



City of Freeport
PLANNED DEVELOPMENT PROJECT APPLICATION

INSTRUCTIONS

Prior to submitting this application, it is very important for you to make an appointment to discuss the application, your site, the plans you have for the site, any possible alternatives, and to answer your questions. This will prevent any unnecessary expenditure of funds to third parties (i.e., title company, postage, etc.) if it is determined that there is an alternative. No refunds will be given for third party fees. Please call (850)835-2340 and ask for the Planning & Zoning Staff who coordinate the Planned Development Project applications. Be sure to request future land use/zoning verification. The Planning & Zoning Staff will advise you as to the procedure and time frame for Planned Development Project applications. A schedule of meeting dates and advertising deadlines will be discussed at the pre-application conference. **Note: The review period does not begin until the submittal package is determined to be complete.** The Planning & Development Review Board meets only once a month. **Applications which have successfully completed Technical Review after the deadline for a particular meeting will not be heard until the following meeting.**

It is important for the application to be complete. In order for your application to move through the process in a timely manner, it is important for all items on the application to be completed. Incorrect or missing information could delay the hearing of your request. **The applicant or the applicant's agent must be present at the Planning & Development Review Board and City Council meetings for which this application is scheduled.**

In order to provide more up-to date technological storage and processing, the City is now requiring that development plans and subsequent revisions also be submitted digitally. For the original submittal and subsequent revision submittal, all provided document must also be filed digitally. Two (2) DVD's, cd's, or thumb-drives, each with a full copy of the submittal package including maps, correspondence, and all other documentation, will be required in addition to the required hard copy submittals.



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NOTICE TO ALL APPLICANTS

You are required to schedule a pre-application conference with the Freeport Planning Department prior to submittal of all Planned Development Project applications. Your application will not be processed without verification that you have attended a pre-application conference with (a) representative(s) of the Freeport Planning & Zoning Department.

A pre-application conference was held with:

City Staff present:

Regarding a Planned Development Project proposal for Parcel #(s)

The Future Land Use designation for this property is _____.

The Zoning category for this property is _____.

This property consists of _____ acres. This property is located

PRE-APPLICATION MEETING POINTS:

The present uses and character of the area:



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The road and street system, especially:

1. Interior Neighborhood through routes:

2. Collector and Arterial streets both existing and proposed:

3. The right-of-way widths for all roads and streets:

Public and private open space, parks and trails:

Public Utilities and services or their counterpart:

1. Water: _____

2. Sewer: _____

3. Fire Protection: _____

4. Stormwater Management: _____

5. School facilities: _____

Type of structures to be built:

Proposed uses to be developed:



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Other Notes:

The required pre-application meeting for a proposed Planned Development Project was held on the _____ day of _____, 20____.

Planning & Zoning Official

Title

A pre-application conference was conducted regarding this proposed development request on the date indicated above. I understand that I or any person representing me cannot rely upon any comment concerning a proposed development request, or any expression of any nature about the proposed development made by any participant at the pre-application conference as a representation or implication that the proposed development will be ultimately approved or rejected in any form. The Freeport City Council has the final approval regarding all development projects. I understand that this proposed development will be subject to all applicable land use regulations, and that this proposed development is not considered vested for specific land use regulations until the City Planner or his/her representative has issued a final development order. The applicant should not rely on any representation made by staff unless such representation is in writing and signed by the person making such representation and has been approved by the authorized entity.

I have read and understand these statements.

Owner Signature

Date of Signature

Agent Signature

Date of Signature



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APPLICATION INFORMATION
(please print or type)

PLANNED DEVELOPMENT PROJECT NAME:

Every Planned Development Project (PDP) submitted to the City of Freeport must list the name by which the PDP will be known. Changing the name of the PDP during the process or after approval has been issued creates confusion and a hardship for book-keeping and records. Therefore, as of October 17, 2006, if the name of the PDP changes during or after the approval process, the initial project will be declared abandoned and the developer will be required to resubmit under the new name.

PROPERTY OWNER INFORMATION

Owner Name(s):

Mailing Address(es):

Phone Number(s):

Fax Number(s):

E-Mail:

OWNER'S AGENT INFORMATION

Name/Company:

Mailing Address:

Phone Number(s):

Fax Number(s):

E-Mail:

PROJECT ENGINEER INFORMATION

Name/Company:

Mailing Address:

Phone Number(s):

Fax Number(s):

E-Mail:



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ENVIRONMENTAL ASSESSMENT PROFESSIONAL
Name/Company:
Mailing Address:
Phone Number(s):
Fax Number(s):
E-Mail:

PARCEL INFORMATION
Parcel Number(s): _____ _____ _____ _____ _____
Upland Acreage: _____ Wetland Acreage: _____ Total Acreage: _____
Parcel Location (driving directions from City Hall to site): _____ _____ _____ _____ _____
Parcel Legal Description (attach if necessary): _____ _____ _____ _____ _____ _____



ADJACENT EXISTING LAND USE (commercial, residential, vacant, etc.)	
North:	East:
South:	West:

CURRENT ADJACENT ZONING CATEGORIES (R-1, C-1, I-2, etc.)	
North:	East:
South:	West:

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Other:

REQUIRED STATE PERMITS:

Potable Water:

Wastewater:

Stormwater:

State Road Connection:

CHOCTAWHATCHEE BAY:

Is this project within 400 feet of the Choctawhatchee Bay?

Is this project within 300 feet to any tributary of the Choctawhatchee Bay?

TRAFFIC CONCURRENCY REQUIREMENTS:

All applications for major and/or minor developments must include a transportation study signed and sealed by a registered Professional Engineer or Certified Planner practicing in the field of transportation planning. The transportation study should reference the Concurrency Requirements of the Comprehensive Plan and the Land Development Code.

I have read and understand this requirement and agree to provide the necessary information.

Developer's Signature

Date of Signature

Agent's Signature

Date of Signature



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ENVIRONMENTAL ASSESSMENT REQUIREMENTS:

The environmental assessment and management plan is to be submitted by a professional in the environmental assessment field. The following information is to be included in narrative form and illustrated:

1. FEMA Flood Zone(s) w/ Elevations (location/acreage)
2. Floodplains (location and acreage)
3. Wetlands, both jurisdictional and non-jurisdictional (per definition contained in Rule 9J-5.003(149) F.A.C.) location/acreage and associated required buffering (4.01.03 LDC)
4. Wellhead Protection Zone Proximity/Distance (4.02.00 LDC)
5. Soils Information
6. Topography Elevations/Slope
7. HAZMAT locations
8. Historical site(s)
9. Archeological Site(s)
10. Water bodies (lakes, creeks, ponds, bayous, etc.) and associated required buffering (4.01.00 LDC)
11. Vegetative Communities (location/acreage)
12. Listed Species (and mitigation plan if required)
13. Existing Land Uses (description/location/acreage)
14. **Protected Trees** (defined in Appendix B Definitions "Protected Trees" /5.03.03 LDC) Location/species/DBH and mitigation if required. *This item should interface with the topographic survey and landscape plan.*

ALL DEVELOPMENT WITHIN A WETLAND SHALL CONFORM TO THE CITY OF FREEPORT'S COMPREHENSIVE PLAN.

I have read and understand the requirements of this section and agree to adhere to these requirements and incorporate these requirements into the design of my proposed development project.

Developer's Signature

Date of Signature

Agent's Signature

Date of Signature



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MAJOR DEVELOPMENT

All applications for Planned Development Projects are processed as Major Developments. Major Developments require Technical Review, Planning & Development Review Board Review and Recommendation and City Council Review and Approval.

APPLICATION FEE SCHEDULE

PLANNED DEVELOPMENT PROJECTS		\$2000.00*
ENGINEERING REVIEW FEES:	Initial Review + 1 st Revision + Site Inspection	\$2300.00
	Each Subsequent Revision	\$110/hour
	Additional Site Inspection	\$110/hour
	Post-Approval Changes/Reviews	\$110/hour

*These are fees for the application review and advertising costs and are cumulative. Applications should be accompanied by **separate checks** for application fees and engineering review fees made payable to the City of Freeport.

The developer will be responsible for submitting required engineering review fees. The Initial Engineering Review fee is due when application is made.

The developer will also be responsible for reimbursing the City for the City Surveyor's reviews of proposed plats of subdivisions, payable to the City of Freeport when the City receives the City Surveyor's invoice for services during the platting phases if applicable.

The review fees have been explained to me. I also understand that I am responsible for reimbursing the City for all city engineer review fees and all city surveyor review fees pertaining to my development project.

Developer's Signature

Date of Signature

Agent's Signature

Date of Signature



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ATTACHMENTS

- Affidavit of Ownership and Limited Power of Attorney
- Concurrency Determination Acknowledgement
- Affected Property Owners Notification Requirements
- Sample Notification Letter
- Required Signage Instructions
- Posting Affidavit
- Owner Certification Form
- Application Criteria
- Submittal Checklist
- Development Schedule
- Land Development Code Section 3.08 Planned Development Projects



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AFFIDAVIT OF OWNERSHIP AND LIMITED POWER OF ATTORNEY

As the owner of the property located at _____, Freeport, Florida,
Property reference number(s) _____, I hereby designate
_____, for the sole purpose of completing this application and making a
presentation to the Freeport Planning Board sitting as the Local Planning Agency, and the Freeport City
Council, to request approval of a proposed development project on the above referenced parcel.

This Limited Power of Attorney is granted on the _____ day of _____, the year of
_____ and is effective until the Freeport City Council has rendered a decision on this request and any
appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any
time with a written, notarized notice to the City Clerk.

Signature of Property Owner(s) Date Printed Name of Owner

State of _____ County of _____

The foregoing instrument was acknowledged before me this _____ day of _____, year of
_____, by _____, who () did () did not take an oath.

He/she is () personally known to me, () produced current Florida/Other driver's license, and/or
() produced current _____ identification.

Signature of Notary Public Date Printed Name of Notary Public

My Commission Expires _____ Commission No. (Notary seal must be affixed)



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**PLANNED DEVELOPMENT PROJECT APPLICATION
CONCURRENCY DETERMINATION ACKNOWLEDGEMENT**

Project name: _____

Property reference #: _____

Project Address: _____

I/We acknowledge and agree that no future development permit or order (other than and re-zoning/reclassification) shall be approved for the subject parcel(s) prior to the issuance of a certificate of concurrency for such proposed development based on the densities and intensities contained within such future development permit application.

I/We also acknowledge and agree that no development permit or order (other than a rezoning/reclassification) will be issued at that time unless the concurrency management system standards are met as contained in the City's Land Development Code, Article 2.02.03, namely:

- (1) The necessary facilities and services are in place at the time a development permit is issued; or
- (2) A development permit is issued subject to the condition that the necessary facilities and services will be in place when the impacts of the development occur; or
- (3) The necessary facilities are under construction at the time a permit is issued; or
- (4) The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued.
NOTE: This provision only relates to parks and recreation facilities. The LDC will include a requirement that the provision or construction of the facility or service must commence within one year of the issuance of the development order or permit; or
- (5) The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. Any such agreement shall include provisions pursuant to paragraphs 1, 2 or 3 above; or
- (6) The necessary facilities need to serve new developments are in place or under actual construction no more than three years after the issuance, by the city, of a certificate of occupancy or its functional equivalent. NOTE: This provision only relates to roads.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, 200__.

Owner's signature

Owner's name (type or print)



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AFFECTED PROPERTY OWNERS NOTIFICATION REQUIREMENTS

NOTIFICATION OF AFFECTED PROPERTY OWNERS FOR

PLANNED DEVELOPMENT PROJECT APPLICATIONS:

The City of Freeport shall require any person applying for a Planned Development Project to notify all property owners within 400 feet of the perimeter of the subject property. **DO NOT NOTIFY PROPERTY OWNERS UNTIL THE PLANNING & ZONING DEPARTMENT VERIFIES THE DATE WHICH THE PROPOSAL WILL GO BEFORE THE PLANNING & DEVELOPMENT REVIEW BOARD.** A sample notification letter is included in this application. The meeting dates and times shall be furnished by the Planning & Zoning Department to the developer after the proposal completes Technical Review. The developer shall include within the notification the following:

1. Map showing location
2. Summary of the proposal.
3. Legal description
4. A clear legible site plan of the proposal

After the notices are mailed, the developer shall submit to the Planning & Zoning Department the following:

1. Postal receipt showing mailing date (no less than 14 and no more than 20 days prior to the meeting).
2. Copy of package mailed to property owners.
3. Return receipt cards or any packages which were undeliverable
4. List of property owners within 400 feet

THE GREEN RECEIPT CARDS MUST BE SUBMITTED TO THE PLANNING & ZONING DEPARTMENT REPRESENTATIVE AT THE PLANNING & DEVELOPMENT REVIEW BOARD MEETING. It is the responsibility of the applicant to assure that notification is made as required by this policy, in a timely manner. It shall also be the responsibility of the applicant to ensure that all property owners are notified as required. Names and addresses are to be obtained from the latest Property Tax Roll. **FAILURE TO NOTIFY PROPERTY OWNERS AS REQUIRED MAY RESULT IN DELAY OF PROJECT APPROVAL.**

I have read and understand this requirement.

Developer's Signature

Date of Signature

Agent's Signature

Date of Signature



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SAMPLE NOTIFICATION LETTER

YOUR LETTERHEAD

Date: _____

Re: _____ (applicant) _____ is/are proposing a (PDP type) _____ Planned Development Project for Parcel Number(s) _____

on _____ acres. The location of this property is _____.

The current Future Land Use designation for this property is _____.

The current Zoning of this property is _____.

The project consists of _____ (#) phases, _____ (#) single-family units, _____ (#) multi-family units (state type), _____ sf commercial, _____ sf industrial, etc.

Dear Property Owner:

As a property owner within four hundred (400) feet of the above referenced parcel, you are hereby notified that the owner has made application to the Freeport Planning & Zoning Department for approval of the referenced proposal. A site plan is enclosed for your review. If you have questions or concerns regarding this proposal, please direct them to (applicant) at (area code & phone number). You may also direct your comments or concerns in writing to the Freeport Planning & Zoning Department, PO Box 339, Freeport, FL 32439 no later than 4:30 p.m. the day prior to the Planning & Development Review Board Meeting or you may be present at the scheduled public hearings. Reference the applicant and development proposal in all correspondence.

The Freeport City Council has a public hearing scheduled to review this Planned Development Project proposal on (month/day/year). The meeting will begin at (time). The meeting will be held in the Council Chambers at Freeport City Hall in Freeport, Florida.

If ownership of your property in this vicinity has changed, please return this package with the name(s) and address (es) of the new owner(s) to _____ (applicant) _____ so that they may be notified regarding these meetings.

Please be advised accordingly.

(applicant/applicant's agent)

Enclosures



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REQUIRED SIGNAGE INSTRUCTIONS /NOTICE TO APPLICANTS

POSTING OF PROPERTY REQUIREMENTS

All applications for Planned Development Projects shall be required to post the subject site with a sign notifying the public of such public meeting in accordance, with the following minimum requirements:

1. The subject site described in the application shall have assign posted by the applicant for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, and type of meeting.
2. The posted sign shall be place upon the property in the correct location (as shown below),
3. The posted sign shall be placed upon the property not less than 14 days prior to the public meeting and remain on the site until Final adoption by the City of Freeport. Applicant will remove sign within 14 days after final board decision.
4. The posted sign shall be provided by the applicant at the expense of the applicant.
5. The applicant shall provide a photo of the sign depicting the text and location of the sign in relation to the road right-of-way to the City Planning Department.
6. The applicant shall provide the attached Affidavit with the requirement of #5 above to the City Planning Department no less than 2 working days prior to such public meeting.
7. Failure to satisfy the above requirements will result in an automatic tabling of the item from the public meeting to the next available meeting, where the applicant will have to again satisfy the above requirements,

3 ft wide x 3 ft high (minimum)

1 ½"	City of Freeport	
3"	Notice Of Public Hearing	
2"	Insert Type of Application Here (_____) (type) PLANNED DEVELOPMENT PROJECT) "NAME OF PROJECT"	
1 ½"	Planning Board Time: Date: Located at:	Freeport City Council Time: Date: Located at:

Note: Sign must have a WHITE background & BLACK letters. Sign shall be securely attached to 2 posts, being a minimum of a 2" x 4" post, and the face shall be a minimum of 1 foot above grade. Posts shall be a minimum of 18" below grade.



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POSTING AFFIDAVIT

CITY OF FREEPORT
POSTING OF PROPERTY AFFIDAVIT

BEFORE ME, the undersigned authority, personally appeared _____
The owner and/or authorized agent of the following described property: _____
_____ who deposes and says as follows:

1. That the subject site described above has a sign posted by the owner and/or authorized agent for the owner, notifying the public of the required public hearing, date and time of meeting, location of meeting, and purpose of meeting in accordance to the City of Freeport requirements.
2. That the posted sign meets the dimensional requirements set by the City.
3. That the posted sign was placed and will be maintained upon the property in the correct location and not less than fourteen (14) days prior to the public meeting.
4. That a photo of the sign depicting the location of the sign in relation to the road right-of-way is attached.
5. This affidavit will be forwarded to the Freeport Planning Department no later than two (2) working days prior to the public meeting.

I have completed the said requirements as described in the City of Freeport Application.

Signed Name of Owner

Printed Name of Owner

STATE OF _____
COUNTY OF _____

Before me, the undersigned Notary Public in and for said County and State, appeared _____ who is personally known to me or who produced _____ as identification, and who did/did not take an oath, and who is known to me to be the individual described by said name who executed the foregoing instrument.

Given under my hand and official seal the _____ day of _____, 20__.

Signed Name _____ Printed Name

My Commission Expires: _____



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APPLICATION CRITERIA

The Planning & Development Review Board shall consider each application at a public hearing and, within 15 days of such hearing, make a recommendation to the City Council setting forth findings of fact and conclusions of law. Such recommendation shall be approval, approval with modification, or denial including reasons for any modifications or denial; and shall include consideration of the following:

- a. Consistency with the Comprehensive Plan. Whether the proposed development is consistent with the Comprehensive Plan;
- b. Consistency with this Code. Whether the proposed development is in conflict with any portion of the Land Development Code, and is consistent with the stated purpose and intent of the Land Development Code;
- c. Compatibility with surrounding uses. Whether and the extent to which the proposed development is compatible with existing and proposed uses in the area of the subject property(s);
- d. Changed conditions. Whether and the extent of which there are any changed conditions that impact the subject property(ies);
- e. Effect on natural environment. Whether and the extent to which the proposed development would result in significant adverse impacts on the natural environment;
- f. Development patterns. Whether and the extent to which the proposed development would result in a logical and orderly development pattern.

The developer is required to submit a summary document is addresses all the items stated above, in a summary letter format.

I have read and understand the above statement and agree to comply with this requirement.

Developer's Signature **Date of Signature**

Owner's Agent Signature **Date of Signature**

Project Engineer's Signature **Date of Signature**



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PLANNED DEVELOPMENT PROJECT CRITERIA

A written statement shall be provided which contains an explanation of:

- a. the character of the proposed development and the manner in which it has been designed to take advantage of the PDP concept;
- b. the proposed sewage disposal facilities, water supply and stormwater drainage facilities;
- c. the manner of financing proposed;
- d. the present ownership of all the land included within the planned development project;
- e. the method proposed to maintain common open space areas, buildings and other facilities; and
- f. the general indication of the expected schedule of development.



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SUBMITTAL CHECKLIST*		
ITEM		COPIES
	• Signed/completed application including affidavits	Original & 1 copy, unstapled
	• Application fee \$2000.00	Check to City of Freeport
	• Initial engineering review fee \$2300.00	Check to City of Freeport
	• Location Map with landmarks/street names	1 copies (letter-size)
	• Legal description of property	1 copies
	• Proof of Ownership (deed/tax notice)	1 copies
	• Proof of title search	1 copies
	• Certified Topographic/Protected Tree Survey of property (24" x 36") signed/sealed	1 copies
	• *Certified Topographic Survey of property (11" x 17")	1 copies
	• Section map from Property Appraiser's Office showing existing land uses within 500 feet	1 copy
	• List of property owners within 400' of property	1 copy
	• Environmental Assessment	1 copies
	• Traffic Study signed/sealed	1 copies
	• Application Criteria Summary (Page 20 of Application)	1 copies
	PDP Conceptual Plan/Master Plan (24" x 36")	1 copies
	* PDP Conceptual Plan/Master Plan (11" x 17")	1 copies
	PDP Conceptual Plan/Master Plan Narrative (Page 19 of Application)	1 copies
	DVD/CD/Thumb-drive with entire submittal package in digital format for all initial submittals and resubmittals	3 copies
<p><i>*The reduced-size copy (11" X 17") should not be turned in until the Planned Development Project is ready to be scheduled for the Planning & Development Review Board Meeting. The City of Freeport reserves the right to request additional information which may be necessary for the review and completion of this application.</i></p>		



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INSTRUCTIONS FOR REVISION PACKAGES:

The original development submittal package requirements are above. Required revision submittal package: 1 copy of full size plans and 1 copy of any revised paperwork with a cover letter explaining the revisions made. In addition to hard copies submitted for the original package and revision packages, the submittal packages must be submitted digitally on DVD/CD. Three (3) labelled copies of the dvd/cd/thumb- drive must be submitted with the hard copies.

I HAVE READ AND UNDERSTAND THE SUBMITTAL REQUIREMENTS AS EXPLAINED ABOVE.

Owner/Applicant

Date

Agent for Owner

Date

Project Engineer

Date



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MAJOR DEVELOPMENT SCHEDULE

Preliminary Plan (6 months maximum)	30 days	Project Submittal Review for Completeness	
	90 days	Technical Review	City Planner
			City Engineer
			Co. Fire Chief
			City Water Dept.
			City Sewer Dept.
			Co. School Dist.
			Co. Public Works
			Co. Garbage Service
			CHELCO
		Co. Sheriff's Office	
		Note: cycle repeats as revisions are submitted	
Conceptual Plan (6 months maximum)	30 days	Schedule project for next PB Mtg (3 weeks prior)	
		PB 1 st Wednesday	
		FCC 4 th Thursday	
		Note: cycle repeats if project is continued	
Final Plan (6 months maximum)	30 days	Review fees paid	
		Resolution signed issued Development Order Applications may be submitted for project phases	

**If plat is required (residential/non-residential), building permits will not be issued until platting process is complete and plat is recorded. Development not requiring a plat can obtain building permits when the final development order is issued after the pre-construction conference.*

This time-frame is considered average and should not be construed as the minimum or maximum amount of time that a development project will stay "in progress".



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3.08.00 PLANNED DEVELOPMENT PROJECTS

3.08.01 Intent and Purpose

The intent of this section is to encourage the unified development of tracts of land by permitting, within the confines of an over-all density limitation, much more creative and flexible concepts in site planning than would otherwise be possible through the strict application of district requirements established in these regulations. Where such flexibility is permitted, planned development project (PDP) design and construction shall follow a carefully devised plan of development which shall be prepared in accordance with the requirements and procedures herein prescribed.

3.08.02 Definition

For the purpose of these regulations, a planned development project contains: (1) land under unified control, planned and developed as a whole in a single development operation or programmed series of development operations; (2) principal and accessory uses and structures substantially related to the character of the development in the context of the district of which it is a part; (3) comprehensive and detailed plans which include streets, utilities, lots or building sites, site plans, structures and their relationship to each and to other uses and improvements, as well as to open spaces; and, (4) a program for provision, maintenance and operation of all areas, improvements, facilities and services which will be for common use by some or all of the occupants of the development, specifying those to be operated or maintained by the developer, and any proposed for public acceptance. Planned Development Projects are approved by Resolution and do not expire unless the owner of the Planned Development Project petitions the City Council to vacate the Planned Development Project by Resolution.

3.08.03 General Regulations

The general regulations for all planned development projects shall be as follows:

- A. Construction of all PDP's shall be initiated within one year after approval of the final plan.
- B. The owner of a PDP shall provide and permanently maintain the areas required for landscaping purposes.
- C. The applicant of a PDP shall be required to provide a detailed statement of assurances including covenants, agreements or other specific documents, showing ownership and method of providing perpetual maintenance to be applied to those areas within the project that are to be used for open space, recreational or other common or quasi-public purposes. Such a statement, if required shall be attached to the preliminary and final plans as special conditions.



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- D. Approval of a development order for a PDP shall be conditioned upon the applicant providing an instrument of financial security acceptable to the City Manager, such as an open-end letter of credit or a bond in the amount of 110 percent, of the improvements required, including streets, utilities, landscaping, etc. If the PDP is to be developed in separate phases, an instrument of financial security shall be required for each separate phase.
- E. An applicant for a PDP may include a proposed division of the tract of land within the project property lines into one or more separately owned and operated units. Such proposed divisions, if approved along with the proposed planned development project and if in compliance with the subdivision regulations shall be permissible without further proposed subdivision regulation approval. All projects which include a proposed subdivision of the total tract of land within the property lines into one or more separately owned and operated units shall, if approved, be subject to all attached special conditions and all existing subdivision regulations.
- F. There shall be no subdivision of an approved planned development project unless such subdivision is in conformance with the originally approved and recorded final plat or an amended final plat of the planned development project has been approved and recorded.
- G. There shall be no change, alteration, amendment or extension of any approved planned development project final plan unless such change, alteration, amendment or extension is approved in conformance with the procedures for filing a PDP.
- H. Construction of all PDP's shall be completed within a designated period after approval of the final plan. The City Council may grant an extension of completion time when such extension is deemed reasonable and necessary by the City Council.

3.08.04 General Standards

In any planned development project, although it is permissible to depart from conformance with the principal building and single-lot diminution of the regulations and standards set forth for planned development projects.

- A. Applications for approval of planned developments projects shall be reviewed by the Technical Review Committee (TRC) and the Planning & Development Review Board. The Planning & Development Review Board will forward a recommendation to the City Council which shall make a determination regarding development order approval. The Technical Review Committee and the Planning & Development Review Board shall examine the proposed PDP with particular attention to the following criteria:
 - 1. The influence the proposed project may be expected to have on existing or future development in surrounding areas and the



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- achievement of a desirable spatial relationship between the buildings and the land, and between the buildings themselves.
2. To ensure that the roads, thoroughfares, streets and accompanying access points proposed are suitable and adequate to carry anticipated traffic and increased land use intensity will not generate traffic in such amounts as to overload the existing or proposed street network.
 3. To ensure that existing or proposed utility services are adequate for the population densities or land use intensities proposed.
 4. To ensure that the proposed project reflects the overall location standards and principles of land use arrangement and design as set forth in the comprehensive plan and especially the land use plan for the area.
- B. Off-street parking space shall be provided on the site so that there will be no generation of automobile parking on any street or access road.
- C. All off-street parking facilities proposed to be located either below or above ground level shall be designed and constructed so that entrance and exit ramps do not result in direct or indirect traffic congestion on the site or on adjacent streets.
- D. Areas shall be provided for the parking, loading and unloading of delivery trucks and other vehicles and for the servicing of buildings by refuse collection, fuel and other service vehicles in addition to the required automobile parking spaces. Such areas shall be adequate in size and so arranged that they may be used without blockage or interference with the use and access ways of automobile parking facilities.
- E. A landscaped separation strip at least five feet in width shall be provided and maintained by the developer along all access roads on which off-street parking space is located.
- F. Access points on all collector or arterial streets serving a PDP shall be properly located and spaced as provided for in Subsection 5.01.07, Access Management. The development approval authority may approve the use of temporary access points that shall be eliminated by the developer when access roads or other streets are extended to the permanent access points.
- G. No planned development project shall be permitted vehicular access to a minor residential street unless specifically approved by the development approval authority (City Council).
- H. Lighting facilities shall be arranged in such a manner so as to prevent direct glare or hazardous interference of any kind to adjoining street and properties.
- I. All planned development projects shall consider the need for pedestrian and bicycle circulation facilities.



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- J. All planned development project building construction shall conform to all local, state and federal regulations pertaining to the particular type of building or buildings proposed. The developer shall provide assurance of such compliance upon submittal of detailed construction plans for review.
- K. The Technical Review Committee and/or the Planning & Development Review Board may recommend and City Council may require any reasonable special condition necessary to ensure that there shall be no departure from the intent of these regulations. Because a PDP is inherently more complex than a single lot development and because each project must be tailored to the topography and neighboring uses, the standards and special conditions for such projects cannot be inflexible.

3.08.05 Development Standards

All planned development projects shall be subject to the following regulations for the specific type of development to allow City Council to grant variances and allow for flexibility.

A. Residential Planned Development Project:

1. Intent:

The intent is to permit and encourage the development of single family and multi-family developments with a common open area of green space and to provide the necessary commercial development to service the residents within the planned development project.

2. Permitted Districts:

A residential planned development project shall be permitted in any residential district, including RC, upon approval by the City Council.

3. Permitted Uses:

Uses permitted in a residential PDP shall be as follows:

- a. Single family detached residence, two-family and multiple family dwelling units (including townhouses, row houses, garden apartments, and condominiums).
- b. Parks and playgrounds, landscaped areas and greenbelts.
- c. Uses such as schools, hospitals, clinics, restoriums, government offices and similar uses.
- d. Professional and business offices, clinics and studios.
- e. Financial institutions.
- f. Recreation and amusement establishments, providing that all business activity, both indoor and outdoor, shall be



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- conducted in accordance with applicable City Ordinances.
- g. Clubs, lodges, golf course and club house.
 - h. Docks and marinas.
 - i. Commercial areas limited to establishments intended to primarily serve the residential uses, provided that all merchandise shall be stored and displayed within fully enclosed buildings. Such commercial uses shall not occupy more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way.
 - j. Airparks developed in accordance with these regulations and FDOT and FAA requirements.

4. Compatibility:

The tract of land must be suitable for residential PDP by virtue of its location, shape, topography and the nature of surrounding development

5. Standards:

The following standards shall be met in the development of a residential PDP:

- a. Every structure containing dwelling units shall have access to a public street directly or via a city walkway or other area dedicated to public use or owned and maintained by a home association. Dwelling units need not front a road.
- b. No minimum lot size or setback shall be required for residential structures within the PDP, except that the total acreage of commercial space or non-residential uses shall be not more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way.
- c. The standards for maximum floor space, and for minimum recreational space, outdoor living space, open space and parking space shall be related to the land use intensity ratings and standards as established in FHA's Minimum Property Standards for Multi-Family Housing. Density of development shall be determined by the development approval authority.

6. Minimum Area:

Any tract of land for which a residential PDP application is made shall contain a minimum amount of land as specified for by the following types of development:

Table 3-5 Residential PDP Minimum Area

Major Type of Use	Minimum Area Required
Single Family Residential Use	5 acres
Multiple Family Residential Use	2.5 acres



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Mixed Single and Multiple Family Residential Use (Over 50% Multiple Family)	4 acres
Residential with Accessory Commercial, Public, or Recreational Use	5 acres

B. Mobile Home Planned Development Project

1. Intent:

The intent of a mobile home planned development project is to develop a mobile home park or subdivision that is created in a manner that is suitable for location among other residential uses.

2. Permitted Districts

A mobile home PDP shall be permitted in any ~~R-3 and RR~~ residential district upon approval by the City Council.

3. Permitted Uses:

Uses in a mobile home PDP shall be as follows:

- a. Mobile homes.
- b. Parks and playgrounds, landscaped areas and greenbelts.
- c. Uses such as schools, churches, hospitals, clinics, restoriums, government offices and similar uses.
- d. Recreation and amusement establishments, providing that all business activity, both indoor and outdoor, shall be conducted in accordance with applicable City Ordinances.
- e. Clubs and lodges, golf course and club house.
- f. Docks and marinas.

- g. Commercial areas limited to establishments intended to primarily serve adjacent residential area, provided that all merchandise shall be stored and displayed within fully enclosed buildings. Such commercial uses shall not occupy more than five percent of the total acreage devoted to residential uses, excluding street rights-of-way.

4. Compatibility:

The tract of land must be suitable for a mobile home planned unit development project by virtue of its location, shape, topography and the nature of surrounding development.

5. Standards:



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All mobile home planned development projects shall conform with the following minimum standards of development.

- a. Every mobile home unit shall have to abut a public street directly or via a city sidewalk or other area dedicated to public use or owned and maintained by a home association.
- b. Mobile homes need not front a road.
- c. No minimum lot size or setback shall be required for mobile home dwellings within the PDP, except mobile home dwellings on the perimeter shall provide a 25 foot minimum greenbelt separation from adjoining developments.
- a. No minimum lot size or setback shall be required for commercial or non-residential uses except that the total acreage of commercial or non-residential uses shall not be more than five percent of the total acreage devoted to residential uses excluding street rights-of-way.
- b. The standards for maximum floor space and for minimum recreation space, outdoor living space, open space and parking space shall be related to the land use intensity ratings and standards as established in FHA's Minimum Property Standard for Multi-Family Housing.

6. Minimum Area:

The minimum area for a mobile home PDP shall be as follows:

Table 3-6 Mobile Home PDP Minimum Area

<u>Major type uses</u>	<u>Minimum Area Required</u>
Mobile Home Residential Only	3.5 acres
Mobile Home with Commercial Uses, Public, or Recreational Uses	5 acres

C. Commercial Planned Development Project

1. Intent:

The intent of a commercial planned development project is to provide for creativity and quality of design in the development of commercial facilities either separately or in connection with residential or other uses.

2. Permitted Districts:

A commercial PDP shall be permitted in all commercial and industrial districts and in B-3 RC districts.

3. Permitted Uses:



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The following uses shall be permitted in a commercial PDP:

- a. Comparison goods store
- b. Convenience goods store
- c. Antique stores
- d. Personal service establishments
- e. Business, professional and non-profit organization offices
- f. Public Offices
- g. Restaurants
- h. Indoor motion picture theatres
- i. Helicopter landing facilities and airfields developed in accordance with these regulations and FDOT and FAA requirements.
- j. Other substantially similar uses upon approval of the City Council.

4. Compatibility:

The tract of land must be suitable for a planned commercial development by virtue of its location, shape, topography and the nature of the surrounding development.

5. Standards:

The following standards shall be adhered to in the development of a commercial PDP.

- a. All drives permitting ingress and egress into and off the site shall be designed in a manner that is safe and will minimize the amount of traffic congestion.
- b. Marginal access roads with pavement of sufficient width to accommodate projected traffic volume shall be provided along any thoroughfare frontage. However, alternate access designs sufficient to accommodate projected traffic volumes may be provided where applicable or more appropriate to the design or location of the site or of the abutting thoroughfare.
- c. A visual screen shall be provided wherever the commercial PDP abuts a residential district or residential use. Such screening shall be in the form of walls, fences or landscaping, shall be at least six feet in height, and shall be at least 50 percent opaque as viewed from any point along said residential lot line. When landscaping is used for screening, the height and opacity requirements shall be attained within 18 months after planting.
- d. The City Council, if deemed necessary, may place any other requirements or restrictions on the developer of the commercial PDP.



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6. Minimum Area:

The minimum area for a commercial PDP shall be as follows:

Table 3-7 Commercial PDP Minimum Area

<u>Major type of use</u>	<u>Minimum Area Required</u>
Commercial	2.5 acres
Commercial and Residential	5 acres

D. Industrial Planned Development Project:

1. Intent:

The intent of an industrial planned development project is to provide for creativity and quality of design in development of industrial facilities either separately or in connection with residential, commercial or other uses.

2. Permitted Districts:

An industrial PDP shall be permitted in the following Districts: C-1, C-2, I-1 and I-2.

3. Permitted Uses:

The following uses shall be permitted in an industrial PDP:

- a. Light manufacturing
- b. Non-hazardous research, development and testing laboratories.
- c. Heavy manufacturing.
- d. Heavy research, development and testing laboratories.
- e. Light and/or heavy wholesale and storage establishments.
- f. Helicopter landing facilities, and airfield developed in accordance with these regulations FDOT and FAA criteria.
- g. Other substantially similar uses upon approval of the City Council.

4. Compatibility:

The tract of land must be suitable for an industrial PDP by virtue of its location, shape, topography, and the nature of surrounding development

5. Standards:

- a. Any industry located in or adjacent to residential



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development shall be free of any form of pollution (noise, air, water and visual). The industry shall be developed in accordance with performance standards established in this Article.

- b. All access and egress roads and internal circulation shall be designed in a manner that is non-hazardous and will minimize the amount of traffic congestion.
- c. All buildings shall be located at least 75 feet from all property lines (200 feet when abutting residential uses or districts) and at least 75 feet from the right-of-way line of any street serving the project. The City Council may reduce or increase the requirements based on the type of industry developed in the project.
- d. A landscaped separation, strip, at least 25 feet in width shall be provided along all property lines and at least ten feet in width along all streets serving the project. More or less screening may be required at the discretion of the City Council.
- e. No sign shall extend or project more than two feet above or beyond the building or the building walls. All signs must relate only to the name and use of the establishment and premises or to the products manufactured herein. Two freestanding signs to identify the planned industrial project shall be permitted after their design have been approved as shown on the industrial PDP detailed and final plan.

6. Minimum Area:

The minimum area for an industrial PDP is as follows:

Table 3-8 Industrial PDP Minimum Area

<u>Major type of use</u>	<u>Minimum Area Required</u>
Industrial Only	5 acres
Industrial and Commercial	10 acres
Industrial and Residential	15 acres
Industrial, Residential and Commercial	20 acres

E. Mixed Use Planned Development Project.

1. Intent:

The intent of a mixed use planned development project is to provide for the combining of uses in a planned and controlled manner so as to create an environment suitable for all phases of life. The preserving of open space and the development of ample recreation facilities are of the utmost concern in the development of the project.



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2. Permitted Districts:

Mixed use PDP's, shall be permitted in all commercial and industrial districts, and in R-3 districts.

3. Permitted Use:

A mixed use planned development project may include any two or more of the planned development projects. The premises of a combined planned development project shall be used for only those uses designated in the respective planned development project regulations of this ordinance. The development projects include the following:

- a. Residential planned development project
- b. Mobile home planned development project
- c. Planned commercial development project
- d. Planned industrial development project

4. Compatibility:

The tract of land must be suitable for a mixed use planned development project by virtue of its location, shape, topography and nature of surrounding development.

5. Standards:

In any mixed use planned development project, although it is permissible to provide a mixed and integrated development, there shall be no diminution of the required land area, parking and circulation area, open space dimensions, standards and regulations that would be required for each type of building and use if it were submitted as a separate planned development project. For the purpose of computing the total requirements, it shall therefore be necessary to submit a breakdown and justification for each type of building and the use by its specific category, i.e. residential, mobile home, commercial and industrial and the manner in which each meets the requirements for such buildings and uses as set forth in the respective planned development project regulations.

6. Minimum Area:

The minimum area for combined planned development projects shall be as follows:

Table 3-9 Mixed Use PDP Minimum Area

<u>Major type of uses</u>	<u>Minimum Area Required</u>
Residential and Commercial	5 acres
Commercial and Industrial	10 acres
Residential and Industrial	15 acres



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Residential, Commercial & Industrial 20 acres

3.08.06 Procedure for Filing a Planned Development Project

A. Pre-Application Conference (optional).

1. Conference:

A pre-application conference with the Technical Review Committee may be requested at the option of the developer. This conference provides the developer an opportunity to gather information and obtain guidance as to general conformity of the planned development project with the area in which it is proposed, and with the provisions of these regulations prior to entering into binding commitments or incurring substantial expense in the preparation of plans, surveys and other data.

2. Points:

During a pre-application conference, particular attention should be given to:

- a. The present uses and character of the area,
- b. The road and street system, especially:
 - 1. interior neighborhood through routes,
 - 2. collector and arterial streets both existing and proposed,
 - 3. The rights-of-way widths for all roads and streets,
- c. Public and private open space parks, and trails,
- d. Public utilities and services or their counterpart:
 - 1. water,
 - 1. sewer,
 - 2. fire protection
 - 3. stormwater management
 - 4. school facilities
- e. Type structures to be built,
- f. Proposed uses to be developed

B. Submittal of the PDP Conceptual Development Plan (optional):

The developer shall make application for approval of a planned development project to the Planning and Zoning Department as provided for under Article 2, Administration.

1. Purpose:

The purpose of a conceptual plan is to provide an opportunity for a plan to be submitted to the Technical Review Committee and the Planning & Development Review Board showing the intent of the developer and the nature of development with as little expense as possible. This conceptual plan may serve, at the option of the developer, as the basis for the required public



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hearing, which, thus, can be held in the early stages of the proposal.

2. Maps and Written Statements:

The conceptual plan shall include required maps and the written statement setting forth the details of the proposed development. Maps must depict the area surrounding the proposed development and demonstrate the relationship of the PDP to the adjoining uses; both existing and those proposed by the developer.

The maps shall be in a general schematic form and shall contain the following information:

- a. the approximate topography,
- b. proposed land uses and the approximate location of existing and proposed buildings and other structures on the site and existing buildings, structures and uses adjacent to the site;
- c. the proposed character and approximate density of dwellings;
- d. the approximate location of all streets and rights-of-way, walkways, and parking facilities;
- e. public uses including schools, parks, playgrounds and other open spaces;
- f. maps shall indicate which facilities are to be public or private.

3. The written statement shall contain an explanation of:

- a. the character of the proposed development and the manner in which it has been designed to take advantage of the PDP concept;
- b. the proposed sewage disposal facilities, water supply and stormwater drainage provisions;
- c. the manner of financing proposed;
- d. the present ownership of all of the land included within the planned development project;
- e. the method proposed to maintain private common open areas, buildings and other facilities; and
- f. the general indication of the expected schedule of development.

4. Public Hearing:

A public hearing is required for approval of all PDP's. All property owners within 500 feet of the boundaries of the proposed PDP will receive notification of the public hearing. Costs of such notification shall be paid by the developer prior to advertisement of the hearing.

5. Conceptual Plan Approval:



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- a. If, after a public hearing, the planned development project is approved by the City Council, then a resolution shall be passed by the City Council stating that they will designate the specified area as a PDP, provided that the City Council approves the detailed plan, or final plan, as is appropriate.
- b. In the event the City Council has conditioned its approval upon required modifications to the plan, then such conceptual plan approval shall not be effective until the developer has filed, with the Planning and Development Department written agreement to modify the plan as required.
- c. If a detailed plan covering the area in the conceptual plan has not been filed within six months from the date of approval of the conceptual plan, the approval shall expire. The City Council at its discretion, may extend for additional periods not in excess of six months each, the filing of the detailed plan when, good cause for such extension is shown.

C. PDP Plan:

1. Purpose:

The purpose of the detailed plan is to provide a specific and particular plan upon which the City Council will base its decision. Substantial compliance with the detailed plan is necessary for the preparation of the final plan. When seeking approval of a planned development project, the detailed plan should be filed as a conceptual plan. Following approval by the City Council, the conceptual plan becomes the final PDP Plan, to be submitted in stages, phases or in its entirety within six months following its approval.

2. Maps and Written Statement:

The detailed plan must include the following information in addition to that required for the conceptual plan and written statement.

- a. A map showing
 - (1) street location and nature of improvements;
 - (2) lot lines and lot design;
 - (3) the landscaping and tree planting plan; and
 - (4) stormwater drainage system.
- b. Areas proposed to be conveyed, dedicated or reserved for parks, parkways, playgrounds, school sites, public buildings and similar uses.
- c. A site plan for each building, except single-family lots, and the common areas, showing the approximate location of all buildings, structures, and improvements, and indicating the open spaces around the buildings and structures.



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Elevation and perspective drawings of all typical proposed structures and improvements except single-family residences and their accessory buildings. The drawings need not be the result of final architectural designs and need not be in construction detail.

- d. A development schedule indicating:
 - (1) The approximate date when construction of the project can be expected to begin;
 - (2) The phases in which the project will be built and the approximate date when construction of each phase can be expected to begin;
 - (3) The approximate dates when the development of each of the phases in the development will be completed; and
 - (4) The area and location of common open space that will be provided for each phase.
 - e. Agreements, provisions, declarations or covenants which govern the use, maintenance and continued protection of the planned development project and any of its common open areas.
 - f. The following plans and diagrams will be provided when the Technical Review Committee or Planning Board finds that the PDP creates special problems for traffic or parking:
 - (1) An off-street parking and loading plan;
 - (2) A circulation plan indicating the proposed movement of vehicles, goods and pedestrians, within the PDP and to and from existing thoroughfares.
 - (3) Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of this circulation pattern must be shown.
3. Detailed Plan Approval:
- a. If a conceptual development plan was not submitted and approved, the detailed plan shall be considered in the same manner as provided for in the conceptual plan.
 - b. If a conceptual plan was submitted, the public hearing was held and the conceptual plan was approved, then the Technical Review Committee and the Planning Board shall compare the detailed plan with the conceptual plan and with the standards set forth in these regulations. If the detailed plan conforms substantially to the conceptual plan and to the standards set forth in these regulations, the city Council shall grant approval of the detailed plan. The City Council may place conditions upon its approval to ensure conformance to the plan as approved.
 - c. Duration of Approval:



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City Council approval of the detailed plan shall be valid for a six-month period following the date of such approval. At its discretion, the City Council may extend detailed plan approval for additional six-month periods.

4. Disapproval of Detailed Plan:

In the event the City Council is unable to find the detailed plan in substantial conformance to the purpose and intent of the conceptual plan, the City Council shall not grant approval of the plan as submitted.

5. Site Improvements:

The developer, at his option, may construct street improvements, sidewalks, utilities and other permanent site improvements after detailed plan approval. The location of the buildings may be staked and applications for building permits may be submitted. Under no circumstances, however, will any building permit be issued until final plan approval has been granted and the necessary portions of the final plan recorded. The construction of improvements must be in accordance with the detailed plan and the provisions of these regulations, to obtained final plan approval.

D. Final Plan

1. Public Record:

The final plan is the permanent public record of the PDP and will be the manner in which the development is constructed as provided herein.

2. Contents:

The final plan shall be filed within six months of the date of approval of the detailed plan and shall contain, in final form, the information required for the detailed plan. In addition, the following will apply:

- a. If parcels of land are to be sold, then a subdivision plat in the form prescribed by the City Council shall be filed for approval in the appropriate manner.
- b. If land within the planned development project is not to be sold in individual parcels, then a site plan shall be prepared and filed with the City Council which is suitable for inclusion in the deed records of the county. A permanent reproducible transparency of the final plan shall be filed with the Planning and Development Department.
- c. Condominium plats do not need to be filed with or approved by City Council. They are to be recorded as a distinct and separate act from the documents noted in items "a" and "b".

3. Final Plan Approval:



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The City Council shall review the final plan and shall approve the final plan if it is in substantial conformance with the approved detailed plan.

- a. The City Council shall require, as a condition of approval, the submission of satisfactory evidence that the improvements will be constructed, such as an instrument of financial security referenced in Subsection 2.01.04.M.
- b. The City Council shall not approve the final plan or any phase of the planned development project if the average of the allowable dwelling units per acre, up to and including the phase which is to be approved, exceeds by more than ten percent the average number of dwelling units per acre which is allowable for the entire PDP.
- c. Upon final approval and after all conditions have been met, the City Council shall approve the recording of the final plan in the deed records when parcels are to be sold. In the instance where parcels are to be sold, the developer will process and have recorded the subdivision plat in the manner designated by Walton County.

E. Substantial Conformance:

The determination of substantial conformance between the detailed plan and the final plan shall be at the discretion of the City Council. Variation in conformance is intended solely to facilitate the minor adjustments which may be necessary as the plans approach a final construction stage. The City Council may refuse to grant approval of substantial conformance if, in their opinion, the adjustments are being used to significantly modify the approved plan.

3.08.07 Manner of Designation

Any land for which an application for a planned development project has been approved shall be designated on the official zoning map by the letters "PDP" – "Number". The "Number" shall be progressive as the projects are approved. The PDP designation shall not constitute a change in the district boundary but shall serve as an overlay district. As such, approval of a PDP shall not require an amendment to the city's Future Land Use or Zoning Map, if the PDP is allowed within the district in which it is approved.