

Date_____

CITY OF WAUCHULA

APPLICATION FOR

☐ **Preliminary Development Plan Review \$ 30.00**
☐ **Final Development Plan Review \$115.00**

Property Owner_____Phone_____

Mailing Address_____

City_____State_____Zip_____

Applicant (if different)_____Phone_____

Property Location_____

Proposed Development Name_____

Legal Description or Property Appraiser's Parcel No. (attach if necessary)

Zoning _____ Acreage_____No.of lots/tracts/units proposed_____

Engineer or Surveyor preparing the plans:

Name_____Company_____

Address_____Phone_____

City_____State_____Zip_____

This page will serve as the cover sheet for the Development Plan package. Additional information and submittals required should be attached/included with this page.

Approved by: Development Director_____Date_____

Supt. of Public Works_____Date_____

7.05.00 Site Development Plan

7.05.01 Intent and Purpose

The Site Development Plan procedure shall be required for all uses designated by the letter “D” in the Table 2.05.01A, “Table of Land Uses,” Article 2, to ensure that site-specific development projects meet the requirements of this Code prior to the issuance of a Building Permit.

The Planning and Zoning Board shall review and approve Site Development Plans authorized under this Code in the manner prescribed below. The Development Director may review and approve a Site Development Plan for up to five acres, if he/she finds that no conditions need to be imposed before issuing a Building Permit.

It is the intent of this Section that the Site Development Plan process be a part of the Building Permit application process, in that the Site Development Plan is the instrument by which improvements to the site will be constructed and inspected, and by which final inspection and Certificate of Occupancy shall be issued. Site Development Plan approval shall be required prior to the issuance of a Building Permit for the following:

- (A) Division of an existing development site (such a division shall result in a new or modified Site Development Plan for previously existing development, in addition to a separate plan for new development).
- (B) An expansion or reconfiguration of any of those types of development that are subject to Site Development Plan requirements.
- (C) An expansion or reconfiguration of any established use identified in Table 2.05.01A, “Table of Land Uses,” Article 2, as a Conditional Use.

7.05.02 Site Development Plan Review

Those developments subject to Site Development Plan review shall submit five copies of the Site Development Plan, with a completed application form, all necessary attachments and the requisite application fee to the Development Director to initiate processing of the plan. Additional plans shall be provided for review by other state, regional and county agencies upon staff request.

- (A) *Site Development Plan Preparation Requirements.* Where the proposed development site is two or more parcels, lots, tracts or sites, the Site Development Plan shall be prepared by a planning professional, architect, engineering professional or surveyor. At the Development Director’s discretion, the same requirement may be applied to sites of less than five acres where the plan proposes high-intensity uses or activities that may have a substantial impact on surrounding properties.

Sketch plans and drawings submitted with Variance, Special Exception or other zoning-related applications shall not be accepted for review as a site Development Plan unless prepared in accordance with the guidelines of this section. In all cases, engineering plans addressing drainage, road construction and other technical aspects

of development design shall be sealed by a civil engineer registered in the State of Florida.

- (B) *Completeness of Plans.* Completeness of Site Development Plans shall be determined within ten working days by the Development Director, and if complete shall be schedule for Pre-Application Conference according to the requirements of Section 7.01.00.
- (C) *Staff Review.* The Development Director and other appropriate City staff members shall review the Site Development Plan with specific regard to the codes and ordinances of the City of Wauchula.

The staff review shall identify matters of development policy concern to which the developer shall address particular attention. Specific comments to be addressed based on staff's review of the plan shall be provided in writing. The applicant shall be permitted to respond to staff comments at this stage of review.

- (D) *Revised Plans.* Upon agreement by the applicant to incorporate the staff review comments into the plan, the applicant shall submit to the Development Director revised Site Development Plans in which all concerns of the staff have been addressed.

When the Development Director determines that all staff comments have been adequately addressed, and that the requirements of all applicable City, state and federal regulations have been met, he shall place the plan on the agenda for the next regular meeting of the Planning and Zoning Board.

7.05.03 Content of the Application and Drawing

Site Development Plans for sites of five acres or more and those determined by the Development Director to require the detail, shall be drawn to a minimum scales of one inch equals 100 feet on an overall sheet size not to exceed 22 by 36 inches and not less than 11 x 17. When more than one sheet is required, an index sheet of the same size shall be included showing the entire parcel with individual sheet numbers referenced thereon. The following information is required on or in an acceptable form so as to accompany the Site Development Plan respectively:

Contents of the written application:

- (1) The property owner's name, address and telephone number; and the designated project applicant or representative if other than property owner.
- (2) A legal description of the property, including the size of the area in acres. For all property not included in a platted and recorded subdivision, a certified boundary survey of the property. Note: A certified survey will be required for all parcels at the time of submittal of the Building Permit application.
- (3) The future land use classification; and a description of the proposed use of the property.
- (4) A copy of the property appraisers plat map with the parcel marked.

- (5) The location of existing sewer service and potable water facilities to the development site and whether or not the existing facilities have the capacity to serve the parcel.
- (6) A list of the businesses or properties or uses adjacent to the site.
- (7) Identify whether the property is vacant or the use had been discontinued and for how long.
- (8) The engineer's name, address, telephone number and registration number.
- (9) Zoning classification assigned to the property that is the subject of the site plan and the zoning of the surrounding properties.
- (10) Number of units proposed, if any, and resulting net density.
- (11) Floor area of non-residential uses.
- (12) Open space expressed in square feet and as a percentage of the overall site.
- (13) Number of parking lots and spaces required and proposed.
- (14) Calculation of impervious surface, including structures, accessory buildings, parking areas, loading zones, sidewalks and other paved surfaces. To standardize the calculation, each parking space shall be considered to be 20 x 10 feet. For further information, see Article 3, Section 3.07.00, "Compatibility, Landscaping and Buffering Standards".
- (15) Copy of letter from SWFWMD regarding necessary stormwater retention facility.

Contents of the Drawing:

- (1) North arrow, scale and date prepared.
- (2) Location of all public and private streets, driveways and utility easements, within and adjacent to the site.
- (3) The footprint of all proposed buildings and structures on the site, including setbacks. Location of parking spaces, with handicapped access space(s) marked.
- (4) A drawing showing the placement and width of required landscape and buffer yards, including canopy trees; identification of mature trees for which credit can be given. For further information, see Article 3, Section 3.07.00, "Compatibility, Landscaping and Buffering Standards".
- (5) Identification of watercourses, wetlands, and significant stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas.
- (6) Sign(s) location, height and size in square feet.

- (7) Phase lines, if the development is constructed in phases.
- (8) Location of on- and off-site stormwater drainage and retention required by SWFWMD.
- (9) Existing topography with a maximum contour interval of one foot.
- (10) Proposed finished grading by contours supplemented where necessary by spot elevations and in particular at those locations along lot lines.
- (11) The delineation of all wetlands and flood-prone areas as delineated by the National Wetlands Inventory and the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA).
- (12) Delineation of all environmentally sensitive areas as determined by any appropriate agency.
- (13) All existing and proposed utilities, including but not limited to:
 - a. Water and sanitary sewer pipe sizes, rim and invert elevations, direction of flow and top and bottom elevations and fire hydrant locations and flows.
 - b. Telephone, electric, gas and other utilities.
- (14) Location of major solid waste receptacles.
- (15) In addition, the drawing shall reserve a blank space, three inches wide and five inches high for the use of the approving authority.

7.05.04 Development Site to be Unified

When requesting Site Development Plan approval, the applicant shall furnish proof that the development site is unified by title, and not spatially divided by ownership; however, multiple ownership is permissible so long as each owner or investor holds a percentage or proportionate interest in the site as a whole. The development site shall be designed to provide all required facilities, including parking and stormwater retention; no such facilities shall be located off-site. The entire site shall have the zoning designation required to accommodate the principal use.

No development site, once granted Site Development Plan approval, shall be divided except through Site Development Plan modification process established in Section 7.05.08.

7.05.05 Planning and Zoning Board Review and Action

The Planning and Zoning Board shall review and approve or disapprove any Site Development Plan. The Planning and Zoning Board shall review and evaluate the Site Development Plan with specific regard to the Comprehensive Plan, applicable City codes, and the advisory recommendations of City staff. The Planning and Zoning Board shall approve, approve with conditions, or deny the site plan.

In the alternative, the Planning and Zoning Board may, for the purpose of allowing the applicant an opportunity to address unresolved issues, continue consideration of the Site Development Plan. In the event a Site Development Plan is denied, the reason(s) for the denial shall be noted.

- (A) Where the proposed development involves only the expansion of existing structures, the Planning and Zoning Board may reduce or waive certain criteria, data, or other submission requirements as appropriate provided that the following conditions are met:
 - (1) No existing structure will be expanded by more than 30% of its total floor area and/or seating.
 - (2) No change in the existing use of the site is proposed.
 - (3) No existing nonconforming use would be expanded, and all other aspects of the site are in conformity with the requirements of this Code.
 - (4) The development site will not be reduced in size.
- (B) Under no circumstances shall any Site Development Plan be approved that is inconsistent with any term contained in this development code unless a Variance or waiver has been authorized in accordance with the provisions of Section 7.09.00 of this Code.

7.05.06 Approval of Site Development Plans

On approval of a Site Development Plan, a minimum of six (6) copies, and any additional copies as may be required by the City, of the approved Site Development Plan shall be submitted to the Development Director prior to processing of a Building Permit. The Development Director shall forward copies of the plan to appropriate City staff. The City Clerk shall retain and file one copy of the Site Development Plan to constitute a permanent record of the Site Development Plan. A minimum of three copies of the plan shall be reserved for the applicant, two of which shall accompany the application for Building Permit submitted to the Building Director, and one copy to be available for inspection at the job site.

7.05.07 Effect of Site Development Plan Approval

- (A) Approved Site Development Plans shall remain valid if a Building Permit is obtained subject thereto within one year after final approval. Granting of extensions for approval may be made by the Development Director for a single period up to one year from the date when a Site Development Plan would otherwise expire. An extension may be granted if the Official concludes that the recipient of the approved Site Development Plan has proceeded with due diligence and in good faith, and that conditions have not changed substantially so as to warrant a new application. All such requests for extensions must be submitted in writing, not less than 30 days before the expiration of the approved Site Development Plan stating the reason for the time extension request.
- (B) Upon approval of the Site Development Plan, the applicant may proceed to submit construction drawings to the appropriate City staff for permitting. These shall

include, but are not limited to, building plans, drainage and stormwater management facilities, road and driveway construction specifications, and tree removal plans.

- (C) Nothing contained herein shall preclude the City from accepting for review and processing building construction plans related to the structural, mechanical, electrical and plumbing systems prior to stamped approval of a Site Development Plan, subject to such conditions as may be established by the City relative to such pre-plan certification processing.
- (D) In such instances, no Building Permit will be issued until the Site Development Plan had been stamped approved and is on file in the Building Office. All building and construction permits issued for any project requiring Site Development Plan review shall be consistent with the stamped approved Site Development Plan. The approval of a Site Development Plan shall not, under any circumstance, be construed to waive or otherwise diminish the applicable City requirements for construction or installation of structures or materials. Whenever a conflict between the Site Development Plan and such construction details occurs, the more restrictive or that requiring the higher standard shall prevail.

7.05.08 Modification of Site Development Plans

Any modification, variation or adjustment of a stamped approved Site Development Plan shall require approval of a Site Development Plan amendment.

The Development Director shall determine whether a proposed Site Development Plan modification is a major modification or a minor modification. The determination shall be based on, but not limited to the following: any substantial change, including increase in density, change in permitted uses, change in stormwater runoff characteristics, change in traffic patterns and trip generation, or other similar changes shall be considered a major modification; any proposed minor changes in configuration or similar changes shall be considered a minor modification.

The Development Director may approve a minor modification. If the proposed change or amendment is determined to be other than a minor modification, the Development Director shall forward any revisions to appropriate members of City staff, outside consultants, and schedule a hearing by the Planning and Zoning Board to consider approval of the change.

7.05.09 Integration of Other Review Procedures

Any development involving the following provisions of this code shall be coordinated as set forth below:

- (A) *Development Built in Phases.* Development built in phases or stages must clearly show the various phases or stages of the proposed development on the Site Development Plans and on all subsequent Site Development Plans. Any amenity or stormwater management system proposed in any future phase shall be constructed in the first phase of development. A Site Development Plan must be submitted for each successive phase of the development.
- (B) *Site Development Plan Concurrent with Variance or Special Exception Uses.* For developments requiring approval of a Variance or Special Exception, a request for

such approval shall be submitted to the Planning and Zoning Board and City Council, and the Special Exception shall be approved prior to final approval of the Site Development Plan. A Site Development Plan and a Special Exception request may be processed concurrently.

7.05.10 Non-Compliance

Failure to comply with a stamped approved Site Development Plan or any of the conditions upon which such approval was contingent, including time limits for performance, shall be cause to deny issuance of Building Permit or, where a permit has been issued pursuant to a stamped approved Site Development Plan, to render such Building Permit invalid. Any action, construction, development or use of property undertaken in violation of the provisions of this Section for a site plan shall constitute a violation of this Code and may be subject to a stop-work order.

7.06.00 Subdivision Regulations

7.06.01 General

- (A) *Purpose and Intent.* The purpose of this Section is to establish minimum procedures and standards to further the provisions of State Law that regulates and requires the platting of Land for development; to further the goals and policies of the Wauchula Comprehensive Plan; and to set forth a process for approval of the subdivision of land within the jurisdiction of the City. Where provisions for subdividing land are either more restrictive or less restrictive than other land development codes, resolutions or rules adopted by the City, those provisions that are more restrictive and impose higher standards or requirements shall govern. Subdivision approval procedures are set forth herein as a three-step process, the Concept Plan Review, which is optional, Preliminary Plat review and final plat approval. This process is intended to permit comprehensive review by the City and to benefit the developer by identifying potential problems and their solutions at appropriate times during the process. As with all stages of the development approval process, it is the responsibility of the developer to check all State and local regulations governing the subdivision of land and to adhere strictly to the procedures therein.
- (B) *Applicability.* These regulations shall apply to all subdivisions, including those intended for commercial and industrial development. The provisions of this Section are applicable to the division of a parcel of land, that is defined to mean the division of contiguous land holdings by a single owner or multiple owners, regardless of how said parcels are described or recorded, into four or more parcels, lots, tracts or sites for the purpose of transfer of ownership or building development.

If the establishment of a new street is involved, parcels of five acres or more are not considered a subdivision if the street lines or public easements are not changed.

- (C) *Variances.* At the Preliminary Plat approval stage, and subject to final approval by the City council, certain Variances may be considered. Where the Planning and Zoning Board find that extraordinary hardships may result from the strict application of the planning and engineering standards set forth in these regulations, it may

consider those Variances that are recommended by the City Administrator and that the Planning and Zoning Board determines are necessary to ensure that substantial justice is done and the public interest is upheld. Provided however, that the effect of the Variance shall not be to nullify the purposes and intent of these regulations nor the Comprehensive Plan of the City of Wauchula.