

# Development Review Committee (DRC) Procedures

## NEW PROJECT APPROVAL Section 38-1203

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### PD Land Use Plans (PD-LUPs)

- **Pre-application Conference.** The applicant will attend a pre-app meeting. All arrangements are made through the Planning Division by contacting 407-836-5600.
- **Fee Payment.** The applicant pays all associated fees to the Planning Division.
- **Sufficiency Review – Section 38-1205, Orange County Code (OCC).** The applicant shall submit to the DRC Coordinator a *New Project Meeting Application* (attached), copy of rezoning application, copy of paid receipt, and copy of the land use plan as well support data for sufficiency review. The land use plan must include properly identified exhibits and support materials consistent with County Code. If pertinent information is missing on the land use plan, the DRC Coordinator will contact the applicant for an additional submittal. Once the land use plan is deemed sufficient, the project will be placed on the next available DRC meeting agenda.
- **DRC Staff Review and DRC Comments Tracking System.** Draft meeting agendas and associated backup materials are distributed to staff approximately 3 weeks prior to the upcoming DRC meeting. Staff enters comments and conditions of approval by the predetermined deadline date. A staff report is generated and distributed with the final meeting agenda on Friday preceding the meeting.
- **DRC Meeting and Project Review.** The applicant, owner and developer meet with the DRC to review the discussion/revised plan comments as well as conditions of approval. At that time, the applicant is free to ask questions pertaining to requirements and approvals. Often times, there are outstanding issues, which require further study as well as Roadway Agreements. Other times, the DRC will require a community meeting (also called neighborhood meeting) prior to taking final action to approve a rezoning request.
- **Revised Plan.** Following the DRC meeting, the applicant submits a 2nd revised plan to the DRC office. The DRC Coordinator distributes to staff all revisions for a 10-business day review. Plan Reviewers send to the DRC Coordinator by the deadline date an approval or denial of the revised plan. A denied plan will require an additional revision until such time all issues have been resolved. Once the revised plan is approved, the request may move forward to the Planning and Zoning Commission (P&ZC).
- **Planning and Zoning Commission (P&ZC).** Once all issues have been resolved, including any Roadway Agreements to accompany the rezoning request, the request may move forward to the P&ZC. There are strict deadlines for scheduling a rezoning request; the DRC office works closely with Planning staff to determine those rezoning requests prepared to move forward. (P&ZC revised plan schedule attached.) Planning Division staff completes a staff report. The P&ZC will make a recommendation to the BCC.
- **Board of County Commissioners (BCC).** Once the request has been heard by the P&ZC, a public hearing will be scheduled with the BCC.

### Preliminary Subdivision Plans (PSPs)

- **Sufficiency Review – Section 34-131, OCC.** The applicant shall submit to the DRC Coordinator a *New Project Meeting Application* and one copy of the preliminary subdivision plan, as well support data for sufficiency review and fee payments as indicated on the meeting agenda. The preliminary

subdivision plan must include properly identified exhibits and support materials consistent with County Code. If pertinent information is missing on the land use plan, the DRC Coordinator will contact the applicant for an additional submittal. Once the preliminary subdivision plan is deemed sufficient, the project will be placed on the next available DRC meeting agenda.

- **DRC Staff Review and DRC Comments Tracking System.** Draft meeting agendas and associated backup materials are distributed to staff approximately 3 weeks prior to the upcoming DRC meeting. Staff enters comments and conditions of approval by the predetermined deadline date. A staff report is generated and distributed with the final meeting agenda on Friday preceding the meeting.
- **DRC Meeting and Project Review.** The applicant, owner and developer meet with the DRC to review the discussion/revised plan comments as well as conditions of approval. At that time, the applicant is free to ask questions pertaining to requirements and approvals. Often times, there are outstanding issues, which require further study as well as Roadway Agreements. Other times, the DRC will require a community meeting (also called neighborhood meeting) prior to taking final action to approve a rezoning request.
- **Revised Plan.** Following the DRC meeting, the applicant submits a 2<sup>nd</sup> revised plan to the DRC office. The DRC Coordinator distributes to staff all revisions for a 10-business day review. Plan reviewers send to the DRC Coordinator by the deadline date an approval or denial of the revised plan. A denied plan will require additional revision until such time all issues have been resolved. Once the revised plan is approved, the request may move forward to the BCC.
- **Final Approval – Board of County Commissioners.** Once all issues have been resolved, including any Roadway Agreements to accompany the subdivision request, the request may move forward to the BCC. The DRC Coordinator prepares the public hearing staff report for review by the DRC prior to requesting a public hearing. The request is forwarded to the Clerk's office. Per Sec. 34-73(a), OCC, PSP approval by the Board of County Commissioners shall automatically expire if subdivision construction plans are not submitted within one year of PSP approval and approved within two years of PSP approval, except that the DRC may grant successive one-year extensions if the developer makes written request to the DRC Chairman prior to the expiration date.

#### Development Plans (DPs)

- **Sufficiency Review-Section 38-1205, OCC.** The applicant shall submit to the DRC Coordinator a *New Project Meeting Application* and one copy of the development plan, as well support data for sufficiency review and fee payments. The development plan must include properly identified exhibits and support materials consistent with County Code. If pertinent information is missing on the land use plan, the DRC Coordinator will contact the applicant for an additional submittal. Once the development plan is deemed sufficient, the project will be placed on the next available DRC meeting agenda.
- **DRC Staff Review and DRC Comments Tracking System.** Draft meeting agendas and associated backup materials are distributed to staff approximately 3 weeks prior to the upcoming DRC meeting. Staff enters comments and conditions of approval by the predetermined deadline date. A staff report is generated and distributed with the final meeting agenda on Friday preceding the meeting.
- **DRC Meeting and Project Review.** The applicant, owner and developer meet with the DRC to review the discussion/revised plan comments as well as conditions of approval. At that time, the applicant is free to ask questions pertaining to requirements and approvals.

- **Revised Plan.** Following the DRC meeting, the applicant submits a 2<sup>nd</sup> revised plan to the DRC office. The DRC Coordinator distributes to staff all revisions for a 10-business day review. Plan reviewers send to the DRC Coordinator by the deadline date an approval or denial of the revised plan. A denied plan will require additional revision until such time all issues have been resolved.
- **Final Approval – DRC Consent Agenda.** Once all issues have been resolved, the development plan will be scheduled on the DRC Consent Agenda for final approval. A 15-day appeal period begins on the date of the final approval. Per Sec. 34-73(b), OCC, Development Plan approvals by the DRC shall automatically expire if subdivision construction plans are not submitted and approved within two years of DP approval by the DRC, except that the DRC may grant successive one-year extensions if the developer makes written request to the DRC Chairman prior to the expiration date.

## **CHANGE DETERMINATION REQUESTS**

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The DRC manages, reviews and evaluates change determinations to previously approved PD Land Use Plans, PSPs and DPs. All change determinations shall be classified as either substantial or non-substantial. Prior to being placed on an upcoming meeting agenda, the following requirements must be satisfied. There are no exceptions made to this policy.

- **Sponsor.** All applicants must contact a DRC representative prior to submitting a change determination application. The sponsoring division will forward an email to the DRC Coordinator with an understanding, not necessarily an agreement, of the requested change. Sponsor has nothing to do with sponsoring payment.
- **Fees.** All fees will be paid upon submittal of the meeting application to the DRC Office and are made payable to the BCC .
- **Previous BCC Conditions of Approval.** All change determinations to PD Land Use Plans and PSPs require submittal of all previous BCC Conditions of Approval.

### **PD Land Use Plans (Section 38-1207, OCC)**

- The following changes are a few examples of those change determination requests considered by the DRC:
  - Land use not previously permitted under the approved PD zoning
  - Land use change adjacent to a property boundary except when is a reduction in the density or a reduction of intensity of approved residential development, unless the reduction locates the residential use adjacent to an incompatible use
  - Waivers from Zoning code
  - A change that would amend a previous BCC Condition of Approval
  - A change to access points
  - A change that would result in an increase in the maximum building height
  - Transfer entitlements between parcels
  - Add new uses
  - Other land use changes as noted under 38-1207
- **Revised Plan.** Following the DRC meeting, staff will either review the plan submitted as backup with the application, or will require submittal of a new revision. Plan reviewers send to the DRC Coordinator by the deadline date an approval or denial of the revised plan. A denied plan will require an additional revision until such time all issues have been resolved.

- **Final Approval – Board of County Commissioners.** Once all issues have been resolved, the request may move forward to the BCC. The Zoning Division Manager prepares the request. Planning staff prepares the public hearing staff report for review by the DRC prior to requesting a public hearing. The request is forwarded to the Clerk's office.

#### **Preliminary Subdivision Plans (Section 34-74, OCC)**

- The following changes are a few examples of those change determination requests considered by the DRC:
  - A change that would require a waivers from the Subdivision Regulations
  - A change that would amend a previous BCC Condition of Approval
  - A change from public to private roadways
  - A change that would result in an increase in the lot count
  - Preliminary Subdivision reactivation
  - A change that would result in sub-phasing
  - A change that would alter parking provision
- **Revised Plan.** Following the DRC meeting, staff will either review the plan submitted as backup with the application, or will require submittal of a new revision. Plan Reviewers send to the DRC Coordinator by the deadline date an approval or denial of the revised plan. A denied plan will require an additional revision until such time all issues have been resolved.
- **Final Approval – Board of County Commissioners.** Once all issues have been resolved, the request may move forward to the BCC. The DRC Coordinator prepares the public hearing request and staff report for review by the DRC prior to requesting a public hearing. The request is forwarded to the Clerk's office.

#### **DRC COMMENTS TRACKING, HOMEPAGE and REFERENCE TOOLS**

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The DRC uses a web-based application to track DRC comments. Staff has the ability to search for plans as well as to enter comments and conditions of approval to be included within the DRC staff report. For additional information or training, please contact the DRC Coordinator at 407-836-7759.

The DRC homepage is another link to vital project information. You may view staff reports, approved meeting minutes, project maps and proposed plans, meeting application requests as well as other pertinent review information online.

The DRC Coordinator maintains a Comprehensive Project Index for easy access to approved minutes. This reference tool will save critical time when meeting with applicants as well as handling inquiries from County staff. This index is posted on the DRC the Friday following each DRC meeting.

Another essential reference tool is known as the Revised Plan Status Sheet. This data sheet, which reflects all revised plans processed for approval, is distributed via email to staff on Friday evenings. The information contained within is monitored closely and will present most recently approved plan dates.