

Administrative Review Procedures for Projects Within the Southeast Orlando Sector Plan Area

Note: the following recommended procedures are based on the Orlando Naval Training Center Planned Development, with modifications necessary to accommodate the Southeast Orlando Sector Plan. The following administrative review procedures may only be used where the project is consistent with the Southeast Orlando Sector Plan and in accordance with the other conditions listed in the procedure.

Application of Regulations

In the Southeast Orlando Sector Plan area, the application of land use regulations shall be based on the policies of the City of Orlando Growth Management Plan, including but not limited to Future Land Use Element Policy 2.4.4, Goal 4 and associated objectives and policies, and Figure LU-2A, the Southeast Orlando Sector Plan Conceptual Master Plan Map. The primary land development regulations for properties in the Southeast Plan area shall be as set forth in the Southeast Orlando Sector Plan and any accompanying Planned Development Ordinance. To the degree that an issue is not adequately addressed in a PD, reference to the Southeast Orlando Sector Plan or to the adopted CONVENTIONAL LDC for interpretation shall be appropriate.

Development Parcel Master Plan Review and Design Guidelines Approval

Lands designated Urban Village or Airport Support District-Medium Intensity on the Official Future Land Use Map must undergo Development Plan Review for Planned Development, as outlined in the City's Land Development Code, and including Municipal Planning Board and City Council review and approval.

In addition, prior to the issuance of permits for any construction within an individual development parcel, a specific parcel Master Plan shall be submitted to the City for review and approval by the Southeast Town Design Review Committee (SETDRC). The specific design guidelines for each development parcel shall be submitted as part of the individual parcel Master Plan review process, but shall generally conform with the Southeast Orlando Sector Plan.

Southeast Town Design Review Committee

A. Membership. A Southeast Town Design Review Committee (SETDRC) consisting of the following members is hereby established:

1. Planning Director - Chairman of the SETDRC
2. Planning Official
3. Zoning Official
4. Public Works Director
5. City Engineer
6. Development Review Services Manager-Office of Permitting Services

B. General Powers, Functions and Duties. The SETDRC shall review the proposed specific parcel Master Plan and specific guidelines relating thereto for consistency with the purpose, intent, and requirements of the Southeast Orlando Sector Plan and any accompanying PD ordinance and shall provide recommendations concerning these matters to the City Council for adoption.

C. Plan Consistency. If the SETDRC finds the proposed specific parcel master plan and specific design guidelines consistent with the Southeast Orlando Sector Plan and the accompanying PD, it shall issue a written approval authorizing the developer to prepare a subdivision plat (provided a subdivision plat is not part of the Master Plan submission).

D. Plan Inconsistency. If the SETDRC finds the proposed specific parcel Master Plan and specific design guidelines inconsistent with the Southeast Orlando Sector Plan and/or the accompanying PD, it shall issue a written recommendation as to how the plan and specific design guidelines may be amended. The developer may

resubmit the specific parcel Master Plan and design guidelines in compliance with the SETDRC's recommendations.

E. Appeal of the SETDRC Recommendation. If the developer disagrees with the SETDRC's recommendation, he may appeal the recommendation to the Municipal Planning Board. The MPB shall hold an informal public hearing with due public notice. The MPB shall consider the appeal and hear any concerned person or party. Following the hearing, the MPB shall render its decision. Should an affected person or party desire to appeal the MPB's determination, such appeal shall be in accordance with the procedures and requirements of Chapter 2, Article XXXII of the City Code: "Procedures for Quasi-Judicial Hearings."

F. Pre-Application Conference Required. The applicant shall meet with the staff of the Planning and Development Department prior to submitting the application, to discuss basic site plan procedures and requirements, and to consider the elements of the site in question and the proposed development.

G. Submittal Requirements. The developer shall submit the following to the Land Development Division of the Planning and Development Department for SETDRC review unless modified or waived by the Planning Director:

1. Ten (10) Copies of the specific parcel Master Plan. The plan shall be dimensioned and drawn to a scale not less detailed than 1"=200 feet. The plan shall include a signature block for the Planning Director.
2. Ten (10) Copies of an Existing Conditions Survey including topography, for the area covered by the specific parcel Master Plan. The survey shall be dimensioned and drawn to the same scale as the specific parcel Master Plan.
3. Ten (10) Copies of the Specific Design Guidelines appropriate to each specific parcel Master Plan. This may include road cross-sections. The design guidelines shall include a signature block for the Planning Director.
4. Prior to approval of the each specific parcel Master Plan, the developer shall identify the approximate percentage of for-sale units proposed for each parcel, where residential units are envisioned. It is the City's intention that the percentage of rental units within the Southeast Plan area shall not exceed 40%.
5. Any information reasonably required by the Planning Director.

Regulatory Authority of the Specific Parcel Master Plan

Once approved by City Council, the specific parcel Master Plan and corresponding specific design guidelines shall regulate the development and use of the property. Appropriate reference shall be incorporated into the accompanying PD following necessary approval by the City Council. Subsequent changes to the specific parcel Master Plan and/or corresponding design guidelines shall be subject to the PD amendment process described below, where appropriate.

Subdivision Plats

Review process. Subdivision plats shall be reviewed by the SETDRC for consistency with the approved specific parcel Master Plan, the accompanying PD and other applicable City Code requirements not otherwise contained in this ordinance, through the procedures established in Exhibit 1.

Default Procedures. Any issue not addressed herein related to the subdivision of land shall be subject to the requirements contained in the City's CONVENTIONAL LDC to the extent such requirements are not inconsistent with the requirements of this ordinance.

Individual Sites: Site Design and Building Review Process

The City's normal building permit review process and construction inspection process shall apply within the Southeast Orlando Sector Plan area. However, if a Town Planning Office, such as the Orlando Naval Training Center's TPO, is created for the Southeast Orlando Sector Plan area, then these processes may be modified to include the TPO concept. Such an action would accrue to the benefit of the development community by providing for additional expedited review.

Fees and Benefits

Impact fees shall be payable in amounts as set forth in the applicable City ordinances and codes as adopted from time to time. Consistent with the Southeast Orlando Development Plan Agreement, when proposed development is consistent with the Southeast Orlando Sector Plan, participating property owners/developers shall be entitled to the following benefits:

- A. Waiver of fees for Growth Management Plan amendments arising from the Southeast Orlando Sector Plan with processing of any necessary amendments by the City.
- B. Waiver of fees for zoning amendments arising from the Southeast Orlando Sector Plan with processing of any necessary amendments by the City.
- C. Waiver of fees for PD review and specific parcel Master Plans.
- D. Waiver of City subdivision platting fees for a period of 5 years from the initial Master Plan approval of individual development parcels.
- E. Local environmental permitting, if such permitting is instituted at the City's sole discretion.
- F. Expedited permitting as a result of above.

The following base development incentives shall be available where Traditional Design standards, as outlined in the Southeast Orlando Sector Plan, are used:

- A. Utilization of smaller Traditional Design street widths.
- B. Increased densities and greater opportunities for mixed use development alternatives.
- C. Transportation Impact Fee Schedule revised to reflect shorter average trip lengths, greater interconnectivity, higher pedestrian accessibility and better jobs/housing balance.

PD Amendment Process

Changes to the Urban Village or Airport Support District-Medium Intensity Planned Developments shall be classified as either Substantial Amendments, Presumed Non-Substantial Amendments, or Minor Modifications. Minor modifications are only applicable on a site by site basis, where Amendments would be applicable to multiple sites. Exhibit 2 identifies amendment types and their classifications. Each amendment shall be reviewed according to the procedures set forth below:

Substantial Amendments. A Substantial Amendment to a Southeast Plan Planned Development is any amendment listed as substantial in Exhibit 2 and any amendment which has a reasonable likelihood of being inconsistent with, or not fulfilling, the principles of the Growth Management Plan and/or Southeast Orlando Sector Plan. Substantial Amendments shall be subject to the procedural requirements for PD amendments contained in Chapter 65 of the City's Land Development Code (LDC). A public hearing shall be held with due public notice, including the mailing of courtesy notices to all property owners within 500 feet of the Planned Development.

Presumed Non-Substantial Amendments. The Developer may propose certain amendments to be considered as non-substantial. Presumed non-substantial amendments shall be reviewed by the SETDRC for consistency with the principles of the Southeast Orlando Sector Plan. Following the review of the proposed amendment, the SETDRC shall make a determination as to whether the amendment is substantial or non-substantial.

A. Non-Substantial Determination. If the SETDRC determines that the amendment is non-substantial, the change shall be recommended to City Council for incorporation into the applicable PD.

B. Substantial Determination. If the SETDRC determines that the amendment is substantial, the amendment shall be forwarded to the Municipal Planning Board and City Council for review.

C. Review Procedures. Review of proposed PD amendments shall be subject to the same procedures as described previously, with the exception of the submittal requirements.

D. Submittal Requirements. The developer shall submit the following to the Land Development Division of the Planning and Development Department for SETDRC review unless modified or waived by the Planning Director:

1. Ten (10) Copies of the Proposed Planned Development Amendment.
2. Any information reasonable required by the Planning Director.

Minor Modifications. The Planning Official shall be authorized to permit minor modifications on a site by site basis as described in Exhibit 2.

A. Submittal Requirements. The developer shall submit the following to the Land Development Division of the Planning and Development Department for administrative review unless modified or waived by the Planning Official:

1. Three (3) Copies of the Proposed Minor Modification.
2. Any information reasonably required by the Planning Official.

Exhibit 1

I. Preliminary Plat

A. Purpose of the Preliminary Plat Review. Preliminary Plat Review is intended to provide for a complete review of technical data and preliminary engineering drawings for proposed subdivisions which require construction of streets or public improvements. The review should evaluate potential impacts on both the site and surrounding areas, and resolve planning, engineering and other technical issues so that development may proceed.

B. Pre-Application Conference. Except where this requirement is waived by the Zoning Official, any applicant wishing to undertake Subdivision Plat Review shall meet with the staff of the Planning Department and Bureau of Engineering prior to submitting the application, to discuss the procedures and requirements which will apply to the proposed development.

C. Submittal of the Application. The applicant shall submit to the Planning and Development Department a Preliminary Plat application which conforms to the submittal requirements of Chapter 65, LDC, in multiple copies. No application shall be deemed accepted unless it is complete.

D. The Review Process.

1. Southeast Town Design Review Committee. Upon acceptance of the application, copies shall be forwarded to all members of the SETDRC. SETDRC members shall review the application and approve, deny or approve with conditions. Following SETDRC approval, the applicant shall be authorized to prepare the final plat.

2. Request for Additional Information (if necessary). - If SETDRC members find that additional information is needed for the proper review of the application, the Zoning Official shall notify the applicant, specifying the information needed. Submittal and review of such information shall be the same as for the original application.

3. Conditions. When the SETDRC members (or MPB, upon appeal) approve any subdivision application, they may prescribe appropriate conditions and safeguard in conformity with the intent and provisions of the Southeast Orlando Sector Plan, the applicable PD, the specific parcel Master Plan, or as applicable, Chapter 65 of the LDC, including, but not limited to, any of the following:

- a. Establish a special yard or other open space or lot area.
- b. Designate the size, number location or nature of vehicle and pedestrian access points in accordance with Chapter 61, LDC.
- c. Require the dedication of additional street right-of-way or any easements necessary to meet the standards of, and in accordance with, the applicable PD and the LDC.
- d. Protect existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.
- e. Specify other conditions to permit development of the City in accordance with the intent and purpose of the Southeast Orlando Sector Plan and the adopted GMP.

4. Violation of such conditions and safeguards, when made a part of the terms under which the subdivision is approved, shall be deemed a violation of the City Code, subject to enforcement under the provisions of Chapter 5 of the City Code.

5. Appeal to the MPB. Whenever the applicant disagrees with the decision of the SETDRC, or any conditions and safeguards imposed by the SETDRC, he may appeal the decision to the MPB. Such appeal shall be filed within five (5) working days of the decision or determination. The Board shall review the decision and approve, deny, approve with modifications or refer the matter back to the SETDRC for further consideration based on specific instructions.

6. Effect of Preliminary Plat Approval. Approval of the Preliminary Plat shall authorize the applicant to submit Construction Drawings to the City Engineer (see Chapter 65, LDC). All Construction Drawings and Final Plats submitted based on an approved Preliminary Plat must conform to such Preliminary Plat and any conditions which may have been approved with it. However, the City Engineer may authorize minor modifications and adjustments during Construction Drawings review within requiring additional Preliminary Plat review. Approval shall not authorize recording of the Plat, nor constitute the acceptance of land or improvements proposed to be dedicated to the City, nor shall such approval excuse compliance with any provisions of Chapter 59

regarding concurrency management.

7. Expiration of Preliminary Plat Approval. Construction Drawings for the first construction stage of the development must be submitted within one year of Preliminary Plat approval or the Preliminary Plat shall expire. One or more extensions for an additional one year each may be granted by the Zoning Official if he finds that the developer has diligently pursued the application or has acquired vested rights.

8. Submittals. Chapter 65, LDC contains the submittal requirements for preliminary plats. The number of copies to be submitted shall be determined by the Zoning Official. If any of the items required to be submitted are irrelevant or not applicable to a proposed development, such item may be omitted. The applicant shall identify in writing the items missing and include a brief explanation of why they are irrelevant, not applicable or not submitted. The Zoning Official shall be authorized to waive submittal requirements where deemed appropriate.

II. Final Plat

A. Purpose of Final Plat Review. Final Plat Review is intended to provide for the acceptance or performance guarantee of improvements and reservations to be included in a General Subdivision, and for the recording of the subdivision plat.

B. Submittal. Simultaneously with or following the acceptance for processing and review of all Subdivision Construction Drawings, the applicant shall submit to the Engineering Bureau the following:

1. The original mylar plat with ten (10) paper copies;
2. Title opinion or Certificate of Title, including six (6) copies of the Boundary Survey and Topographical Survey, if different from the Preliminary Plat Submittal;
3. Properly executed Joinder & Consent forms;
4. Subdivision Construction Drawings - six (6) sets of approvable plans for the construction of publicly dedicated improvements including, but not limited to sanitary sewer, storm sewer, and roadway construction.

C. The Review Process.

1. City Engineer. Upon acceptance of the application, the City Engineer shall review the application for conformance with the review standards below. As part of this review, he/she shall forward a copy of the final plat to the Zoning Official for review. Following this review, he/she shall approve or deny the application, stating in writing any reasons for denial.

2. Review Standards. No application shall be approved unless:

- a. It is in conformance with the approved Preliminary Plat and other City regulations and policies;
- b. Construction drawings and adequate performance guarantee have been provided and approved;
- c. All required subdivision agreements, escrows, dedications and reservations have been executed; and
- d. The applicant has paid all required fees or charges, and has established any required escrow arrangements.

e. Installation of Improvements. Where an applicant elects to proceed with installation of required improvements prior to recording of the Final Subdivision Plan, the alternative procedure set forth in Chapter 65, LDC shall apply

3. Recording of the Plat. Upon approval of the application by the City Engineer, the Plat shall be forwarded to the City Council to authorize the Mayor, City Clerk, Planning Director and the City Engineer to sign the approved plat. The City Engineer shall then be responsible for recording the signed Plat in accordance with state law.

4. Effect of Recording Final Plat. Upon recording of the Final Subdivision Plat the applicant may begin site development and installation of improvements. Approval of the Final Plat shall constitute acceptance of all dedications and reservations of land shown on the Plat, except those which are specifically reserved or are refused in writing by the City in connection with Plat approval.

5. Revisions After Final Plat Approval. No changes, erasures or revisions shall be made after Final Plat approval unless the Plat is resubmitted as a new application. This shall not affect the right to file an affidavit confirming error on a recorded plat as provided by law.

III. Minor Subdivision Plat

A. Purpose of Minor Subdivision Review. The review process set forth in this section is intended for subdivisions which do not require construction of streets or public improvements. In so doing, this Section ensures that development in the City of Orlando takes place in an orderly and efficient manner.

B. When Minor Subdivision Plat Review Applies. Minor Subdivision Plat Review shall apply to any subdivision or re-subdivision of land where all of the following standards are met:

1. No additional improvements are required by this Code, except utility laterals, sidewalks, acceleration/deceleration lanes, and fire hydrants;
2. The street layout will not be affected except for dedication of additional right-of-way, where required;
3. All building sites shall front on a public street with the exception of tandem single family developments; and
4. All lots must be serviceable by existing water and sewer lines.

C. Pre-Application Conference. - Any applicant wishing to undertake Minor Subdivision Review shall meet with the staff of the Planning Department and Engineering Bureau prior to submitting the application, to discuss the procedures and requirements which will apply to the proposed development.

D. Submittal of the Application.

1. The applicant shall submit to the Planning Department a Minor Subdivision application which conforms to the submittal requirements of Chapter 65 of the Land Development Code, in multiple copies. No application shall be deemed accepted unless it is complete.

2. For a complete Minor Subdivision Plat. The applicant shall submit the same information as required for a Preliminary and Final Subdivision Plat, except that the following shall not be required:

- a. Proposed Street System;
- b. Proposed utility and drainage infrastructure; and
- c. Maintenance of common improvements and open space.

3. The Review Process.

a. Southeast Town Design Review Committee. Upon acceptance of the application, copies shall be forwarded to all members of the SETDRC. SETDRC members shall review the application and approve, deny or approve with conditions. Following SETDRC approval, the applicant shall be authorized to prepare the final plat, if not previously submitted with the initial application.

b. Request for Additional Information (if necessary). If revisions or additional information is needed, the Zoning Official shall notify the applicant specifying the revisions or information needed. Submittal and review of the revised application or information shall be the same as for the original application.

c. Conditions. When the SETDRC (or MPB, upon appeal) approves any Subdivision application, they may prescribe appropriate conditions in conformance with the Southeast Orlando Sector Plan, the applicable PD, the specific parcel Master Plan or, as applicable, Chapter 65 of the LDC.

d. Appeal to the MPB. Whenever the applicant disagrees with the decision of the SETDRC or Zoning Official or any conditions and safeguards imposed by the SETDRC, he may elect to appeal the decision to the MPB. Such appeal shall be filed within five (5) days of the decision or determination. The Board shall review the decision and approve, deny, approve with modifications or refer the matter back to the SETDRC for further consideration based on specific instructions.

e. City Council Review. When the SETDRC (or MPB, upon appeal) approves a Minor Subdivision application, it shall be forwarded to the City Council for final review and approval or denial.

f. Recording of the Plat. Upon approval of the application by the City Council, the Plat shall be forwarded to the Mayor, City Clerk and Planning Director, and the City Engineer for signature. The City Engineer shall then record the signed Plat in accordance with state law.

4. Expiration of Minor Subdivision Approval. The minor subdivision plat shall be recorded within one year of City Council approval or the minor plat approval shall expire. One or more extensions for an additional one year each may be granted by the Zoning Official if she/he finds that the developer has diligently pursued the application or has acquired vested rights.

Exhibit 2

Substantial, Presumed Non-Substantial and Minor Modifications

Substantial Modifications

A proposed change that is inconsistent with GMP FLU Policy 2.4.4, FLU Goal 4 and associated objectives and policies, and/or the Southeast Orlando Sector Plan

A change which would include a principle land use not previously permitted under the applicable approved PD ordinance and/or applicable GMP policies.

A change which would alter a land use type adjacent to a property boundary, except when it is:

- i. a reduction in density; or
- ii. a reduction in intensity of approved residential development, unless the reduction locates a residential use next to an incompatible land use.

An alteration which would increase the size of an Activity Center, Town Center, Village Center or Neighborhood Center, except as provided on the applicable PD Development Plan Map.

A proposed change which would increase the land use intensity within an Urban Village or Airport Support District-Medium Intensity PD without a corresponding decrease in some other portion of the PD and which results in greater off-site impacts or potential significant and adverse impacts on adjacent land uses and the surrounding roadway network.

A proposed change that is inconsistent with the principles of the Growth Management Plan and Southeast Orlando Sector Plan, or any proposed change to said principles.

Presumed Non-Substantial Modifications

Changes to PD Development Standards and Design Guidelines which are consistent with the Southeast Orlando Sector Plan.

Alterations necessary to accurately reflect the specific location of schools, parks, libraries, public safety facilities or other small scale public facilities.

Any proposed change not specifically identified in this exhibit.

Minor Modifications

Changes to the quantifiable standards of the Southeast Orlando Sector Plan and adopted specific parcel master plan guidelines for a Certificate of Occupancy. Such changes shall not exceed 20% of the adopted numeric standard. The resulting standard shall be consistent with the purpose and intent of the GMP, the principles of the Southeast Orlando Sector Plan and/or the applicable PD ordinance, and shall be compatible with surrounding development. Minor modifications shall not be granted by the Planning Official subsequent to the issuance of a Certificate of Occupancy. After the Certificate of Occupancy, the procedures contained in the City's LDC pertaining to Modifications of Development Standards and Zoning Variances shall apply. Changes which exceed 20% of the numerical standard shall require zoning variance approval.