
REGULATORY PROCEDURES

APPLICATION OF REGULATIONS
NEIGHBORHOOD PLAN AND DESIGN GUIDELINE APPROVAL
SUBDIVISION PLATS
INDIVIDUAL SITES: SITE DESIGN AND BUILDING REVIEW PROCESS
IMPACT FEES
BUILDING PERMIT FEES
CONCURRENCY
DEFAULT DISTRICTS
PLAN AMENDMENT PROCESS
COMMUNITY ASSOCIATION
EXHIBIT 12-A: PLATTING PROCESS
EXHIBIT 12-B: CHANGES

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12.1 Application of Regulations

The application of land use regulations will be based on the policies of the City of Orlando Growth Management Plan. The Contract for Sale and Purchase of Real Estate and Developer's Agreement between the City of Orlando and Orlando NTC Partners, the Request for Proposals for the redevelopment of the property and the presentations made by Orlando NTC Partners during the selection process further represent the conceptual intent for the redevelopment of the property.

The primary land development regulations for this property shall be as set forth in this Planned Development Ordinance (PD). To the degree that an issue is not adequately addressed in this PD, reference to the adopted City of Orlando Land Development Code (LDC) for interpretation shall be appropriate. However, where there are conflicting regulatory requirements between this Planned Development Ordinance and the LDC, this PD shall control.

12.2 Neighborhood Plan and Design Guidelines Approval

Prior to the issuance of permits for any construction within a neighborhood, including public infrastructure, a specific Neighborhood Plan shall be submitted to the City for review and approval by the Town Design Review Committee (TDRC).

The specific design guidelines for each part of the

neighborhood (i.e. Village Center Core, Village Center General, Neighborhood Center, Neighborhood General, Park Edge) will be submitted as part of the Neighborhood Plan review process.

The Neighborhood Plan will be considered the Master Plan for the area in question and, at a minimum, include the area identified in Sections 3.10-3.15 or such smaller area that the TDRC deems acceptable. In evaluating acceptability, the TDRC shall consider the viability of the area proposed for approval relative to the entire neighborhood. The impact of a "less than whole neighborhood" submission may have on future development as a sustainable community shall be considered prior to approving such segment development.

12.2.100 Town Design Review Committee

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

1. Planning Director - Chairman of the TDRC
2. Planning Official
3. Public Works Director
4. NTC Community Redevelopment Agency (CRA) Director (or designee)
5. Town Planner (See Section 12.4.100)
6. Orlando NTC Partners (2 non-voting representatives)

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- B. **General Powers, Functions and Duties** The TDRC shall review the proposed Neighborhood Plan and specific design guidelines relating thereto for consistency with the purpose, intent, and requirements of the this Planned Development and shall provide recommendations concerning these matters to the City Council for adoption.
- C. **Plan Consistency** If the TDRC finds the proposed Neighborhood Plan and specific design guidelines consistent with this PD, it shall issue a written approval authorizing the developer to prepare a subdivision plat (provided a subdivision plat is not part of the Neighborhood Plan submission).
- D. **Plan Inconsistency** If the TDRC finds the proposed Neighborhood Plan and specific design guidelines inconsistent with the PD, it shall issue a written recommendation as to how the plan and specific design guidelines may be amended. The developer may resubmit the Neighborhood Plan and design guidelines in compliance with the TDRC's recommendation.
- E. **Appeal of TDRC Recommendation** If the developer disagrees with the TDRC'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 any affected person or party desire to appeal the MPB's determination, such appeal shall be in accordance with, procedures and requirements of Chapter 2, Article XXXII of the City Code: "Procedures for Quasi-Judicial Hearings."
- F. **Submittal Requirements** The developer shall submit the following to the Land Development Division of the Planning and Development Department for TDRC review unless modified or waived by the Planning Director:
1. Eight (8) Copies of the Neighborhood 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. Eight (8) Copies of an Existing Conditions Survey including topography, for the area covered by the Neighborhood Plan. The survey shall be dimensioned and drawn to the same scale as the Neighborhood Plan.
 3. Eight (8) Copies of the Specific Design Guidelines appropriate to each Neighborhood Plan. The design guidelines shall include a signature block for the Planning Director.
 4. Prior to approval of the initial Neighborhood Plan, the developer shall identify the percentage of for-sale units proposed for each neighborhood. Should any Neighborhood Plan or plat be submitted which is inconsistent with the mix of for-sale units set forth in Chapter 3, the developer shall demonstrate that the overall requirement of not less than 60% for-sale units shall be met for the project. Accessory units in conjunction with owner/occupied houses shall not be used in determining the residential ownership mix requirement.
 5. Any information reasonably required by the

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Planning Director.

12.2.101 Regulatory Authority of the Neighborhood Plan

Once approved, by City Council the Neighborhood Plans and corresponding specific design guidelines shall regulate the development and use of the property. Appropriate reference shall be incorporated into the PD following necessary approval by the City Council. Subsequent changes to the Neighborhood Plan and design guidelines shall be subject to the PD Amendment Process described in Section 12.5.

12.3 Subdivision Plats

12.3.100 Review Process

Subdivision plats shall be reviewed by the TDRC for consistency with the approved Neighborhood Plan, this PD and other applicable City Code requirements not otherwise contained in this ordinance, through the procedures established in Exhibit 12-A of this PD.

12.3.101 Default Procedures

Any issue not addressed herein related to the subdivision of land shall be subject to the requirements contained in the City's Land Development Code (LDC) to the extent that such requirements are not inconsistent with the requirements of this ordinance.

12.4 Individual Sites: Site Design and Building Review Process

All design and construction of individual building sites

shall be reviewed as set forth in this Section.

12.4.100 The Town Planning Office

A Town Planning Office (TPO) shall be established as an office of, and shall be responsible to, the City of Orlando. Funding for the TPO shall not be the responsibility of the City of Orlando, but shall come from the Community Development District (CDD), the Developer, or other funding source acceptable to the City.

A. TPO Staff At minimum, the TPO will be staffed by a Town Planner (TP) who is an architect licensed and registered in the State of Florida. The Town Planner shall be selected by the City of Orlando from a list of at least 3 names provided by the developer. The office may also include a Town Builder (TB) who is certified and capable of reviewing building plans and issuing permits. Additional design and support staff may be added as necessary, subject to the approval of the developer.

1. Role of Town Planner - The Town Planner's primary responsibility shall be to ensure that the design of all physical improvements, including but not limited to: site improvements, architecture and landscape architecture, is consistent with the approved PD, Neighborhood Plan and approved specific design guidelines.

2. Role of Town Builder - The Town Builder shall be primarily responsible for coordinating and/or issuing building permits and ensuring that all physical development is consistent with the City's Building and Fire Codes, during both the permitting and construction inspection phases of development.

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B. General Powers, Functions and Duties

1. Building Permits and Construction Inspections - The TPO may be responsible for the issuance of all building permits and construction inspections.

2. Minor Modifications - The Planning Official, upon recommendation from the TP, shall have the authority to approve minor modifications as described in Section 12.9.102, during both the plan review and construction phases of individual sites provided such changes are consistent with the overall principles of the plan and compatible with the surrounding development.

12.4.101 Building Permit Review Process

The TPO shall be responsible for reviewing all individual site designs and plans for consistency with this PD, the Neighborhood Plan and approved specific design guidelines and all other applicable City Codes not inconsistent with this PD. Upon a finding of consistency, this review will result in the issuance of an appropriate building permit. The specific review process will be determined administratively when the Town Planning Office is created. Pending establishment of the TPO, reviews shall be conducted in accordance with standard city review procedures.

12.4.102 Town Development Manual

To ensure an understanding of the town principles and to assist builders and developers in understanding the unique development review process, the Developer in cooperation with the City shall create a Town Development Manual

(TDM) incorporating various approved elements. The purpose of the TDM is to provide the information that is necessary for designers, builders, and buyers to understand the roles, responsibilities, timelines and costs associated with the development process. At minimum, the manual shall include:

- A. Design Guidelines and other applicable PD regulations;
- B. A description of the Design Review and Construction Process;
- C. Timeline and submittal requirements;
- D. Any appropriate educational and training materials for designers, builders, and the public;
- E. Any lists of approved architects, landscape architects and designers, builders and other, etc. and the process for their selection;
- F. Adopted fee structure and processing guidelines various development review stages; and
- G. Any other aspects of the process to be determined.

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12.5 Impact Fees

Impact fees shall be payable in amounts as set forth in the applicable City ordinances and codes as adopted from time to time. Transportation and wastewater impact fees shall be credited for the benefit of the Developer as set forth below.

12.5.100 Transportation Impact Fees

Traffic impacts of the community will be less than the historical traffic impacts from the Property, therefore, Transportation Impact Fees for the Property shall be credited to the benefit of the Developer. The City shall collect all such impact fees at the time of the issuance of building permits, and hold all such fees collected for the benefit of the Developer. The City shall maintain a record of all available transportation impact fee credits and shall apply such credits against transportation impact fee obligations upon written authorization from the Developer in a form acceptable to the Office of Legal Affairs.

12.5.101 Wastewater Impact Fees

The Navy previously reserved 700,000 gpd of wastewater capacity for the Main Base property (hereinafter the "Wastewater Capacity"). Such Wastewater Capacity shall first be allocated to any government users which remain on the Main Base Property after the Navy conveys the Property to the City and any Wastewater Capacity remaining thereafter shall be transferred to the Developer

for use on the Property. The City shall maintain a record of all available wastewater impact fee credits and shall apply

such credits against wastewater impact fee obligations upon written authorization from the Developer in a form acceptable to the Office of Legal Affairs.

12.6 Building Permit Fees

All development shall be assessed full building permit fees as established from time to time. A building permit fee reduction of one-half of the approved cost of the sprinkler system, not to exceed the cost of the building permit, shall be granted to all structures that install an in-building sprinkler system where not required by the adopted building or life safety code as of the effective date of this PD.

12.7 Concurrency

For the sole purpose of concurrency, the development of this project shall be treated as a post-concurrency DRI pursuant to Chapter 59, Orlando City Code and the City will account for the previously existing uses on the property in determining the impacts of the Property.

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12.8 Default Districts

This PD and subsequent Neighborhood Plans and specific design guidelines shall define land use and design standards for this Property. In the event that these documents do not address specific issues, the following default zoning districts shall be used to regulate such issues:

Town Districts	Default Zoning District
Village Center Core	AC-2T
Village Center General	AC-2T
Neighborhood Center	AC-NT
Neighborhood General	R-2BT, O-1T, AC-NT (depending on particular land use)
Campus Overlay	O-1T
Park Edge Overlay	R-1AAT, O-1T, AC-NT (depending on particular land use)

12.9 PD Amendment Process

Changes to the approved PD 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, whereas Amendments would be applicable to multiple sites. Exhibit 12-B identifies types of plan amendments and their classifications. Each amendment shall be reviewed according to the procedures set forth below:

12.9.100 Substantial Amendments

A Substantial Amendment to this PD is any amendment listed as substantial in Exhibit 13-B and any amendment which has a reasonable likelihood of being inconsistent with, or not fulfilling, the principles of the plan identified in Chapter 1 of this PD or has a reasonable likelihood of being inconsistent with or not fulfilling the terms of the regulatory plan in Chapter 3 of this PD. 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 400 feet of the Planned Development.

12.9.101 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 TDRC for consistency with the Principles of the PD. Following the review of the proposed amendment, the TDRC shall make a determination as to whether the amendment is substantial or non-substantial.

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

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B. Substantial Determination If the TDRC determines that the amendment is substantial, the amendment shall be forwarded on to the Municipal Planning Board and City Council for review according to Section 12.9.100.

C. Review Procedures Review of proposed plan amendments shall be subject to the same procedures as described in Section 12.2.100, 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 TDRC review unless modified or waived by the Planning Director:

1. Eight (8) Copies of the Proposed Planned Development Amendment.
2. Any information reasonably required by the Planning Director.

12.9.102 Minor Modifications

The Planning Official, upon recommendation from the Town Planner, shall be authorized to permit minor modifications on a site by site basis as described in Exhibit 12-B.

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.

12.10 Community Association

One of the most important goals established during the Visioning Process for the NTC Main Base was that of creating a sustainable community. The purpose of this Section is to establish a process through which the community can work towards sustainability.

12.10.100 Community Association Plan

To accomplish the objective of creating a sustainable community, the Developer shall establish a Community Association Plan (CAP) to assist residents and community groups in effectively assuming the long-term responsibilities of establishing a sustainable community.

A. Plan Structure The Plan shall include, but will not be limited to: a vision statement and goals and principles of community sustainability consistent with the principles of the City.

1. Minimum Requirements - At minimum, the Plan shall include the process for establishing an organization that can establish a strategy for the non-physical aspects of community building.

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B. Operations The Plan implementation will operate independently from marketing, sales and any other aspect of the development of the community, after 60% of the lots have been developed.

C. Relationship to Neighborhood Associations The CAP will also include the strategy for establishing and providing support the Neighborhood, and Village Center Associations, if established.

D. Timeline for Creation A draft of the CAP will be due for review within one year from the date of the conveyance of the property, and the final document will be due within eighteen months of the conveyance of the property.

12.10.101 Sustainable Community Building Association (SCBA)

A community-wide organization, focused on enhancing the concept and precepts of sustainability shall be established. This organization shall address the distinct demands of the component parts of the community.

A. Purpose The Sustainable Community Building Association will be charged with carrying out the Community Association Plan. The SCBA will function as the community organization that:

1. Provides support to the community neighborhood associations, if established and other community institutions;

2. Works simultaneously with neighborhoods and individual property owners/residents/merchants; and

3. Address the implications within and between neighborhoods of the community and surrounding communities and institutions.

B. Responsibilities The SCBA will undertake the following activities:

1. Be responsible for the programming of common open space;

2. Assist in establishing and facilitating, and building communication and relationships between the different neighborhoods of the community;

3. Provide internal and external communication to disseminate information about the interests of the community at large as;

4. Encourage educational, cultural and entertainment opportunities including lectures, classes and demonstrations to help meet the goals set by the community; and

C. Required Formation The SCBA shall be formed and by-laws established in accordance with Florida law during the planning of the first neighborhood submitted for preliminary plat of subdivision. It may serve as the master association.

D. Sustainable Community Building Association Membership Membership of the SCBA shall be defined in the CAP.

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E.. The Developer may choose to include those community, neighborhood, or merchant associations, as established in accordance with Florida Law, as subsets of the SCBA. These associations function specifically under Florida law and may be charged with specific duties such as: maintenance of common open space and the enforcement of covenants and deed restrictions.

12.10.102 Neighborhood Associations

Neighborhood associations for each Residential Neighborhood defined in Chapter 3, Regulatory Plan, may have a neighborhood association based on their respective needs. Each Neighborhood Association established shall include representation from merchants and tenants of the neighborhood centers, with all property owners possessing voting rights.

- A. Required Prior to Subdivision Platting Any neighborhood associations will be incorporated or otherwise established prior to issuance of recording of the final plat for the subdivision.
- B. Maintenance of Common Open Space Maintenance of open space as set forth in this PD or any approved Neighborhood Plan shall be the responsibility of the Developer or Community Development District (if established) until 70% of the area in a neighborhood is constructed and occupied.
- C. Neighborhood Association Membership Membership in the neighborhood association shall be mandatory for all property owners. Other membership requirements

shall be determined by the association.

12.10.103 Village Center Association

A Neighborhood/Merchants Association shall be required for the Village Center to provide common purposes as well as serve the same functions as the residential neighborhood associations.

- A. Required Prior to Permits The Village Center Association will be incorporated or otherwise established prior to recording of the final plat for the Village Center subdivision.
- B. Village Center Association Membership Membership in the Village Center Association shall be required for all property owners

