



**Development Review Procedures Manual  
(DRPM)  
City of Titusville**

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1 Table of Contents

2 1. INTENT ..... 2

3 2. GENERAL ..... 2

4 3. APPLICABILITY ..... 2

5 4. COMPREHENSIVE PLAN AMENDMENT ..... 3

6 5. REZONINGS AND TEXT AMENDMENTS..... 4

7 6. MASTER PLANS..... 5

8 7. CONDITIONAL USE PERMITS ..... 8

9 8. LOT SPLIT..... 9

10 9. MINOR DIVISION..... 9

11 10. SMALL SCALE PLAT ..... 9

12 11. SKETCH PLAT ..... 9

13 12. PRELIMINARY PLAT ..... 10

14 13. FINAL PLAT ..... 11

15 14. SITE PLANS ..... 12

16 15. VARIANCES ..... 17

17 16. DEVELOPMENT AGREEMENTS ..... 18

18

19

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**1. INTENT**

The City of Titusville Technical Design Standards have been adopted by the Titusville City Council. These standards are required to be met when applying to the City for a Development Order (permit). The Land Development Regulations (LDR) will continue to have overall policy requirements specific to each section. The Procedures can be found in Chapter 34 of the Land Development Regulations.

**2. GENERAL**

*2.1. Purpose*

The Development Review Procedures Manual is intended to help users of the Land Development Regulations (LDRs) understand the review and decision-making processes outlined in the LDRs. The manual includes information on the application submittal requirements and review procedures for each review process.

*2.2. Adoption and Amendment*

The Development Review Procedures Manual shall be adopted, and may be amended, by resolution of the City of Titusville City Council.

*2.3. Conflict with other laws*

If the provisions of the Development Review Procedures Manual conflict with those of the Land Development Regulations or any other statute, code, local ordinance, resolution, regulation, Comprehensive Plan, the provisions imposed in said other regulations shall be deemed to be controlling.

**3. APPLICABILITY (Cross citation Chapter 34 – Procedures, Article I)**

This section includes general requirements that apply to all types of applications for Legislative & Quasi-judicial hearings; Subdivisions; Site Plans; Variances & Appeals; Nonconforming uses; Structures/Vested Rights; Development Agreements; and Beneficial Use.

*3.1. Applications must be complete to form and content.*

3.1.1. The Administrator shall receive all applications and have the authority to determine the completeness of an application within 5 working days based on whether it contains all of the information that is necessary for the permit-issuing authority to decide whether or not the development, if completed as proposed, will comply with all of the requirements of the Land Development Regulations (LDRs).

3.1.2. If the Administrator determines an application does not contain information necessary to meet the requirements of paragraph (3.1.1) above, the applicant shall be notified that the required information must be submitted to the City within ninety (90) days of said notification.

3.1.3. If the applicant fails to provide the information and/or meet the deadline specified in subparagraph (3.1.2) above, the application will be administratively withdrawn from further consideration and the City shall determine, if appropriate, refunds shall be issued to the applicant. This shall not prevent the applicant from resubmitting an application for the same or similar request in the future.

*3.2. Required information and forms.*

The Administrator shall make every effort to develop application forms, instructional sheets, checklists, or other techniques or devices to assist applicants in understanding the application requirements, the form and type of information that must be submitted. Where a minimal amount of information is necessary to enable the Administrator to determine compliance with these regulations.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1           3.3. *Reference to standards.*

2           It is not necessary that the application contain the type of detailed construction drawings that  
3           would be necessary to determine compliance with these appendices, so long as the plans  
4           provide sufficient information to allow the permit-issuing authority to evaluate the application in  
5           the light of the substantive requirements set forth in this text of these regulations.

6           3.4. *Applications to be processed expeditiously.*

7           3.4.1. Recognizing that inordinate delays in acting upon applications may impose  
8           unnecessary costs on the applicant, the city shall make every reasonable effort to  
9           process permit applications as expeditiously as possible, consistent with the need to  
10          ensure that all development conforms to the requirement of these regulations.

11          3.4.2. If the application is for an activity requiring approval by the City Council and/or other  
12          Official Board or Commission and the requirements of these regulations have been  
13          met, the Administrator shall place the application on the agenda of the appropriate  
14          board. The administrator shall recommend denial to the appropriate board if the  
15          administrator deems an application is incomplete.

16   **4. COMPREHENSIVE PLAN AMENDMENT** (Cross citation Chapter 34 – Procedures, Article II,  
17   Division 1)

18   This section includes submittal requirements for amendments to the Comprehensive Plan Future  
19   Land Use Map.

20   4.1. *Application Submittal Requirements.*

21          The following information/exhibits shall be required with the application of a Comprehensive  
22          Plan Amendment:

23          4.1.1. Location of the property on which the change in land use (or annexation) is  
24          requested.

25          4.1.2. Existing zoning of subject property.

26          4.1.3. Proposed zoning of subject property.

27          4.1.4. Existing land use designation of subject property.

28          4.1.5. Proposed land use designation of subject property.

29          4.1.6. Current use of subject property.

30          4.1.7. Proposed use of subject property.

31          4.1.8. General site description:

32                  4.1.8.1. Size (acres or square footage).

33                  4.1.8.2. Access point(s).

34                  4.1.8.3. Special site limitations (i.e. natural and/or physical barriers).

35          4.1.9. Traffic counts and Level of Service (LOS) on streets providing access to subject  
36          property may be required by the City. A determination of the needed information will  
37          be provided by the City prior to submittal of the request.

38          4.1.10. General recharge potential and estimated impacts of the request on the Areas of  
39          Critical Concern, if applicable.

40          4.1.11. Additional site-specific data as necessary to describe any impacts to  
41          conservation/wetland areas, and other environmentally sensitive resources, including  
42          any mitigation efforts to be proposed or required by these regulations.

43          4.1.12. A digital and paper copy of the legal description of the real property on a certified and  
44          sealed survey or recorded subdivision plat map indicating the extent of the site to be

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1 annexed or assigned another future land use. A perimeter boundary survey of  
2 multiple contiguous properties and a survey of the areas to be rezoned may be  
3 required if determined by the City Administrator.

4 4.1.13. In order to illustrate the proposed use of the property to be rezoned, the applicant is  
5 encouraged to submit a conceptual site plan in support of the proposal. If a  
6 conceptual site plan or developer's agreement is not provided with the application,  
7 the City shall review the application based on the most intensive land use and the  
8 maximum intensity and/or density within the zoning district requested within the  
9 application. If a conceptual site plan is submitted, the following information shall be  
10 provided:

11 4.1.13.1. A vicinity map indicating the general location of the abutting streets and  
12 utilities.

13 4.1.13.2. General information regarding the existing site conditions and physical  
14 characteristics, adjacent community facilities and public utilities, and  
15 surrounding property conditions.

16 4.1.13.3. General description of the proposed development including the total acreage,  
17 the proposed number of buildings, or the number of units.

18 4.1.13.4. The location of existing buildings and structures including the dimensions.

19 4.1.13.5. The means of ingress and egress to the project.

20 4.1.13.6. General location and dimension of all existing and proposed parking and/or  
21 loading areas.

22 4.1.13.7. General information about proposed landscaped areas including existing trees  
23 and tree clusters.

24 4.1.13.8. Information showing approximate location of all structures and major features,  
25 setbacks, distance between structures and property lines, floor areas, width of  
26 driveways, parking spaces, property or lot lines, percent of property or lot  
27 lines, percent of property coverage.

28 **5. REZONINGS AND TEXT AMENDMENTS** (Cross citation Chapter 34 – Procedures, Article II,  
29 Division 2)

30 **5.1.** The procedures herein shall be followed by persons who desire to amend the official zoning  
31 map, and when prescribed by this code for the authorization of certain uses and regulatory  
32 standards. This section includes submittal requirements and procedures for submitting and  
33 processing amendments to the zoning atlas, and the text of the Land Development  
34 Regulations.

35 **5.2. *Rezoning Submittal Requirements.***

36 The following information/exhibits shall be required with the application of a Rezoning or text  
37 amendment to the Land Development Regulations:

38 5.2.1. The name and address of the owner of the property requested to be rezoned.

39 5.2.2. If the application is signed by a person other than the owner of the property, a  
40 notarized consent by the owner shall be attached.

41 5.2.3. A digital and paper copy of the legal description of the real property on a certified  
42 survey or recorded subdivision plat map reflecting the boundaries of the property  
43 requested to be rezoned. A perimeter boundary survey of multiple contiguous  
44 properties and a survey of the areas to be rezoned may be required if determined by  
45 the Administrator.

46 5.2.4. The current City of Titusville zoning classification for the property requested to be  
47 rezoned.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1                   5.2.5. The current City of Titusville future land use designation for the property requested to  
2                   be rezoned.
- 3                   5.2.6. Names and addresses of all property owners, and mailing labels, as shown on the  
4                   latest Brevard County ad valorem tax roll, whose property is located within five  
5                   hundred (500) feet of the property requested to be rezoned, accompanied by a  
6                   corresponding map, similar to that maintained by the Brevard County Property  
7                   Appraiser, reflecting the location and boundaries of the property located within five  
8                   hundred (500) feet of the property requested to be rezoned.
- 9                   5.2.7. Statement indicating purpose of request.
- 10                  5.2.8. In order to illustrate the proposed use of the property to be rezoned, the applicant is  
11                  encouraged to submit a conceptual site plan in support of the proposal. If a  
12                  conceptual site plan or developer's agreement is not provided with the application,  
13                  the City shall review the application based on the most intensive land use and the  
14                  maximum intensity and/or density within the zoning district requested within the  
15                  application. If a conceptual site plan is submitted, the following information shall be  
16                  provided:
- 17                    5.2.8.1. A vicinity map indicating the general location of the abutting streets and  
18                    utilities
- 19                    5.2.8.2. General information regarding the existing site conditions and physical  
20                    characteristics, adjacent community facilities and public utilities and  
21                    surrounding property conditions.
- 22                    5.2.8.3. General description of the proposed development including the total acreage,  
23                    the proposed number of buildings, or the number of units.
- 24                    5.2.8.4. The location of existing buildings and structures including the dimensions.
- 25                    5.2.8.5. The means of ingress and egress to the project.
- 26                    5.2.8.6. General location and dimension of all existing and proposed parking and/or  
27                    loading areas.
- 28                    5.2.8.7. General information about proposed landscaped areas including existing trees  
29                    and tree clusters.
- 30                    5.2.8.8. Information showing approximate location of all structures and major features,  
31                    setbacks, distance between structures and property lines, floor areas, width of  
32                    driveways, parking spaces, property or lot lines, percent of property or lot  
33                    lines, percent of property coverage.

34 **6. MASTER PLANS** (Cross citation Chapter 34 – Procedures, Article II, Division 3)

35 This section includes submittal requirements and procedures for submitting and processing master  
36 plans.

37 6.1. *Master Plan Submittal Requirements.*

38 The following information/exhibits shall be required with the application for a Master Plan:

- 39 6.1.1. All information required for a sketch plat.
- 40 6.1.2. Development plan identifying the location and acreage of each component and  
41 district of the project, including the location and placement of proposed land uses by  
42 type and density, density, layout of lots, open space designation, location of  
43 landscape buffer areas required by these regulations, recreational facilities,  
44 commercial uses, other permitted uses, off-street parking and loading locations and  
45 refuse collection locations.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1           6.1.3. Development plans showing access and buffer areas (both external and internal) to  
2           the development and how pedestrian and other non-motoring travel will be safely  
3           integrated.
- 4           6.1.4. Tabulations of acreage devoted to each use and total gross acreage of the project.  
5           These tabulations shall include acreage totals for each use, open space  
6           designations, recreation facilities, streets, parks, schools and other uses. Within  
7           these tabulations, information relative to the total number and type of residential  
8           units, the residential density for each type of unit, and the overall residential density  
9           of the project shall be provided.
- 10          6.1.5. An environmental component, including maps and analyses, which determine the  
11          effect of the proposed development upon the conservation/preservation of native  
12          habitat, wildlife, floodplains, recreation advantages wetlands and other natural  
13          resources.
- 14          6.1.6. Documentation as to the impact of the proposed development on the levels of service  
15          for roads, potable water, sanitary sewer, solid waste drainage, parks and any other  
16          public facilities and services.
- 17          6.1.7. A stormwater management plan with sufficient detail included to demonstrate that the  
18          proposed development can comply with the requirements of the Land Development  
19          Regulations.
- 20          6.1.8. In addition to the above, the Planning and Zoning Commission and City Council may  
21          require additional material such as plans, maps, studies and reports which may be  
22          needed in order to make the necessary findings and determinations that the project is  
23          in compliance with the applicable guidelines of the Comprehensive Plan and these  
24          regulations.
- 25          6.1.9. The Master Plan shall be drawn to a scale no smaller than one hundred (100) feet to  
26          one (1) inch on a minimum sheet size of 24 inches X 36 inches.
- 27          6.2. *Resolution and Ordinance Format.*
- 28               6.2.1. All Master Planned Resolutions and Planned Development rezoning ordinances shall  
29               be in the following standard format. Exceptions to this requirement are planned  
30               developments in the Urban Village (UV), Regional Mixed Use (RMU), and Planned  
31               Industrial Development (PID) zoning districts. These zoning districts establish  
32               allowable uses and development standards.
- 33               1.1    DESCRIPTION
- 34               1.2    LEGAL DESCRIPTION
- 35               1.3    REFERENCE TO GENERAL DEVELOPMENT PLAN
- 36               1.4    PERMITTED USES (List permitted uses – do not refer to zoning district /  
37               consider Use Classifications)
- 38               1.5    DENSITY / INTENSITY MINIMUMS AND MAXIMUMS
- 39               1.6    CRITICAL DESIGN FEATURES
- 40               1.7    LAND USE ALLOCATION TABLE
- 41               1.8    AREA, HEIGHT, BULK & OPEN SPACE REQUIREMENTS (prescribe  
42               standards for all development areas)
- 43               1.9    ROADWAY DESIGN / TRAFFIC CIRCULATION
- 44               1.10 UTILITIES
- 45               1.11 NATURAL RESOURCES

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1                    1.12 BUFFERING / SCREENING
- 2                    1.13 PROCEDURES (Describe procedures to be followed for implementation.
- 3                                Normal progress through site and subdivision should be rule. Prescribe special
- 4                                procedures if necessary. Address “unity of title / control” for PD’s, additional
- 5                                public hearing requirements for each phase if phasing is proposed may be
- 6                                inserted here at the discretion of the City Council)
- 7                    6.3. *Amendment to the Master Plan.*
- 8                    The procedures below shall be followed when amending an adopted Master Plan:
- 9                    6.3.1. Requests to modify the original Master Plan may be executed by the Administrator in
- 10                                cases where the modification is classified as a minor modification in the Modification
- 11                                Classification table.
- 12                    6.3.2. Modifications determined to be Substantial Modifications are considered non-
- 13                                administrative and shall require approval from the City Council with recommendation
- 14                                from the Planning and Zoning Commission through the Rezoning process as an
- 15                                amendment to the master plan. Requests for non-administrative modifications are
- 16                                listed in the Modification Classification table. Requests shall be submitted to the
- 17                                Administrator in writing, and shall include the overall master plan, location of
- 18                                proposed changes, a detailed listing of existing and proposed uses, and detailed
- 19                                documentation of acreage. Additional conditions may be imposed through the
- 20                                amendment process.
- 21                    6.3.3. Modification Classification Table.

<b>MINOR MODIFICATION</b>	<b>SUBSTANTIAL MODIFICATION</b>
<i>General</i>	
	Any change in a condition specifically required by the City Council.
	Any other modifications that affect the area depicted on the development concept plan or the perimeter of the proposed site.
<i>Use</i>	
A change from one permitted use to another permitted use	
	A request for a Conditional Use
A change from multifamily residential to single-family residential	A change from single-family residential to multifamily residential
<i>Building Area/Units</i>	
A decrease in total residential units or non-residential floor area	An increase in non-residential floor area of five (5) percent or more.
	An increase in residential units

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

<i>Site Characteristics</i>	
Modification of the size and configuration of perimeter stormwater lakes or any internal lakes.	
A decrease in the amount of open space of less than five (5) percent, provided the remaining open space is not less than that required in the district, and further provided the land was not designated as conservation or preservation land on the Master Plan.	A reduction in the amount of open space, recreation areas, preservation areas or buffer areas of more than five (5) percent, or any change in the location of open space or recreational uses within the minimum perimeter buffer of the planned development. Any change made to the boundaries of open space, recreation or preservations areas previously recorded shall be considered a substantial modification.
Modification to off-street parking layout, provided all other requirements of the City's Land Development Regulations are met.	
<i>Access</i>	
Modification or addition to the external access points adjacent to non-residential development or undeveloped residentially zoned property.	Additional or substantial relocation of an access point as shown on an approved development concept plan.
Modification to internal roads, internal bike lanes or sidewalks, provided all other City requirements for such facilities are met.	

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17

**7. CONDITIONAL USE PERMITS** (Cross citation Chapter 34 – Procedures, Article II, Division 4)

This section includes submittal requirements for submitting a Conditional Use Permit.

*7.1. Conditional Use Permit Submittal Requirements.*

The following information/exhibits shall be required with the application for a Conditional Use Permit:

- 7.1.1. The name of the owner of the particular real property.
- 7.1.2. If the application is signed by a person other than the owner of the property, a written consent signed and notarized by the owner shall be attached.
- 7.1.3. A digital and paper copy of the legal description of the real property along with a certified boundary survey. The certified perimeter boundary survey indicating the extent of the site for the proposal.
- 7.1.4. The current zoning of the real property.
- 7.1.5. The Conditional Use for which the permit is requested.
- 7.1.6. Operating Schedule (Hours of operation, size of operation).
- 7.1.7. A scaled conceptual site plan, or certified survey showing:
  - 7.1.7.1. All property lines and easements.



**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1           11.1. *Sketch Plat Required Submittals.*

2           The following information/exhibits shall be required with the application for a Sketch Plat:

3           11.1.1. Application and fees.

4           11.1.2. Name of the proposed development, name or names of the developers, name of  
5           owner, architect, landscape architect, surveyor, engineer and/or land planner.

6           11.1.3. Location map, showing the relationship of the proposed subdivision to the existing  
7           and proposed streets shown on the Existing Street Classification Map, Future Traffic  
8           Circulation Map and the City's Future Land Use Map, and any other property owned  
9           by the subdivider in that vicinity.

10          11.1.4. Survey of the parcel showing boundaries, total acreage, parcel numbers, legal  
11          description and all encumbrances such as easements, right-of-ways, etc.

12          11.1.5. Site data including parcel size, current Zoning and Future Land Use classification,  
13          lands to be dedicated to public use, proposed easements, right-of-ways.

14          11.1.6. Existing site characteristics including general information on site conditions and  
15          characteristics including adjacent development, wooded areas, location of major  
16          trees, existing utilities, ditches, swales, wetlands and water bodies, flood zones,  
17          topography, soils types, and areas of critical concern. Note any variances or  
18          conditional use permits that have been granted for the site.

19          11.1.7. Proposed Sketch Plat showing streets, lots and other subdivision features such as  
20          common areas, retention areas, parks, etc. Street layouts shall indicate the type of  
21          street and proposed rights-of-way. Lot layouts shall identify the proposed number of  
22          lots and proposed lot sizes. Any required regulatory waivers or revisions shall be  
23          noted.

24          11.1.8. The general layout of water, sewer and storm water systems including proposed  
25          connections for water and sewer and the legal positive outfall location for the storm  
26          water management system. Summary should include estimate of water allocation  
27          permit quantities (total average daily water demand - gallons).

28          11.1.9. Proposed phasing if any with projected build-out date.

29          11.1.10. An analysis of the proposed project relative to the City's concurrency  
30          management standards.

31          11.1.11. Any other information the applicant or staff believes is necessary to adequately  
32          convey the proposed development concept to the Planning and Zoning Commission  
33          and City Council.

34   **12. PRELIMINARY PLAT** (Cross citation Chapter 34 – Procedures, Article III, Division 4, Subdivision 2)

35   This section includes submittal requirements for Preliminary Plats.

36   12.1. *Preliminary Plat Required Submittals.*

37   The following information/exhibits shall be required with the application for a Preliminary Plat  
38   (Site Plan):

39   12.1.1. Cover page containing the following information:

40       12.1.1.1. Name of the proposed development.

41       12.1.1.2. Name or names of the developer(s), owner(s), engineer, surveyor, planner,  
42       landscape architect or other design professional.

43       12.1.1.3. Vicinity map showing the relationship between the subdivision and its  
44       surrounding area including adjacent street and the existing street classification  
45       map.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1 12.1.1.4. Acreage in the total tract and acreage for each proposed use (public,  
2 residential, recreation, preservation, etc.).
- 3 12.1.1.5. Zoning of the tract.
- 4 12.1.1.6. Index listing all pages in the Preliminary Plat submittal.
- 5 12.1.2. Survey of the tract with the following information:
- 6 12.1.2.1. Boundaries of the tract shown with bearings, distances, closures and  
7 bulkhead lines, if any.
- 8 12.1.2.2. Existing contours based on North American datum of 1983 with a contour  
9 interval of one (1) foot and proposed finished contours. With prior approval by  
10 the City Engineer and City Surveyor, spot elevations may be used in place of  
11 one-foot contours.
- 12 12.1.2.3. Location of jurisdictional wetlands, wooded areas and protected trees  
13 pursuant to Section 30-40 of Chapter 30, Development Standards.
- 14 12.1.2.4. Adjoining subdivisions and parcels.
- 15 12.1.2.5. Legal description of the subdivision boundaries with bearings and distances  
16 and with a reference to a subdivision corner tie.
- 17 12.1.3. Preliminary Plat, prepared at a scale no smaller than one hundred feet (100') to one  
18 inch showing graphically or by notes:
- 19 12.1.3.1. Title, date, name and vicinity map showing the location of the subdivision and  
20 graphic scale.
- 21 12.1.3.2. Proposed rights-of-way and names of all streets and roads (including 911  
22 approval).
- 23 12.1.3.3. Proposed lot lines, and lot and block numbers.
- 24 12.1.3.4. Location and width of canals and waterways.
- 25 12.1.3.5. Proposed parks, school sites, or other public or private open spaces.
- 26 12.1.3.6. Proposed reservations, easements, alleys and any areas to be dedicated to  
27 public uses or sites for other than residential use with notes stating their  
28 purpose and any limitations (storm drainage, retention, detention, utility,  
29 conservation, etc).
- 30 12.1.3.7. Sufficient data to determine the location, bearing and length of every street  
31 line, lot line, boundary line and block line, whether curved or straight.
- 32 12.1.3.8. The radius, central angle, point of tangent, tangent distance, and arcs and  
33 chords of all curved streets and curved property lines.
- 34 12.1.3.9. An accurate legal description of the subdivision boundaries with bearings,  
35 distances, and tie point.
- 36 12.1.3.10. Accurate location and descriptions of all monumentation and markers.
- 37 12.1.3.11. The names and locations of adjoining parcels, subdivisions and streets.

38 **13. FINAL PLAT** (Cross citation Chapter 34 – Procedures, Article III, Division 4, Subdivision 3)

39 This section includes submittal requirements and required exhibits for Final Plats.

40 13.1. *Final Plat Required Submittals.*

41 The following information/exhibits shall be included with the submittal of a Final Plat:

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1 13.1.1. A letter requesting City Council review and approval of the Final Plat. If phased, a  
2 Phasing Plan showing the sequence and timing of subdivision phases shall be  
3 provided.
- 4 13.1.2. An original mylar print and five (5) black or blue line prints of the Final Plat, or portion  
5 thereof, showing data specified in this Section.
- 6 13.1.3. One (1) electronic copy of the proposed subdivision plat in a format to be specified by  
7 the City.
- 8 13.1.4. A title opinion with all encumbrances, from an attorney showing the status of title to  
9 the land encompassed by the Plat and all liens, encumbrances and title defects, if  
10 any.
- 11 13.1.5. Paid receipts from the City and County indicating taxes have been paid in full.
- 12 13.1.6. Dedication of all rights-of-way, easements and other public lands shown on the Final  
13 Plat, by all persons having any interest in the lands, either by indication on the Plat or  
14 by separate joinder to be filed along with said Plat.
- 15 13.1.7. The Final Plat shall be properly signed and executed by the subdivider and his  
16 agents as required for recording.

17 **13.2. Final Plat Required Exhibits**

- 18 The following information/exhibits shall be included on the documentation of the Final Plat:
- 19 13.2.1. Title, date, name and vicinity map showing the location of the subdivision and graphic  
20 scale.
- 21 13.2.2. Dedication by the owner and completion of certificate of surveyor.
- 22 13.2.3. The rights-of-way and names of all streets and roads.
- 23 13.2.4. Lot lines, and lot and block numbers.
- 24 13.2.5. Location and width of canals and waterways.
- 25 13.2.6. Reservations, easements, alleys and any areas to be dedicated to public uses or  
26 sites for other than residential use with notes stating their purpose and any  
27 limitations.
- 28 13.2.7. Sufficient data to determine the location, bearing and length of every street line, lot  
29 line, boundary line and block line, whether curved or straight.
- 30 13.2.8. The radius, central angle, point of tangent, tangent distance, and arcs and chords of  
31 all curved streets and curved property lines.
- 32 13.2.9. An accurate legal description of the subdivision boundaries with bearings, distances,  
33 and tie point.
- 34 13.2.10. Accurate location and descriptions of all monumentation and markers.
- 35 13.2.11. The names and locations of adjoining parcels, subdivisions and streets.
- 36 13.2.12. All dimensions shall be to the nearest one hundredth (1 / 100) of a foot and  
37 angles to the nearest second.
- 38 13.2.13. In the case of residential subdivisions in the Area of Critical Concern, the total  
39 amount of maximum impervious surface for each lot will be noted individually on the  
40 final plat.

41 **14. SITE PLANS** (Cross citation Chapter 34 – Procedures, Article IV)

42 This section includes duties of the Administrator, Pre-application meeting submittals, concept plan  
43 approval requirements, application procedures, required exhibits, and site plan closeout submittals.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1           14.1. *Administrative Duties.*
- 2           The Administrator shall be responsible for the overall coordination of the site plan approval  
3           process including, but not limited to, the following:
- 4           14.1.1. Handling correspondence between various City departments involved in the review  
5           process and the applicants. This shall provide the City with a review-permit process  
6           which is cohesive and coordinative. It shall also be responsive to the needs and  
7           convenience of the applicant by providing the applicant with a "one person contact"  
8           who will be responsible for the processing, administration and coordination of City  
9           reviews and permits.
- 10          14.1.2. Receiving development applications.
- 11          14.1.3. Processing work orders and permits.
- 12          14.1.4. Coordination of the distribution of applications to the appropriate City review entities.
- 13          14.1.5. Transmittal of all correspondence to applicants, including acknowledgment of the  
14          receipt of applications and the status of applications when under review by any of the  
15          various City departments, commissions, or City Council.
- 16          14.1.6. Notification to the City Clerk's office, or other applicable departments, when an  
17          applicant needs to be scheduled for meetings with public boards, commissions, or  
18          the City Council.
- 19          14.1.7. Notification to the City Clerk's office for recordation purposes.
- 20         14.2. *Pre-application Meeting.*
- 21         The following information/exhibits shall be required with the application for a Pre-application  
22         conference:
- 23         14.2.1. Legal description of the property including total area contained within the parcel (sites  
24         under one (1) acre shall state total area in square feet).
- 25         14.2.2. Future Land Use and current Zoning designations of the subject parcel and  
26         surrounding adjacent properties.
- 27         14.2.3. General information regarding the existing site conditions relative to vegetation,  
28         natural topography, soils conditions, adjacent public facilities (i.e. roads, sewer,  
29         water, reuse), rights-of-ways, easements and the intended legal positive drainage  
30         outfall.
- 31         14.2.4. Location of environmentally sensitive areas, including area of critical concern,  
32         watercourses, floodplains, floodways, wetlands, natural habitat of threatened or  
33         endangered species, and major trees or major groups of trees.
- 34         14.2.5. The owner(s) name(s), developer name(s); and the names, addresses and telephone  
35         numbers of the engineer, architect, landscape architect, planner or surveyor as  
36         appropriate to the project.
- 37         14.2.6. A tentative street and lot arrangement if applicable.
- 38         14.2.7. General description of the proposed development, general site data in sufficient  
39         detail to determine project suitability and impacts, proposed name, proposed principal  
40         and accessory uses, proposed density, parcels, open space, general building  
41         location(s), lot coverage, building(s) footprint square footage, building height and  
42         parking requirements.
- 43         14.2.8. Identification of any significant departure from normal demand on available levels of  
44         service for public facilities and services as set forth in Chapter 30, Article IV  
45         Concurrency.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1           14.2.9. Any off-site improvements required for project feasibility and the provision of  
2           necessary public facilities and services.

3           14.3. *Concept Plan.*

4           The following information/exhibits shall be required with the submittal of a conceptual plan:

5           14.3.1. Location, land use designation, zoning district, project name, owner(s) name(s),  
6           developer name(s), and the names, addresses and telephone numbers of the  
7           engineer, architect, landscape architect, planner or surveyor as appropriate to the  
8           project.

9           14.3.2. Location of environmentally sensitive areas, including watercourses, floodplains,  
10          wetlands, natural habitat of threatened or endangered species, and major trees or  
11          major groups of trees.

12          14.3.3. General site data in sufficient detail to determine project suitability and impacts,  
13          including area of site, topography, proposed density, open space, general building  
14          location(s), lot coverage, building(s) footprint square footage and purpose.

15          14.3.4. Identification of any significant departure from normal demand on available levels of  
16          service for public facilities and services as set forth in Chapter 30, Article IV  
17          Concurrency.

18          14.3.5. Any off-site improvements required for project feasibility and the provision of  
19          necessary public facilities and services.

20          14.4. *Application Procedures.*

21          The application procedures for site plan submittals are as follows (Cross citation Sec. 34-203):

22          14.4.1. All applications must be accompanied with the proposed development plan at a scale  
23          of no greater than 1/60, (one (1) inch to sixty (60) feet) on blue or black line print, and  
24          be submitted through the City's online portal.

25          14.4.2. The Administrator shall determine whether the application meets the minimum  
26          requirements identified within this section within three (3) working days of date of  
27          application. If the Administrator determines that the application meets the minimum  
28          requirements under this section it shall be submitted to the various development-  
29          related departments for their review and comment. Should the Administrator  
30          determine that the application does not meet the minimum requirements as set forth  
31          in this section, they shall transmit a notice of rejection identifying those elements not  
32          addressing the minimum requirements and return the application with said supporting  
33          documentation.

34          14.4.3. Reserved.

35          14.4.4. Upon receipt of the project review comments, the Administrator shall take one of the  
36          following actions:

37                  14.4.4.1. If the application addresses all City regulations and requirements, the  
38                  Administrator shall notify the applicant of final site plan approval.

39                  14.4.4.2. In the event that comments are generated, the Administrator shall notify  
40                  the applicant and identify the deficiencies. The applicant shall have a  
41                  period of one hundred eighty (180) days to respond to City staff comments.

42          14.4.5. If the applicant fails to respond to staff comments within this one hundred eighty  
43          (180) day period, the application shall be deemed to have been withdrawn.

44          14.4.6. Responses to comment may be extended by the Administrator beyond the one  
45          hundred eighty (180) day period providing the applicant can provide justification why  
46          such extension is needed. The Administration will determine whether the request is  
47          justified and the length of time for the extension.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1           14.5. *Site Plan Required Exhibits.*

2           The following information/exhibits shall be required with the application for a site plan:

- 3           14.5.1. Project label: The project label shall consist of the name of the project; what type of  
4           development the project is; the name of the owner/developer, including address  
5           and contact telephone; the engineer/surveyor/architect/landscape architect/planner  
6           name, address and contact telephone. A sheet index must be provided on the  
7           cover sheet.
- 8           14.5.2. Site Data: Information to include, but not limited to, total project area or acreage;  
9           the square footage of commercial or industrial buildings; density (units/acre); and  
10          number of buildings; building coverage; number of floors with areas; type of  
11          building construction; total impervious coverage; area to remain in a native state;  
12          acreage of wetlands; acreage in 100 year flood plain; current zoning and land uses  
13          and other such information as the applicant or Administrator determines necessary  
14          to fully describe the impacts of development on the site.
- 15          14.5.3. Certification block: This area shall include an area for appropriate  
16          engineer/surveyor/architect/landscape architect seal and registration number as  
17          required, the date of the submission, indication of whether it is a revision, who  
18          drafted or designed the project and what sheet it is.
- 19          14.5.4. Property Legal description: The property legal description from the warranty deed  
20          or title.
- 21          14.5.5. North Arrow and Scale: Included the north arrow and a scale at which the project is  
22          drawn.
- 23          14.5.6. Current Survey: Including a boundary map. Boundaries of all tracts shown with  
24          bearings, distances, closures and bulkhead lines, if any and Tax Parcel I.D. #.  
25          Adjoining subdivisions and parcels, rights-of ways, city limit lines, and easements.
- 26          14.5.7. Vicinity Map: Included within the vicinity map shall be the surrounding land use  
27          designations and zoning classifications for adjoining/adjacent properties as well as  
28          for the project itself.
- 29          14.5.8. Topographical Survey: There shall be a site specific topographical survey provided  
30          with contour intervals of at least one (1) foot in elevation, as appropriate to the site  
31          and scale of the plan. Datum must be clearly identified on plans.
- 32          14.5.9. Location of jurisdictional wetlands, wooded areas and protected trees pursuant to  
33          Section 30-40 of Chapter 30 Development Standards.
- 34          14.5.10. General soils map as provided in the Soil Survey of Brevard County, Florida as  
35          prepared by the United States Department of Agriculture Soil Conservation  
36          Service.
- 37          14.5.11. Geotechnical report, hydraulic analysis for fire flow requirements, sanitary sewer  
38          pumping station calculations and the stormwater summary sheet as provided by  
39          the City.
- 40          14.5.12. Existing utility lines, stormwater management systems and offsite contributing  
41          drainage areas.
- 42          14.5.13. Existing and proposed structures.
- 43          14.5.14. Hundred (100) year floodplain as shown on the appropriate FEMA map panels.
- 44          14.5.15. Typical cross-sections of proposed grades, roads, driveways, parking areas,  
45          retention ponds, drainage conveyances and other applicable features.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1 14.5.16. Water, Sanitary and Reuse distribution system with plans and profiles, meeting all  
2 City design requirements and specifications, and showing crossings and  
3 connections to the existing utilities including any proposed off site construction.
- 4 14.5.17. Temporary construction erosion control plan meeting all National Pollutant  
5 Discharge Elimination System (NPDES) requirements.
- 6 14.5.18. Copy of all permits and reports as approved by County, Regional and State  
7 agencies including environmental reviews/reports.
- 8 14.5.19. The required improvements must address the following areas if applicable:
- 9 14.5.19.1. Protection and Removal of Trees (Development Standards Chapter 30, Article  
10 II, Division 2).
- 11 14.5.19.2. Landscaping (Development Standards Chapter 30, Article III, Division 10).
- 12 14.5.19.3. Stormwater Management, Conservation and Aquifer Protection (Development  
13 Standards Chapter 30, Article III, Division 6). In the case of residential  
14 subdivisions in the Area of Critical Concern, sufficient information should be  
15 submitted to determine the total amount of maximum impervious surface for  
16 each lot. The maximum impervious surface for the entire development area in  
17 the ACC is be 40% of the site, excluding any open space requirement.
- 18 14.5.19.4. Protection of Natural Topography (Development Standards Chapter 30, Article  
19 II, Division 6).
- 20 14.5.19.5. Flood Damage Prevention (Development Standards Chapter 30, Article II,  
21 Division 7).
- 22 14.5.19.6. Bulkheads (Development Standards Chapter 30, Article II, Division 5).
- 23 14.5.19.7. General Provisions Chapter 30, Article 1, Division 1
- 24 14.5.19.8. Streets, Sidewalks, Bicycle Facilities (Development Standards Chapter 30,  
25 Article III, Division 7).
- 26 14.5.19.9. Parking (Development Standards Chapter 30, Article III, Division 9).
- 27 14.5.19.10. Utilities (Development Standards Chapter 30, Article III, Division 8).
- 28 14.5.19.11. Signage (Signs Chapter 32).
- 29 14.5.19.12. Subdivisions (Development Standards Chapter 30, Article III, Division 1).
- 30 14.5.19.13. Street signs and traffic control signage or signals in compliance with the  
31 Uniform Manual on Traffic Control Devices (Signs Chapter 32).
- 32 14.5.19.14. Permanent reference points as required by Chapter 177, Florida Statutes  
33 (2005) and as hereafter amended.
- 34 14.5.19.15. Florida Fire Prevention Code (Chapter 633, Florida Statutes, as amended)
- 35 14.5.19.16. All City Standards, Details and Specifications.
- 36 14.5.20. Any off-site improvements necessary and/or required by the review process shall  
37 be included as part of the required exhibits of the final approved site plan.
- 38 14.5.21. Proposed Development Layout: Including proposed access and parking areas, site  
39 configuration, connections to the surrounding existing streets, stub-outs to non-  
40 developed adjacent areas, retention areas, detention areas, lakes, wetlands, open  
41 areas, recreational areas, drainage and utility easements or other applicable  
42 easements, and other development related information.
- 43 14.5.22. Sewage Disposal and Water Supply Plan: Shall show the utility lines, collection and  
44 distribution system with proposed dimensions and proposed layouts.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1           14.5.23. Stormwater Management/Drainage Plan: This plan shall note directional flows,  
2           easements, retention areas, anticipated capacities, detention areas and anticipated  
3           capacities, compensatory storage areas and anticipated capacities, as well as legal  
4           positive outfalls for the project. Any mitigation of wetland area loss as required by  
5           Development Standards Chapter 30, Article II, Division 3 of these regulations shall  
6           also be included.
- 7           14.5.24. Landscape Plan: The plan shall be based upon a tree survey, or other such  
8           information, as required by Development Standards Chapter 30, Article III, Division  
9           10 of these regulations. Groups or clusters of trees may be noted as such, provided  
10          predominant species and size is identified. Trees to be removed and trees to be  
11          retained shall both be noted on the plan. In addition, the landscape plan shall note  
12          planting areas as required by these regulations.
- 13          14.5.25. Project Phasing Plan (if applicable): If the project is to be phased, a project phasing  
14          plan must be submitted at this time.
- 15          14.5.26. Any other information required as a result of the pre-application conference or  
16          conditions of approval of the concept plan, or conditions of approval stated by City  
17          Council through the Conditional Use Permit process and/or Board of Adjustments  
18          and Appeals through the variance process. Any other documentation/submittals that  
19          may be required by City staff to clearly show the design and constructability of the  
20          proposed improvements such as traffic analysis/studies, etc.
- 21          14.5.27. All sites that are within the area of critical concern must also provide detail cut and fill  
22          calculations supporting no net volume loss or transfer of soils from the site.
- 23          14.6. *Site Plan Final Acceptance.*
- 24          The following information/exhibits shall be required with the application for the closeout of a  
25          site plan:
- 26                14.6.1. As-built drawings meeting City standards for utilities and stormwater management  
27                systems.
- 28                14.6.2. As-built drawings meeting City standards for any improvements in public right-of-  
29                ways or easements (roads, sidewalks, signage, striping, etc.).
- 30                14.6.3. A letter from the Engineer of Record indicating that all improvements have been  
31                substantially constructed in accordance with the approved Site plans. Any deviation  
32                from the approved Site plans must be noted and certified by the Engineer of Record  
33                that the deviation meets the intent of the design.
- 34                14.6.4. A maintenance warranty bond in the amount of ten percent (10%) of the estimated  
35                site construction cost, as approved by the Administrator, for all improvements that  
36                have been installed by the developer that will be owned and maintained by the City.  
37                Such bond shall be for a period of two (2) years.
- 38                14.6.5. Any maintenance warranty bond, shall be made from a company licensed as a surety  
39                in the State of Florida, listed by the U.S. Treasury Department and rated; AAAA in  
40                Best's Insurance Guide.
- 41                14.6.6. A bill of sale, conveying to the City, water and sewer utility lines, mains, lift stations,  
42                streets, sidewalks, storm water management facilities and other improvements  
43                required to be installed by these regulations and useful to the city.
- 44                14.6.7. Instruments indicating that all necessary on site or off-site easements or dedications  
45                have been acquired. In lieu of originals, "certified true copies" will be accepted if the  
46                recording information from the public records of Brevard County, Florida is included  
47                thereon.
- 48          **15. VARIANCES** (Cross citation Chapter 34 – Procedures, Article V, Division 1)

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1 This section includes submittal requirements for variance applications.

2 15.1. *Variance Required Exhibits.*

3 The following information/exhibits shall be required with the application for a variance  
4 application:

5 15.1.1. Completed application.

6 15.1.2. A digital and paper copy of plot or site plan, drawn to scale, showing the variance  
7 requested.

8 15.1.3. One survey of the property.

9 **16. DEVELOPMENT AGREEMENTS** (Cross citation Chapter 34 – Procedures, Article VII)

10 This section includes application procedures, minimum contents, review procedures, recording  
11 procedures, and execution procedures for Development Agreements.

12 16.1. *Development Agreement Application Procedures.*

13 The following information/exhibits shall be required with the application for a Development  
14 Agreement application:

15 16.1.1. A concise and complete recital of the proposed contents of the development  
16 agreement.

17 16.1.2. Development uses permitted on the parcel of land, including population densities  
18 and building intensities, and heights of structures on site.

19 16.1.3. A description of the public facilities which will provide services, the approximate  
20 date that new public facilities, if needed, will be constructed, and a schedule to  
21 assure that the public facilities and services will be available concurrent with the  
22 impacts of development.

23 16.1.4. A description of any reservation or dedication of land for public purposes.

24 16.1.5. A statement or finding demonstrating that the proposed development agreement  
25 will be consistent with the comprehensive plan of the city.

26 16.1.6. Legal description of the parcel of land thereof, which will be the subject of  
27 development agreement.

28 16.1.7. The desired duration of the development agreement not to exceed five (5) years.  
29 For agreements entered into after the effective date of this ordinance, the applicant  
30 may request an extension of the development agreement from City Council  
31 consistent with F.S. § 163.3229, as may be amended from time to time.

32 16.1.8. Any deed restrictions existing or being imposed upon the parcel of lands for  
33 development, and a description of any reservation or dedication of land for public  
34 purposes. It is understood the deed restrictions may change based upon a change  
35 in circumstances.

36 16.1.9. The name, address and telephone number of the applicant and any attorney or  
37 agent who is or will be representing the applicant.

38 16.1.10. A title opinion from a Florida attorney (which opinion is in a form acceptable to and  
39 in favor of the city), abstract of title, or other evidence of title which shall identify  
40 and provide the names, addresses and telephone numbers of all legal and  
41 equitable owners having interest in such parcel of land, as well as all mortgage or  
42 lien holders, holders of easement interest, and other encumbrances, all upon the  
43 land. In the event that any partnerships, corporations, joint ventures or other  
44 entities, other than the applicant for a development agreement, might own a legal  
45 or equitable interest in such parcel of land, all such principles in such partnerships,  
46 corporations, joint ventures and other entities shall be revealed. As of the date of

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1 recordation of any development agreement, the applicant may be required by the  
2 city to update the foregoing information in this subparagraph to the date of  
3 recording of the development agreement.
- 4 16.1.11. An application signed by the owner and if not signed by the owner a notarized  
5 consent signed by the owner authorizing the person to sign the application.
- 6 16.1.12. Payment of any required application fee which shall be the same as rezoning  
7 request.
- 8 16.1.13. A statement listing all contemplated zoning districts or land use modifications or  
9 requests for more flexibility that will be required if the proposed development plan  
10 were to be approved.
- 11 16.1.14. A survey of the parcel of land showing the approximate location of all  
12 environmentally sensitive lands, or lands subject to the jurisdiction of the U.S. Army  
13 Corps of Engineers, State Department of Environmental Regulation, the St. Johns  
14 River Water Management District or Brevard County, Florida.
- 15 16.1.15. A description of all existing and proposed utilities and the manner in which existing  
16 utilities will be extended to the site and/or expanded for the use of the development  
17 including water, sewer, gas, electricity, cable television, and other utilities.
- 18 16.1.16. A conceptual drainage plan for the proposed project indicating thereon the existing  
19 drainage features and land topography, along with, superimposed thereon, the  
20 proposed drainage features indicating clearly the means by which the final  
21 developed parcel of land will collect, regulate and conduct the drainage runoff from  
22 the parcel of land developed and tributary thereto.
- 23 16.1.17. A conceptual use grading plan and included therewith the elevation requirements  
24 of the National Flood Insurance Program as applicable to the city.
- 25 16.1.18. A conceptual plan showing the proposed layout of streets, lots, green areas,  
26 conservation areas, bike ways, parks, public facilities and such other amenities.
- 27 16.1.19. Any further information that the city may require because of the particular nature or  
28 location of the development.
- 29 **16.2. Development Agreement Minimum Content Requirements.**
- 30 The following information shall be required within a Development Agreement consistent with  
31 F.S. § 163.3220 – 163.3243, as amended:
- 32 16.2.1. A legal description of the land subject to the agreement and the identification of all  
33 persons having legal or equitable ownership therein.
- 34 16.2.2. The duration of the development agreement, which duration shall not exceed an  
35 initial duration of five (5) years, however, the applicant may request an extension of  
36 the agreement from the city council consistent with F.S. § 163.3229, as may be  
37 amended from time to time, after being subject to the same public hearing process  
38 necessary for initial approval of the development agreement.
- 39 16.2.3. The development uses permitted on the land, including population densities,  
40 building intensities and building height(s).
- 41 16.2.4. A description of the public facilities and services, including on-site improvement  
42 that will serve the proposed project, including designation of the entity or agency  
43 that shall be providing such facilities. Additionally, if new facilities are needed to  
44 serve the project, the date by which such facilities will be constructed and a  
45 schedule to assure that public facilities and services shall be available concurrent  
46 with the impact of the development project shall be provide.
- 47 16.2.5. A description of any reservation or dedication of land for public purposes. The  
48 development agreement shall provide specifically how the land dedication

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

- 1 obligation for the project, if any, is to be met. In the event that land or any interest  
2 herein is to be conveyed to the city or other entity in discharge of the foregoing, the  
3 development agreement shall provide that such conveyance will be by warranty  
4 deed or other instrument in form and substance acceptable to the city attorney,  
5 together with evidence of title in form acceptable to the city attorney prepared by an  
6 attorney who is a member of the Florida Bar, a title company, or an abstract  
7 company, all depicting who is the owner in fee simple of the parcel of land subject  
8 to the development agreement and the holders of any other interest or liens  
9 affecting said parcel of land.
- 10 16.2.6. A description of all local development permits approved or needed to be approved  
11 for the development of the land, specifically to include at least the following:
- 12 Any required zoning or land use plan amendments, any required submission to the  
13 East Central Florida Regional Planning Council or to the State Land Planning  
14 Agency, any required permission of the State of Florida, Department of  
15 Environmental Regulation, the U.S. Corps of Army Engineers, the St. Johns River  
16 Water Management District, the U.S. Environmental Protection Agency or any  
17 other required governmental permission.
- 18 The development agreement shall specifically provide that said development  
19 permission will be obtained at the sole cost of the owner of the parcel of land, and  
20 that any approvals previously given, including the development agreement, shall  
21 not in any manner obligate the city or any other governmental agency to grant  
22 other permit approvals. Under these conditions, action in reliance on the  
23 development agreement or expenditures in pursuance of its terms or any rights  
24 accruing to the project owner thereunder shall not vest any development rights in  
25 the owner of the project to a continuation of the development agreement.
- 26 16.2.7. A specific finding in the development agreement that the proposed project  
27 permitted or proposed is consistent with the city's Comprehensive Plan or that, if  
28 amendments, modifications, variances or exceptions are necessary for the zoning  
29 district or land use plan designations on the subject parcel of land, such  
30 development agreement is contingent upon those being made and approved by the  
31 appropriate governmental agencies.
- 32 16.2.8. Statement in the development agreement showing how sidewalk and pedestrian  
33 travel is being addressed.
- 34 16.2.9. A statement in the development agreement showing how environmentally sensitive  
35 land will be preserved and managed;
- 36 16.2.10. A statement in the development agreement showing how threatened or  
37 endangered species are being protected.
- 38 16.2.11. A statement that the city council may provide for any conditions, terms, restrictions  
39 or other requirements determined to be necessary for the public health, safety,  
40 aesthetics or welfare of its citizens and such conditions, terms or restrictions may  
41 be more onerous or demanding than those otherwise specifically required by the  
42 existing land development standards.
- 43 16.2.12. A statement indicating that failure of the development agreement to address a  
44 particular permit condition, term or restriction shall not relieve the owner or  
45 developer of the necessity of complying with the laws governing said permitting  
46 requirements, conditions, terms or restriction.
- 47 16.2.13. A provision that any matter or thing required to be performed under existing  
48 ordinances of the city shall not be otherwise amended, modified or waived, unless  
49 such modification, amendment or waiver is expressly provided for in the  
50 development agreement with specific reference to the Code provision so waived,  
51 modified or amended.

**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1           16.2.14. A statement whereby if the applicant, upon approval of the agreement, fails to  
2           comply with the terms of the agreement, the city may bring an action in a court of  
3           law with competent jurisdiction to project its rights and interests. All associated  
4           reasonable costs and attorney's fees shall be reimbursed to the city if an action at  
5           law is necessary.

6           16.3. *Development Agreement Review Procedures.*

7           The following regulations shall be followed during the review of a Development Agreement,  
8           consistent with F.S. § 163.3220 – 163.3243, as amended.

9           16.3.1. Staff negotiation. The city manager or the city manager's designee shall review the  
10          proposed project and shall meet and hold preliminary nonbinding negotiations with  
11          the applicant regarding the appropriate terms and conditions on which said parcel  
12          of land should be developed. At such time as a tentative agreement is reached as  
13          to the recommended terms and conditions of the development agreement, or the  
14          city manager or city manager's designee deems that no further negotiations would  
15          be useful because of the unlikely possibility of reaching a concurrence on the terms  
16          and conditions of a development agreement, the proposal shall be reduced to a  
17          nonbinding and unexecuted writing. Such tentative agreement, whether oral or  
18          written, shall not give rise to any development rights or equitably or legally vest any  
19          development rights in the owner of the parcel of land or other substantially affected  
20          person.

21          16.3.2. Reduction of proposal to writing

22               16.3.2.1. In the event that the city manager or the city manager's designee and the  
23               applicant have negotiated the terms of a mutually acceptable, nonbinding  
24               and tentative development agreement, the terms of that development  
25               agreement shall be reduced to writing in a contractual form for review and  
26               for further discussion, consideration and approval or disapproval as  
27               provided herein.

28               16.3.2.2. In the event that the city manager or city manager's designee and the  
29               applicant have been unable to negotiate a mutually satisfactory  
30               development agreement, within thirty (30) days of said determination by the  
31               city manager or the city manager's designee, the applicant may prepare a  
32               proposed development agreement consistent with all requirements hereof  
33               for review by the Planning and Zoning Commission.

34          16.3.3. First public hearing

35               16.3.3.1. At such time as the development agreement has been reduced to written  
36               nonbinding contractual form, or the applicant has prepared a development  
37               agreement as set forth above in subsection 16.3.2, the city manager or city  
38               manager's designee shall transmit such development agreement to the  
39               Planning and Zoning Commission with the city manager's written  
40               recommendation regarding adoption;

41               16.3.3.2. A public hearing shall be held by the Planning and Zoning Commission  
42               concerning said application. Notice of intent to consider a development  
43               agreement shall be advertised approximately seven (7) days prior to the  
44               public hearing;

45               16.3.3.3. At the hearing, notice of the proposed date, time and place of the second  
46               public hearing, which will be held by City Council, shall be announced  
47               thereon in a newspaper of general circulation in Brevard County, and said  
48               notice shall be mailed to all property owners within a five hundred (500) feet  
49               radius of the affected parcel of land prior to the first public hearing. Said  
50               advertisement and notice of the public hearing shall include:



**City of Titusville, Florida Code of Ordinance, Volume II Land Development Regulations,  
Development Review Procedures Manual**

1 subject to foreclosure under the terms of mortgages or liens entered into or  
2 recorded prior to the execution and recordation of the development agreement.