

ARTICLE III PROCEDURES FOR DEVELOPMENT APPROVAL

SECTION 3.1 ADMINISTRATION

- A. Administrative Official.** The City Manager shall appoint an Administrative Official who shall be charged with the authority to administer the Land Development Regulations and to enforce the regulations and procedures contained herein. The Administrative Official, in the performance of his duties and functions, may enter upon any land and make examinations and surveys that do not occasion damage or injury to private property. For the purpose of performing any of the duties and functions necessary to administer and enforce the Land Development Regulations, the Administrative Official may appoint any appropriate persons as deputies who shall have and exercise the authority of the Administrative Official, except the authority to appoint deputies.
- B. Development Review Team.**
- 1. Establishment and Membership.** Development Review Team is hereby established which shall be composed of officials of City departments, divisions and agencies responsible for reviewing land development proposals. The following City officials or their designated representative may be a member of the Development Review Team:
 - a. Administrative Official
 - b. Building Official
 - c. City Engineer
 - d. City Planner
 - e. Director of Utilities
 - f. Director of Public Works
 - g. Fire Marshal

In addition, the Administrative Official may appoint additional members to serve on the Development Review Team and seek guidance from the City Attorney as needed.

- 2. Officers and Procedures.** The Chairman of the Development Review Team shall be the Administrative Official. The Development Review Team may elect a Vice-Chairman from among its members. The Development Review Team shall comply with the requirements of Section 2-122 of the city code and the policies adopted under Section 2-122(0).
- 3. Powers and Duties.** The Development Review Team shall have the power to review applications for annexation, subdivisions, site plans, street vacations, planned development projects, developments of regional impact and other applications referred to the Team by the Administrative Official. In reviewing such applications the Development Review Team shall recommend approval, denial or approval with conditions, amendments or modifications. The Development Review Team's recommendations shall be by vote of the members. The Team's Secretary shall transmit recommendations by the Development Review Team to the appropriate reviewing authority, including but not limited to, the City Commission and the Planning and Zoning Commission. The powers and duties of the

Development Review Team shall include other responsibilities and authority as specifically set forth in this Ordinance.

- 4. General Considerations By The Development Review Team.** The Development Review Team has the authority to consider the following in its recommendations:
- a. Whether an application and/or a plan is consistent with applicable goals, objectives, policies, standards and proposals in the Comprehensive Plan.
 - b. Whether all public facilities and services necessary to serve the proposed use shall be available concurrent with the actual impact of the use in question.
 - c. Whether the established level of service of public facilities necessary to serve the development or phase thereof shall be adversely impacted by the proposed use or activity.
 - d. Whether the proposed development minimizes adverse impacts to surrounding properties.
 - e. Whether the proposed use, development or activity violates any provisions of these Land Development Regulations.

SECTION 3.2 DEVELOPMENT APPROVAL

Development shall be approved either as-of-right, as a minor conditional use or as a major conditional use according to Schedule B, Permitted Uses; provided, however, that all development shall comply with controlling Federal and State law to include but not be limited to the American with Disabilities Act.

- A. As-of-Right Development.** Uses permitted as of right are those uses that are permitted in the zoning category and compatible with other land uses in the zoning category and developed in conformity with the City's land development regulations without the need for a variance.

As-of-right developments are approved by the Administrative Authority. No public hearing or notice is required.

- B. Minor Conditional Uses.** Minor Conditional uses are those uses which are generally compatible with the other land uses permitted in a land use district, but which require individual review of their location, design and configuration and the imposition of conditions in order to ensure the appropriateness of the use at a particular location.

Minor conditional uses are approved, approved with conditions or denied by the Administrative Authority after a review and a recommendation by the Development Review Team at a public meeting.

- C. Major Conditional Use.** Major conditional uses are uses which would not be generally compatible with, or appropriate in, the zoning district in which it is located and which could impair the integrity and character of the specific area in which it is located or adjoining areas unless restrictions or conditions on location, size, extent, character and time of performance are imposed in addition to those specifically imposed by the City's land development regulations.

Major conditional uses are approved, approved with conditions or denied by the Planning and Zoning Commission at a public hearing.

SECTION 3.3 PREAPPLICATION CONFERENCES

- A. Applicability.** The following shall apply to all proposed development within the City.

1. A preapplication conference is recommended prior to the submittal of any development application.
2. Applications for conditional uses or variances for one and two family dwellings shall not require preapplication conferences.
3. A preapplication conference shall be required prior to the submittal of the following types of applications.
 - a. Conditional Use.
 - b. Variance.
 - c. Planned Development Project.
 - d. Master Plan.
 - e. Preliminary Subdivision.
 - f. Minor Subdivision.

- B. Purpose:** The purpose of the preapplication conference is to acquaint the participants with the requirements of these land development regulations and the views and concerns of the City prior to the submittal of any formal application for development approval. Depending on the scope of the proposed project, an applicant may meet with the Administrative Official or his or her designee or with the Development Review Team. Comments made at the preapplication conference are intended to provide guidance and are nonbinding on the formal review of the development plans.

- C. Submittal Requirements.** Prior to the preapplication conference, the applicant shall provide the following information:

1. A description of the character, location and magnitude of the proposed development.
2. A survey, preliminary site plan or copy of the plat of the parcel proposed for development.
3. A written list of any deviations from the land development regulations proposed by the applicant.
4. Any questions or concerns regarding the development review process or the land development regulations.

SECTION 3.4 PROCEDURES FOR AS-OF-RIGHT DEVELOPMENT APPROVAL

- A. Purpose.** Uses permitted as of right are those uses which are compatible with other land uses in a land use district provided they are developed in conformity with the City’s land development regulations.
- B. Application.** An applicant for development approval for a use permitted as of right shall submit an application for development plan review, including a site plan and an engineering plan and a description of the proposed development to the City.
- C. Action on the Application.** The application shall be reviewed by the Development Review Team which will make a recommendation to the Administrative Authority. If the Administrative Authority determines that the proposed development is in compliance with all requirements of the City’s Land Development Regulations and the City’s Comprehensive Plan, he shall approve the application.
- D. De Minimus Variance Allowed.** The Administrative Authority shall have the ability to grant a de minimus variance of 15% or less of any standard or term in any article listed in Article V, Section 5.01, Variances.
- E. Variance Required.** A variance application shall be submitted to the Planning and Zoning Commission by an applicant who requests a variance greater than 15% to any standard or term of the Schedules enumerates in Article V, Section 5.01, Variances.
- F. Planning and Zoning Commission Review.** The Development Review Team shall have the authority to refer any as-of-right application to the Planning and Zoning Commission upon a finding of fact that the application does not comply with the City’s land development regulations.

SECTION 3.5 STANDARDS APPLICABLE TO ALL CONDITIONAL USES.

In considering and acting upon an application for conditional use the Planning and Zoning Commission or the Administrative Official shall observe the following standards and make findings as to whether the application meets the standards, except that, pursuant to Article VIII, one and two family dwellings shall be exempt from concurrency review:

- A.** The conditional use must be consistent with the goals, objectives and policies of the Comprehensive Plan and the Land Development Regulations.
- B.** Public facilities and services including, but not limited to, roadways, park facilities, schools, police and fire protection, drainage systems, refuse and disposal systems, water and sewer must be adequate to serve the proposed use.
- C.** The proposed development must not adversely affect known archeological, historical or cultural resources.
- D.** The design of the proposed development must minimize adverse effects including, but not limited to, visual, noise and traffic impacts, of the proposed use on the surrounding properties.

- E. The conditional use must be compatible with the nature and intensity of the development surrounding the premises and with the community character of the immediate vicinity of the parcel proposed for development.
- F. The location and topography of the premises proposed for development must make the use an appropriate use which will not adversely affect the public interest.

It shall be the burden of the applicant to prove compliance with said standards prior to the issuance of a Development Order.

SECTION 3.6 REVIEW PROCEDURES FOR ALL CONDITIONAL USES

- A. **Application For Conditional Use.** Any owner or an owner's authorized agent who desires to construct, enlarge or alter any building or structure or to occupy any existing structure or premises for a use permitted only as a conditional use shall first make application to the City for approval of such conditional use. The procedure for securing an order approving a conditional use shall be as follows:

All applications for a conditional use shall be in the form required and provided by the Administrative Official. Such application shall be submitted to the Administrative Official together with the established fee, a site plan and all supplemental data or information staff deems necessary to permit determination of the extent and probable impact of the proposed use and the proposed use's compliance with the Land Development Regulations. The application form, site plan, supplemental data and fee are collectively called the "complete application". Incomplete applications may be returned unprocessed.

An applicant for approval of a Preliminary Subdivision Plan in conjunction with a Conditional Use shall also submit at least 9 copies of the preliminary subdivision plan folded to 9" by 12" and supplementary materials required to accompany such plan as prescribed in Article VI, Section 6.6 of the Land Development Regulations to the Administrative Official, such plan and supplementary materials collectively hereinafter called the "proposed preliminary subdivision plan."

- B. **Conditional use permits and bulk regulations.** The Administrative Official or the Planning and Zoning Commission may approve a conditional use permit that modifies or the requirements of Schedules C, D, E, F, H, J, K and U, provided that the Administrative Official or Planning and Zoning Commission expressly finds that the modification will enhance the ability of the proposed use to meet the general standards for all conditional uses set out in subsection 3.5 of this Article with any appropriate conditions as imposed in a development order.
- C. **Conditions.** The Administrative Official or the Planning and Zoning Commission may attach such conditions to a conditional use permit as are necessary to carry out the purposes of the plan and to prevent or minimize adverse effects upon other property in the neighborhood including, but not limited to, limitations on size, bulk and location; requirements for landscaping, lighting and provision of adequate ingress and egress and off-site but project-related improvements; duration of the permit; hours of operation; and mitigation of environmental impacts. The Planning and Zoning Commission or the Administrative Official may attach a condition requiring submission and approval of a final

development plan before development is commenced for either a minor or major conditional use.

D. Intergovernmental Coordination. All development applications shall be coordinated, as appropriate insofar as practicable, with all appropriate entities of government.

E. Development Order Granting Conditional Use. The written order shall grant the application, in whole or in part, under such terms and conditions as are determined to be appropriate.

1. All development orders shall be in writing and shall contain the following:

- a. The name of the property owner and the name of the proposed development.
- b. The legal description of the property and, where appropriate, the street address.
- c. A precise description of the development activity being approved.
- d. Reference to the approved plans or blueprints including name of the preparer and the date of the plans.
- e. Any special conditions of the development approval.
- f. The expiration date of the development order.

2. The written development order shall be drafted the intent the decision that was made.

F. Effect and Limitation of Approved Order. An order granting a conditional use or variance, and a site development permit or certificate of completion issued pursuant thereto, shall be deemed applicable to the parcel for which it is granted and not to the individual applicant provided that no order or site development permit or certificate of completion issued thereto shall be deemed valid with respect to any use of the premises other than that specified in the approved application.

G. Recording of the Development Order. No development order approving, or approving with conditions, a variance or a conditional use shall become effective until said development order is recorded in the Official Records of Seminole County.

H. Time Limit of Development Order. A development order shall become null and void one (1) year from the effective date unless all or specified portions of the development as defined in the order are commenced. However, the approving body may impose specific time limits other than one (1) year on the approval. The development order shall also become null and void if all construction is not completed within three (3) years from the effective date of the development order unless otherwise specified in the development order.

I. Extension of Development Order. A development order may be extended by the Administrative Official for a period not to exceed six (6) months if the request for the extension is made before the development order becomes null and void.

- J. Concurrency Management.** 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 or that the proposed development is exempt from concurrency.

SECTION 3.7 PROCEDURES SPECIFIC TO MINOR CONDITIONAL USE DEVELOPMENT APPROVAL

- A. Application for a Minor Conditional Use Approval.** An application for a minor conditional use approval shall be submitted to the City in the form provided by the Administrative Official. If approval of a plat is required for the proposed development, an application for plat approval shall be submitted in conjunction with the application for a conditional use permit.
- B. Review by the Development Review Team (DRT).** An application for a minor conditional use permit shall be reviewed by the DRT. The DRT shall forward its report and recommendation on the application for a minor conditional use permit to the Administrative Official within 10 working days of its determination of completeness.
- C. Decision by the Director of Planning.** Within 10 working days after receiving the report and recommendation of the DRT, the Administrative Official shall render a development order granting, granting with conditions or denying the application for a minor conditional use permit.
- D. Notice of Granting a Minor Conditional Use Permit.** The Administrative Official shall give notice of any development order granting a minor conditional use by publishing a notice of the intent to issue the minor conditional approval in a newspaper of local circulation in the county by advertisement in the legal section. The notice shall provide for a time period within which an adjacent property owner or an aggrieved or adversely affected person may demand a hearing.
- E. Public Hearing on an Application for a Minor Conditional Use Permit.** A public hearing on an application for minor conditional use, if requested by the Administrative Official, applicant, an adjacent property owner, or an aggrieved or adversely affected person, shall be conducted by the Planning and Zoning Commission in accordance with the provisions of subsection 3.8 of this Article.

SECTION 3.8 PROCEDURES SPECIFIC TO MAJOR CONDITIONAL USE DEVELOPMENT APPROVAL

In considering and acting upon applications for approval of a conditional use (including, but not limited to, applications for amendments to preliminary subdivision plans approved as conditional uses), the following procedures shall be observed:

- A. Referral to Development Review Team.** Upon receipt of a complete application for a conditional use, the Administrative Official shall schedule the application at the next

reasonably available meeting of the Development Review Team. The recommendation of approval, approval with conditions or denial and a report relating to the findings of consistency with the standards applicable to all conditional uses of the Development Review Team shall be transmitted in writing to the Planning and Zoning Commission by the Administrative Official.

- B. Planning and Zoning Commission Action on Application.** The Planning and Zoning Commission shall hold a public hearing upon the application in accordance with the procedures in this Section and enter its order granting or denying such application for conditional use in accordance with the requirements of Section 166.033, *Florida Statutes*, and other controlling law. In granting any application, the Planning and Zoning Commission must make specific findings, set forth in a written development order, that the location, configuration, topography and nature of development surrounding the premises proposed for such use makes such use an appropriate one which will not adversely affect the public interest and may prescribe appropriate conditions and safeguards in the development order which shall become a part of the terms under which a site development permit and certificate of completion shall issue.
- C. Date of Hearing.** Hearings shall be held by the Planning and Zoning Commission at a date and time fixed by the Administrative Official.
- D. Notice.** Notice of the hearing shall proceed in the following manner:
1. Upon a determination of the meeting date, the Administrative Official shall cause a notice of such hearing to be published at least once in a newspaper of general circulation in the City with such publication to be at least 10 days prior to the date of the hearing. The notice shall include:
 - a. Location, date and time of the hearing;
 - b. A description of the location of the parcel proposed for development sufficient to identify the site to the general public. A full legal description shall not be required as part of the notice, but shall be required as part of the application;
 - c. A brief description of the proposal being considered;
 - d. Identification of the body conducting the hearing; and
 - e. Type of application being considered.
 2. Properties considered for public hearings shall be posted by the applicant with a sign for 10 consecutive days prior to the Planning and Zoning Commission meeting. The sign, to be provided by the Administrative Official, shall be located on the property, clearly visible from the public right-of-way.

The Administrative Official shall also mail similar notices setting forth the time, place and purpose of the hearing to:

- a. the applicant;
 - b. the owner of the property described in the application, if other than the applicant;
 - c. the owners of every parcel of land located within a distance of 500 feet from the property line of the property described in the application;
 - d. each homeowners association or neighborhood group relating to property which is located within the public notice area described above; and
 - e. additional notices as determined by the Administrative Official.
3. Affidavit proof of the required publication, mailing and posting of the notices shall be presented at the hearing by the applicant.
 4. For purposes of determining the name and address of persons entitled to notice under this Section, the owner of property shall be deemed to be the person who is so identified in the most current tax roll certified for collection and maintained in the office of the Seminole County Property Appraiser. Such notice shall be mailed at least 10 days prior to the scheduled hearing date.

E. Appearance and Argument. At any hearing upon any matter subject to the provisions of this Section, the applicant seeking action and any other party desiring to be heard upon the application may appear in person, by agent or by attorney. The applicant shall be entitled to make an initial presentation respecting the application and, at the conclusion of presentations or statements by all other parties, shall be entitled to offer a statement in rebuttal to such presentations if the applicant so desires. The Chairperson may, at the commencement of the hearing upon each application or at any time during such hearing, require that parties desiring to make a presentation identify themselves and may specify the time to be allowed each such party within which to make such presentation.

F. Decision and Order by the Planning and Zoning Commission. Action by the Planning and Zoning Commission upon any matter subject to the provisions of this Section shall be announced by the Chairperson immediately following the vote determining such action. All actions to approve or to approve with conditions shall thereafter be embodied in a written development order prepared by the Administrative Official in conjunction with the City Attorney. Denials shall comply with the provisions of Section 166.033, *Florida Statutes*, and other controlling law.

G. Consecutive Applications. When the Planning and Zoning Commission has denied an application for a conditional use, no application for the same relief shall be accepted by the Administrative Official for consideration by the Planning and Zoning Commission for a period of 1 year from the date of the original action, provided however, that an applicant may request waiver of the time restriction and the Planning and Zoning Commission may waive this provision for proper cause after a hearing in conformity with the provisions of this Section.

SECTION 3.9 CITIZEN AWARENESS AND PARTICIPATION PLAN (CAPP)

A. Applicability.

1. The following requirements apply in addition to any other notice provisions required elsewhere in this Code. The Administrative Official may require that, based upon the needs of the abutting communities or the City as a result of generally accepted land use planning practices and principles or to ensure full public participation in the planning and land use processes of the City, an application for a change or modification of land use will require a Citizens Awareness and Participation Plan (CAPP) This potential requirement shall be applicable to development applications for developments such as the following which list is provided for illustrative purposes only and not as a limitation of the requirement:
 - Planned Developments;
 - Variances involving a non-residential use;
 - Subdivision Plans;
 - Rezoning;
 - Amendments to the future land use map;
 - Other land use or development applications providing for a modification of the existing land use.
2. These requirements apply in addition to any other notice provisions required elsewhere in this Code.
3. The requirement of a CAPP is not intended to produce complete consensus on all applications, but to encourage applicants to be good neighbors and to allow for informed decision making and to maximize, to the extent practicable, public participation in the planning and land use processes of the City.

B. Purpose. The purpose of the requirement of a CAPP is, at a minimum, to:

1. Further implement the public participation provisions of the City's Comprehensive Plan.
2. Ensure that applicants pursue early and effective citizen participation in conjunction with their applications, giving them the opportunity to understand and mitigate any real or perceived impacts their application may have on the community.
3. Ensure that citizens and property owners are provided with an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve concerns at an early state of the process.
4. Facilitate ongoing communication between the applicant, interested citizens and potentially affected property owners, City staff and elected officials throughout the application review process.

- C. Submittal Requirements.** The applicant may submit a CAPP and begin implementation prior to formal application at the applicant's discretion. This shall not occur until after the required pre-application conference or consultation with the Planning Division has occurred and any applicable fees have been paid by the applicant.

At a minimum the CAPP shall include the following information:

1. Identification of the residents, property owners, interested parties, political jurisdictions and public agencies that may be affected by the proposed development and should be given notice of the CAPP meeting.
2. Description of how notification will be provided to those interested in and potentially affected by the proposed development.
3. Description of how information will be provided to those interested and potentially affected relative to the substance of the change, amendment or proposed development for which approval is sought.
4. Description of the means by which, and with whom, an opportunity will be provided to those interested or potentially affected to discuss the proposal and express any concerns, issues, or problems well in advance of the first public hearing.
5. The applicants schedule for completion of the CAPP.
6. The means by which the applicant will keep City officials informed on the status of citizen participation efforts.

- D. Target Area for Citizen Notification.** The level of citizen interest and area of involvement will vary depending on the nature of the application and the location of the proposed development. The target area for early notification will be determined by the Administrative Official. At a minimum, the target area shall include the following:

1. Property owners within 500' of the property proposed for development.
2. The officers of any homeowners association or registered neighborhood group within the public notice area as set forth in this Section or that may be impacted by the proposed development.
3. Any person or entity that may be impacted by the proposed development as determined by the Administrative Official based upon sound and generally accepted land use planning practices and principles.
4. Other interested parties who have requested to be placed on an interested party's notification list maintained by the City.
5. A determination to provide notice in the context of the CAPP process shall not grant standing to any person for the purposes of subsequent legal challenges or appeals.

- E. CAPP Report.** When a CAPP is required, the applicant shall provide a written report on the results of the citizen participation efforts prior to the publication of the notice of public hearing. This report will be attached to the City staff's public hearing report. The report shall, at a minimum, contain the following information:

1. Details of techniques used to involve interested and potentially affected parties, including:
 - a. Dates and locations of all meetings where citizens were invited to discuss the applicant's proposal.
 - b. Content, dates mailed, and numbers of mailings, including letters, meeting notices, newsletters and other publications.
 - c. Location of residents, property owners and interested parties who received notices, newsletters, or other written materials.
 - d. The number and names of people that participated in the process.

2. A summary of concerns, issues and problems expressed during the process and proposed methods of resolution, including by way of example only:
 - a. The substance of the concerns, issues and problems.
 - b. The manner in which the applicant has addressed or intends to address these concerns, issues and problems.
 - c. The concerns, issues and problems the applicant is unwilling or unable to address and the basis and rationale of the applicant with regard to each issue that has not been addresses.

SECTION 3.10 SITE PLAN SUBMITTAL REQUIREMENTS

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

- A. Site Plan Sheet Format.** Site plans shall be prepared and certified by an architect, engineer or landscape architect licensed in the State of Florida and drawn at a scale of 1" to 100' or larger. The maximum sheet size for site plans shall not exceed 24 inches by 36" and all sheets shall be folded to 9" by 12" prior to submittal. All submittals shall be accompanied by a reduction of the site plan to 11" 17". Multiple sheets may be used provided that each sheet is numbered and the total number of sheets is indicated on each sheet. Cross referencing between sheets is 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 "Site Plan" on each sheet.

 2. Legend, including:
 - 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** of the parcel in question.

C. Existing Conditions.

1. **Existing Streets.** On, adjacent to 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. Curbing
2. **Existing Easements.** Indicate location, dimensions, purpose and maintenance responsibility.
3. **Existing Utilities.** Provider, type, location and size.
4. **Existing On-Site Improvements and Uses.**
- a. Each building and structure shall be individually identified or numbered. Existing use, square footage and number of dwelling units shall be provided.
 - b. Vehicular use areas
 - c. Other impervious surfaces
5. **Adjacent Improvements, Uses and Zoning.** Identify adjacent buildings, structures, curb cuts, accessways, other vehicular use areas, drainfields, wells and other impervious surfaces extending 50' beyond the property boundaries or as determined necessary by the Administrative Official. Also indicate adjacent zoning districts.
6. **Topography.** At 1-foot contours (elevations based on mean sea level datum preferred) and extending 50' 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. Note on the plans the benchmark used, its designation, location, description and elevation as described in the Seminole County Vertical Control Points and Elevations Manual.

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.** Depict and, if necessary, explain existing surface drainage characteristics of site including relationship to adjacent land areas.
9. **100-year Floodplain.** As identified on Map I-1, Water Resources of the Comprehensive Plan.
10. **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.
11. **Wetlands.** As identified by the Future Land Use Map of the Comprehensive Plan as Resource Protection (RP), St. Johns River Water Management District Wetlands Mapping or other competent evaluation.
12. **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.
13. **Floodways and Drainageways.** As identified on Map I-1, Water Resources of the Comprehensive Plan.
14. **Aquifer Recharge Area.** As identified on Map I-1, Water Resources of the Comprehensive Plan.
15. **Upland Wildlife Habitat.** As identified on Map I-9, Vegetative Communities of the Comprehensive Plan.
16. **Trees.** Indicate location, size and type of existing trees as required by this Ordinance.
17. **Signs.** Location, size and type.

D. Proposed Development.

1. **Proposed Buildings and Structures.** Individually identified by number, symbol or other appropriate system, including the following information:
 - a. Location.
 - b. Proposed Use For Each Building Or Portion Thereof.
 - c. Dimensions and Height.

- d. Gross Floor Area For Nonresidential Uses - In square feet by building, use and total.
 - e. Floor Plan For Nonresidential Buildings.
 - f. Number of Dwelling Units - By building, by type of dwelling unit and total.
 - g. Density - By type of residential land area (one family, two-family, mobile home or multiple-family) and for total residential land area.
 - h. Net Density - Same as g., above, except exclude land area that is unsuitable for development.
 - i. Preliminary Architectural Elevations.
 - j. Location of each single family residence. Individually identify each house lot and indicate the location, square footage and dimensions of each house on the lot.
 - k. For residential subdivisions and multifamily developments, indicate the location, dimensions and materials of entrance features, including entrance signage, water features and associated landscaping.
 - l. Proposed preliminary address list including street names and address scheme in accordance with the established addressing system.
2. **Required Yards, Setbacks, Buffers, Open Space and Distances.** Indicate location and dimensions of all required yards, setbacks and buffers and location and percentage of site devoted to open space. Also indicate distance between buildings.
 3. **Outdoor Storage and Display Areas.** Include dimensions, type, screening type and materials,
 4. **Proposed On-Site and Off-Site Vehicular Circulation System, Parking Areas and Pedestrian Circulation.** Include location, dimensions and typical construction specifications of:
 - a. Driveways, Approaches and Curb cuts.
 - b. Vehicular access points, Accessways and Common Vehicular Access Points.
 - c. Off-street Parking Spaces, Loading, Unloading and Service Area Space. Requirements - Also note number of spaces required and provided by use.
 - d. Other Vehicular Use Areas.
 - e. Sidewalks and Other Pedestrian Use Areas.
 - f. Typical Cross-Sections - By type of improvement.
 - g. Traffic Control Devices.
 5. **Landscaping Plan.** Include the location and specifications for plantings for parking lot landscaping, buffers, open spaces, recreation areas and other required landscaped areas and required landscape which shall include a schedule of common and botanical plant names and total quantities by container size and species, seed mixes with application rates and relevant germination specifications. In addition, identify water conservation techniques which include use of drought tolerant plants as well as efficient relationship of plant types to irrigation water demands;
 6. **Irrigation Plan.** The irrigation plan shall consist of:

- a. Location and specifications for irrigation equipment.
 - b. Source of water for irrigation system.
 - c. Take back calculations for reclaimed water system.
7. **Existing Tree Protection.** Identify existing trees to be protected and explain or illustrate method to preserve such trees both during and after construction.
 8. **Street Graphics and Outdoor Lighting.** Include the locations and sizes of all signs and the intensity and nature of all proposed lighting.
 9. **Public and Semi-Public Lands and Facilities.** Identify the location, extent, maintenance responsibility and ownership of:
 - a. Street Rights-of-way.
 - b. Easements for ingress/egress, utilities, drainage or a related stormwater management function, pedestrian ways, sidewalks, bike paths and other similar or related functions.
 - c. Designated Lands for parks, open space and recreational facilities, stormwater management, schools and other public facilities.
 10. **Potable Water Supply and Wastewater Disposal System.** Indicate required capacity, available capacity, provider, general location and size of lines and proposed ownership of and maintenance responsibility for improvements.
 11. **Fire Protection.** Identify nearest existing or proposed hydrant location in relationship to building(s) and other fire protection systems.
 12. **Reclaimed Water System.** Unless exempt from the reclaimed water requirements, include a statement regarding the use of the City of Sanford's reclaimed water system including the amount of reclaimed water to be utilized and method of application on the site.
 13. **Solid Waste Disposal and Service Equipment.** Identify the location of dumpsters and other service equipment locations, including dimensions of pads and maneuvering areas for collection and service vehicles. Also indicate methods and materials to be utilized to prevent such dumpsters and equipment from being viewed from public rights-of-way and adjacent property.
 14. **Proposed Topographic Elevations and Preliminary Drainage Plan.** Indicate proposed topographic elevations at 1 foot contours (datum based on mean sea level preferred), direction of flow, proposed methods of stormwater retention/detention, including location and size of swales, drainage improvements, proposed outfalls, drainage easements and preliminary engineering calculations.
 15. **Concurrency Management.** An analysis of the traffic circulation and related impacts to prove that the proposed plan would meet all roadway concurrency requirements if the project were approved based on requirements in Schedule Q, Concurrency Management.

16. **Elevation Drawings.** Renderings of the north, south, east and west side of each building shall be submitted as a part of the Site Plan Review package. Drawings shall depict the general architectural style, detail and trim features as required by these Land Development Regulations.

E. Exceptions. Any applicant may request that required information described in Paragraphs C and D of this section be omitted from the site plan application, 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 site plan.
2. The request shall identify the information, item or data that is proposed to be omitted from the site plan application and shall fully explain the reasons that such information, item or data does not apply to such application.
3. The Administrative Official has the authority to accept or reject such request pursuant to procedures set forth in Section 5.3(A).

SECTION 3.11 ENGINEERING PLAN REVIEW PROCEDURES

Applications for as-of-right development, shall submit engineering plans in conjunction with site plans. Conditional use applicants shall initiate Engineering Plan Review Procedures set forth in this section after receiving an approved development order. The procedure for review of an Engineering Plan shall be as follows:

A. Application For Approval. The applicant for approval of an Engineering Plan shall submit at least 9 copies, folded to 9" by 12", of the engineering plan, 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 are collectively hereinafter called the "proposed Engineering Plan". The Engineering Plan and supplementary materials shall be in the form prescribed in Section 3.12 below. No application shall be deemed accepted unless it is complete. The Administrative Official shall advise the applicant of whether the proposed Engineering Plan is accepted or not accepted. If the proposed Engineering Plan is not accepted, the Administrative Official shall inform the applicant in writing of the reasons that the engineering plan is incomplete. Failure by the Administrative Official to specify one or more reasons shall not preclude such reasons being specified in denying any reapplication for such engineering 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 Engineering Plan, the Administrative Official shall distribute copies of the proposed Engineering Plan to the Development Review Team. After reviewing the proposed Engineering Plan, Development Review Team shall transmit their collective recommendation in writing respecting approval, disapproval or necessary modification thereof to the Administrative Official.

C. Administrative Official's Action. Upon receipt of the recommendation of the Development Review Team, the Administrative Official, in accordance with such recommendation shall enter an order:

1. Approving such proposed Engineering Plan subject to such conditions, modifications and specific time limits prescribed by the Planning and Zoning Commission respecting the proposed Site Plan;
2. Disapproving such proposed Engineering Plan; or
3. Approving such Engineering 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 proposed Site Plan.

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

If the proposed Engineering Plan is disapproved or approved subject to modification, the Administrative Official shall provide to the applicant a copy of his Order respecting the same.

D. Reapplication. If the Administrative Official enters his order disapproving a proposed Engineering Plan or approving the plan subject to modification, the applicant may at any time within 60 days following the date of such order file an amended Engineering Plan and supplementary material whereupon the same shall be received, reviewed and acted upon in the same manner as herein above provided for original applications for approval of an Engineering Plan, provided that no additional fee for such application shall be required.

SECTION 3.12 ENGINEERING PLAN REQUIREMENTS

All Engineering Plans and required supplementary material shall cover the entire parcel covered by a Site Plan that is either proposed or approved in accordance with Section 3.10. A copy of the approved site plan shall be incorporated into the Engineering Plan. All Engineering Plans shall contain at least the following data and information:

A. General Relationship of Engineering Plan Requirements to Site Plan Requirements. In general, Engineering Plans shall include, but not be limited to, all required information items set forth in Section 3.11 provided, however, that all such information, data, analysis and supplementary materials shall be provided in final engineering and construction form for purposes of Engineering Plans rather than in preliminary or conceptual form as provided for Site Plans. Additional and more detailed engineering plan required information is set forth in subsections 3.12 B. and C.

B. Engineering Plan Sheet Data, Size and Scale. Engineering Plans shall be drawn at a scale of one inch to 50' or larger. The maximum sheet size for Engineering Plans is 24" by 36".

All site plans shall be folded to 9" by 12". 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 "Engineering 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 Engineering Plan required to be submitted to the Administrative Official shall bear the original signature and seal of the 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. **Engineering Plan Required Information.**

1. **Final Soils Report.** Indicate results of borings for building locations and method of foundation construction/footer design in relationship to soil conditions as recommended by a geotechnical engineer.
2. **Final Drainage Plan.** Include topographic elevations at one foot contours (mean sea level datum required) for site and at least 50' beyond the site, final calculations for stormwater retention and construction drawings of all related improvements.
3. **Fire Protection.** Indicate hydrant location and type of internal fire protection systems to serve buildings.
4. **Civil Engineering Construction Drawings.** Provide civil engineering construction drawings of all infrastructure, utilities and site improvements including technical specifications and geometry.
5. **Elevation Drawings.** Signed and sealed architectural drawings consisting of all structures, front, sides and rear elevations, and overhead view of roof. Said drawings shall be submitted as part of the Engineering Plan Requirements and shall include construction material specifications, color charts, structure dimensions, service area and mechanical equipment locations, outdoor storage area locations, screening devices, master light plan and any other information as determine necessary by the City to ensure consistency with the intent of the Land Development Regulations.
6. **Landscape Plan and Tree Protection.** Identify material specifications, planting/removal/relocation instructions and irrigation system location and specifications.
7. **Lighting Design Plan.** A lighting plan depicting the foot-candle dispersion on the site and detail of the proposed fixtures shall be submitted. The plan shall include at least the following:

- a. A site plan, drawing to scale, showing all buildings, landscaping, parking areas, all proposed exterior lighting fixtures;
 - b. Specifications (details) for all proposed lighting fixtures including photometric data; designation is IESNA ‘cutoff’ fixtures, and other descriptive information on the fixtures;
 - c. Proposed mounting height of all exterior lighting fixtures;
 - d. Analyses and luminance level diagrams showing that the proposed installation conforms to the lighting standards of the City of Sanford Land Development Regulations. Off-site lighting shall be considered in the analyses;
 - e. Drawing of all relevant building elevations showing the fixtures, the portions of the walls to be illuminated, the luminance levels of the walls and the aiming points for any remote light fixtures.
8. **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 shall, if appropriate, include covenants, agreements or other specific documents approved by the Administrative Official.

SECTION 3.13 EFFECT OF SITE PLAN AND ENGINEERING PLAN APPROVAL

Approval or approval with modifications/conditions of both a site plan and an engineering plan for the parcel in question shall serve as the basis for the issuance of site development permits and certificates of completion.

SECTION 3.14 MAINTENANCE OF IMPROVEMENTS

All improvements, requirements and conditions approved pursuant to Sections 3.10 and 3.12 shall be maintained in good condition and in the manner prescribed by such approval for as long as the use of the premises in question is in existence.

SECTION 3.15 VIOLATIONS, REMEDIES AND PENALTIES

Notwithstanding any provision of the Land Development Regulations or the Sanford City Code to the contrary, a person owning or occupying any building, that is used, erected, constructed, reconstructed, altered or moved or maintained in violation of the Land Development Regulations shall be subject to any and all penalties permitted by State law and the City may seek any and all legal remedies available to it under controlling law.