

## Responses to Subdivision Regulations

For

Jim Moran Foundation Plat

UDP-P22001

### Sec. 47-24.5. Subdivision regulations

#### A. *Subdivision approval.*

1. *Applicability of subdivision regulations.* No person shall create a subdivision of land nor develop land in the city unless it conforms to these regulations. A subdivision shall be defined as the division of land into two (2) or more lots, sites, tracts, parcels, tiers, blocks, units or any other division of land; and includes establishment of new streets and alleys, additions, and resubdivisions; and, when appropriate to the context, relates to the process of subdividing or to the lands or area subdivided.

#### **Understood.**

2. *Platting required.* Plat or replat means a map or delineated representation of the subdivision of lands. No building permit shall be issued for the construction of a principal building on a parcel of land unless a plat including the parcel or parcels of land has been recorded in the official public records of Broward County subsequent to June 4, 1953 (Commencing at Plat Book 32, page 15), except as provided herein.

#### **Understood. The Property was never platted.**

3. *Exceptions to platting.* The requirements in subsection A.2, shall not apply to an application for a building permit which meets any one (1) or more of the following criteria:
  - a. Construction of two (2) or fewer residential dwelling units. Applications for two (2) or fewer residential dwelling units on property under the same ownership, within five hundred (500) feet of property exempted within the past twelve (12) months, shall not be exempt.
  - b. Construction of any principal structure for a multifamily or nonresidential use on a lot or parcel which is less than ten (10) acres in size and the majority of which is specifically delineated on a plat recorded on or before June 4, 1953;
  - c. Construction of a replacement building in which the proposed reconstruction will be utilized for the same general use, is equal to or less than the gross area of the original principal building and will be located within the same general footprint. (For the purpose of this guideline, "original building" means the total gross floor area devoted to the principal use on a parcel as of November 22, 1978. November 22, 1978 was the effective date of the 1977 Broward County Land Use Plan countywide platting requirement.)
  - d. Construction of single-family, infill development that is deed-restricted to affordable housing for a time period of at least fifteen (15) years. For the purposes of this exemption, infill development shall be defined as, "the development of new housing on scattered vacant sites in a built-up area."
  - e. A building permit may be issued for a parcel of land for which plat approval has been given by the city commission and the Board of County Commissioners although the plat has not yet been recorded, provided such authorization is granted in an agreement among the developer, the city and the county. Such agreements shall at a minimum require compliance with the applicable provisions of plat approval and shall prohibit the issuance of a certificate of occupancy until the plat is recorded. The municipality and county shall be required to make a finding that facilities and

services will be available at the adopted level of service standards concurrent with the issuance of the building permit; or

- f. A building permit may be issued for an essential governmental facility after preliminary plat review where the Broward County Commission finds that immediate construction of the governmental facility is essential to the health, safety, or welfare of the public and where the board determines that public facilities and services will be available at the adopted level of service standards concurrent with the impact of the development of the governmental facility. Such a finding shall be made in a resolution if Broward County is the government seeking to construct the facility and issue the permit; and by agreement with the affected units of local government in other circumstances. A certificate of occupancy shall not be issued until the plat is recorded. In addition to meeting the above criteria, the issuance of the building permit shall be subject to all of the following:
  - i. Compliance with the applicable land development regulations; and
  - ii. Any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan and the city's street width provisions provided in this section has been conveyed to the public by deed or grant of easement.

**The Property does not qualify for any plat exceptions.**

- 4. *Resubdivision of lots of record.* Division of lots in a subdivision of record shall be permitted as follows:
  - a. *Lands platted before June 4, 1953.* A lot or parcel specifically delineated in a plat recorded on or before June 4, 1953, which is less than five (5) acres in size and is reduced in size in combination with enlarging an abutting specifically delineated lot or parcel provided the resulting lots satisfy the dimensional requirements of the zoning district in which they are located, as well as these subdivision regulations. In addition, any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan must have been conveyed to the public by deed or grant of easement. In addition:
    - i. In the RS-4.4, RS-8 and RD-15 districts lots or parcels may be recombined without replatting provided the resulting lots are not reduced in size below that in the original subdivision of record, except that each unit of a duplex in an RD-15 district may be on a separate lot of three thousand (3,000) square feet.
    - ii. In all other districts, lots may be recombined without replatting if no additional building lots or parcels are created.
  - b. *Lands platted after June 4, 1953.* A lot or parcel specifically delineated in a plat recorded after June 4, 1953 which is less than five (5) acres in size and is reduced in size in combination with enlarging an abutting specifically delineated lot or parcel provided the resulting lots satisfy the dimensional requirements of the zoning district in which they are located, as well as these subdivision regulations. In addition, any land within the lot or parcel which is necessary to comply with the Broward County Trafficways Plan must have been conveyed to the public by deed or grant of easement. In addition:
    - i. In the RS-4.4, RS-8 and RD-15 districts lots or parcels may be recombined without replatting provided the resulting lots are not reduced in size below that in the original subdivision of record, except that each unit of a duplex in an RD-15 district may be on a separate lot of three thousand (3,000) square feet.
    - ii. In all other districts, lots may be divided or recombined without replatting.

- c. *Lots of record redivided prior to April 6, 1976.* Lots in the RS-4.4, RS-8 and RD-15 districts consisting of portions or combinations of portions of lots in a subdivision plat of record redivided prior to April 6, 1976, shall be considered as conforming to these regulations provided they meet the building site requirements of the zoning district. Redivided prior to the above date shall mean: (1) Record ownership of the redivided lots, or portions thereof, was vested prior to said date in two (2) or more individuals; or (2) A building permit was applied for prior to said date on a portion of the redivided lots; provided, however, that not more than two (2) additional permits shall be issued pursuant to this section.
- d. *Building permits prior to April 6, 1976.* All building permits issued in accordance with the provisions of subsections A.4.a, b, and c, prior to April 6, 1976 are hereby confirmed, ratified and approved.

**The Property does not propose to re-subdivide lots of record.**

- B. *Procedure for preparation and filing of plats.* Plats shall be reviewed and approved by the city prior to or concurrent with review and approval by the county. The requirements for the preparation of and the procedure for filing of a plat shall be as follows:
  - 1. *Applicant.* The owner of property proposed to be platted.
  - 2. *Application to Development Review Committee (DRC).*
    - a. An application for plat review shall first be submitted to the department. The department shall forward the application to the DRC for review pursuant to subsection B.4.
    - b. The proposed plat shall be presumed to have the maximum impact on necessary services and facilities permitted under the city's land use plan, as amended. An applicant for a development permit for plat approval may apply for review of a plat at less than the presumed maximum impact and the city shall review that application for impact on services and facilities at the developmental level requested. The face of each recorded plat shall bear a notation indicating the developmental level at which the plat was reviewed for adequacy of services pursuant to this section. All future development shall be limited to the restrictions indicated by the notation.
  - 3. *Application to planning and zoning board.* An application for plat review and approval by the planning and zoning board and city commission shall be made to the department, upon determination by the DRC of plat conformity with applicable regulations, pursuant to subsection B.5.
  - 4. *DRC review process.*
    - a. An application for plat review shall be submitted to the department for review by the DRC.
    - b. The DRC shall conduct a meeting to consider the application and the applicant shall have an opportunity to be heard in accordance with the rules of procedure which the DRC shall adopt.
    - c. The DRC shall forward to the applicant a written report of the comments and recommendations discussed at the meeting regarding compliance with the provisions of this section and applicable land development regulations.
  - 5. *Planning and zoning board/city commission review process.*
    - a. Upon determination by the DRC of the plat's conformity with applicable regulations, an application for plat review and approval shall be submitted to the department for submittal to the planning and zoning board for review.
    - b. The DRC and the department shall forward its recommendation(s) to the planning and zoning board for consideration.

- c. During a regular public meeting the planning and zoning board shall consider the application and the record and recommendations forwarded by the DRC and the department and shall hear public comment on the application.
  - d. The planning and zoning board shall determine whether the proposed plat meets the provisions of this section and other applicable land development regulations and shall forward its recommendation to the city commission.
  - e. During a regular public meeting the city commission shall consider the application and the record and recommendations forwarded by the DRC, the department, and the planning and zoning board and shall hear public comment on the application.
  - f. If the city commission determines that the proposed plat satisfies the provisions of this section and other applicable land development regulations, it shall approve the plat by resolution, with or without modification. If the city commission determines that the plat does not satisfy all applicable regulations, it shall deny the plat.
6. *City engineer sign-off.*
- a. The city engineer shall sign the plat after it has been formally approved by the city commission and immediately prior to transmission to the county for recording.

**The Applicant understands the procedure and will comply.**

C. *Plat technical specifications.*

- 1. The plat submitted for approval shall be clearly and legibly drawn in black waterproof drawing ink upon tracing cloth or an approved drafting film.

**Acknowledged and complied.**

- 2. Plats shall be on sheets twenty-four (24) inches by thirty-six (36) inches overall, with one (1) inch borders on three (3) sides and a three (3) inch border on the left. When the size or shape of the subdivision necessitates more than one (1) sheet, each sheet shall be clearly marked as near as possible to the upper right corner "Sheet No. (\_\_\_\_) of (total) Sheets." All multiple sheet plats shall be clearly cross-referenced to the proper sheet numbers at the match lines and a reasonable portion of the overlapping area shall be shown in outline form. In addition, every plat sheet shall have placed in the upper right corner outside the border "Plat Book Page" for the use of the recorder.

**Acknowledged and complied.**

- 3. The plat shall be at a scale of not more than one hundred (100) feet to the inch and shall include the following information:

- a. Subdivision name or identifying title including the section(s), township(s), range(s), city, county, and state.

**Acknowledged and complied.**

- b. Location sketch showing location of subdivision with respect to section lines and surrounding streets and landmarks.

**Acknowledged and complied.**

- c. North point, graphic scale and month and year plat drawn.

**Acknowledged and complied.**

- d. Corporate limits when in or adjacent to subdivision.  
**Acknowledged and complied.**
- e. Boundary lines of the tract with accurate distances to hundredths of a foot and angles to half minutes. These boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with error closures not to exceed one (1) foot to five thousand (5,000) feet. Surveys shall be coordinated and tied into the nearest established section corner or quarter section corner by angle and distance.  
**Acknowledged and complied.**
- f. The exact names, locations and widths along the property lines of all existing or recorded streets intersecting or paralleling the boundaries of the tract.  
**Acknowledged and complied.**
- g. The accurate location of all permanent reference monuments.  
**Acknowledged and complied.**
- h. The exact layout including: street and alley lines, street names, bearings, angles of intersection and widths (including widths along the lines of any obliquely intersecting streets); lengths of area and radius, points of curvature and tangent bearings; all easements owned by or rights-of-way provided for public utilities; all lot lines with dimensions in feet and hundredths, and with bearings or angles if other than right angles to the street and alley lines.  
**Acknowledged and complied.**
- i. Lots numbered in numerical order within each block or lettered in alphabetical order within each block, and blocks numbered in numerical order or lettered in alphabetical order.  
**Acknowledged and complied.**
- j. The accurate outline of all property which is to be dedicated or proposed for public use including open drainage courses and suitable easements, and all property that may be reserved by covenants in deeds for the common use of the property owners in the subdivision with the purposes indicated thereon.  
**Acknowledged and complied.**
- k. A complete description of land intended to be subdivided, and the extent and boundaries of the platted area shall be graphically indicated in a clear and understandable manner.  
**Acknowledged and complied.**
- l. Names and locations of adjoining subdivisions, the adjacent portions of which shall be shown in outline form.  
**Acknowledged and complied.**
- m. Acknowledgment by the owner or owners and all mortgage lienholders of lands included within the plat of the execution of same and the dedication to public use of all streets, alleys, parks, easements and other public places shown upon same.  
**Acknowledged and complied.**
- n. The certificate of the surveyor attesting to the accuracy of the survey and that the permanent reference monuments have been established according to law.

**Acknowledged and complied.**

- o. Space and forms for the following necessary approvals:
  - i. City commission.
  - ii. City planning and zoning board.
  - iii. City engineer.
  - iv. County commission.
  - v. County engineer.

**Acknowledged and complied.**

- p. *Dedication.* The plat shall contain upon the face thereof an unreserved dedication to the public of all streets, highways, alleys, parks, parkways, easements, commons or other public places included within the plat, such dedication to be subscribed to by the legal and equitable owners of such lands and by all persons holding mortgages against such lands, which dedication shall be acknowledged before an officer authorized to take acknowledgments of deeds. Such plat containing such dedication, when properly recorded, shall constitute a sufficient, unrevokable conveyance to vest in the city fee title to the parcel of land dedicated for public use, to be held by the city in trust for the uses and purposes intended, and the approval of the plat by the city commission shall have the force and effect of an acceptance.

**Acknowledged and complied.**

- q. *Payment of taxes.* No plat shall be accepted by the city or approved by the city commission unless and until all taxes and improvement liens levied against the lands included in such plat have been paid and discharged.

**Acknowledged and complied.**

D. *Subdivision layout.*

1. *Streets and alleys.*

- a. *Conformity to trafficways plan.* The location, direction and width of all streets, roads and highways shall conform to the official city plan, and to ordinances of city.

**The proposed plat conforms to the trafficways plan.**

- b. *Relation to existing street system.* The arrangement of streets in new subdivisions shall make provision for the proper extension of existing dedicated streets in existing subdivisions, where such extension is appropriate. Streets shall bear numerical names, unless waived by the board.

**Extensions of existing dedicated streets are not needed as part of the proposed plat.**

- c. *Provision for platting adjoining unplatted areas.* The arrangement of streets in new subdivisions shall be such as to facilitate, and coordinate with the desirable future platting of adjoining unplatted property, and to provide for local circulation and convenient access to neighborhood facilities.

**This property is one of the last properties to be platted. As such, the only dedication needed is a corner chord identified as Tract Z on the plat.**

- d. *Protection from through traffic.* Minor and collector residential streets shall be laid out and arranged so as to discourage their use by through traffic.

**This property is one of the last properties to be platted. As such, the only dedication needed is a corner chord identified as Tract Z on the plat.**

- e. *Primary arterial street frontage.* Where a residential subdivision abuts a primary arterial street either existing or proposed in the trafficways plan, the board may require marginal access streets, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and local traffic.

**The plat will not be a residential subdivision.**

- f. *Plats adjacent to railroad or expressway right-of-way.* Where a subdivision borders on or contains a right-of-way for a railroad, expressway, drainage canal or waterway, the board may require a street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades for future bridges.

**The plat is not adjacent to a right-of-way for a railroad, expressway, drainage canal or waterway.**

- g. *Reserve strips.* Reserve strips controlling access to streets shall be prohibited, except where deemed desirable by the board to prevent use of a residential street by business or industrial traffic.

**The plat does not propose reserve strips.**

- h. *Private streets.* There shall be no private streets platted in any subdivision. Every subdivided lot or property shall be served from a publicly dedicated street. This requirement may be waived by the board in special situations where the board finds public safety, convenience and welfare can be adequately served.

**The plat does not propose any private streets.**

- i. *Half streets.* New half or partial streets shall not be permitted, except where it appears reasonable that the owner of adjacent lands will provide the balance of the needed right-of-way upon development of such adjacent lands. Wherever a tract to be subdivided borders on dedicated existing half or partial street the other part of the street shall be taken into consideration in meeting requirements.

**The plat does not propose half or partial streets.**

- j. *Dead-end streets.* Dead-end streets shall be prohibited, except where appropriate as stubs to permit future street extension into adjoining unsubdivided tracts, or when designed as cul-de-sacs.

**The plat does not proposed a dead-end street.**

- k. *Cul-de-sac streets.*

- i. Cul-de-sacs, permanently designed as such, shall not exceed four hundred (400) feet in length, except on finger islands.
- ii. Cul-de-sacs shall be provided at the closed end with a circular dedicated area not less than seventy (70) feet in diameter for turnaround purposes.

**The plat does not contain a cul-de-sac.**

- l. *Street rights-of-way.*

- i. Street rights-of-way for expressways, primary arterials, major thoroughfares and secondary thoroughfares shall conform to the Broward County Trafficways Plan. Other street rights-of-way shall be not less than the following, except when a greater right-of-way is specified in the Broward County Trafficways Plan:

Street Type	Right-of-Way (feet)
Collector	60
Minor, for business, industrial, high density residential	60
Minor, for low and medium density residential	50
Marginal access	50

**Sufficient right of way is provided along US 1 (120') to conform to the Broward County Trafficways Plan.**

- ii. Additional right-of-way width may be required to promote public safety and convenience, or to assure adequate access, circulation and parking in high density residential areas, commercial areas, industrial areas, and at intersections with arterial streets, pursuant to DRC review.

**Additional right of way with does not appear to be required at this stage. However, a corner chord will be dedicated.**

- iii. Where a subdivision abuts or contains an existing street of inadequate right-of-way width, additional right-of-way in conformance with the above standards may be required, pursuant to DRC review.

**Additional right of way with does not appear to be required at this stage. However, a corner chord will be dedicated.**

m. *Alleys.*

- i. Alleys shall be provided to serve multiple dwelling, business, commercial and industrial areas, except that the board may waive this requirement where other definite and assured provision is made for service access, off-street loading, unloading and parking consistent with and adequate for the uses permissible on the property involved.
- ii. The width of an alley shall be a minimum of twenty (20) feet for two-way travel, and may be less for one-way travel.
- iii. Changes in alignment of alleys shall be made on a center line radius of not less than thirty-seven (37) feet.
- iv. Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities for service trucks and other vehicles at the dead-end, with a minimum external diameter of ninety-four (94) feet, or as determined to be adequate by the board.

**The plat does not propose an alleyway.**

n. *Easements.*

- i. Dedicated easements across lots or centered on rear or side lot lines shall be provided for public utilities where necessary and shall be at least ten (10) feet in width.

**No request for the dedication of utility easements has been received.**



- ii. Where a subdivision is traversed by a presently existing functional watercourse, drainage way, canal or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourses and such further width as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith where necessary for service or maintenance.

**The plat is not traversed by a presently existing functional watercourse, drainage way, canal or stream**

- iii. Easements may be required for drainage purposes of such size and location as may be determined by the city engineer.

**Drainage easements are not required at this time. Drainage easement will be determined as part of the Site Plan approval process.**

o. *Street alignment.*

- i. Curvilinear streets are recommended for residential minor and collector streets in order to discourage excessive vehicular speeds and to provide attractive vistas, where practicable.

**The plat abuts existing roadways. No changes are proposed as part of this plat.**

- ii. Whenever a street changes direction, or connecting street lines deflect from each other, by more than ten (10) degrees, that shall be a horizontal curve.

**The plat abuts existing roadways. No changes are proposed as part of this plat.**

- iii. To insure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:

- a) Minor streets: one hundred fifty (150) feet.
- b) Collector streets: three hundred (300) feet.
- c) Secondary arterial streets and section line roads: five hundred (500) feet.
- d) Major arterial thoroughfares: seven hundred fifty (750) feet.

**No interior road rights-of-way are proposed for this plat.**

- iv. A tangent at least one hundred (100) feet long shall be provided between reverse curves on collector streets, and at least two hundred fifty (250) feet long on major and secondary arterial thoroughfares and section line roads.

**No interior road rights-of-way are proposed for this plat.**

p. *Street intersections.*

- i. Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than sixty (60) degrees, except at a "Y" intersection of two (2) minor streets.

**No interior road rights-of-way are proposed for this plat.**

- ii. Multiple intersections involving junction of more than two (2) streets shall be prohibited except where found to be unavoidable by the board.

**Multiple intersections are not proposed by this plat.**

- iii. "T" intersections of minor and collector streets are to be encouraged.

**The plat abuts existing roadways. No changes are proposed as part of this plat.**

- iv. As far as possible, intersections with arterial streets shall be located not less than eight hundred (800) feet apart, measured from center line to center line.

**No interior road rights-of-way are proposed for this plat.**

- v. Streets entering opposite sides of another street shall be laid out directly opposite each other or with a minimum offset of one hundred twenty-five (125) feet between their center lines.

**No interior road rights-of-way are proposed for this plat.**

- vi. Right-of-way lines at street intersections shall be in conformance with the following minimum criteria:
  - a) The right-of-way line shall be the chord of a twenty (20) foot radius for the intersection of two (2) minor streets.
  - b) The right-of-way line shall be the chord of a twenty-five (25) foot radius for the intersection of a minor and a major street.
  - c) The right-of-way line shall be the chord of a thirty (30) foot radius for the intersection of two (2) major streets.

Where the angle of intersection is less than sixty (60) degrees, the chord of a greater radius may be required by the board. The board may waive the requirement for a chord at the intersection of two (2) minor streets when that requirement has also been waived by the city engineer; however, the minimum radius of the right-of-way shall be twenty (20) feet.

**No interior road rights-of-way are proposed for this plat.**

- q. *Excessive street widths.* Streets shall not be platted to a width more than one hundred fifty percent (150%) of the minimum width specified in these regulations for the type of street involved. No street shall be platted for center median development except where such center median may be desirable or necessary for traffic separation and safety, and aesthetics as determined by the board.

**The proposed plat complies with this requirement.**

2. *Blocks.*

- a. The lengths, widths, and shapes of blocks shall be determined with due regard to:
  - i. Provision of adequate building sites, suitable to the special needs of the type of use contemplated.
  - ii. Zoning requirements as to lot sizes and dimensions.
  - iii. Needs for convenient and safe access, circulation, control of pedestrian and vehicular traffic.
  - iv. Limitations and opportunities of topographic features.

**The proposed plat was designed based upon the existing configuration of the land.**

- b. Block lengths shall not exceed one thousand three hundred twenty (1,320) feet nor be less than five hundred (500) feet, unless found unavoidable by the board.

**No subdivision within the plat is proposed.**

- c. Pedestrian crosswalks, not less than ten (10) feet in width, may be required through blocks over one thousand (1,000) feet in length, where necessary in the judgment of the board to provide safe

and convenient access to schools, playgrounds, shopping centers, transportation or other community facilities.

**The proposed block is less than 1000 feet in length. Therefore, pedestrian crosswalks are not required.**

3. *Lots.*

- a. The lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and to the character of surrounding development.

**The plat complies with this requirement.**

- b. Lot dimensions and areas shall be not less than specified by applicable provisions of the zoning regulations in effect, and shall further conform to these regulations

**The plat complies with the zoning requirements applicable to the property.**

- c. Lots for detached single family and duplex dwellings shall provide lot sizes not less than the following:

- i. In the RS-4.4 district, lot area of ten thousand (10,000) square feet and width of one hundred (100) feet.
- ii. In the RS-8 district, lot area of seven thousand five hundred (7,500) square feet and width of seventy-five (75) feet.
- iii. In the RD-15, RC-15, RM-15, RML-25, RMM-25, RMH-25 and RMH-60 districts, lot area of seven thousand five hundred (7,500) square feet and width of seventy-five (75) feet.

**The plat is not residential.**

- d. It is recommended that corner lots for residential use have such additional width, greater than a corresponding interior lot, as may be necessary to provide appropriate building setbacks and orientation to both streets.

**The plat is not residential.**

- e. Side lot lines shall be substantially at right angles or radial to street lines.

**The site plan will comply with this requirement.**

- f. Double frontage and reverse frontage lots for residential use shall be avoided, except where essential to provide separation of residential development from traffic arteries or to overcome specific handicaps of topography and orientation. A planting strip of at least ten (10) feet, and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous situation.

**The plat is not residential.**

- g. Street frontage. Every lot shall abut upon and have permanent access to a public street.

**The plat has permanent access to US 1.**

- h. Lot arrangement and design shall be properly related to topography, to nature of contiguous property and to the character of surrounding development. Where existing lots are replatted or the size and shape of a tract to be platted makes conformance with the provisions of these subdivision regulations unreasonable and impracticable in the judgment of the planning and

zoning board, the board is hereby authorized to vary the requirement in appropriate cases in such manner as to carry out the spirit and purpose of the subdivision regulations.

**The lot design is in conformance with the existing configuration of the property.**

4. *Canals.* Canals and waterways, other than drainage ditches, shall be dedicated to public use. Canals shall be not less than sixty (60) feet in width. Canals which connect to navigable waterways shall have a center line water depth of at least nine (9) feet at mean high tide, or if not subject to tidal flow shall have a center line water depth of at least six and one-half (6½) feet at all times.

**The plat does not abut any canals or waterways.**

E. *Required subdivision improvements.*

1. *Preparation of plans.* Receipt of the signed copy of the approved preliminary plat is authorization for the subdivider to proceed with the plans and specification for the minimum improvements required under this section and with the preparation of the final plat. Prior to the construction of any improvements required or to the submission of a bond in lieu thereof, the subdivider shall furnish the city engineer all plans, information, and data necessary to determine the character of said improvements and compliance with city standards and specifications. These plans shall be examined by the city engineer and will be approved if in accordance with all requirements. Following this approval, construction can be started or the amount of a bond determined. Construction shall be subject to supervision of the city engineer.

**The plat has been prepared in conformance with this section.**

2. *Subdivision improvements bond.* No final plat of any subdivision shall be approved unless the subdivider shall file with the city a surety bond executed by a surety company authorized to do business in the state and having a resident agent in the county, conditioned to secure the construction of the improvements required under this section, in a satisfactory manner and within a time period specified by the city commission, such period not to exceed two (2) years. No such bond shall be accepted unless it is enforceable by or payable to the city in a sum at least equal to one and one-half (1½) times the cost of constructing the improvements as estimated by the city engineer and in form with surety and conditions approved by the city attorney. In lieu of a bond, cash deposit or other acceptable security may be made. In case of forfeiture, the city shall proceed with the improvements to the extent of the available money realized from such forfeiture.

**Understood and acknowledged.**

3. *Subdivision improvements required.* The following minimum subdivision improvements shall be provided and installed by the subdivider, provided that the city commission may waive the provision or installation of such portions of these improvements by the subdivider on or in streets on the exterior boundary or perimeter of the subdivision, under one (1) of the following circumstances: Where the city commission finds that it would be unreasonable and inequitable to require the subdivider to be responsible for the entire cost of such improvements and the commission finds there is a reasonable probability that the remaining portion of such improvements will be provided through the subdividing of the contiguous property, or where the city commission finds that such improvements can be reasonably and satisfactorily provided through special assessments for local improvements:
  - a. *Monuments.* The subdivider shall provide and install monuments as follows:
    - i. At intersection of center lines of all streets install a one-inch pipe, three (3) feet long, embedded in concrete, top flush with finished pavement.
    - ii. Permanent reference monuments as required by Florida Plat Law.

**P.R.M.'s will be set at all boundary corners prior to plat recordation.**

- b. *Grading.* All streets, crosswalks and alleys shall be graded to their full width by the subdivider in accordance with city specifications. Due to special topographical conditions, deviation from the above will be allowed only with special approval of the city engineer.

**The proposed corner chord will be graded in accordance with City specifications.**

- c. *Storm drainage.* An adequate drainage system, including necessary open ditches, pipes, culverts, intersectional drains, drop inlets, bridges, etc., shall be provided by the subdivider for the proper drainage of all surface water. In cases where a subdivision is located at such a distance from waterways, main drains or drainage canals that the board finds a complete storm drainage system for the subdivision to be impracticable and unreasonable, the board may waive or reduce this requirement.

**The property will provide proper drainage to support the development of the property. Drainage calculations will be provided during the site plan approval process.**

- d. *Paving.*
  - i. All streets of a subdivision shall be paved by the subdivider in full accordance with specifications of the city.

**The streets are existing and will not need to paved.**

- ii. *Minimum widths.* All minor and collector streets in residential areas shall be paved to a minimum width of thirty (30) feet and provided with concrete curbs and gutters where storm drainage is required. Where storm drainage is waived by the board, the minimum pavement width shall be twenty-four (24) feet and there shall be no curbs and gutters. On primary arterials, major thoroughfares, and secondary thoroughfares where storm drainage is required the subdivider shall have the option of providing the minimum twenty-four-foot pavement without curbs and gutters, or providing curbs and gutters with a pavement in excess of thirty (30) feet as determined by the city engineer.

**The adjacent streets comply with these requirements.**

- e. *Sidewalks.*
  - i. Sidewalks shall be installed on both sides of all streets designated as primary arterials, major thoroughfares and secondary arterials, and for streets zoned or intended for business or industrial development, unless deemed unnecessary for pedestrian travel by the board.
  - ii. Sidewalks shall be installed on both sides of all streets in residential areas, except that the board may modify this requirement where it can be shown that they are not needed for the protection of pedestrians and school children.
  - iii. All sidewalks shall be at least five (5) feet in width, constructed of portland cement concrete, and constructed to the specifications of the city. Sidewalks of greater width may be required on major streets and heavy pedestrian travel areas as provided for in this section.
  - iv. The board, upon recommendation of the city engineer, may waive the requirement for sidewalks on streets where the average width of lots is two hundred (200) feet or more, or where a park, railroad, canal, or other use on one (1) side of a street makes a sidewalk not essential for safety of pedestrians, or where the requirement for sidewalks would cause a storm drainage problem in a location where the requirement for storm drainage has been

found impracticable by the board, or on finger islands where they are deemed impracticable by the board.

- v. Where it appears that a previously dedicated street forms a boundary of a subdivision, the subdivider must dedicate proper sidewalk areas upon the side of the street abutting the lands subdivided.

**The design and location of additional sidewalks will be determined in accordance with the Intradistrict Corridor requirements during the site plan process.**

- f. *Water supply system.* Water mains properly connected with the city water supply system shall be provided by the subdivider in such a manner as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection. Water mains shall be designed and installed by or under the supervision of the city engineer.

**This property, although vacant now, was previously development. Potable water infrastructure required for the proposed development will be determined at the time of site plan approval.**

- g. *Sanitary sewers.* Sanitary sewers shall be installed by the subdivider in areas where a sanitary sewerage system is available or has been authorized and financed. Such sanitary sewers, mains and laterals shall be properly connected to a city sewage disposal system or arranged for suitable future connection, and shall be designed by a registered engineer, subject to the approval of the city engineer. The installation shall be made under the supervision and inspection of the city engineer. Expense of design, supervision and inspection of the sewage disposal system shall be borne by the developer. In addition to sewer mains, laterals shall be installed to each platted lot and stubbed off at the property line for future connection. The sanitary sewer system shall also be subject to the approval of the state board of health. The use of individual septic tanks in lieu of a sanitary sewer system shall not be permitted without county health department approval, and only in cases where connection to the sanitary sewerage system is impracticable.

**This property, although vacant now, was previously development. Potable water infrastructure required for the proposed development will be determined at the time of site plan approval.**

*Canals and waterways.* All canals and other dedicated waterways shall be excavated by the subdivider to the width and length shown on the plat, and to the minimum depth specified in this section.

**The plat does not abut any canals or waterways.**

- F. *Recordation and expiration of plat.* Proof must be submitted to the city commission prior to the adoption of a resolution approving the plat that the persons signing the plat and executing the dedication are all of the owners of all of the property platted or replatted. The approval of all persons holding mortgage liens against any property platted or replatted shall appear upon the plat. Such plat or replat must be recorded in the official records of the county within three (3) years after the adoption of the resolution approving same; otherwise the approval is automatically rescinded and canceled, and the plat shall become null and void.

**Understood and acknowledged.**

(Ord. No. C-97-19, § 1(47-24.5), 6-18-97; Ord. No. C-21-12 , § 2, 4-6-21)

Response to Adequacy Requirement

For

Jim Moran Foundation Plat

UDP-P22001

Sec. 47-25.2. Adequacy requirements.

- A. *Applicability.* The adequacy requirements set forth herein shall be used by the city to evaluate the demand created on public services and facilities created by a proposed development permit.

**Acknowledged.**

- B. *Communications network.* Buildings and structures shall not interfere with the city's communication network. Developments shall be modified to accommodate the needs of the city's communication network, to eliminate any interference a development would create or otherwise accommodate the needs of the city's communication network within the development proposal.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- C. *Drainage facilities.* Adequacy of stormwater management facilities shall be evaluated based upon the adopted level of service requiring the retention of the first inch of runoff from the entire site or two and one-half (2½) inches of runoff from the impervious surface whichever is greater.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- D. *Environmentally sensitive lands.*

1. In addition to a finding of adequacy, a development shall be reviewed pursuant to applicable federal, state, regional and local environmental regulations. Specifically, an application for development shall be reviewed in accordance with the following Broward County Ordinances which address environmentally sensitive lands and wellfield protection which ordinances are incorporated herein by reference:
  - a. Broward County Ordinance No. 89-6.
  - b. Section 5-198(I), Chapter 5, Article IX of the Broward County Code of Ordinances.
  - c. Broward County Ordinance No. 84-60.
2. The applicant must demonstrate that impacts of the proposed development to environmentally sensitive lands will be mitigated.

**The site does not contain environmentally sensitive lands.**

- E. *Fire protection.* Fire protection service shall be adequate to protect people and property in the proposed development. Adequate water supply, fire hydrants, fire apparatus and facilities shall be provided in accordance with the Florida Building Code, South Florida Fire Code and other accepted applicable fire and safety standards.
- F. *Parks and open space.*
  - 1. The manner and amount of providing park and open space is as provided in Section 47-38A, Park Impact Fees, of the ULDR.
  - 2. No building permit shall be issued until the park impact fee required by Section 47-38A of the ULDR has been paid in full by the applicant.

**This is not a residential plat that would require the applicant to provide parks or park impact fees.**

- G. *Police protection.* Police protection service shall be adequate to protect people and property in the proposed development. The development shall provide improvements which are consistent with Crime Prevention Through Environmental Design (CPTED) to minimize the risk to public safety and assure adequate police protection.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- H. *Potable water.*
  - 1. Adequate potable water service shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of potable water systems in accordance with city engineering standards, the Florida Building Code, and applicable health and environmental regulations. The existing water treatment facilities and systems shall have sufficient capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which potable water treatment capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended from time to time. Improvements to the potable water service and system shall be made in accordance with city engineering standards and other accepted applicable engineering standards.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- 2. *Potable water facilities.*
  - a. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from design capacity. If there is available capacity, the city shall determine the impact of the



proposed development utilizing Table 3, Water and Wastewater, on file with the department.

- b. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the development.
- c. Where the county is the projected service provider, a similar written assurance will be required.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

I. *Sanitary sewer.*

1. If the system is tied into the city treatment facility, the available capacity shall be determined by subtracting committed capacity and present flow from the design capacity. If there is available capacity, the city shall determine the impact of the proposed development utilizing Table 3, Water and Wastewater, on file with the department.
2. If there is adequate capacity available in the city treatment plant to serve the proposed development, the city shall reserve the necessary capacity to serve the proposed development.
3. Where the county is the projected service provider, a written assurance will be required.
4. Where septic tanks will be utilized, the applicant shall secure and submit to the city a certificate from the Broward County Health Unit that certifies that the site is or can be made suitable for an on-site sewage disposal system for the proposed use.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- J. *Schools.* For all development including residential units, the applicant shall be required to mitigate the impact of such development on public school facilities in accordance with the Broward County Land Development Code or section 47-38C. Educational Mitigation, as applicable and shall provide documentation to the city that such education mitigation requirement has been satisfied.

**This is not a residential plat. The plat note will be for office use.**

K. *Solid waste.*

1. Adequate solid waste collection facilities and service shall be obtained by the applicant in connection with the proposed development and evidence shall be provided to the city demonstrating that all solid waste will be disposed of in a manner that complies with all governmental requirements.
2. *Solid waste facilities.* Where the city provides solid waste collection service and adequate service can be provided, an adequacy finding shall be issued. Where there is

another service provider, a written assurance will be required. The impacts of the proposed development will be determined based on Table 4, Solid Waste, on file with the department.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- L. *Stormwater.* Adequate stormwater facilities and systems shall be provided so that the removal of stormwater will not adversely affect adjacent streets and properties or the public stormwater facilities and systems in accordance with the Florida Building Code, city engineering standards and other accepted applicable engineering standards.

**Acknowledged. The drainage system shall be designed to meet all applicable level of service requirements. This matter will be evaluated at the time of site plan application.**

- M. *Transportation facilities.*

1. The capacity for transportation facilities shall be evaluated based on Table 1, Generalized Daily Level of Service Maximum Volumes, on file with the department. If a development is within a compact deferral area, the available traffic capacity shall be determined in accordance with Table 2, Flowchart, on file with the department.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

2. *Regional transportation network.* The regional transportation network shall have the adequate capacity, and safe and efficient traffic circulation to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the adopted traffic elements of the city and the county comprehensive plans, and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is needed in order to evaluate the impacts of the proposed development on proposed or existing roadways as provided for in subsection M.4. An applicant may submit such a study to the city which will be considered by the DRC in its review. Roadway improvements needed to upgrade the regional transportation network shall be made in accordance with the city, the county, and Florida Department of Transportation traffic engineering standards and plans as applicable.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

3. *Local streets.* Local streets shall have adequate capacity, safe and efficient traffic circulation, and appropriate functional classification to serve the proposed development. Adequate capacity and safe and efficient traffic circulation shall be determined by using existing and site-specific traffic studies, the city's comprehensive plan and accepted applicable traffic engineering standards. Site-specific traffic studies may be required to be made and paid for by the applicant when the city determines such a study is required in order to evaluate the impact of the proposed development

on proposed or existing roadways as provided for in subsection M.4. An applicant may submit to the city such a study to be considered as part of the DRC review. Street improvements needed to upgrade the capacity or comply with the functional classification of local streets shall be made in accordance with the city engineering standards and acceptable applicable traffic engineering standards. Local streets are those streets that are not classified as federal, state or county roadways on the functional classification map adopted by the State of Florida.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

4. *Traffic impact studies.*

- a. When the proposed development may generate over one thousand (1,000) daily trips; or
- b. When the daily trip generation is less than one thousand (1,000) trips; and (1) when more than twenty percent (20%) of the total daily trips are anticipated to arrive or depart, or both, within one-half ( $\frac{1}{2}$ ) hour; or (2) when the proposed use creates varying trip generation each day, but has the potential to place more than twenty percent (20%) of its maximum twenty-four (24) hour trip generation onto the adjacent transportation system within a one-half ( $\frac{1}{2}$ ) hour period; the applicant shall submit to the city a traffic impact analysis prepared by the county or a registered Florida engineer experienced in trafficways impact analysis which shall:
  - i. Provide an estimate of the number of average and peak hour trips per day generated and directions or routes of travel for all trips with an external end.
  - ii. Estimate how traffic from the proposed development will change traffic volumes, levels of service, and circulation on the existing and programmed trafficways.
  - iii. If traffic generated by the proposed development requires any modification of existing or programmed components of the regional or local trafficways, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the proposed development.
  - iv. A further detailed analysis and any other information that the review committee considers relevant.
  - v. The traffic impact study may be reviewed by an independent licensed professional engineer contracted by the city to determine whether it adequately addresses the impact and the study supports its conclusions. The cost of review by city's consultant shall be reimbursed to the city by the applicant.

- vi. When this subsection M.4.b. applies, the traffic study shall include an analysis of how the peak loading will affect the transportation system including, if necessary, an operational plan showing how the peak trips will be controlled and managed.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

5. *Dedication of rights-of-way.* Property shall be conveyed to the public by plat, deed or grant of easement as needed in accordance with the Broward County Trafficways Plan, the city's comprehensive plan, subdivision regulations and accepted applicable traffic engineering standards.

**A corner chord is being dedicated as "Tract Z" on the plat. No additional dedication of additional right of way is required or has been requested by the County. The adjacent right of way along US 1 provides sufficient widths needed to meet the Broward County Trafficways Plan (120' required, 120' provided). Sufficient right of way is already provided for the abutting city streets.**

6. *Pedestrian facilities.* Sidewalks, pedestrian crossing and other pedestrian facilities shall be provided to encourage safe and adequate pedestrian movement on-site and along roadways to adjacent properties. Transit service facilities shall be provided for as required by the city and Broward County Transit. Pedestrian facilities shall be designed and installed in accordance with city engineering standards and accepted applicable engineering standards.

**A bus shelter easement is being dedicated on the plat. Sidewalks and maintenance easements will be provided to the City as part of the site plan approval process.**

7. *Primary arterial street frontage.* Where a proposed development abuts a primary arterial street either existing or proposed in the trafficways plan, the development review committee (DRC) may require marginal access street, reverse frontage with screen planting contained in a nonaccess reservation along the rear property line, deep lots with or without rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to assure separation of through and level traffic.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

8. *Other roadway improvements.* Roadways adjustments, traffic control devices, mechanisms, and access restrictions may be required to control traffic flow or divert traffic, as needed to reduce or eliminate development generated traffic.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

9. *Street trees.* In order to provide for adequate landscaping along streets within the city, street trees shall be required along the length of the property abutting a street. A

minimum of fifty percent (50%) of the required street trees shall be shade trees, and the remaining street trees may be provided as flowering or palm trees. These percentages may be varied based on existing or proposed physical conditions which may prevent the ability to comply with the street tree requirements of this subsection. The street trees shall be planted at a minimum height and size in accordance with the requirements of Section 47-21, Landscape and Tree Preservation Requirements, except in the downtown RAC districts the requirements of Sec. 47-13.20.H.8 shall apply. The location and number of street trees shall be determined by the department based on the height, bulk, mass and design of the structures on the site and the proposed development's compatibility to surrounding properties. The requirements for street trees, as provided herein, may be located within the public right-of-way as approved by the entity with jurisdiction over the abutting right-of-way.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

N. *Wastewater.*

1. *Wastewater.* Adequate wastewater services shall be provided for the needs of the proposed development. The proposed development shall be designed to provide adequate areas and easements which may be needed for the installation and maintenance of a wastewater and disposal system in accordance with applicable health, environmental and engineering regulations and standards. The existing wastewater treatment facilities and systems shall have adequate capacity to provide for the needs of the proposed development and for other developments in the service area which are occupied, available for occupancy, for which building permits are in effect or for which wastewater treatment or disposal capacity has been reserved. Capital expansion charges for water and sewer facilities shall be paid by the developer in accordance with Resolution 85-265, as it is amended for time to time. Improvements to the wastewater facilities and system shall be made in accordance with the city engineering and accepted applicable engineering standards.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

- O. *Trash management requirements.* A trash management plan shall be required in connection with non-residential uses that provide prepackaged food or beverages for off-site consumption. Existing non-residential uses of this type shall adopt a trash management plan within six (6) months of the effective date of this provision.

**Acknowledged. This matter will be evaluated at the time of site plan application.**

P. *Historic and archaeological resources.*

1. If a structure or site has been identified as having archaeological or historical significance by any entity within the State of Florida authorized by law to do same, the applicant shall be responsible for requesting this information from the state, county, local

governmental or other entity with jurisdiction over historic or archaeological matters and submitting this information to the city at the time of, and together with, a development permit application. The reviewing entity shall include this information in its comments.

**The site does not have any archeological or historical significance.**

- Q. *Hurricane evacuation.* If a structure or site is located east of the Intracoastal Waterway, the applicant shall submit documentation from Broward County or such agency with jurisdiction over hurricane evacuation analysis either indicating that acceptable level of service of hurricane evacuation routes and hurricane emergency shelter capacity shall be maintained without impairment resulting from a proposed development or describing actions or development modifications necessary to be implemented in order to maintain level of service and capacity.

**The proposed plat is not located east of the Intracoastal Waterway.**

(Ord. No. C-97-19, § 1(47-25.2), 6-18-97; Ord. No. C-98-72, § 1, 12-15-98; Ord. No. C-99-14, § 14, 3-16-99; Ord. No. C-99-15, § 11, 3-16-99; Ord. No. C-00-26, § 6, 6-6-00; Ord. No. C-03-23, § 2, 7-1-03 ; Ord. No. C-06-14, § 1, 6-20-06; Ord. No. C-06-36, § 2, 10-17-06)