DIVISION 16. - 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 one-half (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 to Ord. No. 2008-02 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.

1. 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;

2. Surface lots are discouraged when developed in conjunction with the higher density/intensity areas referenced in paragraph 1., above; structured parking is preferred.

(b) Promoting a mix of uses in the TOD.

1. Active and pedestrian-friendly uses on the first floor of development are encouraged;

2. Multiple compatible uses and/or a mix of uses designed to generate and facilitate pedestrian traffic is encouraged;

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

(c) Promoting a quality pedestrian environment in the TOD.

1. The primary facade of each building, including entranceways, are ideally sited and
part ii - orange county code
chapter 38 - zoning
article vii - commercial districts
division 16. - transit oriented development (tod) overlay zone

oriented for accessibility to and from the street with buildings placed adjacent to the streets to the maximum extent possible;

2. 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;

3. amenities, including but not limited to architectural features, windows, and landscaping, are encouraged to create a pedestrian-friendly environment;

4. site layout and building design should allow for direct pedestrian movement between transit, mixed uses and surrounding areas;

5. 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;

6. 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;

7. 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;

8. pedestrian scale lighting for pedestrian routes, such as sidewalks, is encouraged;

9. secure and convenient bicycle parking spaces are encouraged;

10. side or rear parking for all development is encouraged unless implementation would prohibit a pedestrian, transit friendly environment;

11. 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 f.s. ch. 380, 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.

(Ord. No. 2008-02, § 1, 2-5-08)

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 to Ord. No. 2008-02.

Development shall have the meaning given in F.S. § 380.04.

Development permit shall have the meaning given in F.S. § 163.3164.

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

Primary facade shall refer to that facade described at section 9-554 of this Code.

(Ord. No. 2008-02, § 1, 2-5-08)

Sec. 38-1087. - Approval procedure.

(a) 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.

(b) 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).

(c) 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.

(Ord. No. 2008-02, § 1, 2-5-08)

Sec. 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

Orange County, Florida, Code of Ordinances
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.

(Ord. No. 2008-02, § 1, 2-5-08)

Sec. 38-1089. - Reserved.