

ARTICLE VI: SUBDIVISION PROCEDURES

SECTION 6.1 INTENT OF SUBDIVISION PLAN REVIEW

A. Intent. The intent of Subdivision Plan Review is to:

1. Set forth uniform procedures, well-defined application processes and information requirements that ensure that the subdivision of land within the City of Sanford is consistent with all applicable minimum development standard;
2. Ensure that the approval of such subdivisions will be based upon the provision and availability of adequate public facilities and services coincident with the impact of the subdivision's development; and
3. Ensure that the subdivision is compatible and coordinated with existing and anticipated development within the immediate area surrounding the site.

B. Subdivision Plan Process. Subdivision Plan Review usually includes three steps:

1. Preliminary Subdivision Plan Review;
2. Improvement Plan Review; and
3. Final Plat Approval.

When applicable, a fourth step, Master Plan Review, is also required. Each of the review processes are intended to define the relationship and differentiate between overall and specific subdivision design considerations, technical engineering and construction requirements and platting requirements.

In this regard, Preliminary Subdivision Plan Review and Master Plan Review shall generally be completed upon action or decision of the Planning and Zoning Commission.

Improvement Plan Review shall generally be completed upon action or decision of the Administrative Official.

Final Plat Approval shall result upon action by the City Commission.

SECTION 6.2 APPLICABILITY OF SUBDIVISION PLAN REVIEW

Compliance with the subdivision review procedures and requirements set forth in the Land Development Regulations shall be required prior to one or more of the following actions:

- A. The division of land into three (3) or more parcels;
- B. The dedication of streets or easements to the City of Sanford; or,

- C. The provision of access or utilities to a lot, tract or use by means of a right-of-way or easement established after July 27, 1992.

SECTION 6.3 EXEMPTIONS TO SUBDIVISION PLAN REVIEW

The following types of land divisions are excepted from Preliminary Subdivision Plan Review; provided, however, that any owner or the owner's authorized agent who desires to alter the dimensions, land area or boundaries of any lot, parcel or tract for the purpose of sale, lease or other transfer of interest shall first provide such plans and information to the Administrative Official as the Administrative Official deems necessary in order to assure compliance with all applicable requirements of the Land Development Regulations:

- A. Rearrange existing lots or tracts in an existing subdivision for the purpose of constructing one-family dwellings to be located on one (1) lot or tract per dwelling unit when all lots, tracts or parcels have frontage on existing streets.
- B. Lot or tract splits when the division of a parcel does not result in the creation of more than two lots or tracts, all lots or tracts have frontage on an existing public street right-of-way and only one such lot or tract split may occur for a parcel or parcels under common ownership or interest or the successors of such ownership or interest within a period of five years.
- C. Dedication of an easement for drainage or utilities or dedication of land for public road right-of-way as a condition of development plan approval provided that such dedication does not occur in conjunction with an accessway to a lot, tract or use.

SECTION 6.4 MINOR SUBDIVISION PLAN REVIEW

The minor subdivision plan review procedure is intended for small-scale development that does not involve construction of extensive infrastructure. The city desires to encourage logical parcelization of land while eliminating costly and time-consuming procedures for such small-scale development. Specifically, the Administrative Official shall have the authority to permit an applicant to undergo minor subdivision review procedures for division of land into a maximum of five (5) parcels or lots. Application procedures for minor subdivision plan review shall include, but not necessarily be limited to, compliance with Final Plat procedures and requirements set forth in this Article. The Administration Official shall have the authority to require any and all stipulations and conditions deemed necessary.

A pre-application conference with the Administrative Official is required to determine if the proposed parcelization concept complies with the intent and purpose of minor subdivision plan review procedures outlined above. The applicant shall present a current survey and legal description of the property and a general concept of the proposed subdivision including a layout and additional information as may be necessary to explain the proposal. The Administrative Official has the authority to determine whether the proposed subdivision is consistent with the intent and purpose of minor subdivision plan review.

SECTION 6.5 PRELIMINARY SUBDIVISION PLAN REVIEW PROCEDURES

The applicant shall initiate Preliminary Subdivision Plan Review Procedures set forth in this section prior to the initiation of Improvement Plan Review Procedures for the parcel in question. The procedure for review of a Preliminary Subdivision Plan shall be as follows:

- A. Minor Subdivision Plan Review.** Minor subdivision review procedures may be utilized for the division of land into five (5) or less parcels. Application procedures for minor subdivisions shall comply with the Final Plat procedures included in this Article, and the City may also require stipulations and conditions when necessary.

A preapplication conference is required with the Administrative Official to the proposed minor subdivision applicant to provide early exchange of information which may include:

- regulations and procedures,
- community goals and policies that might affect the proposed subdivision,
- off-site considerations, and
- general reaction to the subdivision concept submitted.

The applicant shall provide the Administrative Official with relevant information the City may request.

- B. Application For Approval.** The applicant for approval of a Preliminary Subdivision Plan shall submit at least nine (9) copies of the subdivision plan folded to nine inches (9”) by twelve inches (12”), the supplementary materials required to accompany such plan and the fee established in a manner prescribed in Article X of the Land Development Regulations to the Administrative Official, such plan, supplementary materials and fee being collectively hereinafter called the "proposed Preliminary Subdivision Plan". The Preliminary Subdivision Plan and supplementary materials shall be in the form prescribed in Section 6.5. No application will be accepted unless it is complete. Acceptance does not mean approval. The Administrative Official will advise the applicant of whether the proposed Preliminary Subdivision Plan is accepted or not accepted. If the proposed Preliminary Subdivision Plan is not accepted, the Administrative Official shall inform the applicant in writing of one or more reasons for denial of acceptance of the preliminary subdivision plan. Failure by the Administrative Official to specify one or more reasons for denying the acceptance of a preliminary subdivision plan application does not preclude such reasons being specified in denying any reapplication for such plan. The Administrative Official may reject a preliminary subdivision plan application or reapplication by reason of lack of clarity or readability. Plans stating "Not For Construction," "For Review Only," or any such similar wording shall not be accepted.

Preliminary subdivision plans must be coordinated, as appropriate, with the City of Lake Mary, Seminole County, the Seminole County School Board, other special districts, the Sanford Historic Preservation District, the Sanford Airport Authority, the East Central Florida Regional Planning Council (ECFRPC), the St. Johns River Water Management District, as well as applicable State and Federal agencies prior to issuance of a development order or permit. The

City will coordinate with the ECFRPC in meeting regional policies contained in the *Comprehensive Regional Policies Plan*.

No final development order shall be granted for a proposed development until there is a finding that all public facilities and services have sufficient capacity at or above their adopted level-of-service (LOS) to accommodate the impacts of the development, including traffic impacts, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development, as defined in Schedule Q, Concurrency Management of these land development regulations.

C. **Recommendation By Development Review Team.** Upon acceptance of the proposed Preliminary Subdivision Plan, the Administrative Official shall distribute copies of the proposed Preliminary Subdivision Plan to the Development Review Team. The Development Review Team shall meet to consider the application. The applicant or his agent may be present at this meeting. Following the Development Review Team's meeting to consider the proposed Preliminary Subdivision Plan, the Administrative Official, as Chairman of the Development Review Team, shall either:

1. Request that additional information, revisions, modifications, clarification or other data applicable to the preliminary subdivision plan application be provided or accomplished by the applicant or his agent, and/or:
2. Prepare a written recommendation to approve, approve with conditions or deny the preliminary subdivision plan application and transmit such recommendation to the owner or his/her authorized agent, members of the Development Review Team and members of the Planning and Zoning Commission, and;
3. Fix a date for consideration of the proposed Preliminary Subdivision Plan by the Planning and Zoning Commission.
4. Transmit the proposed Preliminary Subdivision Plan to the Historic Preservation Board for appropriate action if required by Section 4.00 of Schedule S.
5. Transmit the proposed Preliminary Subdivision Plan to the Airport Zoning Commission for appropriate action if required by Section 9.00 of Schedule R.

D. **Action By Planning and Zoning Commission.** The Planning and Zoning Commission shall consider the proposed Preliminary Subdivision Plan at a public meeting and enter its action or decision in writing upon the proposed Preliminary Subdivision Plan. In order to approve, approve with conditions or deny the proposed Preliminary Subdivision Plan, the Planning and Zoning Commission must make specific findings respecting each of the matters specified in Paragraph E, below and may prescribe appropriate conditions and safeguards which shall become a part of the terms under which a site development permit is issued.

If the proposed preliminary subdivision plan is approved, the Chairman of the Planning and Zoning Commission shall indicate such approval by signing his or her name on at least one

copy of the Preliminary Subdivision Plan indicating the date of such approval and by signing a development order pursuant to Section 3.12 E. The approved and signed Development Order, Preliminary Subdivision Plan and required supplementary materials shall then be filed in the Office of the Administrative Official and shall constitute the Preliminary Subdivision Plan for the parcel in question.

If the proposed Preliminary Subdivision Plan is disapproved or approved subject to modification, the Administrative Official shall return one copy of the Preliminary Subdivision Plan and required supplementary materials to the applicant along with a copy of the Planning and Zoning Commission's action respecting the same.

E. Standards for Planning and Zoning Commission Action Upon Proposed Preliminary Subdivision Plans. Before any proposed preliminary subdivision plan may be approved or approved with conditions, the Planning and Zoning Commission shall prepare, or cause to be prepared, a development order with the following findings of fact:

1. That the proposed preliminary subdivision plan is consistent with all applicable goals, objectives, policies and standards in the City of Sanford's Comprehensive Plan.
2. That the proposed preliminary subdivision plan meets or exceeds all applicable minimum standards and requirements as set forth in the Land Development Regulations.
3. That the environmental impact of the proposed preliminary subdivision plan will be compatible with existing and anticipated land use in the immediate neighborhood and that such plan will not be injurious to the area involved or otherwise detrimental to the public interest, safety or welfare.
4. That adequate facilities and services necessary to serve development associated with the proposed subdivision will be available and in place at the time of impact of the development or phase thereof.
5. That the traffic circulation and related impacts are based on requirements contained in Schedule Q, Level of Service Requirements and Methodologies.

F. The development order shall also include the following:

1. The name of the property owner and the name of the proposed development;
2. The legal description of the property and, where appropriate, the street address;
3. A precise description of the development activity being approved;
4. Reference to the approved layout, plans or blueprints including the name of the preparer and the date of the plans;

5. Any special conditions of the development approval;
6. The expiration date of the development order.

- G. **Transmittal Of Preliminary Subdivision Plan To City Commission.** After the Planning and Zoning Commission has taken action to approve or approve with conditions a preliminary subdivision plan, the Administrative Official shall cause at least one (1) copy of such plan to be transmitted to the City Commission. The City Commission shall acknowledge receipt of the preliminary subdivision plan at a regular City Commission meeting. The City Commission is not required to take action upon the preliminary subdivision plan other than to acknowledge receipt of same provided however, the City Commission has the authority to review and comment upon the preliminary subdivision plan.
- H. **Time Limits and Extension of Time Limits Upon Preliminary Subdivision Plans.** Planning and Zoning Commission action to approve or approve with conditions upon proposed preliminary subdivision plans shall be valid for a period of six (6) months prior to the initiation of Final Plat Review Procedures.

SECTION 6.6 PRELIMINARY SUBDIVISION PLAN SUBMITTAL REQUIREMENTS

All preliminary subdivision plans and required supplementary materials shall cover the entire parcel proposed for development unless such preliminary subdivision plan and required supplementary material is based on a Master Plan approved and filed in the Office of the Administrative Official in accordance with Section 6.11. All preliminary subdivision plans shall contain at least the following data and information:

- A. **Preliminary Subdivision Plan Sheet Format.** Preliminary subdivision plans shall be drawn at a scale of one inch to 100 feet or larger. The maximum sheet size for preliminary subdivision plans shall not exceed 24 inches by 36 inches. Multiple sheets may be used provided each sheet is numbered and the total number of sheets is indicated on each sheet. All sheets shall be folded to nine (9) inches by twelve (12) inches. Cross referencing between sheets shall be required. Necessary notes and symbol legends shall be included. Abbreviations should be avoided but if used they shall be defined in the notes.
- B. **General Information.**
1. The identification "Preliminary Subdivision Plan" on each sheet.
 2. Legend to include:
 - a. Name of Development
 - b. Proposed Street Address
 - c. Acreage
 - d. Scale
 - e. North Arrow
 - f. Existing Zoning and Other Special Districts

- g. Preparation/Revision Date
 - h. Tax Parcel No. (Seminole County Property Appraiser)
3. Name, Address and Phone Number of:
 - a. Owner
 - b. Owner's Authorized Agent
 - c. Engineer
 - d. Surveyor
 - e. Others involved in application
 4. Vicinity Map. Show relationship of site to surrounding streets and public facilities at a scale of 1":2000' or larger.
 5. Legal Description.

C. Existing Conditions

1. Existing Streets. Both on and within 50 feet of site, including:
 - a. Name
 - b. Location
 - c. Right-of-Way Width
 - d. Driveway Approaches
 - e. Medians and Median Cuts
 - f. Curbcuts
2. Existing Easements. Indicate location, dimensions, purpose and maintenance responsibility.
3. Existing Utilities. Provider, location and size.
4. Existing On-Site Improvements and Uses
5. Adjacent Improvements, Uses, Parcels and Zoning. Identify buildings, structures and vehicular access points. Indicate lot or tract lines, subdivision name and zoning districts.
6. Topography. At one (1) foot contours and extending 25 feet beyond the property boundaries. All elevations shall be based on mean sea level datum and referenced to the United States Geodetic Survey or its equivalent.
7. Soil Type(s). As identified in the *Soil Survey, Seminole County, Florida*, U.S.D.A. Soil Conservation Service or other competent expert evaluation. When soil suitability limitations are indicated for the proposed development, the City Engineer may require a preliminary soil analysis by a qualified soils engineer.

8. Drainage. As identified on Map I-1, Water Resources of the Comprehensive Plan. Depict and if necessary explain existing surface drainage characteristics of site including relationship to adjacent land areas and subbasin.
9. Wetlands. As identified by Future Land Use Map of the Comprehensive Plan, the St. Johns River Water Management District Wetlands Mapping or other competent evaluation.
10. Wellfield Protection Zones. Indicate whether or not the parcel is located within a wellfield protection zone as identified by the Wellfield Protection Zone Maps on file in the Department of Engineering and Planning.
11. 100-year Floodplain. If applicable, indicate 100-year flood elevation, minimum required habitable floor elevation and limits of 100-year floodplain for all land areas located within Zones "A" and "AE" for the parcel in question as identified on Map I-2, Water Resources of the Comprehensive Plan and the Flood Insurance Rate Map by the Federal Emergency Management Agency.
12. Surface Water. Approximate normal high water elevation or boundaries of existing surface water bodies, streams and canals, both on and within 50 feet of site.
13. Existing Vegetation. Identify existing vegetative communities including forest cover types as well as wetland types as identified by Map I-9, Vegetative Communities of the Comprehensive Plan, the St. Johns River Water Management District Wetlands Mapping or other competent evaluation.
14. Aquifer Recharge Areas. As identified on Map I-1, Water Resources of the Comprehensive Plan.

D. Proposed Development

1. Proposed Lot Layout to include:
 - a. Lot and Tract Sizes, Dimensions and Shapes
 - b. Proposed Use For Lots and Tracts
 - c. Consecutive Numbering of lots, blocks and tracts or other proper identification.
 - d. Number of Dwelling Units - By lot, by type of dwelling unit and total.
 - e. Density - By type of residential land area (one family, two family, mobile home or multiple family) and for total residential land area.
 - f. Net Density - Same as e., above, except exclude land area that is unsuitable for development.
 - g. Nonresidential Uses - Indicate maximum potential building coverage in square feet.

2. Required Yards, Setbacks, Buffers and Parcel Width at Building Line. For a 'typical' lot, as well as an irregularly-shaped or irregularly-located lot, indicate the following information:
 - a. Location and dimensions of all required yards, setbacks, buffers along parcel boundary lines and parcel width at building line along all proposed lot or tract lines.
 - b. Direction of drainage flow.
 - c. Typical location, in terms of setbacks from front, side and rear property lines, of mechanical equipment, accessory structures, screen porches, overhangs, decks and pools.
3. Proposed Circulation System. Include the following information:
 - a. The location and dimensions of:
 1. Streets, Right-of-Way Width and Street Name
 2. Sidewalks
 3. Traffic Control Devices
 4. Medians
 5. Curbing
 - b. An analysis of the traffic circulation and related impacts based on requirements in Schedule Q, Level of Service Requirements and Methodologies.
4. Natural Vegetation Protection. Identify existing trees or tree groupings, wetlands and other natural vegetation to be retained and explain or illustrate method to preserve such features both during and after construction. Identify such features to be removed and state and/or explain reasons and/or justification for removal.
5. Public and Semi-Public Lands and Facilities. Identify location and dimensions and explain maintenance responsibility and ownership of all lots, tracts, easements and improvements that are proposed to be in common or public ownership.
6. Potable Water Supply and Wastewater Disposal System. Indicate required capacity, available capacity, provider, general location and size of lines and connections.
7. Fire Protection. Indicate the location of proposed hydrants.
8. Reclaimed Water System. Unless the proposed subdivision is exempt from the City's reclaimed water system regulations, indicate the amount of reclaimed water to be utilized and method of application on the site including the location and size of lines and connections.

9. Proposed Topographic Elevations and Preliminary Drainage Plan. Indicate proposed topographic elevations at one (1) foot contours, direction of flow, proposed methods of stormwater retention, proposed drainage improvements, proposed outfalls, drainage easements and preliminary engineering calculations (mean sea level datum preferred).
10. Typical Construction Details. Illustrate by cross section or other appropriate method the typical construction type, dimensions, size and material specifications to be utilized for streets, water retention areas, berms, sidewalks, culverts, swales, walls and other required and proposed improvements.

E. **Exceptions.** Any applicant may request that required information described in Paragraphs C and D of this section be omitted from the proposed preliminary subdivision plan; provided however, that such request shall be subject to the following requirements:

1. The request shall be in written form and shall be submitted with the proposed preliminary subdivision plan.
2. The request shall identify the information, item or data that is proposed to be omitted from the proposed preliminary subdivision plan and shall fully explain the reasons that such information, item or data does not apply to such plan.
3. The Administrative Official has the authority to accept or reject such request pursuant to procedures set forth in Section 6.5(B).

SECTION 6.7 IMPROVEMENT PLAN REVIEW PROCEDURES

The applicant shall initiate Improvement Plan Review Procedures set forth in this section after approval of the Preliminary Subdivision Plan for the parcel in question and in conjunction with the initiation of Final Plat Review Procedures. The procedure for review of Improvement Plans shall be as follows:

A. **Application For Approval.** The applicant for approval of an Improvement Plan shall submit at least nine (9) copies of the improvement plan folded to nine (9) inches by twelve (12) inches, the supplementary materials required to accompany such plan and the fee established in a manner prescribed in Article VII to the Administrative Official, such plan, supplementary materials and fee being collectively hereinafter called the "proposed Improvement Plan". The Improvement Plan and supplementary materials shall be in the form prescribed in Section 6.8. No application shall be deemed accepted unless it is complete. Acceptance shall not mean approval. The Administrative Official shall advise the applicant of whether the proposed Improvement Plan is accepted or not accepted. If the proposed Improvement Plan is not accepted, the Administrative Official shall inform the applicant in writing of one or more reasons for denial of acceptance of such plan. Failure by the Administrative Official to specify one or more reasons for denying the acceptance of a proposed improvement plan shall not preclude such reasons being specified in denying any reapplication for such plan. Plans stating "Not For Construction," "For Review Only," or any such similar wording shall not be accepted.

- B. **Referral To Development Review Team.** Upon acceptance of the proposed Improvement Plan, the Administrative Official shall distribute copies of the proposed Improvement Plan to the Development Review Team. Upon review of the plan, the Development Review Team will provide the Administrative Official with its recommendation of approval, approval with conditions or modification or denial.
- C. **Referral To City Attorney.** The Administrative Official shall transmit a copy of any proposed legal instrument or agreement included in the proposed Improvement Plan to the City Attorney for review and recommendation.
- D. **Administrative Official's Action.** Upon receipt of the written and collective recommendation of the Development Review Team and any comments or recommendations of the City Attorney, the Administrative Official, in accordance with such recommendation shall enter a development order:
1. Approving such proposed Improvement Plan subject to such conditions, modifications and/or specific time limits prescribed by the Planning and Zoning Commission respecting the Preliminary Subdivision Plan for the parcel in question;
 2. Disapproving such proposed Improvement Plan, or;
 3. Approving such Improvement Plan subject to such modifications and conditions as the recommendation of the Development Review Team may have prescribed and subject to such conditions, modifications and specific time limits prescribed by the Planning and Zoning Commission respecting the Preliminary Subdivision Plan for the parcel in question.

If the proposed Improvement Plan is approved the Administrative Official shall indicate such approval by signing his name on at least one copy of the Improvement Plan indicating the date of such approval. The approved and signed Improvement Plan and required supplementary materials shall then be filed in the Office of the Administrative Official and shall constitute the Improvement Plan for the parcel in question.

If the proposed Improvement Plan is denied or approved subject to modification, the Administrative Official shall return one copy of the Improvement Plan and required supplementary materials to the applicant along with a copy of his Order respecting the same.

- E. **Reapplication.** If the Administrative Official enters his order denying a proposed Improvement Plan or approving the same subject to modification, the applicant may at any time within sixty (60) days following the date of such order file an amended Improvement Plan and supplementary material whereupon the same shall be received, reviewed and acted upon in the same manner as if it were an original application for approval of an Improvement Plan and no additional fee for such application shall be required.

SECTION 6.8 IMPROVEMENT PLAN REQUIREMENTS

All Improvement Plans and required supplementary material shall cover the entire parcel covered by a Preliminary Subdivision Plan for the parcel in question that has been approved in accordance with Section 6.5. All Improvement Plans shall contain at least the following data and information:

- A. **General Improvement Plan Requirements.** In general, Improvement Plans shall be suitable for contracting and construction purposes. The Improvement Plan shall show those subdivision improvements which are required; and which are assured by bond or improvement agreement; and which must be satisfactorily completed before the bond or escrow is released.
- B. **Improvement Plan Sheet Data, Size and Scale.** Improvement Plans shall be drawn at a scale of one inch to 50 feet or larger. Sheet size for Improvement Plans shall be 24 inches by 36 inches and folded to nine (9) inches by twelve (12) inches. Multiple sheets may be used provided each sheet is numbered and the total number of sheets is indicated on each sheet. Cross referencing between sheets shall be required. Necessary notes and symbol legends shall be included. Abbreviations should be avoided but if used they shall be defined in the notes.
1. The identification "Improvement Plan", the date, scale, revision date (if any), development name, and other such information shall be shown in a convenient grouping in the lower right hand corner of every sheet, preferably in a conventional title block.
 2. Each copy of an Improvement Plan required to be submitted to the Administrative Official shall bear the original signature of an engineer licensed as a professional engineer by the State of Florida and authorized by the applicant who shall also certify that the drawing was prepared at his instruction and that the information shown is correct.
- C. **Improvement Plan Required Information.**
1. Civil Engineering Construction Drawings. Provide civil engineering construction drawings of all infrastructure, utilities and subdivision improvements including all technical specifications, profiles and geometry. Such improvements shall include but not be limited to road construction, grading, drainage facilities, signs, sodding, street lights and other construction.
 2. Soil Tests. In tabular form, indicate results of test holes including soil types and water table information found at each location. At least one such test shall be provided every 500 feet of road construction and at the center of each proposed water retention or detention area.
 3. Final Drainage Plan. Include topographic elevations at one foot contours for the parcel in question and at least 25 feet beyond the parcel, final computations for stormwater retention and construction drawings of all related improvements (mean sea level datum preferred).

4. Fire Protection. Indicate hydrant location and type of internal fire protection systems to serve buildings.
5. Landscape Plan and Tree Protection. Identify material specifications, planting/removal/relocation instructions and irrigation system location and specifications.
6. Ownership and Maintenance. A detailed statement of method of assuring the perpetual ownership and maintenance of permanent open space, recreational facilities or other common purposes and/or improvements shall, when utilized, include draft copies of covenants, agreements, dedications, stipulations, common vehicular access agreements, property owner association articles and other applicable documents or legal instruments.

SECTION 6.9 FINAL PLAT REVIEW PROCEDURES

The applicant shall initiate Final Plat Review Procedures set forth in this section after approval of the Preliminary Subdivision Plan for the parcel in question and in conjunction with the initiation of Improvement Plan Review Procedures.

The procedure for review of Final Plats shall be as follows:

- A. **Application For Approval.** The applicant for approval of a Final Plat shall submit at least nine (9) copies of the final plat folded to nine (9) inches by twelve (12) inches, the supplementary materials required to accompany such plan and the fee established in a manner prescribed in Article X to the Administrative Official; such plan, supplementary materials and fee being collectively hereinafter called the "proposed Final Plat". The Final Plat and supplementary materials shall be in the form prescribed in Article VII. No application shall be deemed accepted unless it is complete. Acceptance shall not mean approval. The Administrative Official shall advise the applicant of whether the proposed Final Plat is accepted or not accepted. If the proposed Final Plat is not accepted, the Administrative Official shall inform the applicant in writing of one or more reasons for denial of acceptance of the final plat. Failure by the Administrative Official to specify one or more reasons for denying the acceptance of final plat shall not preclude such reasons being specified in denying any reapplication for such plat.
- B. **Referral To Development Review Team.** Upon acceptance of the proposed Final Plat, the Administrative Official shall distribute copies of the proposed Final Plat to the Development Review Team. The collective findings of the Development Review Team respecting the proposed Final Plat and their collective recommendation in writing respecting approval, denial, or necessary modification thereof shall be transmitted to the Administrative Official.
- C. **Administrative Official's Action.** Upon receipt of the written and collective recommendation of the Development Review Team, the Administrative Official, in accordance with such recommendation shall:

1. Request that additional information, revisions, modifications, clarification or other data applicable to the Final Plat be provided or accomplished by the applicant or his agent, and/or:
2. Prepare a written recommendation to approve, approve with conditions or deny the proposed Final Plat and transmit such recommendation to the owner or his/her authorized agent, members of the Development Review Team and members of the Planning and Zoning Commission, and;
3. Fix a date for consideration of the proposed Final Plat by the Planning and Zoning Commission.

D. **Meeting By Planning and Zoning Commission.** The Planning and Zoning Commission shall consider the proposed Final Plat at a public meeting and recommend approval or denial of the Final Plat to the City Commission of the City of Sanford, Florida. In order to recommend approval or denial of the proposed Final Plat, the Planning and Zoning Commission must make a specific finding that the proposed Final Plat is consistent with the Preliminary Subdivision Plan for the parcel in question.

E. **Action By The City Commission.** Following the meeting of the Planning and Zoning Commission, the Administrative Official shall submit the proposed Final Plat, with the recommendation of the Planning and Zoning Commission, to the City Commission for consideration. The City Commission shall consider and act upon the proposed Final Plat and the recommendation of the Planning and Zoning Commission and thereafter approve or deny the Final Plat. If the Planning and Zoning Commission has not recommended approval or denial of the proposed Final Plat within 60 days of its meeting to consider same, the City Commission may take action upon the Final Plat.

SECTION 6.10 FINAL PLAT REQUIREMENTS

All Final Plats and required supplementary material for major subdivision applications shall cover the entire parcel covered by a Preliminary Subdivision Plan for the parcel in question that has been approved in accordance with Section 6.5. The Final Plat shall conform to the Preliminary Subdivision Plan in all respects except that minor variations in dimensions and alignment resulting from the more exact final computations and plotting will be permitted. In addition to the provisions set forth herein, all final plats shall meet the requirements of Chapter 177, F.S., Land Boundaries.

All Final Plats for minor and major subdivision applications shall contain at least the following data and information. In addition to the final plat requirements, the City may require stipulations and conditions upon minor subdivision applications.

A. **Final Plat Sheet Format.** Final Plats shall be drawn at a scale of one inch to 100 feet or larger. The sheet size for final plats shall be 20 inches by 24 inches. A three inch margin shall be provided on the left side of each sheet for binding and a one inch margin shall be provided on all other sides of each sheet. Original sheets shall be of a durable reproducible mylar. Drafting shall be with black, permanent ink. North orientation shall be toward the top of each sheet.

Lettering shall read from the bottom of the sheet or the right side of the sheet. No letter or number shall be less than one-eighth of an inch in height and stroke for letters shall be bold enough so as to be clearly legible. In addition to the provisions set forth herein, all final plats shall comply with the requirements of Chapter 177, F.S., Land Boundaries.

B. Required Information and Data. The following items and information shall be shown on the final plat or submitted to the City as applicable:

1. Title Block. Include the name of subdivision, the appropriate section, township, and range, and the words, "City of Sanford, Florida".
2. Legal Description. Include bearings, distances and references to a section corner tie. Acreage shall also be indicated.
3. Vicinity Map. Showing the proposed subdivision in relation to surrounding streets.
4. Monuments. Permanent reference monuments, 30" long min. (P.R.M.) shall be located on all block corners if rectilinear, and at all P.C.'s and P.T's, if curvilinear, but in no case more that 1,000 feet apart. P.R.M.'s shall be installed prior to submission of the final plat and in a manner prescribed by law. Monuments shall be installed at all corners, points of intersection and changes of direction of lines within the subdivision which do not require a P.R.M. or a P.C.P.
5. Legend. Define all symbols, show stated and graphic scale and display north arrow.
6. Dimensions and Bearings. Provide sufficient data to determine readily, and to reproduce on the ground, the location, bearing, and length of each street right-of-way line, boundary line, lot, block or tract line, easements and building line, whether curved or straight, adequately correlated with monuments and markers. Delineate right-of-way lines, center lines, widths, and names of all streets and roads. Show radii, central angle, internal angles and lengths and points of curvature of arcs of all curved streets and curved lot, block and tract lines.
7. Numbering. Indicate lot, block and tract numbers and letters in conformity with Preliminary Subdivision Plan.
8. Setbacks and Buffers. Indicate required building setback lines for all lots and required buffers for all lots or tracts located along the subdivision boundary lines or fronting a Major Thoroughfare.
9. Flood Plains and Surface Water. Indicate the location and edge of water of lakes, canals, streams and other surface water bodies. Delineate 100-year flood plains by contour and elevation shall be based on mean sea level datum.
10. Dedications, Reservations and Easements. Indicate all dimensions, purpose, conditions and stipulations. Also include a notice on the face of the plat that there may be

additional restrictions that are not recorded on the plat that may be found in the public records of Seminole County. The Applicant shall coordinate with the utility companies (electric and telephone) and incorporate their easement requirements on the plat including locations and dimensions. The Applicant shall provide to the City written verification from utility companies that necessary easements are included on the plat.

11. Adjacent Subdivisions And Streets. Delineate name, lot location, plat book and page number of abutting subdivisions and streets.
12. Required Certificates. In accordance with State law and as set forth herein, the following certificates and signatories shall be shown on the first sheet of the final plat:
 - a. Certificate of the Surveyor who prepared the plat;
 - b. Approval of City Surveyor;
 - c. Approval of Mayor;
 - d. Dedication by Owners, including mortgagees;
 - e. Title Opinion pursuant to Section 177.041, F.S.
13. Conditions of Development Approval. If a development order, development agreement or ordinance has been executed in conjunction with this project, the conditions contained within that document shall be placed on the Final Plat prior to approval by the City Commission and shall be recorded with the plat.

SECTION 6.11 MASTER PLAN REVIEW

A Master Plan covering the entire parcel proposed to be subdivided shall be required prior to, or in conjunction with, a Preliminary Subdivision Plan which covers only a portion of the entire parcel proposed to be subdivided provided however, that the requirements of this section shall not apply to approved Planned Development Project Plans covering the entire parcel in question. The procedure for submission, review and approval of a proposed Master Plan shall be the same as required for a proposed Preliminary Subdivision Plan for the request and parcel in question. One copy of the Master Plan shall, when approved, be signed and dated by the Chairman of the Planning and Zoning Commission. The approved and signed Master Plan shall then be filed in the Office of the Administrative Official and shall constitute the basis for preparation and submittal of future Preliminary Subdivision Plans for the parcel in question. No site development permit and/or certificate of completion shall be issued on the basis of an approved Master Plan until a Final Plat for the specific land and/or water area in question has been approved by the City Commission and recorded by the County Clerk in conformity with the provisions of the Land Development Regulations.

SECTION 6.12 MASTER PLAN REQUIREMENTS

All Master Plans and supplementary material shall cover the entire parcel. All Master Plans shall contain at least that data and information prescribed in Section 4.5.

SECTION 6.13 SPECIAL MASTER PLAN CONDITION

When a Master Plan covers the entire parcel proposed for development, no Site Development Permit or Certificate of Completion shall be issued for a lot, tract, phase or other increment of development which covers only a portion of the entire parcel proposed for development when the effect of action would result in a violation of the Land Development Regulations.

SECTION 6.14 EFFECT OF FINAL PLAT AND IMPROVEMENT PLAN APPROVAL

Approval of both a proposed Final Plat and a proposed Improvement Plan for the parcel in question shall serve as the basis for the issuance of Site Development Permits and Certificates of Completion.

SECTION 6.15 GUARANTEE OF IMPROVEMENTS

Prior to the issuance of a Site Development Permit and prior to the recording of the Final Plat, the installation, completion and maintenance of all required improvements shall be guaranteed in a manner acceptable to the Administrative Official and in conformity with all applicable provisions of the Land Development Regulations.

SECTION 6.16 RECORDING OF FINAL PLAT

The Administrative Official shall certify that the Final Plat, the Improvement Plan and all required supplementary materials, documents, agreements, guarantees, bonds and instruments meet all requirements of the Land Development Regulations and shall transmit such certification to the City Clerk. Upon receipt of such certification of the Administrative Official, approval of the Final Plat by the City Commission and receipt of all required fees and documents from the owner, including proof that all taxes on the land have been paid, the City Clerk shall, within a period of thirty (30) days, cause the Final Plat to be recorded in the manner prescribed by law by the Clerk of the Circuit Court of Seminole County.

No plat of lands in the City of Sanford subject to the Land Development Regulations shall be recorded, whether as an independent instrument or by attachment to another instrument entitled to record, unless and until such plat has been approved by the City Commission in accordance with the provisions of the Land Development Regulations.

SECTION 6.17 VACATION OF PLATS

Subdivision plats or a portion thereof shall be vacated in the manner prescribed by law and shall be initiated in one of the following described manners:

- A. **By Owner.** The owner of any land subdivided into lots located in the City of Sanford, Florida may apply to the City in the manner prescribed by law to remove, vacate and abandon an existing plat or portion thereof from the official records of Seminole County. The applicant shall submit the Petition, Proof of Publication of Notice of Intent, Certificate of Title, Statement of Taxes and Resolution and a survey and legal description of the land area involved in the application as prepared and signed by a registered surveyor and shall pay the fee

established in the manner prescribed in Article VII. The Development Review Team shall review such proposed application for vacation, transmit any recommendation to the City Commission. The application shall be acted upon by the City Commission. The applicant shall be responsible for recording the vacation and the Proof of Publication with the Clerk of the Circuit Court of Seminole County.

- B. **By City Commission.** The City Commission may vacate and abandon all or part of a subdivision located in the City of Sanford. Such action may include the vacation of streets, lots, tracts or other parcels. Such action shall be based on findings by the City Commission that the proposed vacation and abandonment:
1. Is consistent with the Comprehensive Plan.
 2. Promotes the public health, safety, economy, comfort, order, convenience, and welfare.
 3. Does not result in a violation of the Land Development Regulations.
 4. Does not result in the owner of any parcel of land being deprived by the vacation and abandonment of the plat or portion thereof in question, of reasonable access to such parcel nor of reasonable access therefrom to existing facilities to which such parcel has theretofore had access; provided, however, that such access remaining or provided after such vacation need not be the same as that theretofore existing, but shall be reasonably equivalent thereto.

Before acting on a proposal for vacation and abandonment of subdivided land, the City Commission shall hold an advertised public hearing in the manner prescribed by law.

SECTION 6.18 REPLATS, RESUBDIVISION AND CORRECTIONS

- A. **Substantially Similar Plats.** If a platted area is proposed to be replatted and if the proposed plat is substantially similar in design, layout, and concept to the original plat, as determined by the Administrative Official, and, if all lots, tracts, streets and easements are in conformity with the Land Development Regulations, then only a final plat complying with the requirements of the Land Development Regulations is required. The original plat or portion of a plat of the parcel to be replatted must be vacated and abandoned in accordance with Section 6.17, in the manner prescribed by law and prior or coincidental to approval of a final plat by the City Commission.
- B. **Corrective Plats.** In the event an appreciable error or omission in the data shown on any plat duly recorded under the provisions of the Land Development Regulations and state law is detected by subsequent examination or revealed by a retracement of the lines during the original survey of the lands shown on such recorded plat, the land surveyor who was responsible for the survey and the preparation of the plat as recorded may file an affidavit confirming that such error or omission was made. However, the affidavit must state that he has made a resurvey of the subject property in the recorded subdivision within the last ten (10) days and that no evidence existed on the ground that would conflict with the corrections as stated in the

affidavit. The affidavit shall describe the nature and extent of such error or omission and the appropriate correction that, in his opinion, should be substituted for the erroneous data shown on such plat or added to the data on such plat. Said affidavit shall be filed and recorded in the manner prescribed by law.

SECTION 6.19 VACATION OF RIGHTS-OF-WAY AND EASEMENTS

In the manner prescribed by law, rights-of-way and easements may be vacated by the City Commission after an advertised public hearing is held on the matter. An applicant requesting such action shall submit to the City Clerk the following:

- a. Application;
- b. Recommendation letters from utility companies;
- c. Survey and/or legal description of the area to be vacated; and
- d. A fee established in the manner prescribed in Article X.

The City Clerk shall prescribe and approve forms for petitions to vacate rights-of-way and/or easements.

Upon receipt of the above, the City Clerk shall publish a notice of public hearing not less than fourteen (14) days prior to the public hearing, and shall notify property owners by certified, return receipt requested mail, as follows:

- a. Rights-of-way: All owners of property whose property lies within the block or blocks where the right-of-way is proposed to be vacated.
- b. Easement: The property owner(s) whose property abuts the portion of easement to be vacated.

In addition to the above, the City Clerk shall transmit to the applicant notice setting forth the time and place of the hearing and a description of the right-of-way or easement to be vacated. The applicant shall post same at each end of the right-of-way or easement to be vacated, not less than fourteen (14) days prior to the public hearing. Affidavit proof of the posting shall be submitted to the City Clerk not less than seven (7) days prior to the public hearing.

The City Commission will consider the petition based on the recommendations of the Development Review Team in regard to the possible effect of the proposal on the City in general, the immediate neighborhood, and individuals near the specific right-of-way or easement in question.

SECTION 6.20 GENERAL STIPULATIONS AND CONDITIONS

The following provisions shall apply:

- A. **Compliance with Land Development Regulations.** No subdivision shall be made, platted, or recorded, nor shall any site development permit or building permit be issued, unless such

subdivision meets all applicable requirements and provisions of the Land Development Regulations.

- B. **Transfer of Property Regulated.** No owner or agent of the owner of any parcel of land located in a proposed subdivision shall transfer or sell any such parcel before a final plat of such subdivision has been approved by the City Commission, in accordance with the provisions of the Land Development Regulations, and recorded with the Clerk of the Circuit Court.
- C. **Subdivision by Metes-and-Bounds Description Prohibited.** The subdivision of any lot, tract and/or parcel by the use of metes-and-bounds description and/or other similar means for the purpose of sale, transfer, or lease with the intent of evading the Land Development Regulations shall be considered a violation of the Land Development Regulations and shall be considered to be void and invalid by the City of Sanford, Florida.
- D. **Site Development and Construction Regulated.** No site development permit or building permit shall be issued for the construction of any building or structure located on a lot, tract, parcel or plat subdivided, sold, leased and/or otherwise transferred or identified in violation of the provisions of the Land Development Regulations.

SECTION 6.21 CONFLICT WITH PUBLIC OR PRIVATE PROVISIONS

- A. **Public Provisions.** The Land Development Regulations are not intended to interfere with, abrogate, or annul any other City rule or regulation, statute, or other provision of law. Where any provision of the Land Development Regulations imposes restrictions different from those imposed by any other provision of the Land Development Regulations or any other City rule, regulations, or other provision of law, whichever provisions are more restrictive or which impose higher standards shall control.
- B. **Private Provisions.** The Land Development Regulations are not intended to abrogate any easement, covenant, or any other private agreement, or restriction; provided that, where the provisions of the Land Development Regulations are more restrictive or impose higher standards or regulations than such easement, covenant, or private agreement or restriction, the requirements of the Land Development Regulations shall govern.