

# **ARTICLE 7 - OFFICERS AND BOARDS**

## **CHAPTER 7-10**

### **OFFICERS AND BOARDS: INTENT**

#### **Sections:**

<b>7-10.1</b>	<b>Title and Purpose</b>
<b>7-10.2</b>	<b>Organization</b>

**Section 7-10.1 Title and Purpose.** Article 7 of the Land Development Regulations is entitled Officers and Boards. The purpose of this article and the chapters within it is to specify the bodies empowered to regulate and restrict the development of land and the uses and structures thereon and to justify and equitably administer the Land Development Regulations in the interest of the public health, safety, and general welfare.

**Section 7-10.2 Organization.** Article 7 consists of the following chapters:

- (a) 7-10 Officers and Boards: Intent
- (b) 7-20 Board of Supervisors
- (c) 7-30 Planning Board
- (d) 7-40 (Section Number Reserved)
- (e) 7-50 Planning and Engineering Department

## CHAPTER 7-20

### BOARD OF SUPERVISORS

#### Sections:

7-20.1	Purpose
7-20.2	Comprehensive Plan
7-20.3	Land Development Regulations
7-20.4	Environmental Regulations
7-20.5	Safety and Sanitary Codes
7-20.6	Other Standards
7-20.7	Implementation of Regulations
7-20.8	Procedures
7-20.9	Planning Board
7-20.10	Intergovernmental Coordination
7-20.11	Appeals
7-20.12	Fees

**Section 7-20.1 Purpose.** The purpose of this chapter, Chapter 7-20, Board of Supervisors, is to describe the responsibilities of the RCID Board of Supervisors with regard to comprehensive land use planning and land development regulations. These powers are contained in the RCID enabling legislation and Florida statutes. This chapter implements Section 163.3202 F.S.

**Section 7-20.2 Comprehensive Plan.** The Board has the authority to adopt, review, amend, or supplement the Comprehensive plan to provide for the physical development of the area within the District.

**Section 7-20.3 Land Development Regulations.** The Board has the authority to adopt, review, amend or supplement Land Development Regulations that are consistent with and implement the Comprehensive Plan. These regulations shall, at a minimum, accomplish the following:

- (a) Regulate the subdivision of land;
- (b) Regulate the use of land and water for those land use categories included in the land use element of the Comprehensive Plan, ensure the compatibility of adjacent uses, and provide for open space;
- (c) Provide for protection of potable water wellfields;
- (d) Regulate areas subject to seasonal and periodic flooding and provide for drainage and stormwater management;
- (e) Ensure the protection of environmentally sensitive lands designated in the Comprehensive Plan;
- (f) Regulate signage;
- (g) Provide that public facilities and services meet or exceed the standards established in the Capital Improvement Element of the Comprehensive Plan and are available when needed for the development, or that development orders and permits are conditioned on the availability of these public facilities and services necessary to serve the proposed development; and

- (h) Ensure safe and convenient on-site traffic flow, considering needed vehicle parking.

**Section 7-20.4 Environmental Regulations.** The Board has the authority to adopt, review, amend, or supplement other environmental regulations to prohibit or control the pollution of air and water, and require electrical power, telephone and other utility lines, cables, pipes and ducts to be placed underground.

**Section 7-20.5 Safety and Sanitary Codes.** The Board has the authority to adopt, review, amend, or supplement codes regulating building safety, elevators, escalators and similar devices; prevention of fire hazards; plumbing and electrical installations; operation of amusement and recreation parks and facilities, water supply wells and drainage wells; and such other safety or sanitary codes as the Board may determine to be necessary or desirable.

**Section 7-20.6 Other Standards.** The Board has the authority to adopt, review, amend, or supplement other standards at least equivalent to the minimum standards in applicable statewide regulations protecting the general safety and welfare of the public.

**Section 7-20.7 Implementation of Regulations.** The Board has the authority to perform such actions as are assigned to it in these Land Development Regulations.

**Section 7-20.8 Procedures.** The Board has the authority to provide for the manner in which comprehensive plans, codes, regulations, and restrictions shall be determined, established, and enforced.

**Section 7-20.9 Planning Board.** The Board has the authority to establish a Planning Board and prescribe the powers, duties, and functions of such Planning Board, the requirements for membership, the term or terms of office of members, the rules and procedure to be followed in proceedings before or involving the Planning Board, and all other matters affecting the organization and functioning of the Planning Board. The Board shall appoint the members of the Planning Board.

**Section 7-20.10 Intergovernmental Coordination.** The Board has the authority to enter into agreements to further its planning and land development activities. These agreements include, but are not limited to the following:

- (a) The Board may enter into agreements with the City of Bay Lake and the City of Lake Buena Vista to plan for and regulate land uses within the boundaries of the District;
- (b) The Board may enter into agreements with cities and counties outside the boundaries of the District to implement the Comprehensive Plan; and
- (c) The Board may enter into agreements with regional, state, or federal agencies to implement the Comprehensive Plan.

**Section 7-20.11 Appeals.** The Board has the authority to hear appeals from decisions of the District Administrator and Planning Board.

**Section 7-20.12 Fees.** The Board may collect fees from applicants and assess municipalities located within the District such fees and charges as may be necessary to cover the cost of enforcing these regulations.

## CHAPTER 7-30

### PLANNING BOARD

#### Sections:

7-30.1	Purpose
7-30.2	Local Planning Agency
7-30.3	Powers of the Planning Board
7-30.4	Evaluation and Appraisal of the Comprehensive Plan
7-30.5	Appointment of Members
7-30.6	Terms of Membership

**Section 7-30.1 Purpose.** The purpose of this chapter, Chapter 7-30, Planning Board, is to describe the responsibilities of the RCID Planning Board. This chapter implements Section 163.3202 F.S.

**Section 7-30.2 Local Planning Agency.** The Planning Board shall act as the "local planning agency" and perform those duties as set forth in Section 163.3174 Florida Statutes.

**Section 7-30.3 Powers of the Planning Board.** The responsibilities and duties of the Planning Board are as follows:

- (a) Prepare the Comprehensive Plan in accordance with state statutes and regulations, and recommend amendments and revisions for meeting current requirements and such future requirements as may be foreseen;
- (b) Prepare and recommend to the Board of Supervisors, City Council of Bay Lake, and City Council of Lake Buena Vista, policies that promote orderly future development in conformance with the Comprehensive plan;
- (c) Conduct such public hearings as may be required to gather information necessary for the periodic review and maintenance of the Comprehensive Plan, such additional public hearings as are specified under these Land Development Regulations, and such other hearings as may be required by the Board of Supervisors;
- (d) Cooperate with neighboring municipalities, counties, regional planning councils, and other state and local government agencies for the purpose of achieving a harmonious and coordinated plan for the development of the land resources under their respective jurisdictions;
- (e) Determine the establishment of land use boundaries in cases where the exact location of a boundary is in question;
- (f) Perform such actions as are assigned to it in these Land Development Regulations; and
- (g) Perform any other duties which may lawfully be assigned to it by the Board of Supervisors.

**Section 7-30.4 Evaluation and Appraisal of the Comprehensive Plan.** The Planning Board shall evaluate and appraise the Comprehensive Plan and submit a report to the Board of Supervisors at least once every five (5) years after the adoption of the Comprehensive Plan. The report shall present an assessment of the success or failure of the Comprehensive Plan or elements or portions thereof and shall contain appropriate statements using words, maps, illustrations, or other forms related to:

- (a) The major problems of development, physical deterioration, and the location of land uses and the social and economic effects of such uses in the area;
- (b) The condition of each element in the Comprehensive Plan at the time of adoption and at date of report;
- (c) The Comprehensive Plan objectives as compared with actual results at date of report; and
- (d) The extent to which unanticipated and unforeseen problems and opportunities occurred between the date of adoption and date of report.

**Section 7-30.5 Appointment of Members.** The membership of the Planning Board shall be five (5) members appointed by the Board of Supervisors. At all times, at least one (1) of the members must be professionally knowledgeable in the field of land use planning and regulations.

**Section 7-30.6 Terms of Membership.** All appointments to the Planning Board are for a period of three (3) years.

## CHAPTER 7-50

### PLANNING AND ENGINEERING DEPARTMENT

#### Sections:

7-50.1	Purpose
7-50.2	Responsibilities
7-50.3	Manager of Planning and Engineering
7-50.4	Authority of Manager
7-50.5	Hearing Officer

**Section 7-50.1 Purpose.** The purpose of this chapter, Chapter 7-50, Planning and Engineering Department, is to describe the responsibilities of the RCID Planning and Engineering Department. This chapter implements Section 163.3202 F.S.

**Section 7-50.2 Responsibilities.** The Planning and Engineering Department is responsible for administering and enforcing the RCID Comprehensive Plan and its implementing regulations. These responsibilities include the following:

- (a) Review and coordinate the administration of the Comprehensive Plan;
- (b) Review and coordinate the administration of these Land Development Regulations;
- (c) Review plans for all development that requires a permit pursuant to the Land Development Regulations;
- (d) Coordinate the determination of the adequacy of infrastructure for new development;
- (e) Make inspections as required in the administration of the Land Development Regulations;
- (f) Enforce all of these regulations within the incorporated municipalities located within the District, provided such municipalities have authorized the Board of Supervisors to act on their behalf;
- (g) Review development applications to ensure that they comply with the drainage, wetlands, water quality, and other environmental standards in the Comprehensive Plan, these Land Development Regulations, and applicable state and federal statutes; and
- (h) Issue environmental permits as prescribed by these Land Development Regulations or by state or federal statutes.

**Section 7-50.3 Manager of Planning and Engineering.** The District Administrator shall appoint a Manager of Planning and Engineering to manage the Planning and Engineering Department.

**Section 7-50.4 Authority of Manager.** The Manager of Planning and Engineering shall act to cause the Planning and Engineering Department to carry out its responsibilities as set forth in Section 7-50.2 and shall perform other duties which may lawfully be assigned to him or her by the District Administrator, Planning Board, or Board of Supervisors. The Manager shall have the power to employ such staff as authorized by the District Administrator and to delegate authority to staff members in the performance of his or her duties.

**Section 7-50.5 Hearing Officer.** The District Administrator shall serve as the RCID Hearing Officer and perform such duties that the office requires as set forth in these Land Development Regulations.