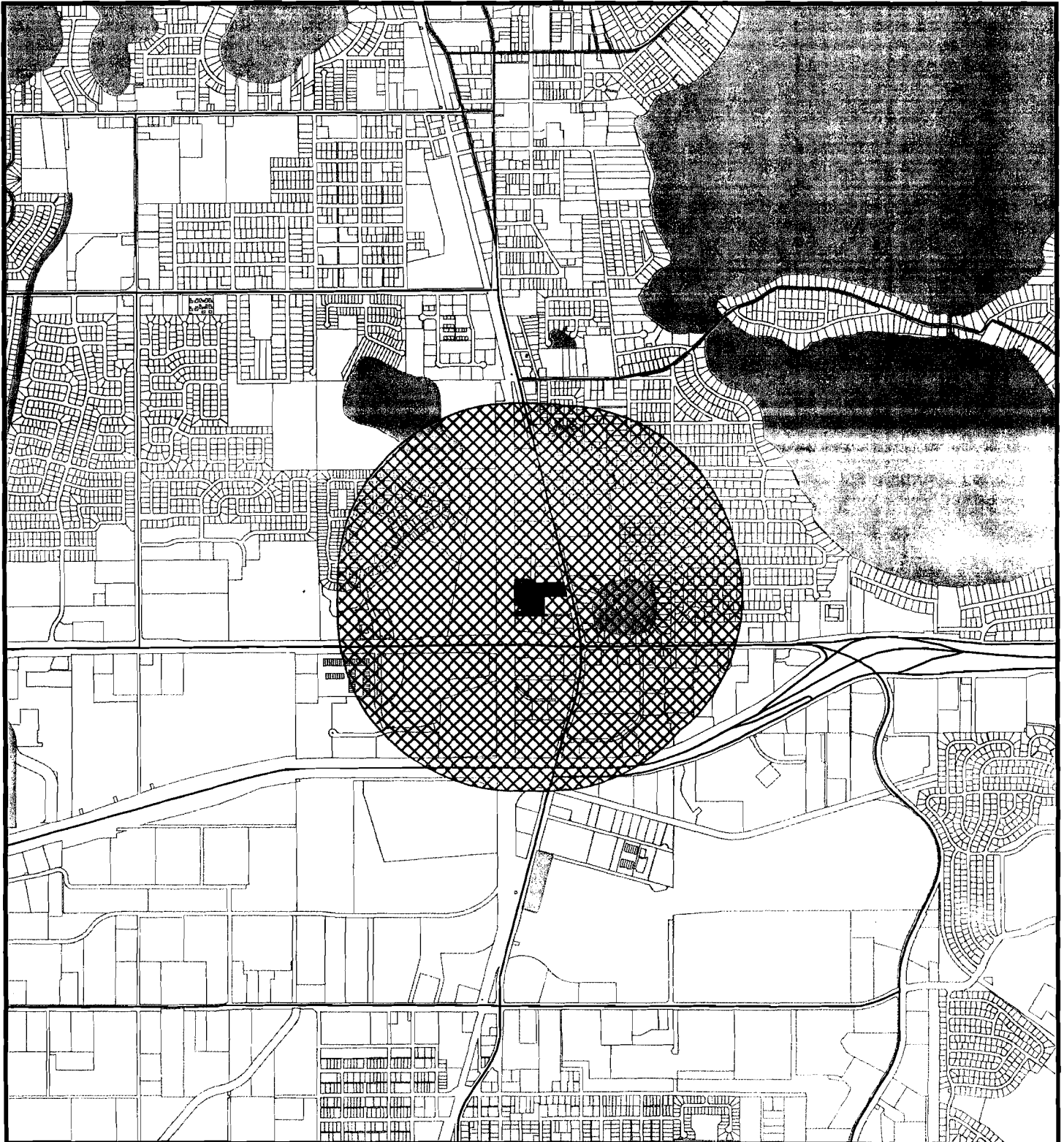
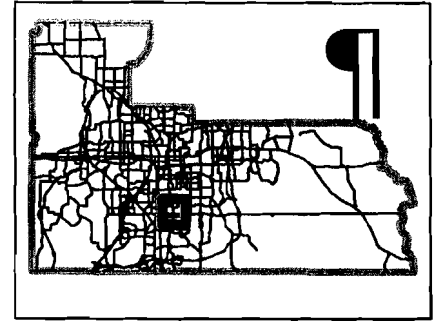
 Buffer of SandLake Station

 Major Streets

 Hydrology

Boundary Description:

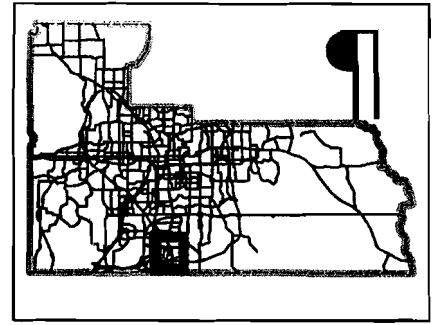
1/2 Mile Radius of Sandlake Station







# Orange County, Florida


## Transit Oriented Development (TOD) Overlay Zone "Exhibit B"



### Legend

 Buffer of Meadow Woods Station

 Major Streets

 Meadow\_Woods\_Station

Boundary Description:

1/2 Mile Radius of Meadow Woods Station

