

Project No: _____

Project Name: _____



400 ALEXANDRIA BOULEVARD • OVIEDO, FLORIDA 32765

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APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)
ZONING MAP AMENDMENT (ZMA) REQUEST

The approval of a zoning map amendment (ZMA) to change a property's zoning district to Planned Unit Development (PUD) is directly related to compliance with the requirements of the Comprehensive Plan and Land Development Code (LDC). Comprehensive Plan Policy 1-1.1.4 contains the criteria for which a zoning map amendment will be reviewed by the City. Policy 1-1.3.3 provides the location criteria for all Planned Unit Developments. LDC Section 4.6 provides the minimum criteria and standards for the PUD zoning district.

The PUD zoning district requires the review, approval, and execution of a development agreement between the Applicant and the City. The development agreement shall be included as an exhibit to the ordinance adopting the zoning map amendment which changes a property's zoning district to PUD. The PUD zoning district requires the review and approval of a conceptual development plan which is approved as an exhibit to or by reference in the development agreement.

1. GENERAL INSTRUCTIONS:

- A) The Applicant is required to schedule a pre-application conference with the Development Review Division before submitting this application. To arrange a conference, call 407-971-5796. Please indicate the date of Pre-Application Conference: _____
- B) The Applicant is required to complete all parts of this application properly and completely in order for staff to begin processing the requested PUD ZMA.
- C) The application must be signed by the property owner(s) of record or be accompanied by a notarized letter of authorization signed by the property owner(s) of record designating an applicant on his/her/their behalf.

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- D) This application must be accompanied by the application fee: see Resolution No. 1794-08. Checks should be made payable to the City of Oviedo. Application fees are paid at the City's Finance Department.**
- E) The application will be reviewed by City staff in accordance with Comprehensive Plan Policy 1-1.1.4 which identifies the following criteria:**
- 1. Consistency with the goals, objectives, and policies of the Comprehensive Plan, and the Future Land Use Map Series**
 - 2. Impact on Established and Proposed Levels of Service**
 - 3. Compatibility with Existing and Proposed Land Uses**
 - 4. Current Supply of Vacant Land Already Designated for the Proposed Land Use**
 - 5. Funding Commitments for Required Improvements**
 - 6. Impact on Natural Resources**
 - 7. Population Impact**
- F) The application will be reviewed by City staff for compliance with the location criteria provided in Comprehensive Plan Policy 1-1.3.3.**
- G) The application will be reviewed by City staff for compliance with the minimum requirements of LDC Section 4.6.**
- H) Application Process: Completed applications proceed through the following list of four public meeting, two of which are also formally advertised public hearings:**
- 1. Development Review Committee (DRC) – Public Meeting**
 - 2. Planning, Zoning, & Appeals Board (PZA) – Public Meeting; Public Hearing**
 - 3. City Council First Reading – Public Meeting**
 - 4. City Council Second Reading – Public Meeting; Public Hearing; Scheduled Action**

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2. APPLICANT INFORMATION: Applicant/Property Owner Contact Information (Provide Name, Complete Mailing Address, Telephone Number(s), FAX Number, Email Address):

Applicant Name: _____

Address: _____

Phone: _____ FAX: _____ E-MAIL: _____

Property Owner(s) Name: _____

Address: _____

Phone: _____ FAX: _____ E-MAIL: _____

Consultant(s) Name: _____

Address: _____

Phone: _____ FAX: _____ E-MAIL: _____

3. PUD PROJECT INFORMATION:

A. PUD Project Address and/or Parcel Identification Number(s).

B. Describe the General Location of the PUD Project:

C. Size of PUD Project (in acres): _____

D. Existing Future Land Use Designation: _____

E. Proposed Future Land Use Designation: _____

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F. Existing Zoning District(s): _____

G. Current Use of PUD Project Property: _____

H. Current Use of Surrounding Properties:

North: _____ East: _____

South: _____ West: _____

I. Surrounding Future Land Use Designations (To be completed by City Staff):

North: _____ East: _____

South: _____ West: _____

J. Surrounding Zoning Districts (To be completed by City Staff):

North: _____ East: _____

South: _____ West: _____

K. How will potable water, reclaimed water, and wastewater utilities be provided to the PUD project? State the appropriate utility provider(s) (ie, City of Oviedo or Alafaya Utilities).

potable water: _____

reclaimed water: _____

wastewater: _____

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4. TYPE OF DEVELOPMENT AGREEMENT: Please check all that apply in order to assist City staff in determining whether a Statutory or Non-statutory Development Agreement will be required to facilitate this application. City staff will review the items checked below, determine the type of development agreement required, and provide the Applicant with a sample development agreement that can be tailored to facilitate the proposed development request.

- The City's Comprehensive Plan; Land Development Code; and other laws and policies governing the development of the land at the time of the execution of the development agreement shall govern the development of the land for the duration of the development agreement. (Statutory)
- The City's Comprehensive Plan; Land Development Code; and other laws and policies governing the development of land at the time of the issuance of a development order or permit shall govern the development of land for the duration of the development agreement. (Non-statutory)
- Due to the specifics of the proposed development, it will be necessary for the City Council to waive a Land Development Code requirement or standard to accommodate the proposed development. (Statutory)
- No waiver of a Land Development Code requirement or standard is necessary to accommodate the proposed development. (Non-statutory)
- The duration of the development agreement shall not exceed 10 years. (Statutory)
- The development agreement shall not have a termination date. (Non-statutory)
- The proposed development involves private participation in the provision of public facilities. (Statutory)
- The proposed development does not involve private participation in the provision of public facilities. (Non-statutory)

If any of the above "Statutory" items are checked, a Statutory Development Agreement shall be processed in accordance with the provisions of the "Florida Local Government Development Agreement Act" (Chapter 163, *Florida Statutes*).

A. Non-Statutory Development Agreement Minimum Requirements: At a minimum, a non-statutory development agreement shall include the following:

- 1) A legal description of the land subject to the agreement and the names of its legal and equitable owners;
- 2) The future land use designation and zoning district of the land;
- 3) A description of the project and/or deviation request;
- 4) A description of the individual phases of the project with timeframes for completion of each phase, when applicable;
- 5) The development uses permitted on the land; population and unit densities, and building intensities and height, when applicable;
- 6) A finding that the development permitted or proposed is consistent with the City's Comprehensive Plan and Land Development Code;

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- 7) A description of any reservation or dedication of land for public purposes, when applicable;
- 8) A description of all local development orders or permits approved or needed to be approved for the development of land;
- 9) A description of any conditions, terms, restrictions, or any other requirements as determined to be necessary by the City for the public health, safety, or welfare of its citizens;
- 10) A description of public facilities that will service the development, including who shall provide such facilities; the date any new facilities, if needed, will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development, when applicable;
- 11) A statement indicating that failure of the agreement to address a particular development order or permit, condition, term, or restriction shall not relieve the developer of the necessity of complying with the law governing said permitting requirements, conditions, terms or restrictions; and
- 12) A statement that the burdens of the development agreement shall be binding upon and the benefits of the agreement shall inure to, all successors in interest to the parties of the agreement.

B. Statutory Development Agreement Minimum Requirements: At a minimum, a statutory development agreement shall include the following:

- 1) A legal description of the land subject to the agreement, and the names of its legal and equitable owners;
- 2) The future land use designation and zoning district of the land;
- 3) A description of the project and/or deviation request;
- 4) The duration of the agreement;
- 5) The development uses permitted on the land, including population densities, and building intensities and height;
- 6) A description of the individual phases of the project with timeframes for completion of each phase;
- 7) A description of public facilities that will service the development, including who shall provide such facilities; the date any new facilities, if needed, will be constructed; and a schedule to assure public facilities are available concurrent with the impacts of the development;
- 8) A description of any reservation or dedication of land for public purposes;
- 9) A description of all local development permits approved or needed to be approved for the development of the land;
- 10) A finding that the development permitted or proposed is consistent with the City's Comprehensive Plan and Land Development Code;
- 11) A description of any conditions, terms, restrictions, or other requirements determined to be necessary by the City for the public health, safety, or welfare of its citizens;
- 12) A statement indicating that the failure of the agreement to address a particular permit, condition, term, or restriction shall not relieve the developer of the necessity of

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complying with the law governing said permitting requirements, conditions, term, or restriction; and

- 13) A statement that the burdens of the development agreement shall be binding upon and the benefits of the agreement shall inure to, all successors in interest to the parties of the agreement.

5. REQUIRED FORM AND CONTENT OF THE CONCEPTUAL DEVELOPMENT PLAN (CDP):

- A. Vicinity Map.** The CDP shall contain a vicinity map drawn to scale which clearly shows the site in relationship to its surroundings. If the project exceeds 100 acres in area, an aerial photograph made within the last two (2) years at a scale of at least one (1) equals 500 feet showing all property within 1,000 feet of the project boundaries is required.
- B. Proof of Ownership.** The CDP shall include a legal instrument that clearly indicates all persons with a legal ownership interest in the PUD Project property. This documentation must also include affirmation that no other persons have claims or interests that might affect the Applicant's right to develop the entire PUD Project as proposed.
- C. Boundary Survey and Legal Description of the PUD Project Property.** The CDP shall contain an official, sealed boundary survey prepared by a State of Florida registered land surveyor which delineates the location and dimensions of all boundary lines of the PUD Project. The boundary survey shall include a complete legal description of the land comprising the PUD Project and the total size (in acres) of the PUD project.
- D. Identification of Existing Conditions.** The CDP shall contain the approximate location, nature, and extent of the following existing conditions: (1) easements, streets, drainage ways, and utilities; (2) major points of access to public rights of way including major points of ingress and egress to the PUD Project; (3) number of linear square feet of road frontage; (4) buildings and historic sites; (5) future land uses and zoning districts; (6) tree groupings, environmentally sensitive areas, wetlands, and watercourses; (7) areas delineated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) for the City of Oviedo; and (8) topographic contours.
- E. Adjacent Land Use Information.** The CDP shall contain adjacent land use information for the properties on the perimeter of the PUD Project sufficient to indicate the relationship between the PUD Project and the surrounding area. This information shall be provided for the area within 200 feet of the exterior boundary of the PUD Project and shall include the following: (1) land ownership; (2) existing future land use designations; (3) existing zoning classifications; (4) circulation system; (5) density; (5) public facilities; and (6) unique natural features.
- F. PUD Project Land Use Information.** The CDP shall contain the following data in tabular format: the total PUD Project acreage, acreage for each proposed land use

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(including open spaces, conservation areas, recreation areas, water bodies, and other proposed uses), proposed intensity for each non-residential land use; estimated square footage for all multi-family and non-residential buildings or structures, minimum lot size, building setbacks, and proposed net residential density. The land use information shall also be graphically depicted to show the approximate location within the PUD Project of each proposed land use.

G. Dedication or Reservation of Land for Public Use. The CDP shall indicate the location, size (in square feet or acres), and dimensions of all public lands to be dedicated or reserved for public facilities and/or services as part of the PUD Project including all dedicated rights-of-way, easements, open spaces, recreation areas, public parks, school sites, and other lands.

H. Environmental Impact Statement and Environmental Assessment. The CDP shall contain an environmental assessment of the PUD Project that shows the existing and proposed site conditions. The environmental survey shall identify and describe all vegetative communities, wetlands and floodprone areas, drainage basins, protection zones, soils, lands designated "Conservation" on the Comprehensive Plan Future Land Use Map, and any other significant natural features of the site. The environmental assessment shall also provide verification of whether or not the PUD Project exists within the 100- Year Flood Plain, and identify all endangered/listed plant and animal life. The environmental assessment must provide mitigation strategies for the protection of wetlands and endangered/listed plant and animal species.

I. Public Facility Impact Statement and Concurrency Management Plan. The CDP shall contain a statement identifying the estimated impact of the PUD Project on public facilities, and the method and design for accommodating the impacts. The following public facilities must be evaluated and the means of mitigating the impacts of the PUD Project identified: (1) quantity of wastewater generated; (2) quantity of potable water required; (3) projected trips; and (4) estimated number of school-age children expected within the PUD Project. The public facility impact statement shall also contain a description of recreational facilities proposed and the system design for stormwater management improvements. The evaluation of traffic impacts shall indicate trip generation and trip assignments with proposed improvements to accommodate projected trips in order to maintain adopted level of service standards. Proposed roadway improvements include new roads, lane additions, signalization, acceleration/deceleration lanes, intersection improvements and other system enhancements.

J. Proposed PUD Project Site. The CDP shall contain a conceptual drainage plan for the PUD project that has been approved by the City Engineer. The CDP shall also include a graphical depiction which conceptually locates the following within and/or serving the PUD Project:

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- (1) Location of the closest public water supply system and proposed preliminary design for water service improvements.
- (2) Location of proposed wastewater collection system and proposed preliminary design of wastewater collection improvements.
- (3) Location of major points of access to public rights of way including major points of ingress and egress to the PUD Project
- (4) Location of proposed improvements for collecting and discharging surface drainage and preliminary design of such improvements. (Conceptually locate all existing and proposed ponds.)
- (5) Locations for fire hydrants.
- (6) Location and type of bufferyards.

K. Other Information. The CDP shall contain any other materials and information as the City Staff, the Development Review Committee (DRC), the Planning, Zoning, and Appeals Board (PZA), and the City Council may reasonably require.

PUD ZMA APPLICANT CHECKLIST

Application Fee	<input type="checkbox"/>
Pre-Application Conference Held	<input type="checkbox"/>
Applicant Information	<input type="checkbox"/>
PUD Project Information	<input type="checkbox"/>
Development Agreement Determination	<input type="checkbox"/>
Conceptual Development Plan:	
Vicinity Map	<input type="checkbox"/>
Proof of Ownership	<input type="checkbox"/>
Boundary Survey	<input type="checkbox"/>
Complete Legal Description	<input type="checkbox"/>
Existing Conditions	
Easements, Streets, Drainage, Utilities	<input type="checkbox"/>
Existing Access Points	<input type="checkbox"/>
Soils	<input type="checkbox"/>
Roadway Frontage	<input type="checkbox"/>
Buildings and Historic Sites	<input type="checkbox"/>
Future Land Use(s)	<input type="checkbox"/>
Zoning District(s)	<input type="checkbox"/>
Environmentally Sensitive Areas, Wetlands, Water	<input type="checkbox"/>
Areas delineated by FEMA on Oviedo FIRM	<input type="checkbox"/>
Topographic Contours	<input type="checkbox"/>

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Adjacent Land Use Information (within 200 feet)

- Land Ownership
- Future Land Use Designations
- Zoning Classifications
- Circulation System
- Density
- Public Facilities
- Unique Natural Features

PUD Project Land Use Information

- Total PUD Project Acreage
- Acreage for Each Proposed Land Use
- Proposed Intensity for Each Non-Residential Land Use
- Estimated square footage for Non-Res Buildings/Structures
- Minimum Lot Size
- Building Setbacks
- Proposed Net Residential Density
- Graphical Depiction of Proposed Land Uses

Land for Public Use Identified

Environmental Impact Statement and Assessment

- Environmental Assessment
 - Vegetative Communities
 - Wetlands
 - Floodprone Areas
 - Drainage Basins
 - Protection Zones
 - Soils
 - Conservation Lands
 - Other Natural Features

Environmental Assessment

- Verification of 100-Year Flood Plain
- Endangered/Listed Plant and Animal Life
- Tree Removal Estimates
- Impact of Proposed Grading Plan
- Impact of Drainage System Improvements
- Mitigation Strategies for Protection of Wetlands and Species

Public Facility Statement and Concurrency Management Plan

Proposed PUD Project Site

- Location/preliminary design of public water supply & improvements
- Location/preliminary design of wastewater supply & improvements
- Location/preliminary design of collect/discharge surface drainage imp
- Location of proposed access points

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- Location sidewalks, curbs, fire hydrants
- Location/width permanent utility/drainage easements
- Location and type of bufferyards

- APPLICATION FEES PAID IN FULL
- TEN (10) COPIES OF THE DEVELOPMENT AGREEMENT AND SUPPORTING DOCUMENTATION (see "Requirements" below) (Additional copies may be requested for the Compliance Review of the application.)
- SURVEY OF THE PROPERTY, CONCEPTUAL DEVELOPMENT PLAN, SITE DEVELOPMENT PLAN, OR MASTER LAND USE PLAN
- WRITTEN RESPONSE TO LDC SECTION 2.6(C-G) (ATTACHED) IF THE PROPOSED DEVELOPMENT REQUIRES A DEVIATION GREATER THAN THIRTY (30) PERCENT OF A MINIMUM LDC REQUIREMENT
- POWER OF ATTORNEY (if application not signed by owner of record)

Certification: I hereby certify that, to the best of my knowledge, all information supplied with this application is true and complete, and that I am

() **the Property Owner of Record for the subject property described herein.**

() **the Authorized Agent of the Property Owner of Record for the subject property described herein (letter of authorization attached).**

Signature

Date

Name and Title (printed or typed)