

FRANKLIN COUNTY SUBDIVISION ORDINANCE

ORDINANCE 89-7

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AMENDED BY ORDINANCE 91-2

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AMENDED BY ORDINANCE 92-7

ORDINANCE NO. 89-7

An Ordinance repealing Ordinance 74-1 and amendments 79-5 and 79-7 and establishing Subdivision Regulations in Franklin County, Florida, relating to the establishment of standards for subdivisions and subdivision road and street development and improvements; prescribing standards of improvements to be provided by the developer; establishing standards for the efficient, adequate and economic supply of public facilities; establishing criteria for prevention of traffic hazards; establishing procedures for preliminary and final approval of plats; establishing provisions for modification and exceptions to subdivisions; establishing prohibition and penalties for violation of the ordinance; and providing for repealer and severability; providing for an effective date.

ARTICLE I: GENERAL PROVISIONS

1.1 Title

This ordinance shall be cited as the “Subdivision Ordinance of Franklin County, Florida”.

1.2 Authority and Jurisdiction:

- (a) This ordinance is adopted pursuant to the authority vested in the counties by Florida Statutes Chapters 125, 163, and 177. This Ordinance shall apply to all unincorporated areas of Franklin County, Florida.
- (b) No subdivision of land within the unincorporated area of Franklin County shall occur except in conformance with the provisions of this Subdivision Ordinance. Development subject to the provisions of this ordinance shall be permitted and certificates of occupancy shall be issued only when the requirements of these regulations have been met.

1.3 Purpose and Intent

The purpose of this ordinance is to provide regulations and standards to guide land subdivision and development in Franklin County. This guidance is intended to protect the natural resources of Franklin County and to promote orderly development by ensuring that adequate provisions are made for lot and block improvements, roads, water and sewer, utilities, stormwater management, erosion control, and flood damage prevention.

1.4 Comprehensive Plan

The subdivision of land and the subsequent development of the subdivided plat shall be consistent with the Franklin County Comprehensive Plan.

1.5 Administration

The provisions of this ordinance shall be administered jointly by the County Planner and County Engineer, each taking responsibility for processing and reviewing materials as set forth herein. All decisions by the County Planner,

Board of County Commissioners by any aggrieved party. Appeals shall be submitted in writing to the County Planner no later than 30 days after the day the decision was rendered. The County Planner shall schedule the appeal for the Board's consideration at the next available meeting.

ARTICLE II: DEFINITIONS

2.0 General

Terms not defined below shall have the same meaning as given in the Franklin County Zoning Ordinance. The following terms or words, whenever used or referred to herein, shall have the following meaning:

Shall: The word shall indicates an action which is mandatory.

May: The word may indicates an action which is permissive.

2.1 Abutting Property

Any property that is immediately adjacent or contiguous to another property.

2.2 Block

Includes "tier" or "group" and means a group of lots existing within well-defined and fixed boundaries, usually being an area surrounded by streets or other physical barriers and having an assigned number, letter, or other name through which it may be identified.

2.3 Board

The Franklin County Board of County Commissioners.

2.4 Clerk

The Franklin County Clerk of the Circuit Court.

2.5 Commission

The Franklin County Planning and Zoning Commission, an advisory body established by the Board of County Commissioners.

2.6 Construction Plans

The drawings and specifications accompanying a subdivision plat and showing the specific location and design of subdivision improvements to be installed in the subdivision. Construction plans shall be certified as being in compliance with the provisions of this ordinance by a licensed, professional engineer registered to practice in the State of Florida. The engineer shall sign and place his seal on the construction plans.

2.7 County Engineer

A person or firm currently licensed and registered to practice engineering in the State of Florida and retained by Franklin County to oversee the appropriate provisions of this ordinance.

2.8 Developer

The person or legal entity that applies for approval of a plat of a subdivision pursuant to this ordinance.

2.9 Domestic Wastewater Facility

A wastewater collection, treatment, and disposal system approved by the Department of Environmental Regulation in accordance with Chapter 17-6, F.A.C.

2.10 Engineer

A civil engineer, registered and currently licensed to practice in the State of Florida, retained by the developer to prepare, supervise and certify the engineering work required by this ordinance.

2.11 Easement

Any strip of land created by a subdivider for public or private utilities, stormwater management, sanitation, or other specified uses having limitations, the titles to which shall remain in the name of the property owner, subject to the right of use designated in the reservation of the servitude.

2.12 Land Surveyor

A land surveyor registered in compliance with Chapter 472.007, F.S., who is in good standing with the Board of Land Surveyors.

2.13 Lot

A parcel of land of a recorded subdivision intended as a unit for the purpose of transfer of ownership or development.

2.14 Onsite Sewage Disposal Systems

Any domestic sewage treatment and disposal facility, including standard subsurface systems, graywater systems, laundry wastewater systems, alternative systems or experimental systems, installed or proposed to be installed on land of the owner or other land to which the owner or owners have the legal right to install a system, and which has been approved and permitted by the Department of Health and Rehabilitative Services pursuant to Chapter 10D-6, F.A.C.

2.15 Owner

Any individual, firm, association, syndicate, co-partnership, corporation, trust, or

any other entity having any ownership interest in land.

2.16 Performance Guarantee

Any security accepted in lieu of the requirement that certain subdivision improvements be made before the Board of County Commissioners authorizes the recording of a plat, including performance bonds, escrow agreements, and other similar collateral or surety agreements.

2.17 Plat

A map or delineated representation of the subdivision of lands being a complete exact representation of the subdivision and other information in compliance with Chapter 177, F.S. and this ordinance, and may include the terms “replat”, “amended plat”, or “revised plat.”

- (a) **Sketch Plat:** A schematic drawing depicting the layout of lots, blocks, roads, and land uses within a proposed subdivision. The sketch plat will convey the general outlines of how the developer proposes to develop the subdivision and will be general enough to allow changes to be readily made. The sketch plat is intended to serve as a tool in reaching general agreement with the Commission as to the form of the plat and the objectives of these regulations.
- (b) **Preliminary Plat:** A preliminary map and accompanying material indicating the proposed layout of the subdivision in accordance with the requirements of section 3.4 of this ordinance. The preliminary plat may encompass two or more phases of the project, each of which may be submitted for final plat approval separately and at different times.
- (c) **Final Plat:** A map or plan of a subdivision and any accompanying material, prepared in accordance with this ordinance, indicating the subdivision of land and improvements thereto.

2.18 Right-of-Way

Land dedicated, deeded, used, or to be used for a street, alley, or other transportation purposes. Right-of-way includes the paved street and any unpaved cleared strips on either side.

2.19 Road Department

The Franklin County Road and Bridge Department.

2.20 Street

Any access way such as a road, lane, highway, avenue, boulevard, alley, parkway, circle, court, terrace, place, or cul-de-sac and includes all of the land lying between

the right-of-way lines as delineated on a plat showing such streets, whether improved or unimproved. This definition shall not include those access ways, such as easements, intended solely for limited utility purposes, such as for electric power lines, gas lines, telephone lines, water lines, drainage and sanitary sewers, and easements of ingress and egress.

2.21 Subdivision

The platting of real property into three or more lots, parcels, tracts, tiers, blocks, sites, units, or any other division of land any one of which is five (5) acres or less. A subdivision includes establishment of new streets and alleys, additions and resubdivisions. When appropriate to the context, a subdivision relates to the process of subdividing or to the lands or area subdivided.

- (a) **Minor Subdivision:** Any subdivision of land into less than twenty (20) lots within a period of twelve (12) months.
- (b) **Major Subdivision:** Any subdivision of land into twenty (20) lots or more within a twelve (12) month period.

2.22 Subdivision Improvements

Any roadway, stormwater management facility, water or wastewater facility, sidewalk, off-street parking area, flood damage prevention or erosion control facility, easement, right-of-way, or other development for the creation of a subdivision.

2.23 Survey Data

Information shown on the face of a plat that delineates the physical boundaries of the subdivision and any parts thereof.

2.24 Utility

Includes publicly or privately-owned or operated water, sewer, stormwater management, gas, electric or telephone facilities, or cable television lines and facilities.

3.1 Subdivision Approval Required

Whenever any subdivision of land is proposed, before any contract is made for the

sale of any part thereof, and before any permit for the erection of a structure in such proposed subdivision shall be granted, the subdividing owner, or his authorized agent, shall apply for and secure approval of such proposed subdivision in accordance with the requirements in this ordinance.

3.2 Pre-application Consultation

Prior to the preparation of the plat, the developer is encouraged to consult with the County Planner to familiarize himself with the County's subdivision requirements. The Planner will review with the developer the provisions of the subdivision ordinance as well as the requirements of other applicable state and local land development regulations. The developer may purchase copies of the Subdivision Ordinance, Zoning Ordinance, and other applicable County regulations from the County Clerk.

3.3 General

Subdivisions shall be classified as either major or minor pursuant to Section 2.21 of this ordinance. All requests for subdivision approval must first receive sketch plat approval from the Commission. Following sketch plat approval, if the subdivision is classified as a major subdivision, both preliminary plat and final plat approval shall be obtained; if classified as a minor subdivision, final plat approval need only be obtained. Major subdivisions that are to be developed in phases need only obtain sketch plat and preliminary plat approval once for the entire subdivision, and final plat approval may thereafter be obtained as each phase is ready for development.

3.4 Sketch Plat Approval

- (a) The Commission shall be responsible for reviewing and approving sketch plats. No fees shall be charged for sketch plat approval.
- (b) Application for sketch plat approval shall be on forms provided by the County Planner. Two (2) copies of the sketch plat and accompanying material shall be submitted to the County Planner thirty (30) days prior to the next regulatory scheduled Commission meeting.
The sketch plat shall include:
 - 1- Name of subdivision, boundary survey and legal description, scale, north arrow, number of acres to be subdivided, current zoning and total number of proposed lots;
 - 2- Vicinity map showing the relationship between the area proposed for development and surrounding streets, public facilities and adjacent wetlands. All land within 100 feet of the proposed subdivision shall be shown and the names of adjacent subdivisions, if any, and property owners shall be indicated;
 - 3- Preliminary street and lot layout, and
 - 4- Statement regarding availability and source of potable water and how sewer and stormwater will be disposed.
- (c) Tentative classification of the sketch plat as a major or minor subdivision shall be made prior to Commission review by the County Planner.

- (d) **The County Planner shall transmit the sketch plat for review to appropriate officials or agencies and shall prepare a composite report and recommendation for action to the Commission for the next regular meeting.**
- (e) **The Commission shall study the sketch plat and the report of the County Planner, taking into consideration the requirements of the Subdivision Regulations and the best use of the land being subdivided. Particular attention will be given to the arrangement of the lots and streets, method of sewage disposal, stormwater drainage, the future development of adjoining lands as yet unsubdivided, and the requirements of the zoning code and comprehensive plan.**
- (f) **After reviewing the sketch plat and the County Planner’s report, the Commission will advise the developer of its approval or the specific changes it will require as a prerequisite to recommending approval of the subdivision plat. Approval of the sketch plat shall constitute authorization to submit the preliminary subdivision plat in the case of a major subdivision and the final plat in the case of a minor subdivision.**
- (g) **At the time of sketch plat approval, the developer shall assign a name to the subdivision by which it will be legally known after final plat approval. Such name shall not be the same as or in any way so similar to any name appearing on any recorded plat in Franklin County as to confuse the records or to mislead the public as to the identity of the subdivision, except when the subdivision is subdivided as an additional phase by the same developer or his successors in title. Every subdivision’s name shall have legible lettering of the same size and type, including the words “section”, “unit”, replat”, “ameded”, etc.**

3.5 Preliminary Plat Approval

- (a) **The Commission shall be responsible for reviewing and recommending to the Board approval of preliminary plats. A fee of \$100 plus \$2 per lot shall be charged for preliminary plat approval.**
- (b) **Application for preliminary plat approval shall be on forms provided by the County Planner. Two (2) copies of the preliminary plat and accompanying material shall be submitted to the County Planner 30 days prior to the next regularly scheduled Commission meeting. The preliminary plat shall include:**

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- 1- **Name of subdivision, boundary survey and legal description, scale, north arrow, number of acres to be subdivided, current zoning, and total number of lots.**
- 2- **Names and addresses of owner(s), developer, land surveyor, and engineer.**
- 3- **Topographic map with contour intervals at one foot.**

- 4- **Dimensions and locations of all parcels of land proposed to be dedicated or reserved for public or common use, such as right-of-ways, easements, drainage ways, parks, and other public or common use space.**
 - 5- **Location of any existing streets, easements, utilities, stormwater management facilities or other improvements.**
 - 6- **Proposed lot, block, and street layout and parking areas. Lot and blocks should be numbered and street names should be shown.**
 - 7- **Schematic drawings of proposed potable water, sanitary sewer, and stormwater management systems, including the location of outfall for stormwater discharge. Indicate size and approximate location of interval distribution and collection lines, direction of flow, and location of any lift stations, retention/detention facilities and other major features of these systems.**
 - 8- **Draft copies of proposed covenants, deed restrictions, and homeowners or condominium documents if any.**
 - 9- **Location of streams, lakes, swamp, wetlands and flood-prone areas on the property to be subdivided. Indicate the flood zone(s) of the proposed subdivision and the base flood elevation.**
 - 10- **Proposed bulkheads, seawalls and similar structures.**
 - 11- **When applicable, indicate how the project will be phased, the order in which the phases will be developed, and the approximate date when development for each phase will begin. Each phase should be designed to stand independently of phases not yet developed.**
- (c) **The County Planner shall transmit the preliminary plat and accompanying materials for review to the County Engineer and other appropriate officials or agencies, and shall develop a composite report and recommendation for action to the Commission for the next regular meeting.**
- (d) **The Commission shall study the preliminary plat and the report of the County Planner, taking into consideration the requirements of the Subdivision regulations, the zoning code, the comprehensive plan and the best use of the land being subdivided. Particular attention will be given to**
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- the arrangement of the lots and streets, the phasing plan, the adequacy of the proposed methods for sewage treatment and disposal, stormwater management and erosion control, and the impact of the subdivision on traffic and adjacent land uses. The Commission shall recommend to the Board that the preliminary plat be approved as presented, be approved with conditions, or be disapproved.**
- (e) **The County Planner shall place the proposed preliminary plat on the next regularly scheduled Board agenda. The report of the County Planner and**

the recommendation of the Commission shall be forwarded for the Board's consideration. The Board after reviewing the material presented, shall approve, approve with conditions, or disapprove preliminary plat. Approval shall constitute authorization to submit a final plat. Application for final plat approval shall be submitted within one year following approval of the preliminary plat.

3.6 Final Plat Approval

- (a) The Commission shall be responsible for reviewing and recommending to the Board approval of final plats. A fee of \$100 plus \$2 per lot shall be charged for final plat approval, in addition to the Clerk's statutory fee.**
- (b) No development shall be permitted prior to final plat approval. Construction plans shall be submitted along with the final plat.**
- (c) Application for final plat approval shall be on forms provided by the County Planner. Two (2) copies of the final plat and accompanying material and two copies of the construction plans shall be submitted to the County Planner at least 30 days prior to the next regularly scheduled Commission meeting. The plat and accompanying materials shall conform substantially to the approved sketch plat and, for major subdivisions, to the approved preliminary plat; providing however, that final plat approval of an approved preliminary plat may be obtained in accordance with the approved phasing plan. The final plat shall reflect the conditions of earlier approvals and shall include:
 - 1- The plat map prepared in accordance with Chapter 177.091, F.S.**
 - 2- The construction plans showing all subdivision improvements in accordance with Article IV of this ordinance.**
 - 3- Developers proposing to post a guarantee for the construction of subdivision improvements shall submit the guarantee to Article V of this ordinance.**
 - 4- Copies of permits required from any federal or state governmental regulatory agency, or proof that application for such permits has been made and is pending approval.**
 - 5- Title Certification pursuant to Chapter 177.041, F.S.**
 - 6- Restrictive covenants, deed restrictions, deeds for lands or improvements to be conveyed to the County, access or utility easements, drainage, potable water, or sanitary sewer easements and condominium or homeowners association documents, if any.****
- 7- The final plat shall contain a dedication by the developer. The dedication shall be executed by all developers having a record interest in the lands subdivided, in the same manner in which deeds are required to be executed. All mortgages having a record interest in the lands subdivided shall execute, in the same manner in which deeds are required to be executed, either the dedication contained on the plat or a separate instrument joining in and ratifying the plat and all dedications and reservations thereon.**

When a tract or parcel of land has been subdivided and a plat thereof bearing the dedication executed by the developers and mortgages having a record interest in the lands subdivided and the approval of the Board have been secured and recorded in compliance with this ordinance, all streets, alleys, easements, rights-of-way, and public areas shown on such plat, unless otherwise stated, shall be deemed to have been dedicated to the public for the uses and purposes thereon stated. However, nothing herein shall be construed as creating an obligation upon the Board to perform any act of construction or maintenance within such dedicated areas except when the obligation is voluntarily assumed by the Board by resolution.

All land and improvements dedicated to the public shall be free and clear of all liens and encumbrances. The dedication on the final plat shall be in a format substantially as follows:

KNOW ALL MEN BY THESE PRESENTS, that _____ (insert name of owner(s) of fee simple interest in lands dedicated), the owner in fee simple of the lands in _____ (insert exact name of subdivision) joined by _____ (insert names or names of all mortgagees), a party having a recorded interest in the lands shown hereon, and which lands are more particularly described as follows: _____ (insert complete legal description of the lands to be dedicated) have caused said lands to be divided and subdivided as shown herein and do hereby dedicate to the perpetual use of the public all streets, alleys, easements, rights-of-ways, parks, recreation areas, and other public areas shown and depicted hereon, reserving however, the reversion or reversions thereof unto the abutting property owners to the centerline should the same be renounced, disclaimed, or abandoned by resolution or formal enactment by the County, this ____ day of _____, 19____.

| Owner | Date | Mortgagee | Date |
|-------|------|-----------|------|
|-------|------|-----------|------|

(d) Acceptance of a plat shall constitute acceptance of the dedication of such streets, alleys, easements, rights-of-way, parks, recreation areas, and other public areas, but the maintenance thereof shall be accepted only as provided herein.

(e) The County Planner shall transmit the final plat and construction plans to the County Engineer, and the final plat and other relevant documents to appropriate officials or agencies for review. The County Engineer shall review the construction plans for compliance with the requirements and design standards of Article IV of this ordinance and shall report his findings to the County Planner. The County Planner shall consider all comments submitted and develop a composite report and recommendation for action to the Commission for the next regular meeting.

(f) The Commission shall review the final plat, the construction plans, and the report submitted by the County Planner. The Commission shall recommend to the Board

that the final plat and construction plans be approved with conditions, or be denied.

- (g) **The County Planner shall place the proposed final plat and construction plans on the next regularly scheduled Board agenda. The report of the County Planner and the recommendation of the Commission shall be forwarded for the Board's consideration. The Board, after considering the material presented, shall approve, approve with conditions, disapprove the construction plans and final plat.**
- (h) **After the Board's approval, or approval with conditions, the County Engineer shall stamp and sign both sets of construction plans and indicate thereon the date of the Board's approval and any conditions imposed by the Board. One set of the approved plans shall be retained by the County Planner.**
- (i) **After receiving the Board's approval of the proposed subdivision, or approval with conditions, the developer may either: (1) make guarantee to the County for the construction of the subdivision improvements pursuant to Article V of this ordinance and record the plat with the Clerk; or (2) proceed to apply for a development permit and construct the required subdivision improvements before recording the plat.**
- (j) **No certificate of occupancy shall be issued and no permanent electrical service shall be authorized until the subdivision plat has been recorded, all subdivision improvements have installed, inspected, and approved pursuant to Articles IV and V, the County has been reimbursed for expenses incurred by the County Engineer pursuant to Section 5.10, and a maintenance bond has been posted pursuant to Section 5.11. If some or all of the subdivision improvements are dedicated to the County, maintenance responsibility shall not become effective unless and until the County Engineer certifies that all improvements have been constructed in accordance with the requirements of this ordinance and the Board then adopts a resolution accepting the subdivision improvements for maintenance.**
- (k) **The subdivision plat shall be recorded with the Clerk and copies provided to the County Planner and County Engineer after either a guarantee has been posted pursuant to Section 5.4, or the subdivision improvements have been completed in accordance with this ordinance. The plat shall bear all required signatures. Concurrently with the recordation of the plat, any deed restrictions, restrictive covenants, deeds to lands and improvements dedicated to the County,**

access and utility easements, stormwater management, potable water and sanitary sewer easements, and recordable homeowner association documents shall also be recorded with the Clerk. No conveyances or dedication to the County or public shall contain any reverter or reversion.

ARTICLE IV:

REQUIREMENTS FOR IMPROVEMENTS, RESERVATION, AND DESIGN

4.1 General Improvements

(a) **Conformance to Applicable Rules and Regulations.**

In additions to the requirements established herein, all subdivision plats shall comply with the following laws, rules and regulations:

- 1- **Chapter 177.001, F.S. Part 1, "Platting."**
- 2- **The zoning ordinance, building and housing codes, and all other applicable laws of Franklin County.**
- 3- **The Franklin County Comprehensive Plan and Future Land Use Map.**

- 4- The rules and regulations adopted by the Franklin County Health Department, the Department of Environmental Regulations, the Department of Natural Resources, and other state and federal agencies.
- 5- The rules of the Department of Transportation if the subdivision or any lot contained therein abuts a state highway.

(b) Self-Imposed Restrictions.

If the owner places restrictions on any of the land contained in the subdivision greater than those required by the zoning ordinance or these regulations, such as restrictions or references thereto shall be indicated on the subdivision plat. Deed restrictions, restrictive covenants, homeowner's or condominium association by-laws, and other such private restrictions shall not be enforced by the County, but enforcement may be sought by private parties through the courts and other appropriate remedies of law.

(c) Monuments

The developer shall place permanent reference monuments in the subdivision in accordance with Chapter 177.091, F.S.

(d) Name of Subdivision

The subdivision shall be named in accordance with Chapter 177.051, F.S.

(e) Construction Drawings and Specifications

- 1- Construction plans for subdivision improvements required by the ordinance shall be prepared, signed, and sealed by a professional engineer registered in the State of Florida. The engineer shall certify that the construction plans are in accordance with the requirements of this ordinance and meet or exceed the minimum standards cited herein.

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- 2- Prior to the commencement of any development activity and prior to final plat approval, the developer shall submit to the County Planner two (2) complete sets of construction plans for all subdivision improvements required by this ordinance. The County Engineer shall review the drawings and specification and shall prepare a written report to the Planner recommending approval, approval with conditions, or disapproval. The developer's engineer is responsible for ensuring that the construction plans meet the requirements of this ordinance; approval by the County Engineer does not relieve the developer's engineer of this responsibility.
- 3- The final plat and construction plans will be submitted for the Board's consideration. Upon the Board's approval, or approval with conditions, the County Engineer will stamp, sign, and date both sets of

construction plans and will return one set to the developer and retain the other set on file. All subsequent requests for permits and all construction shall be in conformance with the final plat and the approved construction plans.

4.2 Lots

(a) **Lot dimensions and size.**

Minimum lot dimensions and size shall be no less than that specified for the zoning district by the zoning ordinance. In addition, where individual on-site sewage disposal units are proposed, lot size shall be sufficient to meet the requirements of Chapter 381.272, F.S. and Chapter 10D-6, F.A.C.

(b) **Access.**

The subdivision of land shall provide each lot with secure access to existing public thoroughfares by means of a public or privately dedicated street or by easement. Lots shall front on a street dedicated to public or private use, or on a perpetual easement approved pursuant to this section.

The use of easements for access shall be subject to the following conditions:

- (1) Access by easement shall be prohibited if the property to be subdivided will contain more than ten lots, or if the easement will provide access to more than ten lots, either at the time of subdivision or at any subsequent time.
 - (2) Easements shall be constructed in accordance with Attachment 2 , which is hereby made a part of this Subdivision Ordinance.
 - (3) Access easements shall not be dedicated to Franklin County but shall be maintained by a homeowner's association. The creation of a homeowner's association shall be a condition precedent to obtaining final subdivision approval.
 - (4) No subdivision, lot, or portion of a subdivision may utilize or provide access by easement unless all provisions of this section have been met and a homeowner's association responsible for maintenance of the easement and drainage facilities within the easement has been created by the developer prior to the sale of any lot.
 - (5) The homeowner's association shall maintain the easement in perpetuity in a manner approved by the County Engineer.
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- (6) A restrictive covenant requiring each lot purchaser to become a member of the homeowner's association and pay an annual fee for easement maintenance costs shall be filed with the Clerk of the Court prior to final subdivision approval. This covenant shall be recorded on the final subdivision plat and shall be included in any deed or other document purporting to convey title to any lot within the subdivision.
 - (7) The developer of the subdivision shall be required to maintain a membership in the homeowner's association and shall be responsible for a proportionate share of the maintenance costs of the easement until all lots are sold.

(c) **Lot Arrangement.**

Lot arrangement and design shall be such that all lots will provide satisfactory and desirable building sites properly related to the topography and character of surrounding development. Depth and width of all

properties, including those intended for commercial and industrial uses, shall be adequate to provide for all off-street service and parking facilities required by the zoning ordinance. Side lot lines shall be substantially perpendicular to street lines, except where a modification of this rule will provide better street lot layout.

(d) Lot Drainage.

Lots shall be laid out so as to provide drainage away from all buildings . Individual lot drainage shall be coordinated with the subdivision's stormwater management system and with the general stormwater flow pattern. Drainage shall be designed so as to avoid the flow of stormwater runoff from each lot to adjacent lots.

(e) Debris and Waste.

No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land, or left or deposited on any lot or street at the time of the issuance of a certificate of occupancy, and removal of same shall be required prior to issuance of any certificate of occupancy on a subdivision. Nor shall any be left or deposited in any area of the subdivision at the time of expiration of the performance bond or dedication of public improvements, whichever is sooner.

4.3 Blocks

(a) Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width shall be permitted in blocks adjacent to major streets, railroads, waterways.

(b) The lengths, widths, and shapes of blocks shall be as appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed twelve (12) times the minimum lot width required in the zoning district, nor be less than four hundred (400) feet in length.

(c) Wherever practicable, blocks along major arterials and collector streets shall be not less than one thousand (1,000) feet in length.

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(d) In long blocks, the Planning Commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities, or pedestrian traffic.

4.4 Streets

(a) General Requirements.

1. Frontage on Improved Streets. No subdivision shall be approved unless the area to be subdivided shall have access to an existing county or state maintained roadway.

Access. Land located adjacent to U.S. Highway 98 and State Road 65 shall not be subdivided unless direct access to the state highway is by way of a connection that meets the requirements of the Florida Department of Transportation's Access Management Rule (Rule 14-97 F.A.C.). Lots that can not meet the access standards shall have access by one of the following methods: platted side streets, frontage

streets, combined parking lots, shared drives, or the provision for access by easements. No applicant shall be denied development approval for the sole reason that the lot cannot meet the access requirements. Temporary access shall be provided if the landowner's site plan provides for the eventual connection to an access on an adjoining property, and that the owners agree, with suitable legal documents, to close the temporary access when connection to adjoining properties is feasible. Temporary access will only be done as a last resort and shall be construed to mean no more than one year.

2. Roads shall be paved and shall be designed and constructed in accordance with road building standards described herein. Within minor subdivisions, however, streets may be constructed without asphalt surfacing.
3. Streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.
4. Proposed streets shall be extended to the boundary lines of the tract to be subdivided, unless prevented by physical conditions, or unless in the opinion of the Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision with the existing layout or the most advantageous future development of adjacent tracts.
5. **Street Names and Signs.** Street names shall be indicated on the final plat. Names shall be selected after consulting with the local postmaster to ensure that they are sufficiently different in sound and in spelling from other street names so as not to cause confusion. A road which is planned as a continuation of an existing road shall bear the same name. Durable street name signs approved by the County Road Department shall be installed at all intersections by the developer before a certificate of occupancy is issued.

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6. **Street Lights.** Installation of street lights shall be required in accordance with design and specification standards approved by the County Engineer.
7. **Construction of Streets and Dead-End Streets.**
 - (i) The arrangement of streets shall provide for the continuation of principal streets between adjacent properties when such continuation is necessary for convenient movement of traffic, effective fire protection, for efficient provision of utilities, and where such continuation is in accordance with the comprehensive plan. If the adjacent property is undeveloped and the street must be a dead-end street temporarily, the right-of-way shall be extended to the property line. A temporary T- or L- shaped turnabout shall be provided on all temporary dead-end streets, with the notation on the subdivision plat that land outside the normal street right-of-way shall revert to

abutting property owners whenever the street is continued. The Commission may limit the length of temporary dead-end streets in accordance with the design standards of these regulations.

- (ii) **Dead-End Roads (Permanent).**
A cul-de-sac turnaround shall be provided at the end of a permanent dead-end street in accordance with the County's construction standards and specifications. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited to length not exceeding 1,000 feet.

(b) Street Design Standards (includes Attachment 1)

All streets shall be designed in accordance with the Manual of Uniform Standards for Design, Construction, and Maintenance for Streets and Highways, latest edition.

1. Minimum Requirements

- (i) **Right-of-Way.**
All right's-of ways shall be 60-feet minimum.
- (ii) **Pavement Width.**
All pavement widths shall be 18 feet minimum.
- (iii) **Shoulders.**
All shoulders shall be 6-feet minimum.
- (iv) **Asphalt.**
All asphalt shall be of the types acceptable (see Section 2-Materials) and shall be 1-1/2 inch minimum compacted thickness.
- (v) **Base.**
All base material shall be of the types acceptable (see Section 2-Materials) and shall be 6" minimum compacted thickness. Minimum density shall apply to the type of base material used. Prime and armor coat will be required in order to protect the base from damage prior to paving.
- (vi) **Subgrade.**
The top 12" of subgrade shall be compacted to a minimum density of 100% (American Association of State Highway and Transportation Officials (AASHTO) T-99) in both cut and fill areas. The top six (6) inches shall be stabilized to a limerock bearing ratio of not less than 40, unless otherwise approved by the County Engineer.
- (vii) **Swales.**
Swales shall be required on all roads unless the density and intensity of land use dictate the use of curbs, gutters and storm sewers. All swales shall conform to the minimum dimensions shown on Attachment I.
- (viii) **Grassing.**

All areas from the edge of pavement to the right-of-way line shall be fertilized, seeded and mulched with a seasonal grass. The grass will not be accepted until a growth is established that is at least 50% of any one square yard measured. Sod will be required around all headwalls, drain pipes or any area that may be susceptible to erosion during normal rains.

(ix) Drains.

All drain pipes shall be bituminous coated corrugated metal with basic requirements of AASHTO M-36 or reinforced concrete pipe conforming to American Society for Testing and Materials (ASTM) designation C-76-70 Class III. All pipes and ditches shall be sized to collect, control and dispose of the runoff from a 25 year storm. Headwalls shall be mitered end type as shown. Cross drains shall be a minimum of 18" diameter; side drains shall be a minimum of 15" diameter or equivalent opening of arch or elliptical pipe.

(x) Disposal of Debris.

No construction debris will be buried within the right-of-way.

(xi) Others.

All construction methods not specifically stated herein shall be in accordance with the Florida Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition. At the direction of the County Engineer, any item that is needed but not specifically called for in these requirements will be provided at the expense of the developer.

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2. Materials

All materials shall be in accordance with Division III of the Florida Department of Transportation Standard Specifications for Road and Bridge Construction, latest edition.

(i) Asphalt.

The following types of asphalt are acceptable.

FDOT Type S-1-Minimum stability 1000 pounds.

FDOT Type II-Minimum stability 1000 pounds.

FDOT Type III-Minimum stability 1000 pounds.

(ii) Base.

The following types of base are acceptable:

Sand-clay with a minimum density of 98% (AASHTO T-180)

Soil cement with a minimum density of 98% of actual field proctor (AASHTO T-99)

Limerock with a minimum density of 98% (AASHTO T-180)

Others that are not listed may be acceptable with the prior approval of the County Engineer

- (iii) Testing.**
Standard mix design for asphalt will be required for approval prior to acceptance to the project.

A minimum of three thickness cores will be required for any project. Large projects may, at the County Engineer's discretion require more.

Density tests for both subgrade and base shall be at the rate of one every 500 linear feet of roadway. Tests will run at random from side, center and side.

Density tests for shoulders shall be at the rate of one every 1000 linear feet of shoulder, this will include testing shoulders on both sides of roadway.

3. Elevation.

The finished elevation of proposed streets shall be at or above grade as indicated on the topographical survey. The Planning Commission or County Engineer may require, when necessary, profiles and elevations of streets to determine compliance with this requirements.

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4. Intersections.

- (i) Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two (2) new streets at an angle of less than seventy-five (75) degrees shall not be acceptable. An oblique street should be curved approaching an intersection and should be approximately at right angles for at least one hundred (100) feet from the intersection. Not more that two (2) streets shall intersect at any one point unless specifically approved by the Planning Commission.**
- (ii) Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with an existing intersection on the opposite side of such street. Street jogs with center-line offsets of less than 150 feet shall not be permitted, except where the intersected street has separated dual drives without median breaks at either intersection.**
- (iii) Where any street intersection will involve earth banks or existing vegetation inside any lot corner that would create a traffic hazard by limiting visibility, the developer shall cut such ground and/or vegetation (including trees, excluding primary sand dunes) in**

connection with the grading of the public right-of-way to the extent deemed necessary to provide an adequate sight distance.

- (iv) The cross-slopes on all streets, including intersections, shall be three percent (3%) or less.

5. Bridges.

Bridges of primary benefit to the applicant shall be constructed at the full expense of the applicant without reimbursement from the County. The sharing of expenses for the construction of bridges of mutual benefit to the applicant and the County will be fixed by special agreement between the Board and the applicant. Said cost shall be charged to the applicant on a pro rata basis.

(c) Road Dedication and Reservations

1. New Perimeter Streets.

Street systems in new subdivisions shall be laid out so as to eliminate or avoid new perimeter half-streets. Where an existing half-street is adjacent to a new subdivision, the other half of the street shall be improved and dedicated by the subdivider. The Planning Commission may authorize a new perimeter street where the subdivider improves and dedicates the entire required street right-of-way width within his own subdivision boundaries.

2. Widening and Realignment of Existing Roads.

Where a subdivision borders an existing narrow road or when the Future Traffic Circulation Map indicates plans for realignment or widening a road that would require use of some of the land in the subdivision, the applicant shall be required to dedicate at his expense such areas for widening or realignment of such roads.

4.5 Stormwater Management, Erosion Control, and Flood Damage Prevention

(a) General Requirements.

The Commission shall not recommend for approval any plat of subdivision which does not make adequate provision for stormwater management, erosion control, and flood damage prevention.

(b) Stormwater Management

1. Design.

The stormwater management system shall be designed in accordance with Chapter 17-25, F.A.C., and applicable County regulations. The stormwater management system shall include an erosion and sediment control plan. Runoff computations shall be submitted along

with the construction plans.

2. **Stormwater Easements.**
 - (i) Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a stormwater easement conforming substantially to the lines of such watercourse, and of such width as will be adequate for the purpose. Wherever possible, it is desirable that stormwater be conveyed by swale or an open channel with landscaped banks and adequate width for maximum potential volume of flow.
 - (ii) Where topography or other conditions are such as to make impractical the inclusion of stormwater facilities within road rights-of-way, perpetual unobstructed easements at least fifteen (15) feet in width for such stormwater facilities shall be provided across property outside the road lines and with satisfactory access to the road. Easements shall be indicated on the plat. Stormwater management easements shall be carried from the road to appropriate stormwater management facilities.
 - (iii) When a proposed stormwater management system will carry water across private land outside the subdivision, a stormwater management easement must be secured and indicated on the plat. The easement shall be filed with the Clerk of the Circuit Court at the same time the final plat is recorded.
 - (iv) Low-lying lands along watercourses subject to flooding during storm periods, whether or not included in areas for dedication, shall be preserved and retained in their natural state as drainage ways.

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- (c) **Erosion Control.**
 1. An erosion and sediment control plan shall be included as part of the stormwater management system pursuant to Section 4.5 (b) of this ordinance. Permanent erosion and sediment control features shall be incorporated at the earliest practical time. Temporary erosion control features shall be used to correct conditions that develop during construction which were not foreseen at the time of design or to control erosion prior to the time it is practical to construct permanent control features.
 2. Construction activity shall be scheduled such that the minimum area exposure of unprotected earth is exposed and the duration of exposure is as short as practicable.
- (d) **Flood Damage Prevention.**
 1. **Design.** The subdivision shall be designed in accordance with the County's Flood Hazard Prevention Ordinance.
 2. No plat of subdivision shall be approved if the proposed improvements will significantly increase flood flows, heights, or damage.

(a) General Requirements

1. Necessary action shall be taken by the developer to assure a secure source of potable water for domestic use and fire protection.
2. Where a public water main is within 1,320 feet and the public water system has adequate capacity, the subdivider shall connect to the public water system subject to the specifications of Chapter 17-22, F.A.C.
3. Water main extensions shall be approved by the Department of Environmental Regulations.
4. Easements. Easements across lots or centered on rear or side lot lines shall be provided for water lines where necessary and shall be at least fifteen (15) feet wide.

(b) Individual Wells and Central Water Systems

1. Where there are lots of at least one acre, if a public water system is not within 1,320 feet, or if the capacity in the public systems is not available, the Commission, after consulting with the Department of Health and Rehabilitative Services and the Northwest Florida Water Management District, shall determine whether individual wells or a private central water system shall be used. If feasible, the developer may elect to provide the additional capacity to the public water system to serve his development. If a private central water system is used, approval shall be obtained from the appropriate health authorities and the appropriate permits submitted at the time of final plat approval. Subdivisions whose density exceeds one unit and acre shall obtain access to or provide an approved central water system.

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2. For those subdivisions approved for individual wells, provision shall be made for the inclusion of water utility easements and rights-of-way to assure the eventual construction and utilization of central water system.

- (c) Fire Hydrants shall be required for all subdivisions except those coming under Section 4.6 (b) (2). Fire hydrants shall be located no more than 1,000 feet apart and 500 feet of any structure shall be approved by the appropriate fire protection unit. To eliminate future street openings, all underground utilities for fire hydrants, together with the fire hydrants themselves and all other supply improvements shall be installed before any final paving of a street shown on the subdivision plat.**

4.7 Sewerage Facilities

(a) General Requirements.

1. The applicant shall install wastewater management facilities in a manner approved by the Board. All plans shall be designed and permitted in accordance with the rules, regulations, and standards of the Department of Environmental Regulation, Department of Health and Rehabilitative Services, and other appropriate agencies.
2. Easement across lots or centered on rear or side lot lines shall be provided for wastewater collection lines where necessary and shall be

at least fifteen (15) feet wide.

- (b) **Wastewater management systems shall be constructed as follows:**
1. **Where a public wastewater management system is contiguous to or available within 1,320 feet of any point of the subdivision, the developer shall connect to it and provide sewers to each lot in the subdivision.**
 2. **Where a public wastewater management system is not within 1,320 feet of the subdivision, but the subdivision contains lots having at least one acre, the developer may install individual onsite sewerage disposal systems in accordance with applicable county and state regulations; provided, however, that provision shall be made, such as the inclusion of sewerage utility easements and rights-of-way, to assure the eventual construction and utilization of a central wastewater management system.**
- (c) **Design Criteria.**
1. **Design criteria for domestic wastewater facilities shall be in accordance with Chapter 17-6, F.A.C.**
 2. **Design criteria for individual onsite disposal units shall be in accordance with Chapter 10D-6, F.A.C., except where modified by more stringent County criteria.**
 3. **Sewerage Locations.**
Sanitary sewers shall be located within street or alley rights-of-way unless topography dictates otherwise. When located in easements on private property, unobstructed access to all manholes shall be provided. A manhole shall be provided at each street or alley crossing. End lines shall be extended to provide access from street or alley right-of-way where possible.
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4. **Water Supply Interconnections.**
There shall be no physical connection between a public or private potable water supply system and a sewer which will permit the passage of any sewage or polluted water into the potable supply.
- (d) **Relation of Sewers to Water Mains.**
Unless there is a more stringent standard required by DER regulation, a minimum horizontal distance of ten (10) feet shall be maintained between parallel water and sewer lines. At points where sewers cross waterlines, the sewer shall be encased in concrete for a distance of ten (10) feet in each direction from the crossing, measured perpendicular to the water line. This will not be required when the water main is at least two (2) feet above the sewer.

4.8 Utilities

- (a) **Location.**
All utilities, including but not limited to gas, electric power, telephone, and CATV cables, shall be located underground or on poles throughout the subdivision.
- (b) **Easements.**
Easements centered on rear lot lines shall be provided for private and public utilities and shall be at least ten (10) feet wide. The subdivider shall coordinate with the applicable utility companies for the establishment of the easements. The easements and their width shall be indicated on the plat.

4.9 Parks and Recreation Areas

Land dedicated as park, playground, or for other recreation use shall be of suitable size, dimension, topography, and character and shall have adequate road access. The area shall be shown and marked on the plat, "Reserved for Park and/or Recreation." Land shall be free and clear of all liens or other encumbrances and shall be dedicated to either the homeowner, condominium, or other neighborhood association or to the County. Land dedicated to the County must be approved by the Board. After the developer has constructed whatever improvements are required the Board shall vote to accept the dedicated land for maintenance and ownership. The title to the land shall thereupon be transferred to the County by deed.

4.10 Nonresidential Subdivision

(a) General.

If a proposed subdivision includes land that is zoned for commercial or industrial purposes, the layout of the subdivision with respect to such land shall be as the Planning Commission may require.

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(b) Standards.

In addition to the principles and standards in these regulations, which are appropriate to the planning of all subdivisions, the applicant shall demonstrate to the satisfaction of the Commission that the street, parcel, and block pattern proposed is specifically adapted to the uses anticipated and takes into account other uses in the vicinity. The following principles and standards shall be observed:

1. Proposed industrial parcels shall be suitable in area and dimensions to the types of industrial development anticipated.
2. Street rights-of-way and pavement shall be adequate to accommodate the type and volume of traffic anticipated.
3. Special requirements may be imposed by the local government with respect to street and swale design and construction.
4. Special requirements may be imposed by the local government with respect to the installation of public utilities, including water, sewer, and stormwater management.
5. Every effort shall be made to protect adjacent residential areas from potential nuisances, including the provision of extra depth in parcels backing up on existing or potential residential development and provisions for a permanently landscaped buffer strip when necessary.
6. Streets carrying nonresidential traffic, especially truck traffic, shall not normally be extended to the boundaries of adjacent existing or potential residential areas.

**ARTICLE V:
PERFORMANCE GUARANTEE AND CONSTRUCTION**

5.1 The administration procedures for installing subdivision improvements required herein shall be as follows:

5.2 General

No final plat of any subdivision shall be recorded by the clerk until either (1) the improvements have been constructed in accordance with the approved construction plans, the work has been approved by the Board, and satisfactory arrangements have been made to ensure continued maintenance; or (2) the subdivider has provided sufficient guarantee that improvements will be installed.

5.3 Construction of Improvements Prior to Recording

Instead of posting a guarantee pursuant to Section 5.4, the developer may elect to construct the subdivision improvements before the final plat is recorded. A development permit may be obtained for the construction of these improvements following the Board's approval of the construction plans and final plat pursuant to Section 3.6 All improvements shall be made in accordance with the approved construction plans and final plat. All improvements shall be completed within two years following the Board's approval of the construction plans and final plat.

5.4 Guarantee

(a) The developer may make guarantee to the County for the construction of subdivision improvements. Upon acceptance of the guarantee, the Board

shall authorize the Clerk to record the final plat.

- (b) The guarantee shall be made in one of the following ways: (1) a performance bond executed by a surety company licensed to do business in Florida, payable to Franklin County, in an amount sufficient to ensure completion of all improvements; or (2) a cash deposit in an escrow assuring completion of improvements.
- (c) The amount of the guarantee will be sufficient to cover the costs of the improvements, necessary engineering supervision and inspection, and preparation of record drawings. The developer's engineer shall submit a detailed estimate of these costs and shall certify that the estimates were derived according to accepted engineering formulas and practices.
- (d) The guarantee shall comply with all statutory requirements and shall be satisfactory to the County Attorney as to form, sufficiency, and manner of execution as set forth in these regulations. The period within which required improvements must be completed shall be specified by the Board in the resolution approving the final subdivision plat and shall be incorporated in the guarantee and shall not in any event exceed two (2) years from the date of final approval. The guarantee shall be approved by the Board as to amount, surety, and conditions. The Commission may, upon proof of difficulty, recommend to the Board one extension of the completion date set forth in such guarantee for a maximum period of one (1) additional year.

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5.5 Failure to Complete Improvements

If the subdivision improvements are not completed within two years the subdivision approval shall be deemed to have expired for those subdivisions for which a performance bond expired for those subdivisions for which a performance bond has been posted. In those cases where a performance bond has been posted and required improvements have not been installed within the terms of such performance bond, the Board may thereupon declare the bond to be default and require that all the improvements be installed regardless of the extent of the building development at the time the bond is declared to be in default.

5.7 Engineering

- (a) The developer shall retain a professional engineer, licensed to practice in the State of Florida, to supervise and control all work done, including all location and control staking, clearing, grading, stabilizing, placing, placing of bases, surfacing and drainage. The developer shall have available, when necessary, qualified personnel for the purpose of setting all line and grade stakes and for verification of points by the County Engineer.
- (b) Each stage of road construction (such as clearing, grading, stabilization, base, surface, and drainage facilities) and any other item as deemed appropriate by the County Engineer, shall receive specific inspection and approval from the developer's engineer with appropriate records to verify all such inspections and approval. All field notes must be made available to the County Engineer at any time prior to acceptance.
- (c) It will be the responsibility of the developer or his professional engineer to authorize or to make the following tests during the construction period and furnish the County Engineer with a copy of each test made.

1. Surface Course Material and Density
2. Base Material and Density
3. Subgrade Bearing Value
4. Subgrade Density
5. Stabilized Roadway Bearing Value
6. Stabilized Roadway Density
7. Stabilized Roadway Thickness
8. Concrete Strength, 28 days
9. Embankment Density

5.8 Inspections and Approval by Governing Body

In order to facilitate inspection of required improvements during construction, the developer shall notify the County Engineer at least two (2) working days before proceeding to any stage of construction requiring County engineering approval, including:

1. Clearing and grubbing.
2. Rough grading completed.
3. When excavations are ready for placing foundations and when pipe trenches are shaped and prepared for laying pipe.
4. Once the stormwater management and other facilities are installed, but before back-filling occurs.

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5. Upon completion of subgrade compaction.
6. Upon completion of base course.
7. When placing surface pavements.
8. Installation of sewer lines and treatment plants.

5.9 Record Drawings

At such time as the applicant has completed construction of all required improvements, he shall furnish to the County Engineer "Record" drawings and profiles prepared by a licensed land surveyor or engineer. The drawings shall show the actual location of all subdivision improvements. The County Engineer shall compare the record drawings with the approved construction plans and shall conduct a final on-site inspection. He shall then report to the Board whether the improvements are in conformance with the approved plans. If the improvements are in conformance and the developer has complied with Section 5.10 and 5.11, the board shall authorize the Clerk to record the final plat and release the performance bond, less ten percent retaining for maintenance. If the improvements are not in conformance, the Board may disapprove the recording of the plat and the release of the performance bond until the deficiencies are corrected.

- 5.10** Prior to the release of the performance bond and recording of the final plat, the developer shall reimburse the County for all expenses incurred by the County Engineer for professional services required by this ordinance.

5.11 Maintenance

- (a) The developer shall maintain the completed work for a period of 180 days or until final acceptance of maintenance responsibility by the County or other designated party.

- (b) If the developer originally posted a guarantee covering the cost of construction, it shall be reduced to ten percent (10%) of the original bond and shall be held as a maintenance bond.
- (c) If the subdivider constructed and installed all required public improvements prior to recording of the final plat, then he shall post a maintenance bond equaling ten percent (10%) of the construction costs and shall sign a bond agreement with the Board. This shall be done before the final plat is recorded.
- (d) At the end of the maintenance period, the County Engineer shall make a final inspection and notify the developer of any problems. The developer shall make whatever corrections are needed. If the work is then acceptable, the County Engineer shall recommend that the Board authorize the release of the maintenance bond and, if dedicated to the public, accept the improvements for ownership and maintenance.

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ARTICLE VI:
PROHIBITIONS AND PENALTIES

- 6.1 No plat of a subdivision of land located within the jurisdiction of the Board shall be admitted to the records of Franklin County, or received or recorded by the Clerk, except in accordance with the requirements of this ordinance.
- 6.2 Land shall be subdivided and developed only in accordance with the requirements of this ordinance. Development permits for land requiring subdivision approval shall not be issued except when the land has been properly subdivided. Lot owners wishing to develop their lot or lots within an unrecorded subdivision shall be denied a building permit until the subdivision has been approved and recorded. However, unapproved, but partially developed subdivisions filed with the Franklin County Planning Department prior to the approval of this ordinance by the Administration Commission shall be exempt from the provisions of this ordinance and the County shall not be under any obligation to provide subdivision improvements. Unapproved subdivisions not filed with the Franklin County Planning Department prior to the approval of this ordinance by the Administration Commission may be exempt from its provisions providing it can be demonstrated that at the date of the ordinance's adoption by the Board the land had been subdivided and the lots held in separate ownership.
- 6.3 Penalties

Any person violating any provision of this ordinance shall be guilty of a misdemeanor of the first degree and shall, upon conviction thereof, be punished by fine not to exceed \$500 or by imprisonment not exceed sixty (60) days, or both such fine and imprisonment. Each day any violation continues after actual or constructive notice shall be deemed an additional separate offense.

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ARTICLE VII:
PUBLIC NOTICE AND DISCLOSURE

- 7.1 Notice shall be posted for subdivisions in which the roads have not been dedicated to or accepted by the County for ownership and maintenance. The developer shall conspicuously locate, post, and maintain at the entrances to the subdivision durable signs containing the following statement: “ROADS, DRIVEWAYS, AND RIGHTS-OF-WAY IN THE SUBDIVISION ARE NOT MAINTAINED BY FRANKLIN COUNTY”. Signs shall be maintained so as to be legible.**
- 7.2 Disclosure shall be required for subdivisions in which either roads, utilities, stormwater management facilities, or other subdivision improvements are not dedicated for ownership and maintenance to the County. The developer shall disclose to any prospective purchaser of land in such subdivision prior to the completion of the sale the following information, and which language shall be affixed to the contract for sale and to the deed and any other instrument of transfer, and signed by the Seller or Seller’s Agent and the Purchaser:
“IMPORTANT: The _____ (fill in streets, water and waste-water facilities and stormwater management facility, or other subdivision improvements, as applicable) serving the lots in _____ (fill in the name of the subdivision) have not been accepted by Franklin County for ownership or maintenance.”**

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ARTICLE VIII:
EFFECTIVE DATE AND SEVERABILITY

8.1 Conflict with other Ordinance

In case of a conflict between this Ordinance, or any part thereof, and the whole or part of any existing or future ordinances of Franklin County, the provisions of the most restrictive shall apply.

8.2 Severability

If any word, clause, phrase, portion, or provision of this ordinance is held invalid or unconstitutional by any duly authorized court in the State of Florida, such decision shall not affect the validity of the remainder or any other provision of this ordinance.

8.3 Effective Date

This ordinance shall take effect after passage by the Franklin County Board of County Commissioners in accordance with Chapter 125.66, F.S., and after approval by the Administration Commission in accordance with Chapter 380.0555 (10), F.S.

THE FOREGOING ORDINANCE was adopted after due publication notice and hearing by vote, in the Board meeting of the 16th day of May, 19 89.

**BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, FLORIDA**

Buford Braxton
Chairman

ATTEST:

Lee R.P. Rivers
Clerk

Page 31
APPLICATION FOR SUBDIVISION SKETCH PLAT APPROVAL

Date: _____
Proposed Subdivision Name: _____

Applicant's Name: _____

Address: _____

Telephone Number: _____

Owner's Name: _____

Address: _____

Telephone Number: _____

What is relationship of applicant to owner? _____

Location of proposed subdivision: _____

Area of proposed subdivision: _____ **Acres:** _____

Current Zoning: _____

Current Land Use Classification: _____

Current use of the site: _____

I hereby certify, as a representative for _____,
that the information given is true and accurate to the best of our knowledge.

Applicant

By:

TO BE FILLED IN BY THE PLANNING OFFICIAL

Major or Minor Subdivision: _____
Planning & Zoning Commission Recommendation: _____ Date: _____
Board of County Commissioners Action: _____ Date: _____
Comments: _____

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CHECKLIST OF INFORMATION REQUIRED FOR
SKETCH PLAT APPROVAL

- _____ **Name of Proposed Subdivision**
- _____ **North Arrow**
- _____ **Graphic & Written Scale**
- _____ **Boundary Survey & Legal Description**
- _____ **Current Zoning**
- _____ **Number of Acres & Number of Proposed Lots**
- _____ **Preliminary Street & Lot Layout**
- _____ **Vicinity Map showing all land within 100 ft. of Proposed Subdivision**

- and: _____ 1. **Area proposed for Development**
_____ 2. **Surrounding Streets**
_____ 3. **Public Facilities**
_____ 4. **Adjacent Wetlands**
_____ 5. **Adjacent Subdivisions, if any**
_____ 6. **Surrounding Property Owners**

_____ **A Statement regarding availability and source of potable water and how sewer and stormwater will be handled.**

APPLICATION FOR SUBDIVISION PRELIMINARY PLAT APPROVAL

Date: _____

Subdivision Name: _____

Applicant's Name: _____

Address: _____

Telephone Number: _____

Owner's Name: _____

Address: _____

Telephone Number: _____

Sketch Plat was Approved: _____

Number of Lots in Subdivision: _____

Fee: \$ _____

I hereby certify, as a representative for _____,
that the information given is true and accurate to the best of our knowledge.

Signature

-

Recommendation _____ Date _____

Board of County Commissioners Action: _____ Date _____

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PRELIMINARY PLAT CHECKLIST

_____ **Name of Subdivision**

_____ **North Arrow**

_____ **Graphic & Written Scale**

_____ **Boundary Survey & Legal Description**

_____ **Current Zoning**

_____ **Number of Acres & Number of Proposed Lots**

Name & Address of _____ Owner(s)

_____ **Developer**

_____ **Land Surveyor**

_____ **Engineer**

_____ **Topographic map with contour intervals at 1 foot.**

_____ **Dimensions & location of all parcels to be dedicated or reserved for public or common use.**

_____ **Location of existing streets, easements, utilities, storm water management facilities or other improvements.**

_____ **Street layout, parking areas, & street names.**

_____ **Numbered lots & blocks.**

_____ **Schematic drawings of proposed potable water systems.**

_____ **Schematic drawings of proposed sanitary sewer.**

_____ **Schematic drawings of proposed stormwater management systems.**

_____ **Draft copies of proposed covenants, deed restrictions, and homeowners' or condominium documents.**

_____ **Location of streams, lakes, swamps, wetlands, and flood prone areas.**

_____ **Flood Zones and base flood elevations.**

_____ Proposed bulkheads, seawalls, & similar structures.

_____ Phases indicated.

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APPLICATION FOR SUBDIVISION FINAL PLAT APPROVAL

Date: _____

Subdivision Name: _____

Applicant's Name: _____

Address: _____

Telephone Number: _____

Owner's Name: _____

Address: _____

Telephone Number: _____

Sketch Plat was approved: _____

Preliminary Plat was approved: _____

Number of Lots in subdivision: _____

Fee: \$ _____

I hereby certify, as a representative for _____,
that the information given is true and accurate to the best of our knowledge.

Signature

Planning & Zoning Commission
Recommendation _____ **Date** _____

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FINAL PLAT CHECKLIST

- _____ **Name of Subdivision**
- _____ **North Arrow**
- _____ **Graphic & Written Scale**
- _____ **Boundary & Survey and Legal Description**
- _____ **Current Zoning**
- _____ **Number of Acres & Number of Proposed Lots**

- Name & address of** _____ **Owner(s)**
_____ **Developer**
_____ **Land Surveyor**
_____ **Engineer**

- _____ **Topographic map with contour intervals at 1 foot.**
- _____ **Dimensions & locations of all parcels to be dedicated or reserved for public or common use.**

- _____ **Location of existing streets, easements, utilities, stormwater management facilities or other improvements.**

- _____ **Street layout, parking areas, & street names.**
- _____ **Numbered lots & blocks.**
- _____ **Drawings of proposed potable water systems.**
- _____ **Drawings of proposed sanitary sewer.**
- _____ **Drawings of proposed stormwater management systems.**
- _____ **Copies of any covenants, deed restrictions, and homeowners or condominium documents.**

- _____ **Location of streams, lakes, swamps, wetlands, and flood prone areas.**
- _____ **Flood Zones and base flood elevations.**
- _____ **Proposed bulkheads, seawalls, & similar structures.**
- _____ **Phases indicated.**
- _____ **36" x 24" map prepared in accordance with Section 177.091 F.S.**
- _____ **Construction plans for all subdivisions improvements.**
- _____ **Sufficient guarantee that construction will take place**
 - _____ **Performance Bond**
 - _____ **Cash Deposit**

- _____ **Copies of all required Federal or State, permits or proof that application for same has been made.**

_____ **Title Certification.**
_____ **Dedication on final plat.**

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