

Town of Montverde Planned Unit Development Process

Submittal Requirements

Five (5) initial copies of the following (additional copies will be required after the final review completed):

- a) Preliminary Development Plan: The preliminary development plan (10 copies) consisting of property identified exhibits and supporting materials, shall clearly indicate the following:
 1. The name, location map, legal description, acreage, type of planned unit development, identification of the present ownership and the developers of the project;
 2. The existing land use and the proposed development by phase of construction identifying for each phase and for the total development the proposed use, the number of dwelling units or the floor area of commercial use, the gross density, the density by number of dwelling units per net residential acre for each residential category and area (types of residential units and densities may be mixed so long as the overall gross density conforms to the Comprehensive Plan);
 3. The existing topography and other features including lakes, marshes or swamps, watercourses (USGS map acceptable) and soils, and a general description of the vegetation (natural features shall be preserved and utilized when possible through careful design);
 4. The maximum height of buildings and structures requested;
 5. Applicant's proposed standards for setbacks, landscaping, buffers, parking, signs, access control and other items as necessary for all portions of the PUD.
 6. The priority and phasing of the development and the manner in which each phase of development can exist as an independent unit capable of creating an environment of sustained desirability and stability;
 7. The location of collector and arterial streets and highways proposed in the development, the general location of access points to abutting arterial streets and highways, and projected traffic generation;
 8. The proposed method of providing for all necessary road improvements, sewerage systems, water supply, stormwater management systems and fire protection;
 9. The proposed location of public uses, schools, open spaces and recreation spaces;
 10. Identification of consultants involved in plan preparation;
- b) Final Development Plan: The final development plan for portions of, or the total PUD, shall include the following submittals:
 1. Development report. An 8 ½ x 11-inch report with folded drawings, including the following information:
 - a. A location map showing the relationship between the area proposed for development, the remainder of the area within the approved preliminary development plan and the surrounding area;
 - b. The legal description and gross acreage of the area submitted for final approval;
 - c. The name, location, width and layout of existing streets, including abutting arterial highways, within two hundred (200) feet of the property in question;
 - d. The names, locations, right-of-way width, width of pavement of proposed streets, easements, pedestrian ways, bicycle paths and watercourses;
 - e. The locations, dimensions, design elevations or renderings, and uses of all buildings and structures, including proposed property lines, utilities, plants and permanent signs;
 - f. Design data:
 1. Proposed use;
 2. Number of dwelling units;

3. Floor area of commercial uses;
 4. Gross residential density;
 5. Net residential density;
 6. Commercial floor area ratios;
 7. Building setbacks;
 8. Building separations;
 9. Maximum impervious surface lot coverage;
 10. Height of structures;
 11. Distance of buildings from vehicular accessways and parking areas;
 - g. The open space, recreation space and private outdoor living area;
 - h. A landscaping and tree planting plan;
 - i. The open and covered off-street parking areas, indicating landscaping and external lighting systems;
 - j. The walls, fencing, or landscaping where required, between private and common areas, along streets or highways, drainage ways, railroads and along the periphery of the development;
 - k. Any refuse storage areas and methods of solid waste disposal;
 - l. The treatment of street lighting, external lighting and roof-mounted equipment;
 - m. The identification of the present ownership and the developers of all land included in the development; and
 - n. The identification of consultants involved in plan preparation.
2. Preliminary engineering plans, To include provisions for:
 - a. Roads.
 - b. Water.
 - c. Sewer.
 - d. Fire protection.
 - e. Water management.
 - f. Environmental impact when required by the Town.
 3. Any covenants, conditions, restrictions, agreements and grants which govern the use, maintenance and continued protection of buildings, structures and landscaping within the planned unit development.
 4. A description of all methods and commitments to offset the impact of the project on public facilities and services, including any areas to be conveyed or dedicated, and improved for roadways, parks, parkways, playgrounds, school sites, utilities, public buildings and other similar public and public service uses.
 - c) Additional Approvals: Based on the scope of the PUD project and the level of detail and scope of the final development plan, additional submittals in the form of a subdivision plat or site plan may be required for any section of the project before authorization can be given to proceed with development of that section. Procedures and submittals outlined in Chapters 5, 6, and 7 of this Code apply. Combined or concurrent reviews may be allowed as previously described.
 - d) Alterations to Preliminary or Final Development Plans:
 1. Substantial proposed changes in requested uses, density, phasing or other specifications of the preliminary development plan may be permitted only upon resubmittal to the Development Review Committee and the Planning and Zoning Committee.
 2. Substantial proposed changes in requested uses, density, phasing or other specifications of the final development plan may be permitted following review by the Development Review Committee, the Planning and Zoning Committee and approval by the Town Council.

3. Substantial changes are generally considered to be those changes that may have an impact on neighboring properties, existing residents of the PUD, the environment or public service.
- e) Control of Development Following Completion:
1. Upon the completion of the final development plan or any plans thereof, the Town shall certify the completion in the official zoning map.
 2. After such certification, the use of land and the construction, modification or alteration of any buildings or structures within the planned unit development will be in accordance with the final development plan, rather than with standard provisions of the zoning regulations.
 3. After certification, no changes may be made in the approved final development plan except under the procedure provided below:
 - a. Minor extensions, alterations or modifications of existing buildings, structures or utilities which are consistent with the purposes and intent of the final development plan, they may be authorized by the Town's consulting planner.
 - b. Uses not authorized by the final development plan may be added to the final development plan if approved by the Town Council, which shall hold a public hearing.
 - c. A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan as approved under the provisions of this part.
- f) Approval Expiration:
1. If a final development plan for all or part of the preliminary development plan has not been submitted within six (6) months following the approval of the preliminary development plan, the preliminary development plan approval shall be void. Upon request by the applicant prior to expiration, the Town Council may review the preliminary development plan and current conditions and determine whether the approved uses are still appropriate. Following this review, the Town Council may take the following action:
 - a. If there have been no changes in the surrounding area, the Town Council may extend the approval for an additional six (6) months.
 - b. If changes have occurred in the area that make the approved uses inappropriate, the Town Council may, after public hearing and recommendations of the Planning and Zoning Committee:
 1. Revise the preliminary development plan; or
 2. Change the zoning classification to a more appropriate district
 2. Construction must begin within the Planned Unit Development within twelve (12) months of approval of the final development plan. If construction has not begun, the final development plan approval and any vesting which may be claimed thereby shall be void. The applicant may request an extension prior to expiration. If more than one extension is requested, the matter shall be brought to the Town Council for a vote as to whether an extension should be granted. Construction shall be deemed to commence upon receipt of a site development permit or building permit for the development. Lapse of said site development or building permit shall constitute a termination of construction. Upon a termination of construction, construction must recommence during that portion of the twelve (12) month period which was not exhausted prior to commencement of construction. If recommencement does not occur in a timely manner, the final development plan approval and any vesting which may be claimed thereby shall be void.
- g) Bonds: Improvement bonds for facilities to be owned and maintained by the Town shall be posted before the issuance of building permits.

Processing

- All applications are received by the Town Clerk and forwarded to the consulting planner for initial review for code compliance and completeness.
- At the time of review the Town may request additional information to analyze impacts.
- The Clerk must forward the consultant comments to the applicant.
- Once the application is complete and there are no major issues, the consulting planner will forward the information to Town Attorney for preparation of Ordinance.
- The Clerk shall inform the applicant of meeting dates.

Advertising/Notices

- Notice to surrounding property owners within 300 ft at least 2 weeks prior to P&Z through certified mail read receipt.
- 1st advertisement should run prior to P&Z and 7 days prior to first public hearing. The second ad must be placed at least 5 days prior to the second public hearing.
- Ads must contain location map.
- All cost incurred by notification/advertising/posting shall be paid by the applicant

Hearings

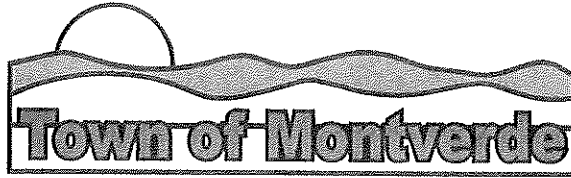
- P & Z Committee (4th Wednesday of each Month) – Recommendation to Council
- Town Council Meeting (2nd Tuesday of Month) – 1st Reading
- Town Council Meeting (2nd Tuesday of next Month) - 2nd Reading

Processing After Approval

- Within 7 days after the adoption, an ordinance must be filed with the circuit court, chief administrative officer with county and department of state with map and legal description.

Fees

- The applicant will pay in full for cost incurred through consultant review, attorney's fees advertising and notification.



PUD REZONING APPLICATION

Tax identification # _____

1. Owner's Name: _____
Mailing Address: _____
Telephone #: _____
2. Applicant's Name: _____
Mailing Address: _____
Telephone #: _____
3. Applicant is: Owner ___ Agent ___ Purchaser ___ Lessee ___ Optionee ___
(If other than the owner, please attach owner's affidavit)
4. Property Address/Location: _____
5. Legal Description of Property to be rezoned: _____

6. The property is located in the vicinity of the following streets:

7. Area of Property: _____ Square feet _____ Acres
8. Utilities: Central Water ___ Central Sewer ___ Well ___ Septic Tank ___
9. Existing zoning of property: _____
10. Requested zoning of property: _____
11. Number, square footage and present use of the existing structures on the property;

12. Proposed use the property: _____
13. Has any land use application been file within last year in connection with this property?
 ___ Yes ___ No. If yes, briefly describe the nature of the request:

Applications shall include a legal description of the property, sketch or survey of the property, Proof of ownership and authorization from if represented by an agent or contract purchaser. If the rezoning request is not consistent with the Future Land Use classification, a Comprehensive Plan Amendment must be approved prior to the rezoning.

I certify that the statements in this application are true to the best of my knowledge.

Signature of Applicant

PLEASE SUBMIT THE APPLICATION, ACCOMPANIED BY THE APPROPRIATE REVIEW FEES AND TEN (10) COPIES OF ALL APPLICABLE INFORMATION DOCUMENTATION.

APPLICANT'S AFFIDAVIT

**STATE OF FLORIDA
COUNTY OF LAKE**

Before me, the undersigned authority personally appeared _____, who being by me first duly sworn on oath, deposes and says:

- (1) That he affirms and certifies that he understands and will comply with all ordinances, regulations and provisions of the Town of Montverde, Florida, and that all statements and diagrams submitted herewith are true and accurate to the best of his/her knowledge and belief, and further, that this application and attachments shall become part of the Official Records of the Town of Montverde, Florida, and are not returnable.
- (2) That the submittal requirements for the application have been completed and attached hereto as part of this application.
- (3) That the applicant desires approval for:

Affiant (Applicant's Signature)

The foregoing instrument was acknowledged before me this ___ day of _____, 20____, by _____, who is personally known to me or who has produced _____ as identification and who did (did not) take an oath.

Notary Public

OWNER'S AFFIDAVIT

**STATE OF FLORIDA
COUNTY OF LAKE**

Before me, the undersigned authority personally appeared _____,
who being by me first duly sworn on oath, deposes and says:

- (1) That he is the fee-simple owner of the property legally described on page one of this application.
- (2) The owner desires approval for:

- (3) That he has appointed _____ to act as agent in his behalf to accomplish the above. The Owner is required to complete the APPLICANT'S AFFIDAVIT of this application if no agent is appointed to act in his stead.

Affiant (Owner's Signature)

The foregoing instrument was acknowledged before me this ____ day of _____,
20____, by _____, who is personally known to me or who has
produced _____ as identification and who did (did not) take an oath.

Notary Public

NOTE

All applications shall be signed by the owner of the property, or some person duly authorized by the owner to sign. This authority authorizing a person other than the owner to sign must be attached.