



# Osceola County Board of County Commissioners

1 Courthouse Square, Suite 1100  
Kissimmee, FL 34741  
407-742-0200

07/18/2011

## Item Number

**Ord. 11-20**

## Type of Application Ordinance

### Applicant

Osceola County Community  
Development,  
Planning/Zoning Office

### Location

Countywide

### Project Planners

Kelly Haddock,  
Zoning Manager

### Requested Action

That the Planning Commission review the proposed ordinance and find it to be consistent with the intent of the Osceola County Land Development Code and desire of the citizens of the County and recommend approval to the Board of County Commissioners.

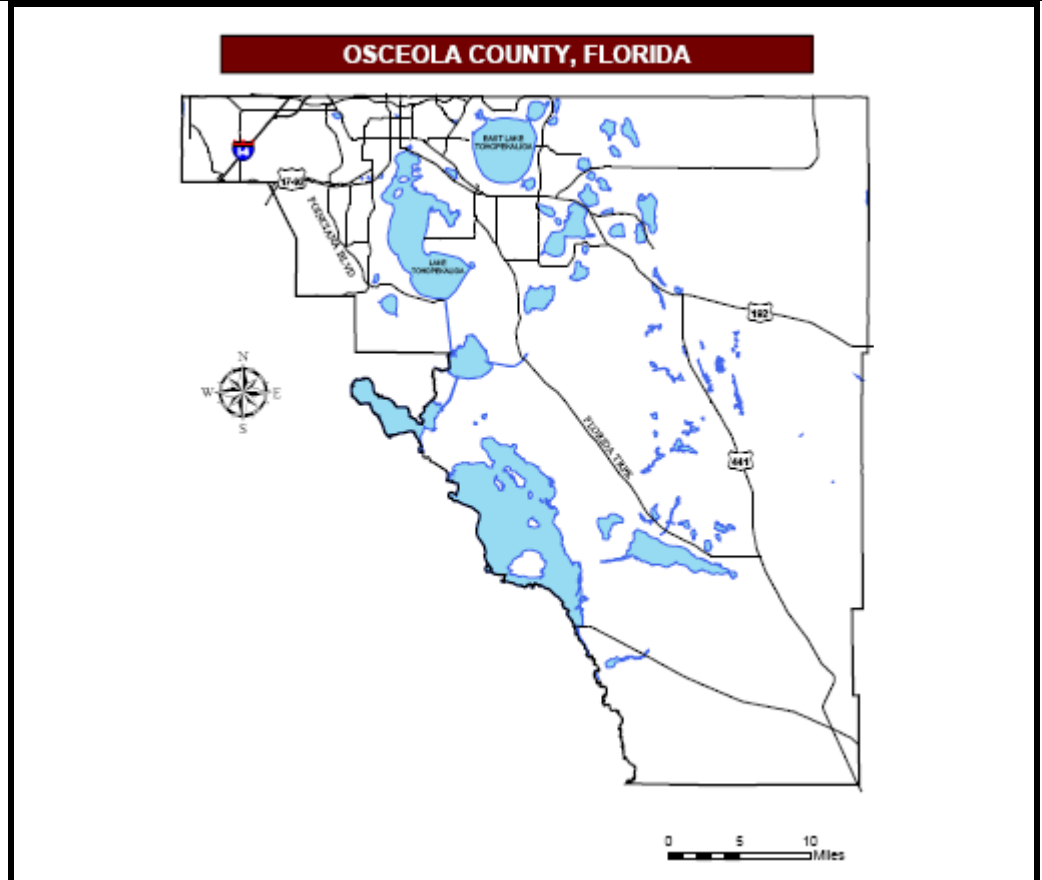
#### Attachments:

(A) Ordinance 11-20

(B) Land Development Code  
Chapter 14 Text

### Recommendation

Planning Commission  
07/07/2011  
recommended  
approval (8-0)



### Item Summary

The Osceola County Community Development Division, Planning and Zoning Office, is initiating an amendment to Permitted and Conditional Uses and introduction of a Zoning District Development Standards Matrix within the County Land Development Code (LDC) Chapter 14. The major aspects of this proposed amendment are:

- Increase code flexibility by moving 31 uses from Conditional to Permitted in various zoning designations
- Reformat current Zoning District Development Standards into a matrix format

## **Public Notice**

**Notice of public hearing has been published in the Orlando Sentinel prior to the public hearing. No oral or written comments have been received.**

## **Background**

In February of 2010, staff presented an overview of proposed development improvements to the Board of County Commissioners and requested direction on potential amendments to the Land Development Code. As a result, immediate and long range goals were discussed and established.

Recognizing that our struggling economy warrants examination of existing development review processes in order to provide a more efficient and expedited review, thirty-one use classifications within Zoning Chapter 14 of the Land Development Code were identified which could have an immediate and significant impact upon our community if they were moved from Conditional to Permitted.

The Conditional Use process currently takes approximately 90 to 120 days to complete and involves review from Technical Review Staff, the Planning Commission then the Board of County Commissioners and costs as much as \$3,365.00 in review fees.

## **Request**

Staff is proposing that the following Conditional Uses be moved to Permitted within the Land Development Code:

### **Agricultural Development and Conservation (AC)**

1. Parks, playgrounds, libraries and similar neighborhood activities not operated for profit.

### **Rural Development—One and Two Acre (R-1, R-1M, R-2 and R-2M)**

2. Parks, playgrounds.

### **Commercial Restricted Business (CR)**

3. Offices and studios for communication services such as radio and television broadcasting, filming or recording and publishing of newspapers or periodicals.
4. Offices and studios for business services such as data processing, employee training, advertising, bookkeeping and duplicating or reproducing of letters, forms, and drawings.
5. Shopping centers and office parks.
6. Shops and stores for retail goods such as furniture, appliances, clothing, food, medicine, hardware, books, gifts, carpets, draperies, stationery, office supplies, and sporting goods.

7. Shops and studios for general services such as hair cutting and styling, shoe repair, photography, picture framing and areas for pick-up & delivery of laundry or cleaning.
8. Eating establishments, such as restaurants, cafeterias, lounges, supper clubs and coffee shops.
9. Hospitals, medical clinics or laboratories and customary accessory uses.
10. Entertainment facilities such as auditoriums, bowling alleys, skating rinks, bars, game rooms and billiard halls, go-cart tracts and mini-golf facilities.
11. Membership organizations including fraternal organizations in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.
12. Food preparation facilities for minor products to be sold on the premises, such as bakery items, candies, confections, juices and beverages.
13. Funeral homes.

**Commercial General Business (CG)**

14. Funeral homes.
15. Establishments licensed for on premise consumption of alcoholic beverages.
16. Recreational activities, including but not limited to, paintball and lazer tag.
17. Flea markets, in accordance with Conditional Use and Site Standard (C.U.S.S.) of this Ordinance.

**Commercial Tourist Business (CT)**

18. Entertainment facilities for recreation such as bowling alleys, theater buildings, golf driving ranges, miniature golf and miniature driving or cart tracks.
19. Shops and stores for convenience goods such as gifts, souvenirs, clothing, flowers, books, artist supplies, crafts or hobbies.
20. Shops and stores for convenience services such as cutting and styling of hair, self-service facilities for washing, drying and cleaning clothes, or areas for pick-up and delivery of laundry and cleaning.
21. Tourist attractions including but not limited to, dinner facilities, special amusement rides, animal display facilities and museums.

**Residential Professional Business (RPB)**

22. Offices and studios for professional services such as customarily provided by doctors, dentists, architects, engineers and lawyers.
23. Offices, studios and residences within offices and studios for financial and professional services such as customarily provided by credit bureaus, insurance agencies, or brokers for real estate

and securities; offices and studios for business services such as data processing, employee training, advertising, bookkeeping, or duplicating and reproducing of letters, forms and drawings.

**Industrial Business (IB)**

- 24. Offices for business and professional services customarily provided by architects, engineers and lawyers, vocational schools, data processing, bookkeeping, secretarial services and employment services.
- 25. Sales facilities for retail goods.
- 26. Restaurants and tavern establishments.
- 27. Travel agencies and hair cutting salons.
- 28. Finance, insurance and real estate offices.
- 29. Multi-tenant strip buildings.

**Industrial Restricted Business (IR)**

- 30 Facilities for providing limited convenience services to clients and employees within the (IR) district, such as restaurants, cafeterias, lounges, supper clubs and coffee shops.

**Public Institution District (IN)**

- 31. Hospitals and other medical facilities.

Further, staff is proposing to adopt with this amendment the following Zoning District Development Standards Matrix, which will eliminate repetitive text throughout the Chapter.

TABLE 14-2  
ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX

Type District	Zoning Abbr.	Zoning District	Minimum Standards				Maximum Standards			Requires CU	
			Conditioned Floor Area	Lot Size	Lot Width	Blg High.	Setbacks (in feet) * Front Rear Sides	Building Coverage			
Residential Single Family	AC	Agricultural Development and Conservation	600 sq.ft.	5 acres	200 ft.	2 stories	25	25	25		
	R-2	Rural Development (two acres)	900 sq.ft.	2 acres	150 ft.	2 stories	25	25	20		
	R-2M	Rural Development (two acres- manufactured home)		2 acres	150 ft.						
	R-1	Rural Development (one acre)		1 acre	125 ft.						
	R-1M	Rural Development (one acre- manufactured home)	900 sq.ft.	1 acre	125 ft.	2 stories	25	25	20		
	E-5	Estate Development	1200 sq.ft.	5 acres	200 ft.	2 stories	25	25	20		
	E-2	Estate Development	1500 sq.ft.	2 acres	150 ft.						
	E-2A	Estate Development	1200 sq.ft.	2 acres	150 ft.						
	E-1	Estate Development	1500 sq. ft.	1 acre	125 ft.						
	E-1A	Estate Development	1200 sq.ft.	1 acre	125 ft.	2 stories	25	25	20		
	RS-1	Residential Single Family	1500 sq.ft.	15,000 sq.ft.	100 ft.	2 stories	25	25	15	50% of lot	
	RS-1A	Residential Single Family	1200 sq.ft.	15,000 sq.ft.	100 ft.				15		
	RS-1C	Residential Single Family	1100 sq.ft.	21,760 sq. ft.	100 ft.				15		
	RS-2	Residential Single Family	1100 sq.ft.	10,000 sq.ft.	85 ft.	2 stories	25	25	12	50% of lot	
	RS-3	Residential Single Family	1100 sq.ft.	7,500 sq.ft.	65 ft.	2 stories	25	25	7%	50% of lot	
Multi-Family	RMH	Residential Manufactured Housing (house)	900 sq.ft.	7,000 sq.ft.	65 ft.	2 stories	25	25	10	50% of lot	Yes
		Residential Manufactured Housing (duplex)		9,500 sq.ft.	95 ft.						Yes
		Residential Manufactured Housing (triplex)		12,500 sq.ft.	125 ft.						Yes
	RMH-1	Residential Manufactured Housing (townhouse)	900 sq.ft.	15,500 sq.ft.	155 ft.	2 stories	25	25	10	50% of lot	Yes
		Residential Manufactured Housing (house)	900 sq.ft.	21,760 sq.ft.	100 ft.	2 stories	25	25	10	50% of lot	Yes
	RMH-1A	Residential Manufactured Housing (house)	900 sq.ft.	10,000 sq.ft.	80 ft.	2 stories	25	25	10	50% of lot	Yes
		Residential Manufactured Housing (duplex)	900 sq.ft.	12,500 sq.ft.	80 ft.	2 stories	25	25	10	50% of lot	Yes
	RM-1	Residential Multi-Family One (house)	750 sq.ft.	7,000 sq.ft.	70 ft.	2 stories	25	25	10	50% of lot	Yes
		Residential Multi-Family One (duplex)	750 sq.ft.	9,500 sq.ft.	95 ft.						Yes
	RM-1	Residential Multi-Family One (triplex)	750 sq.ft.	12,500 sq.ft.	125 ft.						Yes
		Residential Multi-Family One (all other)	750 sq.ft.	20,000 sq.ft.	150 ft.	2 stories	25	25	10	50% of lot	Yes
	RM-2	Residential Multi-Family Two (house)	900 sq.ft.	7,000 sq.ft.	70 ft.	3 stories	25	25	10	50% of lot	Yes
		Residential Multi-Family Two (duplex)	750 sq.ft.	9,500 sq.ft.	95 ft.						Yes
		Residential Multi-Family Two (triplex)	750 sq.ft.	12,500 sq.ft.	125 ft.						Yes
		Residential Multi-Family Two (townhouse) *	750 sq.ft.	15,500 sq.ft.	155 ft.						Yes
RM-2	Residential Multi-Family Two (garden apt.) *	600 sq.ft.	20,000 sq.ft.	200 ft.	3 stories					Yes	
	Residential Multi-Family Two (all others) *	750 sq.ft.	20,000 sq.ft.	200 ft.	no limit					Yes	
RM-3	Residential Multi-Family Three (duplex)	750 sq.ft.	9,500 sq.ft.	95 ft.	no limit					Yes	
	Residential Multi-Family Three (triplex)	750 sq.ft.	12,500 sq.ft.	125 ft.						Yes	
	Residential Multi-Family Three (townhouse)	750 sq.ft.	15,500 sq.ft.	155 ft.						Yes	
	Residential Multi-Family Three (garden apt.)	600 sq.ft.	20,000 sq.ft.	200 ft.						Yes	
RM-3	Residential Multi-Family Three (apartments / hotel-motel)	750 sq.ft.	40,000 sq.ft.	200 ft.	no limit					Yes	

\* Setbacks: Setbacks are measured from existing property line.

TABLE 14-2  
ZONING DISTRICT DEVELOPMENT STANDARDS MATRIX

Type District	Zoning Abbr.	Zoning District	Conditioned Floor Area	Minimum Standards				Setbacks (in feet)			Maximum Buildable Area	Requires CU
				Lot Size	Lot Width	Blg Hgh.	Front	Rear	Sides			
Commercial	CR	Commercial Restricted		20,000 sq.ft.	150 ft.	4 stories**	35	25	15	50% of lot		
	CG	Commercial General		10,000 sq.ft.	100 ft.	4 stories	35	25	10	50% of lot		
	CT	Commercial Tourist		20,000 sq.ft.	150 ft.	no limit***	35	25	15	50% of lot		
	CT	Commercial Tourist (hotel-motel complex)	600 sq.ft.									
	CT	Commercial Tourist (time share units)	600 sq.ft.									
	CT	Commercial Tourist (multi-family)	****									
	CN	Commercial Neighborhood Center		20,000 sq.ft.	125 ft.	2 stories	35	25	15	50% of lot		
	RFB	Residential Professional Business (house)		1500 sq.ft.	7,000 sq.ft.	70 ft.	2 stories	25	25	10	50% of lot	
	RFB	Residential Professional Business (duplex)		750 sq.ft.	9,500 sq.ft.	95 ft.					Yes	
	RFB	Residential Professional Business (triplex)		750 sq.ft.	12,500 sq.ft.	125 ft.					Yes	
Industrial	IR	Industrial Restricted		20,000 sq.ft.	150 ft.	2 stories	35	25	15	50% of lot		
	IG	Industrial General		20,000 sq.ft.	150 ft.	2 stories	25	25	10	50% of lot		
	IN	Public Institution District		20,000 sq.ft.	150 ft.	6 stories	35	25	15	50% of lot		
Institutional		Public Institution District		There shall be no minimum lot standards applicable to public institution district. However, in authorizing development approval for public institution uses, all developments shall consider the nature of use and compatibility with surrounding development districts.								

\* Setbacks:

\*\* Commercial Restricted (CR) Building Height:

Setbacks are measured from existing property line. Hospitals may exceed 4 stories provided the height is comparable with adjacent development as determined by the Planning Official.

\*\*\* Commercial Tourist (CT) Building Height:

Buildings over four (4) stories shall provide three (3) additional feet to the setbacks for every building story over four (4) stories.

\*\*\*\* Commercial Neighborhood Center (CN) floor area:

Multi-Tenant Buildings shall not exceed 2,500 square feet per tenant occupancy. No other floor area requirements apply.

NOTES: 1. Corner lots or lots having double road frontage shall measure setbacks from both roads as front yards.

2. For properties abutting a collector or arterial roadway, refer to Osceola County Ordinance 84-2 as amended by Ordinance 89-25.

3. Lot front determination shall be where the principal vehicular access to the lot abuts the approved public or private right-of-way.

4. Lot width determination shall be measured at the mid-point of the side lot lines.

5. No structure or building shall be erected, nor shall any existing building be moved, reconditioned or structurally altered so as to exceed in height the limit, if any, established in this chapter or amendments thereto, for the district in which such building or structure is located.

### Location/Geographic Application

This amendment, if adopted as proposed, will be effective throughout Osceola County.

### Findings

Approval of the proposed change of 31 uses from Conditional to Permitted would save applicants a minimum of 90 days in development processing time and several thousand dollars in application filing fees.

### Conclusion & Recommendation

With the approval of this proposed amendment, an applicant would have the ability to by-pass the currently required public hearing process. By granting this amendment staff could reduce the processing time of an application by as much as four months. Using existing development

standards and criteria of the Land Development Code such as Landscape, Buffering, Parking, Setbacks, and Conditional Use Site Standards, among others, staff consistency as to the review and approval would be assured. Staff recommends approval of the request to amend Land Development Code Chapter 14 as submitted.

**Attachments**

Attachment A – Ordinance 11-20

Attachment B – Land Development Code Chapter 14 Text

**Staff Recommendation**

Approval, for the proposed ordinance and find it to be consistent with the intent of the Osceola County Land Development Code

**Planning Commission Recommendation**

**Approval (8-0)**