

**LEGISLATIVE #**

**110667M**

**Exhibit I.**

**Sections of the Land Development Code addressing the review of Subdivisions.**

SOME USEFUL REFERENCES PERTAINING  
TO  
SUBDIVISION REVIEW

Sec. 30-23. - Definitions

Subdivider means the owner, or the agent of the owner, of any tract or parcel of land, who divides or subdivides or resubdivides the tract or parcel of land into three or more lots, building sites or other divisions, for the purpose of transferring an ownership interest therein, or any person who performs any clearing and grubbing on any land incidental to or preparatory to the construction or laying out of improvements on the site to facilitate a subdivision of the property, or any owner of property or the agent of the owner who develops or improves property in accordance with a subdivision plat approved pursuant to this chapter.

Subdivision means any division or resubdivision of a tract or parcel of land into three or more lots, building sites or other divisions; provided, however, that the following shall not be included within this definition nor be subject to the provisions of this chapter except as specifically set forth in this chapter:

(1)

Conversion of a building into individual units for the purpose of transferring an ownership interest therein.

(2)

The public acquisition of strips of land for widening or opening streets, or for drainage or public utilities improvements.

Sec. 30-42. - Designation of district boundaries.

The boundaries of each district are designed and established as shown on the zoning map of the city. The regulations of this chapter concerning the use of land within particular districts shall apply within the boundaries of each district as shown upon the zoning map.

Sec. 30-43. - Rules for interpretation of district boundaries.

When uncertainty exists as to the boundaries of the various districts on the zoning map, the following rules shall apply:

(1)

*Location of district boundary lines.*

a.

*Centerlines.* Boundaries indicated as approximately following streets shall be construed to follow the centerlines of such streets.

b.

*Lot and section lines.* Boundaries indicated as approximately following platted lot lines or section lines shall be construed as following such lines.

c.

*Municipal boundaries.* Boundaries indicated as approximately following municipal boundaries shall be construed as following such municipal boundaries.

d.

*Railroad lines.* Boundaries indicated as following railroad lines shall be construed as following the right-of-way centerlines for such railroad lines.

e.

*Water lines.* Boundaries indicated as approximately following the centerlines of streams, creeks, canals or other bodies of water shall be construed to follow such centerlines.

f.

*Parallel lines.* Boundaries that are approximately parallel to the centerlines of alleys or the centerlines or right-of-way lines of streets or any other line shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning maps. If no distance is given, such dimension shall be determined by the use of the scale shown on the zoning map.

g.

*Bisecting lines.* Boundaries that approximately bisect a block, lot or tract shall be construed to follow the median lines of such blocks as indicated by rear property lines or

as measured between the centerlines of boundary streets in the absence of rear property lines or, in the absence of both of the above, by use of the scale appearing on the zoning map.

(2)

*Provisions for parcels divided by district boundaries.* Where any parcel of land is divided into two or more zoning districts, the regulations of each individual district shall apply to that part of the parcel so zoned, except that, when a parcel is divided into two or more of the RMF-6, RMF-7, RMF-8, RMU, RH-1 and RH-2 residential districts, the permitted intensity of development may be averaged over the entire parcel as long as the remaining applicable dimensional requirements are followed.

(3)

*Unzoned property generally.* If, because of error or omission in the zoning map, any property in the city is not shown as being in a zoning category, or if property in newly annexed territory is unzoned; or if the zoning of any property is vacated or invalidated, for any reason, either judicially or legislatively, then the classification of any of such properties shall be deemed to be CON, conservation district, unless and until a different zoning is provided for such property by ordinance amending the zoning map; and, until such amendment is provided for, no use may be made of any such property except in accordance with the regulations for the CON district.

(4)

*Unzoned property owned by governmental agency.* Any unzoned land owned by a governmental agency may be exempted by the city commission from compliance with the CON district regulations, and from the requirements of applying for a specific zoning category, for any proposed development, expansion or change of use, based upon a specific proposed development plan and following recommendation by the plan board or development review board.

**Sec. 30-46. - Correspondence of zoning districts with future land use categories.**

The following table establishes the zoning districts allowable within the future land use categories from the comprehensive plan. Zoning district changes to a new district which fall into a different future land use category shall require a change in the future land use category also.

**CORRESPONDENCE OF ZONING DISTRICTS WITH FUTURE LAND USE CATEGORIES**

Zoning Districts	Future Land Use Category
RSF-1, RSF-2, RSF-3, RSF-4, RSF-R, CON, PD, PS	Single-family (SF)
RSF-4, RMF-5, MH, RC, PD, CON, PS	Residential—Low (RL)
RMF-6, RMF-7, RMF-8, PD, CON, PS	Residential—Medium (RM)
RH-1, RH-2, PD, TND, CON, PS	Residential—High (RH)
RMU, PD, CON, PS	Mixed use—Residential (MUR)
MU-1, PD, TND, CON	Mixed use—Low (MUL)
MU-2, CP, PD, TND, CON	Mixed use—Medium (MUM)
CCD, PD, TND, CON, PS	Mixed use—High (MUH)
UMU-1, CON, PS, PD	Urban Mixed-Use 1 (UMU-1)
UMU-2, CON, PS, PD	Urban Mixed-Use 2 (UMU-2)
OR, OF, MD, PD, CON, PS	Office (O)
BA, BT, BUS, W, PD, CON, PS	Commercial (C)
BI, PD, CON, PS	Business industrial (BI)
I-1, I-2, W, PD, BI, CON, PS	Industrial (IND)
ED, PD, CON, PS	Education (E)
PS, PD, CON	Recreation (REC)
CON, PD, PS	Conservation (CON)
AGR, CON, PS	Agriculture (AGR)
AF, PS, PD, CON	Public facilities (PF)
PD, TND, PS or rezoning consistent with the underlying land use designation	Planned Use District (PUD)

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 670769, § 2, 1-28-08; Ord. No. 080435, § 2, 3-19-09)

**Sec. 30-70. - General industrial district (I-2).**

(a)

*Purpose.* The I-2 district is established for the purpose of providing areas in appropriate locations where various heavy and extensive industrial operations can be conducted without creating hazards or property devaluation to surrounding land uses. It is generally inappropriate to locate this district adjacent to residential zoning districts or most arterial streets.

(b)

*Objectives.* The provisions of this district are intended to:

(1)

Accommodate enterprises with functions requiring access to transportation services by providing them with locations that are in close proximity to necessary transportation facilities such as major thoroughfares, railroads or air terminals for the reception and eventual distribution of their goods or services;

(2)

Promote, through development plan approval, the most efficient use of the land used for such development, as well as a harmonious relationship between such development and the land;

(3)

Require appropriate buffering or screening around such development, to maintain its compatibility with surrounding land uses;

(4)

Encourage such future development to occur on vacant land where the natural characteristics of such land are suitable for this type of development; and

(5)

Provide policies which will require such development to occur where public facilities and services are existing or are within plans for improvement.

(c)

*Permitted uses.*

(1)



Uses by right.

a.

Food and kindred products (MG-20), excluding the following: wet corn milling (IN-2046); raw cane sugar (IN-2061); beet sugar (IN-2063); soybean oil mills (IN-2075); and distilled liquor (IN-2085).

b.

Tobacco products (MG-21), excluding cigarettes (IN-2111).

c.

Textile mill products (MG-22), excluding cotton finishing plants (IN-2261).

d.

Apparel and other finished products made from fabrics and similar materials (MG-23).

e.

Lumber and wood products, except furniture (MG-24).

f.

Furniture and fixtures (MG-25).

g.

Paper and allied products (MG-26), excluding the following: pulp mills (IN-2611); paper mills (IN-2621); paperboard mills (IN-2631); and packaging—coated and laminated paper (IN-2671).

h.

Printing, publishing, and allied industries (MG-27), excluding gravure commercial printing (IN-2754).

i.

Chemicals and allied products (MG-28), excluding the following: alkalis and chlorine (IN-2812); inorganic pigments (IN-2816); cellulosic manmade fibers (IN-2823); noncellulosic organic fibers (IN-2824); gum and wood chemicals (IN-2861); nitrogenous fertilizers (IN-2873); phosphatic fertilizers (IN-2874); synthetic rubber (IN-2822); medicinals and botanicals (IN-2833); cyclic crudes and intermediates (IN-2865); explosives (IN-2892); and carbon black (IN-2895).

j.

Petroleum refining and related industries (MG-29), excluding the following: petroleum refining (IN-2911); petroleum and coal products (not elsewhere classified) (IN-2999); and asphalt paving mixtures and blocks (IN-2951).

k.

Rubber and miscellaneous plastics products (MG-30).

l.

Leather and leather products (MG-31).

m.

Stone, clay, glass, and concrete products (MG-32), excluding the following: hydraulic cement (IN-3241); lime (IN-3274); flat glass (IN-3211); glass containers (IN-3221); pressed and blown glass (not elsewhere classified) (IN-3229); brick and structural clay tile (IN-3251); ceramic wall and floor tile (IN-3253); clay refractories (IN-3255); structural clay products (not elsewhere classified) (IN-3259); vitreous plumbing fixtures (IN-3261); vitreous china food utensils (IN-3262); gypsum products (IN-3275); and ground or treated minerals (IN-3295).

n.

Primary metal industries (MG-33), excluding the following: steel works, blast furnaces, and rolling mills (IN-3312); electrometallurgical products (IN-3313); primary copper (IN-3331); primary aluminum (IN-3334); primary nonferrous metals (not elsewhere classified) (IN-3339); secondary smelting and refining of nonferrous metals (IN-3341); gray iron foundries (IN-3321); copper rolling and drawing (IN-3351); aluminum extruded products (IN-3354); aluminum rolling and drawing (IN-3355); aluminum die-castings (IN-3363); and copper foundries (IN-3366).

o.

Fabricated metal products, except machinery and transportation equipment (MG-34), excluding the following: nonferrous forgings (IN-3463); and metal coatings and allied services (IN-3479).

p.

Industrial and commercial machinery and computer equipment (MG-35).

q.

Electronic and other electrical equipment and components, except computer equipment (MG-36).

r.

Transportation equipment (MG-37).

s.

Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks (MG-38).

t.

Miscellaneous manufacturing industries (MG-39).

u.

Construction (Div. C).

v.

Transportation, communications, electric, gas and sanitary services (Div. E), including solar generation station in accordance with article VI.

w.

Wholesale trade (Div. F), excluding junkyards and salvage yards.

x.

Building materials, hardware, garden supply and mobile home dealers (MG-52).

y.

Fuel dealers (GN-598).

z.

Business services (MG-73); including disinfecting and pest control services (IN-7342), in accordance with article VI.

aa.

Automotive repair, services and parking (MG-75).

bb.

Miscellaneous repair services (MG-76).

cc.

Reserved.

- dd. Landscape and horticultural services (GN-078).
- ee. Eating places.
- ff. Personal services (MG-72).
- gg. Outdoor storage.
- hh. Veterinary services (GN-074), in accordance with article VI.
- ii. Animal services, except veterinary (GN-075).
- jj. Nonstore retailers (GN-596).
- kk. Public service vehicles in accordance with article VI.
- ll. Farm labor and management services (GN-076).
- mm. Car washes (IN-7542).
- nn. Reserved.
- oo. Amusement and recreation services, not elsewhere classified (IN-7999), excluding go-cart raceway operations and go-cart rentals, excluding sexually oriented businesses.
- pp. Noncommercial research organizations (IN-8733).
- qq. Engineering, architectural and surveying services (IN-871).
- rr. Any accessory use incidental to a permitted principal use.

ss.

Legal services (MG-81).

tt.

Motion picture production and allied services (GN-781); motion picture distribution and allied services (GN-782).

uu.

Bowling centers and billiard and pool establishments (GN-793).

vv.

Recycling centers, in accordance with article VI.

ww.

Research, development and testing service (GN-873).

xx.

Sexually oriented motion picture theaters, in accordance with section 30-90

yy.

Sexually oriented cabarets, in accordance with section 30-90

zz.

Sexually oriented retail stores, in accordance with section 30-90

(2)

Uses by special use permit. Uses by special use permit, provided the requirements and conditions of article VI are met, if applicable, and that the findings in section 30-233 are made, in accordance with the procedures provided in section 30-204 of this chapter with the findings of section 30-233

SIC	Uses	Conditions
	Transmitter towers	
	Junkyard and salvage yards	
GN-54	Gasoline service stations	
	Go-cart raceway operations and go-cart rentals	
	Alcoholic beverage establishments	
	Individual and family social services	In accordance with subsection a. below
MG-14	Mining and quarrying of nonmetallic minerals,	Subject to specially regulated industry

	except fuels	provisions below
IN-2111	Cigarettes	Subject to specially regulated industry provisions below
IN-2261	Cotton finishing plants	Subject to specially regulated industry provisions below
IN-2671	Packaging - coated and laminated paper	Subject to specially regulated industry provisions below
IN-2754	Gravure commercial printing	Subject to specially regulated industry provisions below
IN-2822	Synthetic rubber	Subject to specially regulated industry provisions below
IN-2833	Medicinals and botanicals	Subject to specially regulated industry provisions below
IN-2865	Cyclic crudes and intermediates	Subject to specially regulated industry provisions below
IN-2892	Explosives	Subject to specially regulated industry provisions below
IN-2895	Carbon black	Subject to specially regulated industry provisions below
IN-2951	Asphalt paving mixtures and blocks	Subject to specially regulated industry provisions below
IN-3211	Flat glass	Subject to specially regulated industry provisions below
IN-3221	Glass containers	Subject to specially regulated industry provisions below
IN-3229	Pressed and blown glass (not elsewhere classified)	Subject to specially regulated industry provisions below
IN-3251	Brick and structural clay tile	Subject to specially regulated industry provisions below
IN-3253	Ceramic wall and floor tile	Subject to specially regulated industry provisions below
IN-3255	Clay refractories	Subject to specially regulated industry provisions below
IN-3259	Structural clay products (not elsewhere classified)	Subject to specially regulated industry provisions below
IN-3261	Vitreous plumbing fixtures	Subject to specially regulated industry provisions below
IN-3262	Vitreous china food utensils	Subject to specially regulated industry provisions below
IN-3275	Gypsum products	Subject to specially regulated industry provisions below
IN-3295	Ground or treated minerals	Subject to specially regulated industry provisions below
IN-	Gray iron foundries	Subject to specially regulated industry

3321		provisions below
IN-3351	Copper rolling and drawing	Subject to specially regulated industry provisions below
IN-3354	Aluminum extruded products	Subject to specially regulated industry provisions below
IN-3355	Aluminum rolling and drawing	Subject to specially regulated industry provisions below
IN-3363	Aluminum die-castings	Subject to specially regulated industry provisions below
IN-3366	Copper foundries	Subject to specially regulated industry provisions below
IN-3463	Nonferrous forgings	Subject to specially regulated industry provisions below
IN-3479	Metal coatings and allied services	Subject to specially regulated industry provisions below
IN-2819	Industrial inorganic chemicals (not elsewhere classified)	Subject to specially regulated industry provisions below
IN-2869	Industrial organic chemicals (not elsewhere classified)	Subject to specially regulated industry provisions below
IN-2821	Plastics materials and resins	Subject to specially regulated industry provisions below

a.

Individual and family social services: Individual and family social services are subject to the following additional conditions and limitations:

1.

The fee simple owner(s) of the property must sign the application and acknowledge that the use is in an industrial district that may be subject to noise, heavy truck traffic, fumes, odors and vibrations that are customary in an industrial district.

2.

The use shall not co-locate with another industrial use on the same parcel.

3.

The use must occupy a building that is currently located on the parcel.

4.

Residential care is prohibited and no overnight stay or lodging is allowed.

5.

The special use permit is limited to a maximum of five years, subject to automatic renewal for the same term as the original permit unless, either: i. the use is discontinued or abandoned for 90 consecutive days; or ii. the city or owner of the property seeks to terminate the use by providing written notice to the city manager or designee at least 90 days prior to the expiration of the special use permit. In the event such notice is given, the special use permit shall expire and terminate unless the owner files a new application within 20 days of receipt of said notice of termination. The application will then be processed and reviewed in the same manner as a new application.

b.

*Specially regulated industry.* The following apply to uses designated as subject to specially regulated industry provisions:

1.

*Reports.* The applicant for a special use permit shall submit information specifying expected air emissions, surface and groundwater emissions, noise levels, truck traffic volumes (including time-of-day level(s)), odor levels, and glare impacts; and the compatibility of these emissions and impact levels with other properties, uses and neighborhoods within 2,000 feet. The report shall indicate that these impacts will not violate local, regional, state, or federal limits. The report shall also indicate that "best available technology" is being used to control impacts from the "specially regulated industry."

2.

*Exemption.* Uses or developments that will result in releases of pollutants to the air and to the water no more than one percent of the



average release of those pollutants on a list maintained by the city for that industry shall be exempt from the special use permit process except for the report required in subsection 1. above. The owner requesting this exemption must provide evidence acceptable to the city manager or designee that the use qualifies. Any use that was permitted under this exemption and is found to be releasing more than one percent of the average release of air or water pollutants reported for that industry shall cease operation until a special use permit is applied for and obtained.

(d)

*Dimensional requirements.* All principal and accessory structures shall be located and constructed in accordance with the following requirements:

(1)

Minimum yard setbacks:

a.

Front: 25 feet.

b.

Side, interior: 20 feet.

1.

Except where the side yard abuts and is used for access to a railroad siding: Zero feet.

2.

Except where the side yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet.

c.

Side, street: 25 feet.

d.

Rear: Ten feet.

1.

Except where the rear yard abuts and is used for access to a railroad siding: Zero feet.

2.

Except where the rear yard abuts property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan: 50 feet.

(2)

Within 100 feet of any property which is in a residential district or which is shown for residential use on the future land use map of the comprehensive plan, all activity and uses except storage of equipment and parking shall be conducted within completely enclosed structures.

(e)

*General requirements.* All structures and uses within this district shall also comply with the applicable requirements and conditions of section 30-71 and Article IX.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 3963, § 11, 3-14-94; Ord. No. 001917, § 2, 12-13-01; Ord. No. 001765, § 2, 7-22-02; Ord. No. 002562, § 1, 4-14-03; Ord. No. 030752, § 8, 5-10-04; Ord. No. 070619, § 16, 3-24-08; Ord. No. 090643, § 6, 4-15-10; Ord. No. 090321, § 3, 7-15-10)

### **Sec. 30-71. - General provisions for industrial districts.**

(a)

*Development plan approval.* Prior to the issuance of a building permit for development in any industrial district, development plan approval, in accordance with the provisions of Article VII, is required.

(b)

*Access to industrial uses.* Where a parcel of property used for nonresidential use in any industrial district abuts more than one street, access from either street to such property will be permitted only if no property in any RSF-1, RSF-2, RSF-3, RSF-4 or RC district or shown for single-family residential use on the future land use map of the comprehensive plan lies immediately across such street from such industrial-zoned property; provided, however, access may be permitted from any collector or arterial as shown in the comprehensive plan; and provided, further, that one point of access shall be permitted in any case, notwithstanding other provisions of this subsection.

(c)

*Parking.* In order to receive and maintain a valid certificate of occupancy within all industrial districts, the parking requirements shall be complied with as set forth in Article IX.

(d)

*Landscaping.* In order to receive and maintain a valid certificate of occupancy within all industrial districts, the landscaping requirements shall be complied with as set forth in Article VIII.

(e)

*Signs.* In order to receive and maintain a valid certificate of occupancy within all industrial districts, the sign requirements shall be complied with as set forth in Article IX.

(f)

*Flood control.* Prior to the issuance of a building permit in any industrial district, the provisions of the flood control district, Article VIII, shall be complied with where applicable.

[Ord. No. 3777, § 4, 6-10-92; Ord. No. 3953, § 12, 3-14-94]

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### Sec. 30-183. - Design plat requirements and approval.

(a)

*Generally.* Following the pre-application conference, the public notice process, and prior to any subdivision of lands, the subdivider shall first obtain approval of a design plat from the development review board and city commission, pursuant to the procedures and specifications provided in this article. Prior to the recording of an approved final plat, or prior to the conditional approval of a final plat, clearing and grubbing of land, tree removal and the construction of improvements is expressly prohibited. Following a pre-application conference on a parcel, the requirements of this subsection (a) become applicable and supersede any other regulation on tree removal.

(b)

*Application.* To obtain design plat approval, the subdivider shall submit an application and the appropriate filing fee to the planning and development services department, on such form as provided by the department. Each application shall include multiple copies of the design plat as necessary to facilitate the review process, prepared in accordance with the standards specified in article VII, division 1, of

this chapter and including all of the items required by subsection 30-183(e). Proposed residential subdivisions must meet the level of service standards adopted in the comprehensive plan. Proof of meeting these standards shall exist in the form of a certificate of concurrency exemption, certificate of preliminary concurrency or certificate of conditional concurrency reservation.

(c)

*Fees.* The fee required with an application for design plat approval shall be in accordance with the schedule set out in Appendix A of the City Code. Such fees are required to defray the cost of filing the application, notifying interested parties, conducting investigations, and holding hearings on the design plat and final plat.

(d)

*Developments of regional impact.* For any subdivision which is presumed to be a development of regional impact as provided in F.S. Ch. 380 and Chapter 27F, Florida Administrative Code, additional copies of the design plat and a completed application for development approval shall be submitted for filing with the regional planning agency and the state land planning agency.

(e)

*Specifications:*

(1)

The design plat shall be drawn clearly and legibly at a scale of at least one inch equals 100 feet on linen or stable base film, using a sheet size of 24 inches [by] 36 inches, reserving a three-inch binding margin on the left side and a one-inch margin on the other three sides. If more than one sheet is required, an index map relating each sheet to the entire subdivision shall be shown on the first sheet. The design plat shall be prepared by a land surveyor, signed and sealed before review, and shall contain the following information:

a.

Proposed name of the subdivision;

b.

Name and registration number of surveyor;

c.

Date of survey approval, north point with bearing or azimuth reference clearly stated in the notes or legend, graphic and written scale, and space for revision dates;

d.

Vicinity map showing location with respect to major roads and acreage of the subdivision;

e.

Boundary line of the tract by bearings and distances;

f.

Legal description of the tract to be subdivided;

g.

Preliminary layout including streets, alleys and easements with dimensions and proposed street names, lot lines with approximate dimensions, land to be reserved or dedicated for public uses, and designation of any land to be used for purposes other than single-family dwellings;

h.

Total number of lots;

i.

The front building setback line for each lot; and

j.

An inscription stating "NOT FOR FINAL RECORDING."

k.

Sidewalks on all streets, on both sides, and at least five feet wide. Sidewalks not required on cul-de-sac or dead end or loop less than 100 feet long. Sidewalk required on at least one side of street on cul-de-sac or dead end or loop from 100 to 250 feet long, and for a project in which the closest lots to a connecting street on a cul-de-sac or dead end are at least 1,000 feet from the street it stems from. Sidewalks on both sides on cul-de-sac or dead end or loop greater than 250 feet long.

(2)

The design plat shall also contain or be accompanied by:

a.

- The name, address and telephone number of the property owner and of any agent of the property owner involved in the subdivision of the property;
- b. The exact locations, names and widths of all existing streets, alleys and recorded easements within and immediately adjoining the subdivided lands;
- c. The location and a general description of any utilities facility on the subdivision tract;
- d. The invert elevation of existing and proposed sewers;
- e. The location and size of existing improvements on the subdivision tract;
- f. The zoning and land use plan designations of lands within the subdivision tract and of abutting property;
- g. Natural and manmade features on the subdivision tract, including creeks, ponds, lakes, sinkholes, wetlands, watercourses, municipal and community wellfield management zones, major aquifer recharge areas, and lands within the floodplain and flood channel as shown on the community determined flood control maps and FEMA;
- h. The location of all major tree groupings and identification of all heritage trees by genus and species on the subdivision tract, a designation of which tree groupings and heritage trees are proposed to be removed, and identification by genus and species of all regulated trees as defined in section 30-254 located in or within 15 feet of any proposed right-of-way or utility improvement.
- i. Stormwater management plan in accordance with section 30-270 and the public works desing manual;
- j.

A soil survey map;

k.

A generalized statement outlining, as far as is known, the subsurface conditions of the subdivision tract, including subsurface soil, rock and groundwater conditions, the location and results of any soil permeability tests, the location of any underground storage tanks, and the location and extent of any muck pockets;

l.

A topographic map of the subdivision tract and a minimum of 100 feet or more of the surrounding area as required to determine the offsite drainage and any impacts caused by or related to the offsite drainage. The map shall be prepared by a land surveyor, with maximum intervals of one foot where overall slopes are no more than two percent, two feet where slopes are between two and ten percent, and five feet where slopes are ten percent or greater based on North American Vertical Datum, 1988; and

m.

A general location map showing the relationship of the subdivision tract to such external facilities as streets, residential area, commercial facilities and recreation/open space areas, and greenways, within one mile of the tract.

(3)

If the proposed subdivision contains land located within the floodplain as shown on the community determined flood control maps and FEMA maps, the subdivider shall be required to submit topographic information for areas adjoining sides of the channel, cross sections for land to be occupied by the proposed development, high water information, boundaries of the land within the floodplain and other pertinent information.

(4)

If the proposed subdivision contains land located within the surface water, wetlands, or uplands district, the subdivider shall be required to submit the following additional information for those areas designated:

a.

A vegetation overlay at the same scale as the design plat showing special protection species of plants and animals.

b.

A design plat showing buffer distances between areas to be developed and designated surface water or upland environmental features.

c.

Square footage and percent of total subdivision tract to consist of impervious surface.

d.

A description of strategies to protect or restore environmental features and special protection species on the subdivision tract.

e.

Projected on-site and off-site water quality impacts to Outstanding Florida Waters, OFW, which may result from the proposed subdivision.

(f)

Officials' examination.

(1)

Prints of the design plat shall be referred by the planning and development services department to the technical review committee and other applicable departments and agencies for review and findings. The officials involved shall report their findings and recommendations to the planning and development services department.

(2)

The director of public works or designee shall examine and check the design plat to determine if the application conforms to criteria for general engineering, traffic stormwater management, flood plains and maintenance easement requirements.

(3)

The general manager for utilities or designee shall examine and check the design plat for needed utility easements.

(4)



The planning and development services department shall, at the development review board and city commission hearings on the design plat, report the recommendations of the several agencies above-mentioned and county, state and federal agencies, together with an analysis of the conformance and nonconformance of the design plat to the provisions of this chapter and other applicable requirements.

(g)

*Review of design plan.* The development review board review shall include consideration of staff findings and evidence and testimony from the general public. The board shall determine if the proposed subdivision is in conformity with the general goals and objectives of the city with respect to the officially adopted comprehensive plan; the city's official roadway map; existing zoning requirements, including amendments thereto; policies and plans established by the city with respect to neighborhoods, lake levels, water supply, protecting environmental features, provision for emergency access, consideration of pedestrian, bicycle and transit access and greenway connections, waste disposal and other essential utilities; the overall stormwater management plan; and policies for development in any special improvement and redevelopment districts. Particular attention shall be given to the arrangement, location and width of streets, their relation to the topography of the land, water supply, sewage disposal, stormwater management, lot sizes and arrangement and the present or future development of abutting property.

(h)

*Development review board approval.*

(1)

At a scheduled public meeting, the development review board will receive reports on and review the design plat to determine its conformance with all applicable requirements.

(2)

The board may approve the design plat as presented if found to be in compliance, require modifications, or disapprove the plat. Approval of the design plat, subject to conditions, revisions and modifications as stipulated by the board, shall constitute conditional board approval of the subdivision as to the character and intensity of development and the general layout and approximate dimensions of streets, lots and other proposed features. If the design plat is disapproved, the development review board shall indicate the reasons therefor.

(i)

*City commission review.*

(1)

Within 60 days after development review board approval, the subdivider shall file with the planning and development services department at least three copies of the approved design plat, including the modifications, if any, imposed by the development review board. Should the plat not be so filed within that period, no preliminary development order shall be issued unless an extension of time is requested in writing prior to the expiration of that period and is granted by the city commission. In granting an extension, the city commission may attach such other restrictions or conditions as the commission deems appropriate to serve the public interest. In the case of residential subdivisions, the city commission may vote to grant extensions for design plat review of up to six months only and only if the subdivider possesses a valid, unexpired certificate of concurrency exemption, certificate of preliminary concurrency or certificate of conditional concurrency reservation, as appropriate. Further extensions for city commission review of

design plats for residential subdivisions shall require a new concurrency review.

(2)

The city commission shall review the recommended design plat and consider findings made by the development review board and/or staff. The city commission shall determine if the proposed subdivision is in conformity with the general goals and objectives of the city with respect to the officially adopted comprehensive plan; existing zoning requirements, including all amendments thereto; policies and plans established by the city with respect to neighborhoods, lake levels, water supply, protecting environmental features, provision for emergency access, consideration of pedestrian, bicycle, vehicle and transit access and greenway connections, waste disposal and other essential utilities; the overall stormwater management plan; and policies for development in any special improvement and redevelopment districts. Particular attention shall be given to the arrangement, location, function and width of streets, their consistency with the goal of developing a multimodal transportation network, their interaction with the overall transportation system and relation to the topography of the land, water supply, sewage disposal, stormwater management, lot sizes and arrangement and the present or future development of abutting property.

(j)

*City commission approval.*

(1)

The commission may approve the design plat as presented if found to be in compliance, require modifications, or disapprove the design plat if it is not in compliance. If disapproved, the design plat must be redesigned before resubmission for approval.

(2)

Effect of approval. Approval of the design plat by the city commission is a preliminary development order. It shall not constitute acceptance of a final plat but shall be deemed an expression of approval of the layout submitted as a guide to the preparation of the final plat. The preliminary development order shall expire and be of no further effect 12 months from the date

of approval unless a final plat is filed for approval or the time is extended with appropriate conditions by the city commission prior to expiration; otherwise, the subdivider must reapply for design plat approval in accordance with the provisions of this chapter. In the case of residential subdivisions, the city commission may vote to grant extensions of up to six months only, and only if all the concurrency management requirements of this chapter can be met and if the extension would not be in conflict with any other ordinance of the city. The approval of nonresidential subdivisions in no way reserves capacity for the purposes of concurrency.

(Ord. No. 3777, § 1, 6-10-92; Ord. No. 960061, § 5, 6-8-98; Ord. No. 990954, § 2, 4-24-00; Ord. No. 990855, § 3, 9-11-00; Ord. No. 050256, § 1, 4-23-07)

### Sec. 30-338. - General lot and building requirements.

The following lot and building requirements shall apply in all zoning districts:

(1)

#### Frontage on right-of-way.

a.

*Minimum property frontage.* In all districts except Planned Development District (PD), no building or structure, except as hereinafter provided, shall be erected on a lot or parcel of land which does not physically abut a public or approved private street for the required minimum lot width of the district where the same is located. The city manager or designee may designate a private street as an "approved private street" provided it meets one of the following standards:

1.

A perpetual ingress/egress easement recorded in the public records of Alachua County that provides legal access to the lot or parcel of land from a dedicated road or right-of-way and which is deemed capable of carrying public safety vehicles; or

2.

Property owned jointly or in common by all property owners fronting the private street as shown in the public records of Alachua County that connects to a dedicated road or right-of-way and which is deemed capable of carrying public safety vehicles.

For the purposes of this section, two classes of approved private streets shall be designated by the city manager or designee:

1.

Existing private streets which were constructed prior to September 26, 1994; and

2.

New private streets which are approved for construction after September 26, 1994.

The city manager or designee shall have the authority to approve or disapprove, for the purposes of erection of buildings or structures, private streets which existed prior to September 26, 1994. All private streets approved for construction after September 26, 1994 must meet the construction standards for public streets as shown in the Public Works Design Manual, except in the PD district. In PD districts, the geometric construction standards may be varied as set forth in the planned development ordinance.

**In zoning districts in which there is no minimum lot width requirement, the lot or parcel of land must abut a public or approved private street for the maximum driveway width dimension requirement [as provided in section 30-336(8)] plus any required turning radii area.**

Notwithstanding any provision of this section to the contrary, a single-family dwelling, if it is an allowable use in the district, may be erected on a lot or parcel of land which abuts at least one public or approved private street for at least 25 feet, provided that the minimum lot width for the district in which it is located is met at the

required front yard setback line. Provided, further, that any single-family dwelling existing on a lot which does not conform to the provisions of this subsection (1) a of this section may be modified, enlarged or extended, and/or an accessory building or structure may be added to a single-family dwelling, provided that such modification, enlargement, extension or addition complies with all the other requirements of the district in which the lot is located.