

Project No: _____

Subdivision Name: _____



400 ALEXANDRIA BOULEVARD • OVIEDO, FLORIDA 32765

www.cityofoviedo.net

TEL: (407) 971-5796
FAX: (407) 971-5819

PRELIMINARY SUBDIVISION PLAN SITE DEVELOPMENT ORDER APPLICATION

A Preliminary Subdivision Plan Site Development Order (PSPSDO) Application is required for subdivision of land (more than three (3) lots). The PSPSDO is directly related to compliance with the requirements of the Land Development Code (LDC). Under certain conditions, an Applicant may deviate from an LDC requirement. All deviations and their magnitude must be stated clearly in this Application. The magnitude of deviations may range from zero (0) to in excess of thirty (30) percent. The extent of a single deviation will determine the level of approval that is available for this Application. LDC Section 2.6(B) provides the Approval Authority. Section 2.6(C) provides criteria for deviations. Section 3.5 provides for the review and approval process. These Sections of the LDC are attached.

GENERAL INSTRUCTIONS:

- The applicant may schedule a Pre-Application Conference with the Planning & Development Division before submitting this application. To arrange for a Conference, call 407-971-5796.
- Application Checklist: **The Application Checklist must be completed in full**, stating the location of information submitted on or in support of preliminary subdivision plans, site survey or any other supporting documents. Failure to provide complete information on the Checklist will result in an insufficient Application. If a required checklist item is Not Applicable, the Applicant must state the reason(s) that it cannot be included.
- The Sufficiency and Compliance Submittals:
 - The Sufficiency Review Application Submittal: A submittal to determine Sufficiency must include three (3) sets of plans, required supporting documents and all applicable fees. The Planning & Development Division shall review the submittal for sufficiency and notify the applicant within eight (8) days if the submittal is incomplete. **If insufficient, a resubmittal fee equal to half of the application fee will be required.**
 - The Compliance Review Application Submittal: Following notification that an application is sufficient, the Applicant must submit ten (10) copies of the complete application package so that the Compliance Review may be initiated. **If the application/plans are found to be non-compliant a compiled list of staff comments will be forwarded to the applicant and a resubmittal fee equal to half of the application fee will be required when resubmitted.**
- The application must be signed by the owner of record or be accompanied by a Power of Attorney from the owner of record.

Application Fee: \$8,430.00 plus \$10.00 per lot (See Resolution No. 1794-08)

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THE FOLLOWING ITEMS ARE REQUIRED FOR A SUFFICIENT APPLICATION. AN INSUFFICIENT APPLICATION WILL BE RETURNED WITH AN RAI LETTER AND A RESUBMITTAL FEE IN THE AMOUNT OF HALF THE APPLICATION FEE WILL BE REQUIRED. IF ANY ITEMS ARE NOT APPLICABLE, APPROPRIATE REASONING MUST BE GIVEN ON THE SITE DEVELOPMENT/FINAL ENGINEERING REVIEW CHECKLIST.

GENERAL INFORMATION

1. Project Name: _____

2. Project Address and/or Parcel ID Number: _____

3. Project Description: _____

4. General Location: _____

5. Applicant Name: _____

Applicant Address: _____

Applicant Phone #: _____ Fax #: _____ E-Mail: _____

6. Engineer Name: _____

Engineer Address: _____

Engineer Phone #: _____ Fax #: _____ E-Mail: _____

7. Owner Name: _____

Owner Address: _____

Owner Phone #: _____ Fax #: _____ E-Mail: _____

8. Attach a verified statement including the names of each individual having a legal/equitable ownership interest in the subject property. For publicly held corporations, names and addresses of the corporation, principal executive officers and any majority stockholders will be sufficient.

PROJECT DESCRIPTION.

The following information must be presented on the preliminary subdivision plans:

- Cover Sheet
 1. Title Block
 2. Subdivision Type: Residential, Commercial, Other
 3. Name and Address (if available) of the Development
 4. Name(s) of Utility Providers
 5. Vicinity Map **to scale**
 6. North Arrow
 7. Preparation/Revision Dates
 8. Four (4)-inch square space left blank on the bottom right corner for City approval stamp.
 9. Parcel ID Number(s)

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PRELIMINARY SUBDIVISION PLAN REQUIREMENTS:

Please provide the following *existing conditions* information graphically and in a Site Data column on a Existing Conditions Plan Sheet:

1. Plans at a Scale 1" = 100' or larger
2. Project acreage
3. Existing Land Use and Zoning
4. Individual trees eight (8) inches or more in diameter identified by common and scientific name
5. Streams, ponds, drainage ditches, swamps, wetlands and boundaries of floodways and floodplains, including reference sources and base flood elevation data.
6. Soil classification map and soil analysis, including sub-surface investigation
7. Existing street Rights of Ways, private roads, sidewalks and other walkways on the site and within 50 feet
8. Existing improvements (buildings/structures, signs, parking areas, with dimensions).
9. Existing curbs and gutters, curb inlets and curb cuts, and drainage grates.
10. Existing stormwater or drainage facilities, including manholes, pipes, drainage ditches.
11. Existing contours and finished floor elevations of all abutting properties.
12. Existing drainage/utility/cross access easements on site and within 50 feet.
13. Existing underground utility lines, including water, sewer, reclaimed, electric telephone, gas, cable TV, with sizes and within 50 feet of the property boundary.
14. Existing above ground utilities and accessories
15. Existing closest fire hydrant(s)
16. Existing lighting: poles/fixtures

Proposed Preliminary Subdivision Plan: Please provide the following information regarding the *proposed development* graphically and in a Site Data column on the Preliminary Subdivision Plan.

1. All plans must be submitted on 24" by 36" sheets
2. Legal description of the proposed subdivision
3. Proposed Land Use and Zoning for the Subdivision
4. Proposed Number of Lots (permitted and proposed)
5. Proposed Lot sizes of each lot (Residential) or Building Dimensions (commercial sq. ft.)
6. Proposed setbacks (Front, Rear, Side, Street Side, Other, also show setbacks for irregular shaped lots)
7. Finished floor elevations (to be shown on each building pad)
8. Location of new and existing easements, setbacks and building pad on a typical lot drawing
9. Proposed floor area ratio (FAR: commercial only, permitted and proposed)
10. Proposed impervious surface area (existing and proposed)
11. Proposed landscape buffers and areas and buffer yards (for commercial, by Buffer Yard Type)
12. Proposed number of parking spaces (for Commercial, permitted and provided)
13. Location and area (acreage or sq.ft.) of all recreational areas provided in accordance with requirements of Article XVII; designation of type of recreational use for each recreation area identified.
14. Proposed area(s) to be designated as usable open space, and whether public or private.
15. Proposed access points/driveways/drive aisles, their locations.
16. Proposed streets, labeled by classification and street name and right-of-way widths.
17. Proposed sidewalks and walkways, their widths and surface material
18. Proposed curbs and gutters by type, curb cuts, drainage grates and bridges.

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19. Proposed stormwater/drainage facilities, including manholes, pipes, drainage ditches, retention ponds.
20. Proposed land elevation contour lines following final grading, showing elevation points, one (1) foot intervals or less, or, detailed profiles or cross sections.
21. Proposed landscape plan showing all proposed trees, shrubs, groundcover by variety and size.
22. Proposed erosion and sediment control plan, location of silt fences.
23. Proposed location of sales and or marketing offices, and model homes.
24. Proposed water system; source of service, size, (DIP required) and locations of mains, valves and hydrants.
25. Proposed water use calculations per City Ordinance 1148.
26. Proposed sewer system; source of service, size, material, and location of lines, with profiles
27. Proposed wastewater use calculations
28. Proposed source of irrigation
29. Proposed irrigation use calculations (For previously approved potable water irrigation only)
30. Proposed exterior/interior turning radii
31. Proposed location of all utilities, above and below ground
32. Proposed density (existing, permitted and proposed by land use) in units/acre
33. Proposed intensity (existing, permitted and proposed by land use) FAR
34. Proposed phases of Development (Description, Target Dates, Completion Dates)
35. Proposed loading/unloading Areas (for commercial: required and proposed, with dimensions)
36. List all deviations to the LDC being requested, with detailed description of magnitude and reason for requests.
37. Proposed fire flow calculations, external and internal turning radii, to be shown on plans

SITE SURVEY

1. Legal Description
2. Survey must be signed and sealed by certified surveyor.
3. High water elevation or boundaries of water bodies on-site and 50-feet off-site
4. Water Bodies on Site Identified
5. FEMA flood hazard zone and/or limits of 100-year flood based upon latest FEMA information.
6. Existing surface drainage characteristics.
7. All existing structures
8. Boundaries of environmentally sensitive areas (if applicable). Provide existing vegetative map showing alterations including tree removal, dredging, filling, spoiling sites, canals and channels.
9. Tree Survey, showing trees on site, trees to be removed, and trees to remain.
10. Tree Mitigation Plan per Section 15.2 of the 2006 LDC

WRITTEN DOCUMENTATION

1. Please provide a written description of the proposed development (i.e. # and type of residential units or of commercial structures by land use category).
2. Please provide previous approved Amendments/Agreements
3. Please provide the permits required from other Jurisdictions listed
4. Provide Ingress/Egress Points
5. Intergovernmental Coordination. Attach proof of coordination and permitting compliance with applicable local, regional, state and federal agencies that will be involved in the project.

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- 6. Species of Special Concern, Threatened or Endangered: Please provide documentation in accordance with Section 15.3 of the LDC.
- 7. Wetlands Protection: Please provide documentation in accordance with the requirements of Section 15.4, of the LDC.

CONCURRENCY: Documentation must be provided stating that sufficient capacities exist to support this Application, as follows:

- 1. Traffic: (Provide ITE Trip Generation and Trip Distribution)

For utilities, provide letters/E-mails from applicable agencies stating that sufficient capacity exists to provide:

- 2. Water: (Contact Mr. Josef Grusauskas, Utilities Manager, 407-971-5808, email: jgrusauskas@cityofviedo.net.)
- 3. Wastewater: (Contact Mr. Grusauskas, if served by City. If Alafaya Utilities, call 407-365-4346)
- 4. Solid Waste Landfill: (E-mail request to: wedwards@seminolecountyfl.gov)
- 5. School Capacity Availability Letter of Determination (Contact Mike Rigby, Facilities Planner, Seminole County Public Schools, 407-320-0583)

CERTIFICATION

I hereby certify that, to the best of my knowledge and belief, all information supplied with this application is true and accurate. If the applicant is someone other than the property owner, a power of attorney signed by the property owner, which authorizes the applicant to apply for this specific purpose at this specific location, must be attached to the application.

- I am the owner of record for the property described herein.
- I am the Authorized agent for the property described herein

AUTHORIZED SIGNATURE

DATE

Name and Title (printed or typed)

Land Development Code Sections 2.6 (B-G) and 3.3

Section 2.6 Flexibility in Administration

A) Deviations from Minimum Requirements: It is recognized that because of the individual characteristics of any given development, flexibility in the application of minimum requirements may be warranted in certain situations. The approving authority may, therefore, grant deviations from the minimum requirements of this LDC whenever it finds such deviations will fulfill the intent of this LDC. If an application requests multiple deviations, each deviation shall be evaluated independently. Any deviations from the minimum requirements of this LDC must be specified and justified as mitigation may be required.

B) Approval Authority

1) City Development Projects:

- a) The Land Use Administrator is authorized to approve a deviation of ten (10) percent or less of a minimum LDC requirement.
- b) The DRC is authorized to approve a deviation of twenty (20) percent or less of a minimum LDC requirement.
- c) The City Council is authorized to approve a deviation greater than twenty (20) percent of a minimum LDC requirement.

2) All Other Development Projects:

- a) The Land Use Administrator is authorized to approve a deviation of ten (10) percent or less of a minimum LDC requirement.
- b) The DRC is authorized to approve a deviation of twenty (20) percent or less of a minimum LDC requirement.
- c) The PZA is authorized to approve a deviation greater than twenty (20) percent up to thirty (30) percent of a minimum LDC requirement associated with a building permit.
- d) The City Council is authorized to approve a deviation greater than twenty (20) percent of a minimum LDC requirement. However, a deviation greater than thirty (30) percent shall require the execution of a Development Agreement between the Applicant and the City Council.

TABLE 2.1: SUMMARY OF APPROVAL AUTHORITY FOR DEVIATIONS

Application	Percent Deviation	City Development Projects	Other Development Projects
Site Development Order	compliant	LUA	LUA
	≤ 10%	LUA	LUA
	11% ≤ 20%	DRC	DRC
	21% ≤ 30%	City Council	CC
	30% >	City Council	CC - Development Agreement
Building Permit or Other Development Permit	compliant	LUA	LUA
	≤ 10%	LUA	LUA
	11% ≤ 20%	DRC	DRC
	21% ≤ 30%	City Council	PZA
	30% >	City Council	CC - Development Agreement

Notes:

- CC: City Council**
- DRC: Development Review Committee**
- LUA: Land Use Administrator**
- PZA: Planning, Zoning, and Appeals Board**

C) Criteria for Approval: A deviation may be granted by the approving authority if it finds that strict application of a minimum LDC requirement is not warranted and granting a deviation will fulfill the intent of this LDC. The approving authority shall consider the following to determine if the Applicant has justified a request for a deviation to a minimum LDC requirement and if granting the proposed deviation will fulfill the intent of this LDC:

- 1) **Existence of Special Conditions:** That special conditions or circumstances exist which are peculiar to the land, structure or building involved.
- 2) **Compatibility:** The proposed deviation’s scale and intensity is compatible with and will not adversely impact land use activities on adjacent properties.
- 3) **Proper Use of Mitigative Techniques:** The proposed development project has been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land use activities.
- 4) **Protection of Environmentally Sensitive Areas:** The proposed deviation is necessary to conserve and protect the natural environment including wetlands, natural habitat, protected canopy trees, drainage corridors, flood prone lands, and other environmentally sensitive lands.
- 5) **Only Minimum Deviation Granted:** That the proposed deviation is the minimum necessary.
- 6) **Open Space and Other Facilities:** The proposed deviation provides for more useable and suitably located open space and other public and common facilities than would otherwise be provided under strict application of the minimum LDC requirement.

- 7) **Existing Non-Conforming Uses of Other Property Not Basis for Approval:** No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a deviation.
- 8) **Other Information:** The applicant may provide other information in addition to that listed above to justify a request for a deviation to a minimum LDC requirement and demonstrate that granting the proposed deviation will fulfill the intent of this LDC.
- D) **Burden of Proof:** The burden of presenting evidence sufficient to allow the approving authority to reach the determination set forth in Subsection 2.6 (C), as well as the burden of persuasion on those issues, remains with the Applicant seeking the deviation.
- E) **Approval Conditions:** In granting deviations, the approving authority may impose such reasonable conditions as will ensure that the use of the property to which the deviation applies will be reasonably compatible with the surrounding properties, including visual screening, and may also prescribe a reasonable time limit within which construction or occupancy of the premises for the proposed use shall have begun or have been completed or both. All such conditions are enforceable in the same manner as any other applicable requirement of this LDC.
- F) Notwithstanding the foregoing, no deviation may be granted that would otherwise impact the City's standing under the Federal Flood insurance program or any similar program.
- G) **No Deviations for Anything Prohibited by the Code:** No deviation may be granted for use of land or building or structure that is prohibited by this LDC.

Section 3.3 Development Orders

A) Site Development Orders

- 1) **General:** The use of property shall not be changed; clearing, grading, excavation or paving shall not be commenced; building or other structures shall not be constructed, erected, moved, or altered except in accordance with and pursuant to an approved site development order. Issuance of a site development order authorizes the recipient to commence the activity specified on the application. The intended use, however, may not be commenced; no building may be occupied; and in the case of subdivisions, no lots may be sold until all requirements of this LDC and all additional requirements pursuant to the approval of the site development order have been complied with. Issuance of a site development orders shall be required for the following:
 - a) New Development
 - b) Redevelopment
 - c) Subdivision of Land (more than three (3) lots)
 - d) Renovation (any increase in square footage and/or increase in impacts)
 - e) Change in Use
 - f) Any other action or approval required by the Land Use Administrator.
- 2) **Review Process**
 - a) **Pre-Application:** It shall be the responsibility of the Applicant to request and obtain all required application forms and information that constitute a sufficient application. Prior to submitting an application, the Applicant may schedule a pre-application conference with the Land Use Administrator.

- b) **Application Submittal:** The Applicant shall submit a sufficient application including the application form, required plans, supporting information, power of attorney (to allow parties to act on behalf of the Applicant and/or property owner), and all applicable fees to the Land Use Administrator for review. The application shall also include a description of and justification for any requested deviation to a LDC minimum requirement per Section 2.6.

3) Sufficiency Review

- a) Upon receipt of an application, the Land Use Administrator or designee shall conduct a sufficiency review to determine if the application contains all required forms, plans, supporting information, and fees. Following the review, the Land Use Administrator or designee will notify the Applicant that the application is either sufficient or insufficient for review.
- b) If the application is found sufficient, the notification shall inform the Applicant of the requirements for compliance review.
- c) If the application is found insufficient, the notification will list the information that must be submitted for the application to be found sufficient. Prior to submittal of the required information, the Applicant may request a meeting with the Land Use Administrator to review the notice of insufficiency and the information that must be submitted to constitute a sufficient application. Upon submittal of the required information, the Applicant shall pay an insufficient review fee.

4) Compliance Review

- a) A sufficient application will undergo a compliance review to determine if the application:
 - i) Is consistent with the Comprehensive Plan; and
 - ii) Complies with applicable requirements of this Land Development Code, *Engineering Standards Manual*, and Florida Fire Prevention Code.
- b) If the order-approving authority determines that the application fails to comply with one or more of the above requirements, it shall find the application non-compliant. Upon the issuance of a notice of non-compliance by Land Use Administrator, the Applicant shall have sixty (60) days in which to submit an amended application addressing the non-compliance finding(s). Upon submittal of the amended application, the Applicant shall pay a non-compliance review fee. Submittal of an amended application after sixty (60) days of the issuance of a notice of non-compliance shall constitute a new application. The Applicant may also appeal the non-compliance finding(s) as provided for in Article II.
- c) The Applicant may amend the application prior to order-approving authority's consideration of the application. The Applicant may also agree to amend the application during the order-approving authority's consideration of the application. Said amendments must be made prior to the issuance of the site development order.
- d) The Approving Authority may attach to the site development order any reasonable conditions or requirements in addition to those specified above. Such additional conditions or requirements shall be entered on the site development order and are enforceable in the same manner and to the same extent as the requirements specified above.

- 5) **Issuance of Site Development Order:** For purposes of this section, a development order is issued when the order-approving authority approves the application. When an application is found to be compliant, a site development order shall be issued by the approving authority. The site development order shall be signed by the property owner(s), or authorized representative, and the Land Use Administrator. The Applicant shall record the site development order with Seminole County within fourteen (14) days of signature by the Land Use

Administrator and pay the costs to record the site development order. The Applicant shall provide a certified copy of the recorded site development order to the Land Use Administrator upon recording.

- 6) **Progress Conferences:** At any time during the review process, the Applicant may request a Progress Conference with the Land Use Administrator. Progress Conferences are encouraged and may assist in expediting the approval of the site development order application.
- 7) **Abated Application:** An application shall be abated when no activity occurs for six (6) consecutive months. The Land Use Administrator shall issue a Notice of Abated Application to the Applicant. Any submittal after the issuance of a Notice of Abated Application shall require the payment of an Abated Application fee and must comply with any amendments to this LDC, the *Engineering Standards Manual*, or Fire Prevention Code adopted after the last review of the application.
- 8) **Abandoned Application:** An application shall be abandoned when no activity occurs for twelve (12) consecutive months. The Land Use Administrator shall issue a Notice of Abandoned Application to the Applicant. Any submittal after the issuance of a Notice of Abandoned Application shall constitute a new application.
- 9) **Effect of Site Development Orders on Successors and Assigns:** Site Development Orders are transferable. However, so long as the land or structure or any portion thereof covered under the site development order continues to be used for the purposes for which it was issued, then no person (including successors and assigns of the person who obtained the site development order) may make use of the land except in accordance with the conditions and requirements of the site development order. The provisions of the site development order run with and burden the real property to which it relates until release or amended in accordance with formal action of the City.
- 10) **Amendment to an Approved Site Development Order:** An application to amend an approved site development order shall be processed and reviewed in the same manner as the application for the approved site development order.
- 11) **Expiration:** All site development orders, unless otherwise provided in the site development order, shall expire automatically if, within one year after the issuance of such orders:
 - a) The use authorized by a site development order has not commenced or continued in bonafide good faith (during any twelve (12) month period less than twenty-five (25) percent of the total remaining cost of construction, erection, alteration, excavation demolition or similar work has been performed), or the application for the next required development approval has not been approved.
 - b) Less than ten (10) percent of the total cost of all construction, erection, alteration, excavation, demolition, or similar work directly associated with a site development order has been completed on the site. With respect to phased development, this requirement shall apply only to the approved phase.
 - c) For all years following the first year, a development permit shall expire automatically, if during any twelve (12) month period less than 25 percent of the total remaining cost of construction, erection, alteration, excavation demolition or similar work on any development authorized by a development permit has been completed on the site. However, expiration of a development permit shall not affect the provisions of Subsection (3).
- 12) **Extensions:** The approving authority may extend for a period of twelve (12) months the date when a site development order would otherwise expire pursuant to Subsection (5) if it concludes that:
 - a) The site development order has not yet expired,

- b) The site development order recipient has proceeded with due diligence and in good faith, and
 - c) Conditions have not changed so substantially as to warrant a new application.
 - d) The order approving authority may grant successive extensions for periods up to 12 months upon the same findings, subject to compliance with Article IX, Concurrency Management..
- 13) **Non-Conforming Situations:** Notwithstanding any of the provisions of Article VII, Non-Conforming Situations, this section shall be applicable to site development orders issued prior to the date this section becomes effective.
- 14) **Maintenance of All Areas, Improvements, and Facilities:** The recipient of a site development order, or his successor, shall be responsible for maintaining all areas, improvements, or facilities required by this LDC or any permit issued in accordance with its provisions, except those areas, improvements, or facilities with respect to which an offer of dedication to the public has been accepted by the appropriate public authority. As illustrations, and without limiting the generality of the foregoing, this means that private roads and parking areas, water and sewer lines, drainage areas and recreational facilities must be properly maintained so that they can be used in the manner intended, and required vegetation and trees used for screening, landscaping, or shading must be maintained in a state of vigorous good health and immediately be replaced if they die or are destroyed. Canopy trees required for shading or buffering, must be maintained according to their natural growth form and shall not be excessively pruned without approval from the City.

Section 3.5 Subdivisions

A) General Requirements

- 1) **Purpose:** The purpose of this Section is to establish procedures and standards for the subdivision of land within the City of Oviedo. No person may subdivide land except in accordance with the provisions of this Section.
- 2) **Approval of Subdivisions:** The subdivision of land shall require the submittal and approval of one of the following:
 - a) Statutory Subdivision
 - b) Non- Statutory Subdivision
- 3) **Exemption:** The combination or reconfiguration of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to or exceed the minimum standards set forth in this LDC shall not be considered a subdivision as defined in Article XVIII, Basic Definitions and Interpretations, and shall be exempt from the requirements of this Section.
- 4) **Creation of Subdivision by Joint Owners of Land:** Where it may subsequently become evident that a subdivision is being created by the recording of deeds by metes and bounds description of tracts of land, the City may, at its discretion, require all the owners involved to obtain City approval of the subdivision being so created or require all owners of record to jointly conform to the applicable provisions of this Section.
- 5) **Effect on Previously Platted Subdivisions:** This Article shall not apply to any land forming a part of a subdivision created and recorded prior to adoption of this LDC, but it shall apply to any re-subdividing of such prior subdivision.

6) Relationship of Deeds, Covenants, and Other Private Restrictions to the Regulations for the Subdivision of Land: It is not intended by the provisions of these regulations to repeal, abrogate, annul, or in any way, impair or interfere with private restrictions placed upon property by deed, covenant, or private agreement, except that where this Article imposes higher standards than imposed by such deeds, covenants, or private agreements, then the provisions of this Article shall apply. The City shall not be responsible for enforcement of such deeds, covenants, or agreements.

B) Statutory Subdivision: A statutory subdivision requires the review and approval of a preliminary subdivision plan and final engineering plan; and review, approval and recordation of a final plat per Chapter 177, Florida Statutes.

1) Preliminary Subdivision Plan: A preliminary subdivision plan (PSP) shall be approved upon the review, approval, and issuance of a site development order per Section 3.3, Development Orders.

2) Final Engineering Plan: A final engineering plan may be approved upon the review, approval, and issuance of the site development order for the preliminary subdivision plan; or through the review and approval of a site construction type II permit.

3) Final Plat: A final plat shall be reviewed and approved in accordance with the requirements of this Section and Chapter 177, Florida Statutes. An application for final plat approval shall include the following:

a) Application: An application for final plat approval shall include the following:

i) A Final Plat prepared in accordance with the requirements of Chapter 177, Florida Statutes.

ii) A Site Development Order or a Construction Type II Permit for the required improvements.

iii) A performance guarantee shall be required from an Applicant who chooses not to install the required improvements prior to final plat approval. The performance guarantee shall ensure the proper installation of required landscaping, reclaimed water service, potable water service, sanitary sewer service, street, and other improvements, in the event of default by the Applicant. The performance guarantee shall be submitted in one of the following forms:

1. Cash Deposit: The Applicant shall deposit with the City or place in an escrow bank account subject to the control of the City, cash in the full amount of 125% of construction costs for the installation and completion of the required improvements as determined by either an estimate from the project engineer, or copy of the construction contract. In the event of default by the Applicant or failure of the Applicant to complete such improvements within the time required by this Article, the City, after sixty (60) calendar days written notice to the Applicant, shall have the right to use such cash deposit or account to secure satisfactory completion of the required improvements.; or

2. Irrevocable Letter of Credit: The Applicant may furnish to the City an unconditional and irrevocable letter of credit, in an amount equal to 125% of the total estimated cost of construction for the installation and completion of the required improvements. The letter of credit shall be issued to the City by a State of Florida or United States banking institution. In event of default by the Applicant or failure of the Applicant to complete such improvements within the time required by this Article, the City, after sixty (60) days written notice to the

Applicant, shall have the right to use any funds resulting from drafts on the letter of credit to secure satisfactory completion of the required improvements.; or

3. **Performance and Payment Completion Bond:** A performance and payment completion bond, including a payment of vendors clause, shall be furnished and payable to the City in the sum of 125% of the total cost of the construction for the installation and completion of landscaping, streets, street and traffic control devices, markings, sidewalks, drainage facilities, street signs, reclaimed water, potable water and sewer facilities and other improvements as shown on the final construction plan. The bond is to run from the date construction begins until the improvements are accepted by the City. In the event of default by the Applicant or failure of the Applicant to complete such improvements within the time required by this Article, the City, after sixty (60) calendar days written notice to the Applicant, shall have the right to use such bond to secure satisfactory completion of the required improvements.
- iv) **Covenants:** Any protective deed covenants to be placed on the property shall be notarized and in a form suitable for recording.
- v) **Utility Service:** Letters from utility companies stating that all easements are adequate.
- vi) **Title Certificate:** A certificate of ownership, signed by a licensed attorney at law or an abstract company, in a form approved by the City attorney and, at a minimum, demonstrating:
 1. That the parties executing plat are owners of the land embraced by the plat.
 2. All mortgages, liens, or other encumbrances.
 3. That all City taxes and assessments are paid to date.
 4. Description of the plat is correct.
 5. That no conflicting rights-of-way, easements or plats exist.

b) Review Process

- i) **Pre-Application:** It shall be the responsibility of the Applicant to request and obtain all required application forms and information that constitute a sufficient application. Prior to submitting an application, the Applicant may schedule a pre-application conference with the Land Use Administrator.
- ii) **Application Submittal:** The Applicant shall submit a sufficient application including the application form, required plans, supporting information, power of attorney (to allow parties to act on behalf of the Applicant and/or property owner), and all applicable fees to the Land Use Administrator for review.
- iii) **Sufficiency Review:** Upon receipt of an application, the Land Use Administrator or designee shall conduct a sufficiency review to determine if the application contains all required forms, plans, supporting information, and fees. Following the review, the Land Use Administrator or designee will notify the Applicant that the application is either sufficient or insufficient for review.
 1. If the application is found sufficient, the notification shall inform the Applicant of the requirements for compliance review.
 2. If the application is found insufficient, the notification will list the information that must be submitted for the application to be found sufficient. Prior to submittal of the required

information, the Applicant may request a meeting with the Land Use Administrator to review the notice of insufficiency and the information that must be submitted to constitute a sufficient application. Upon submittal of the required information, the Applicant shall pay an insufficient review fee.

iv) Compliance Review

1. A sufficient application will undergo a compliance review to determine if the application:
 - a. Is consistent with the requirements of Chapter 177, Florida Statutes;
 - b. Is consistent with the Comprehensive Plan; and
 - c. Complies with applicable requirements of this Land Development Code.
 2. If the order-approving authority determines that the application fails to comply with one or more of the above requirements, it shall find the application non-compliant. Upon the issuance of a notice of non-compliance by Land Use Administrator, the Applicant shall have sixty (60) days in which to submit an amended application addressing the non-compliance finding(s). Upon submittal of the amended application, the Applicant shall pay a non-compliance review fee. Submittal of an amended application after sixty (60) days of the issuance of a notice of non-compliance shall constitute a new application. The Applicant may also appeal the non-compliance finding(s) as provided for in Article II, Administration.
 3. The Applicant may amend the application prior to the order-approving authority's consideration of the application. The Applicant may also agree to amend the application during the order-approving authority's consideration of the application. Said amendments must be made prior to the issuance of the site development order.
 4. The Compliance Review shall be performed by the City Surveyor, the City Attorney, and the DRC.
- v) **Progress Conferences:** Any time after submitting an application and receiving a notification of sufficiency, the Applicant may request a Progress Conference with the Land Use Administrator. Progress Conferences are encouraged and may assist in expediting the approval process.
- vi) **Approval of the Final Plat:** The City Council shall approve the proposed plat unless it finds that the plat or the proposed subdivision fails to comply with one or more requirements of this LDC or that the final plat differs substantially from the preliminary subdivision plans and specifications approved by the City Council that authorized the development of the subdivision.
- vii) **Recording:** Following approval by the City Council, the Applicant shall record the final plat in Seminole County.

Project Name: _____

Applicant Name: _____

PSP/SITE DEVELOPMENT ORDER APPLICATION SUFFICIENCY CHECKLIST
If Not Applicable, provide justification

<i>Item No:</i>	<i>Checklist Item</i>	<i>Yes</i>	<i>No</i>	<i>Location in Submittal</i>	<i>Comments/Justification</i>
	Pre-Application Conference Held				
GENERAL INFORMATION					
<u>1</u>	Project Name				
<u>2</u>	Project Address or Parcel ID Number				
<u>3</u>	Project Description				
<u>4</u>	General Location				
<u>5</u>	Applicant Name, Address, Telephone, E-mail, Fax				
<u>6</u>	Engineer, Name, Address, Telephone, E-mail, Fax				
<u>7</u>	Owner Name, Address, Telephone, E-mail, Fax				
<u>8</u>	Names of all Individuals Having Legal Interest/Ownership				
PROJECT DESCRIPTION					
<u>1</u>	Title Block on Front Sheet				
<u>2</u>	Subdivision Type (Residential, Commercial, Other)				
<u>3</u>	Name & Address of the Development				
<u>4</u>	Name(s) of Utility Providers				
<u>5</u>	Vicinity Map to Scale				
<u>6</u>	North Arrow				
<u>7</u>	Preparation/Revision Dates-Up to Date				
<u>8</u>	Approval Blank in Lower Right Corner				
<u>9</u>	Parcel ID Number				
EXISTING CONDITIONS					
<u>1</u>	Plans at a Scale of 1"=100' or Larger				
<u>2</u>	Project Size in Acres				
<u>3</u>	Existing Land Use and Zoning				
<u>4</u>	Individual trees eight (8) inches by common name and Sci. name				
<u>5</u>	Show streams, ponds, ditches, wetlands, floodways, etc.				
<u>6</u>	Soil Classification map and analysis, sub-surface investigation				
<u>7</u>	Existing street ROWs private roads, sidewalks within 50'				
<u>8</u>	Existing improvements with dimensions				
<u>9</u>	Existing curbs and gutters, curb inlets, curb cuts, drain grates				
<u>10</u>	Existing stormwater or drainage facilities, manholes, pipes				
<u>11</u>	Existing Contours & Finished Floor Elev of Abutting Properties				
<u>12</u>	Existing drainage/utility/cross access easements				
<u>13</u>	Existing undergrnd. Utility lines, all utilities & within 50 feet				
<u>14</u>	Existing above ground utilities and accessories				
<u>15</u>	Existing closest fire hydrant				
<u>16</u>	Existing lighting: poles and fixtures				
PROPOSED PRELIMINARY SUBDIVISION PLAN					
<u>1</u>	All plans submitted on 24" by 36" Sheets				

PSP/SITE DEVELOPMENT ORDER APPLICATION SUFFICIENCY CHECKLIST
If Not Applicable, provide justification

Item No:	Checklist Item	Yes	No	Location in Submittal	Comments/Justification
<u>2</u>	Legal Description Provided				
<u>3</u>	Proposed Land Use and Zoning shown				
<u>4</u>	No. of lots permitted and proposed				
<u>5</u>	Proposed lot sizes of each lot (or building dimensions in sq.ft.)				
<u>6</u>	Proposed setbacks (for regular and irregular lots)				
<u>7</u>	Finished floor elevations for each building pad				
<u>8</u>	Location of new and existing easements				
<u>9</u>	Proposed FAR (for commercial subdivisions)				
<u>10</u>	Proposed impervious surface				
<u>11</u>	Proposed landscape buffers (buffer yard types, for commercial)				
<u>12</u>	Prop. No. of parking spaces (per unit or per commercial bldg.)				
<u>13</u>	Location & acres of recreational areas				
<u>14</u>	Proposed usable open space				
<u>15</u>	Proposed access points/driveways/drive aisles, widths & radii				
<u>16</u>	Prop. Streets, ROW widths				
<u>17</u>	Proposed sidewalks and walkways,				
<u>18</u>	Prop. Curbs and gutters, curb cuts, grates and bridges				
<u>19</u>	Prop Stormwater/drainage facilities, manholes, other				
<u>20</u>	Prop. Elevations, contour lines following final grading (1ft. Inter)				
<u>21</u>	Proposed landscape plan showing all features				
<u>22</u>	Prop. Erosion and sediment control plan, all silt fences.				
<u>23</u>	Proposed lot(s) for model home/sales office				
<u>24</u>	Proposed water system, supply source				
<u>25</u>	Proposed water use calculations				
<u>26</u>	Proposed sewer system, source of service,				
<u>27</u>	Proposed wastewater use calculations				
<u>28</u>	Proposed source of irrigation				
<u>29</u>	Proposed irrigation use calculations				
<u>30</u>	Proposed exterior and interior turning radii				
<u>31</u>	Proposed location of all utilities, above and below ground				
<u>32</u>	Proposed density (units per acre)				
<u>33</u>	Proposed intensity; FAR				
<u>34</u>	Proposed phases of development, target and completion dates				
<u>35</u>	Proposed loading/unloading areas (For commercial sites)				
<u>36</u>	List of all deviations requested, and justification				
<u>37</u>	Proposed fire flow calculations				
SITE SURVEY					
<u>1</u>	Legal Description				
<u>2</u>	Project Survey signed and sealed				
<u>3</u>	High Water Elevation Identified				

PSP/SITE DEVELOPMENT ORDER APPLICATION SUFFICIENCY CHECKLIST
If Not Applicable, provide justification

Item No:	Checklist Item	Yes	No	Location in Submittal	Comments/Justification
<u>4</u>	Water bodies on site identified				
<u>5</u>	FEMA Flood Zone Designation or 100 year Flood				
<u>6</u>	Existing Surface Drainage Characteristics				
<u>7</u>	All Existing Structures				
<u>8</u>	Location/Boundaries of Environmentally Sensitive Areas				
<u>9</u>	Existing Trees on Site and Trees to be Removed				
<u>10</u>	Tree Mitigation Plan				
WRITTEN DOCUMENTATION					
<u>1</u>	Written Description of Proposed Development				
<u>2</u>	Previous Approved Amendments/ Agreements				
<u>3</u>	Permits Required from other Jurisdictions Listed				
<u>4</u>	Ingress/Egress Points				
<u>5</u>	Proof of Coordination				
<u>6</u>	Documentation of Threatened/Endangered Species				
<u>7</u>	Documentation on Wetlands Protection				
CONCURRENCY					
<u>1</u>	Traffic				
<u>2</u>	Water				
<u>3</u>	Wastewater				
<u>4</u>	Solid Waste				
<u>5</u>	School Capacity Availability Letter of Determination (SCALD)				
CERTIFICATION					
<u>1</u>	Certification Form Completed/Signed				