

ARTICLE IV: ZONING AMENDMENTS AND PLANNED DEVELOPMENT PROJECTS

SECTION 4.1 AMENDMENTS TO ORDINANCE TEXT OR SCHEDULES

Amendments to the text of the land development regulations or to the Schedules adopted and incorporated by reference herein shall be made only by Ordinance duly adopted in the manner prescribed by law for the adoption of Ordinances by the City Commission, provided that no proposed Ordinance amending such text or the Schedules shall be adopted by the City Commission until the proposed amendment has been referred to the Planning and Zoning Commission for review and recommendation as to the relationship of such proposal to the City's Comprehensive Plan or appropriate elements or portions thereof, provided further, that if the Planning and Zoning Commission fails to make a recommendation respecting such proposed amendment within two months after the time of reference, then the City Commission may act upon the proposed amendment.

SECTION 4.2 AMENDMENTS TO ZONING DISTRICT MAP

The Zoning District Map may be amended from time to time to change the Zoning District within the incorporated area of the City in accordance with the following procedures:

- A. **Origination of Proposed Amendments.** Proposed amendments to the Zoning District Map changing the Zoning District within the incorporated area of the City of Sanford, Florida, may originate by resolution of the City Commission, the Planning and Zoning Commission or by application of the owners of fifty-one percent (51%) or more of the land area involved in the proposed change.

Proposals originating with the City Commission or the Planning and Zoning Commission must be reflected in an appropriate resolution of the originating body and a copy of such resolution, upon adoption, shall be filed with the Administrative Official.

Proposals originating with the owners of fifty-one percent (51%) or more of the land area involved in the proposed change shall be in the form of an application required and provided by the Administrative Official and shall be submitted to the Administrative Official together with the fee established in the manner prescribed in this Ordinance. Such application shall be signed by the owners of fifty-one percent (51%) or more of the land area involved in the proposed change and described in the application or by the authorized agent of such owner or owners. Written authority authorizing a person other than the property owner to sign an application shall be attached to such application.

- B. **Referral to the Planning and Zoning Commission.** Any proposal for amendment to the Zoning District Map pursuant to the section shall, upon receipt by the Administrative Official, be referred to the Planning and Zoning Commission for consideration and the formulation of a recommendation to the City Commission.
- C. **Hearing By Planning and Zoning Commission.** Upon receipt of an application for amendment to the Zoning District Map pursuant to this section and reference thereof to the Planning and Zoning Commission, the Administrative Official shall, upon notification

by the Chairman of the Planning and Zoning Commission of the date fixed for a hearing, cause notices of the time, place and purpose of a hearing upon the application to be published, mailed and posted in the manner provided in Section 3.12B of the land development regulations. At the time and date established by such notice, the Planning and Zoning Commission shall conduct a hearing upon the application in the manner provided by Section 3.12C and D of the land development regulations and, shall recommend adoption or denial of the application to the City Commission provided, however, that in the case of a Proposed Planned Development Project Plan, the Planning and Zoning Commission shall recommend adoption, adoption with modifications and/or conditions or denial of the application to the City Commission.

- D. **Action By City Commission.** Following hearing by the Planning and Zoning Commission, the Administrative Official shall submit the proposed amendment to the Zoning District Map, with the recommendation of the Planning and Zoning Commission, to the City Commission for consideration. No proposal to amend the Zoning District Map shall be permitted to be withdrawn by the applicant from and after the date on which the Planning and Zoning Commission makes its recommendation to the City Commission regarding such proposed amendment.

The City Commission shall consider and act upon such application and the recommendation of the Planning and Zoning Commission in the manner prescribed by law for the adoption of Ordinances by the City Commission and thereafter adopt or refuse to adopt such proposed amendment.

In acting upon a proposal to amend the Zoning District Map, the City Commission may approve a more restrictive zoning designation than the designation proposed in the application including, but not limited to, the Planned Development zoning classification.

- E. **Development Order Required for Zoning Map Amendment with Planned Development Project.** The zoning map shall be amended by ordinance executed by the City Commission which shall grant the application for an amendment. In addition, all zoning map amendments which include Planned Development projects shall be approved by a written development order in the form specified in Section 3.12E.
- F. **Special Requirements Respecting Amendment To Zoning District.** No amendment to change the Zoning District of a specific parcel of land to a Zoning District different from the Zoning District of adjoining property shall be adopted unless the specific parcel of land involved in the proposed change has seventy five (75) feet or more of street frontage and 10,000 square feet or more of land area, provided however, that the zoning map may be amended so that a parcel of land may be added to an existing adjacent zoning district regardless of the size of the parcel or its street frontage.
- G. **Finality of Decision.** Whenever the City Commission has taken action to deny a proposed amendment to the Zoning District Map originating upon application of the owners of fifty-one percent (51%) or more of the property involved in the proposed change, unless such denial is specifically without prejudice to reapplication, no other application by the owners of such land for amendment to the Zoning District Map respecting such land shall be accepted by the Administrative Official for consideration by the Planning and Zoning Commission or City Commission for a period of one (1) year

from the date of the action denying the proposed amendment provided, however, that an applicant may request and the City Commission may waive the provisions of this Section for proper cause after hearing in conformity with the provisions of Section 3.11 (B), (C) and (D).

SECTION 4.3 PLANNED DEVELOPMENT PROJECT PLAN REVIEW

Approval of Planned Development Project Plans shall constitute and thereby require an amendment to the Zoning District Map. The procedure for review of Planned Development Project Plans shall be as follows:

- A. **Application For Approval.** The applicant for approval of a Planned Development Project Plan shall submit at least nine (9) copies of the master plan folded to nine (9) inches by twelve (12) inches, the supplementary materials required to accompany such plan and the fee established in Article X to the Administrative Official, such plan, supplementary materials and fee being collectively hereinafter called the "proposed Planned Development Project Plan". The Planned Development Project Plan and supplementary materials shall be in the form prescribed in Article V, 5.10.
- B. **Referral To Development Review Team.** Upon receipt of a proposed Planned Development Project Plan, the Administrative Official shall forward copies thereof to the Development Review Team who shall review the proposed Planned Development Project Plan. The collective findings of the Development Review Team respecting the proposed Planned Development Project Plan and their collective recommendation in writing respecting approval, disapproval or modification thereof shall be transmitted to the Administrative Official.
- C. **Referral To Planning And Zoning Commission.** Upon receipt of the written and collective recommendation of the Development Review Team, the Administrative Official shall refer the proposed Planned Development Project Plan and the recommendation of the Development Review Team to the Planning and Zoning Commission for consideration and the formulation of a recommendation to the City Commission.
- D. **Hearing By Planning And Zoning Commission.** Upon receipt of the proposed Planned Development Project Plan and the recommendation of the Development Review Team, the Planning and Zoning Commission shall hold a hearing upon the matter in the manner prescribed in Section 4.2(C).
- E. **Action By City Commission.** Following a hearing by the Planning and Zoning Commission, the City Commission shall consider the proposed Planned Development Project Plan and the recommendation of the Planning and Zoning Commission in the manner prescribed in Section 4.2(D).
- F. **Signature Of Approved Planned Development Project.** If the proposed Planned Development Project Plan is approved the Mayor shall execute at least one copy of the Planned Development Project Plan indicating the date of such approval. The approved and signed Planned Development Project Plan and required supplementary materials shall

then be filed in the Office of the Administrative Official and shall constitute the Planned Development Project Plan for the parcel in question.

If the proposed Planned Development Project Plan is disapproved or approved subject to modification or condition, the Administrative Official shall return one copy of the Master Plan and required supplementary materials to the applicant along with a copy of the City Commission's action respecting the same.

- G. **Approval Of Proposed Planned Development Project Plans; Extension Of Time Limits.** The City Commission may prescribe in the order respecting a proposed Planned Development Project Plan any reasonable conditions, limitations or requirements including, but not limited to, requirements in excess of those otherwise required by the land development regulations, as a condition to approval of such proposed Planned Development Project Plan. The City Commission may specify, in an order approving a proposed Planned Development Project Plan, specific time limits within which all or specified portions of the development contemplated thereby shall be started or completed. Only the City Commission shall have the authority to grant a time extension to an approval with specified time limits. Such extension shall not exceed six (6) months and shall be granted only within the original period of validity.

If the City Commission does not specify a time limit, the planned development project approval shall expire three (3) years from the effective date of the approval and all work must be completed within the three-year time frame. The Administrative Official may grant an extension of time not to exceed six (6) months and only within the original period of validity to the time limit when the City Commission specifies no time limit.

- H. **Development Order Granting Approval of a Planned Development.** A written order prepared by the Administrative Official and executed by the Mayor shall grant, or grant with conditions, the application for a Planned Development. The written order shall be in the form specified in Section 3.12E.
- I. **Expiration Of Specified Time Limits.** If a specific time limit prescribed in an approved Planned Development Project Plan or order extending the time prescribed in an approved Planned Development Project Plan expires without compliance with such order, the action of the City Commission approving the Planned Development Project Plan shall be automatically rescinded without City Commission action and the zoning classification shall revert to the prior classification.
- J. **Amendment To Planned Development Project Plan.** If, after approval of a Planned Development Project Plan pursuant to the provisions of this section the owner of any property reflected on such approved Planned Development Project Plan applies to amend the same, application for approval of such amendment shall be filed and acted upon in the same manner as herein prescribed for original applications for approval of Planned Development Project Plans.

- K. Intergovernmental Coordination.** The City shall require that development applications be coordinated, as appropriate, with the City of Lake Mary, Seminole County, the Seminole County School Board, other special districts, the East Central Florida Regional Planning Council (ECFRPC), the St. Johns River Water Management District, the Sanford Historic Preservation Board, the Sanford Airport Authority as well as applicable State and Federal agencies prior to issuance of a development order or permit. The City shall coordinate with the ECFRPC in meeting regional policies contained in the Regional Comprehensive Policies Plan.
- L. Concurrency Management.** No planned development project shall be approved for a proposed development until there is a finding that all public facilities and services have sufficient capacity at or above their adopted level-of-service (LOS) to accommodate the impacts of the development including, but not limited to, traffic impacts, or that improvements necessary to bring facilities up to their adopted LOS will be in place concurrent with the impacts of the development, as defined in Schedule Q, Concurrency Management.

SECTION 4.4 MASTER PLAN REVIEW

A Master Plan covering the entire parcel proposed for development shall be required prior to, or in conjunction with, a Site Plan which covers only a portion of the entire parcel proposed for development provided however, that the requirements of this section shall not apply to approved Planned Development Project Plans covering the same parcel in question. The procedure for submission, review and approval of a Master Plan required by this article shall be the same as required for a Site Plan as set forth in Section 5.3. One copy of the Master Plan shall, when approved, be signed and dated by the Chairman of the Planning and Zoning Commission. The approved and signed Master Plan shall then be filed in the Office of the Administrative Official and shall constitute the basis for preparation and submittal of future Site Plans for the parcel in question. No site development permit and/or certificate of completion shall be issued on the basis of an approved Master Plan until a Site Plan for the specific land and/or water area in question has been approved and filed in the Office of the Administrative Official.

The City shall require that development applications be coordinated, as appropriate, with the City of Lake Mary, Seminole County, the Seminole County School Board, other special districts, the East Central Florida Regional Planning Council (ECFRPC), the St. Johns River Water Management District, as well as applicable State and Federal agencies prior to issuance of a development order or permit. The City shall coordinate with the ECFRPC in meeting regional policies contained in the Regional Comprehensive Policies Plan.

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

The proposed master plan shall be transmitted to the Historic Preservation Board for appropriate action if required by Section 4.00 of Schedule S.

The proposed master plan shall be transmitted to the Airport Zoning Commission for appropriate action if required by Section 9.00 of Schedule R.

SECTION 4.5 MASTER PLAN REQUIREMENTS

All Master Plans shall contain at least the following data and information:

- A. **Master Plan Sheet Format.** Master Plans shall be drawn at a scale of 200 feet to the inch or larger. The maximum sheet size for master plans shall not exceed 24 inches by 36 inches. Multiple sheets may be used provided each sheet is numbered and the total number of sheets is indicated on each sheet. Cross referencing between sheets shall be required. Necessary notes and symbol legends shall be included. Abbreviations should be avoided but if used they shall be defined in the notes.

- B. **General Information.** The Master Plan shall include the following general information:
 - 1. The identification "Master Plan" on each sheet

 - 2. Legend, including:
 - a. Name of Development
 - b. Proposed Street Address
 - c. Acreage
 - d. Scale
 - e. North Arrow
 - f. Preparation/Revision Date
 - g. Tax Parcel No. (Seminole County Property Appraiser)

 - 3. Name, Address and Phone Number of:
 - a. Owner
 - b. Owner's Authorized Agent
 - c. Engineer
 - d. Surveyor
 - e. Others involved in application

 - 4. **Vicinity Map.** Show relationship of site to surrounding streets and public facilities at a scale of 1":2000' or larger.

 - 5. **Legal Description** of the parcel in question.

C. **Existing Conditions and Proposed Development.** The Master Plan shall show the existing and proposed location and general dimensions of the following:

1. **Streets.** Both on and adjacent to the site including:

- a. Name
- b. Location
- c. Right-of-Way Width
- d. Driveway Approaches
- e. Medians and Median Cuts

An analysis of the traffic circulation and related impacts based on requirements in Schedule Q, Concurrency Management.

2. **Easements.** Indicate location, dimensions, purpose and maintenance responsibility.

3. **Utilities.** Provider and capacity.

4. **Zoning.**

5. **On-Site Improvements and Uses.**

- a. Residential areas including acreages, housing types, maximum height, densities and maximum number of dwelling units by type, phase and total parcel.
- b. Nonresidential areas including acreages, maximum square footage, maximum height and type of use.
- c. General areas of permanent open space, recreation and/or buffers including acreages.
- d. General areas, including acreages, to be reserved or dedicated for public parks, playgrounds, schools or other public uses.
- e. Boundaries of areas proposed for subdivision including their designated purpose and/or use, provided, however, the subdivision of such areas shall be subject to all provisions and requirements of the City's subdivision regulations.
- f. Boundaries and numerical sequence of proposed development phasing.

6. **Adjacent Improvements, Uses and Zoning.**

7. **Topography.** As delineated by U.S. Geological Survey Maps or other competent expert evaluation, and extending 50 feet beyond the property boundaries. All elevations shall be based on mean sea level datum and referenced to the United States Geodetic Survey or its equivalent.

8. **Soil Type(s).** As identified in the Soil Survey, Seminole County, Florida, U.S.D.A. Soil Conservation Service or other competent expert evaluation. When soil suitability limitations are indicated for the proposed development, the City Engineer may require a preliminary soil analysis by a qualified soils engineer.
9. **100-year Floodplain.** As identified on Map I-1, Water Resources of the Comprehensive Plan.
10. **Drainage.** Depict existing drainage characteristics and proposed stormwater management concept.
11. **Surface Water.** Approximate normal high water elevation or boundaries of existing surface water bodies, streams and canals, both on and within 50 feet of site.
12. **Wetlands.** As identified by the Future Land Use Map of the Comprehensive Plan, designated as Resource Protection (RP), St. Johns River Water Management District Wetlands Mapping or other competent evaluation.
13. **Natural Vegetation and Landscape.** Indicate general location, size and type of existing upland wildlife habitats as identified on Map I-9, Vegetative Communities of the Comprehensive Plan and identify general location, size and type of proposed vegetation including trees.
14. **Wellfield Protection Zones.** Indicate whether or not the parcel is located within a wellfield protection zone as identified by the Wellfield Protection Zone Maps on file in the Department of Engineering and Planning.
15. **Aquifer Recharge Area.** As identified on Map I-1, Water Resources of the Comprehensive Plan.
16. **Potable Water and Wastewater.** Indicate required capacity, available capacity and provider.
17. **Fire Protection.** State method of fire protection.
18. **Reclaimed Water.** Include a statement regarding the use of the City of Sanford's reclaimed water system including the amount of reclaimed water to be utilized and method of disposal on the site.
19. **Solid Waste Disposal.** Include a statement regarding the proposed provider, projected amount and method of solid waste disposal. Explain hazardous waste disposal if applicable.

SECTION 4.6 SPECIAL MASTER PLAN CONDITION

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