

City of Arcadia



Unified Land Development Code

Article 12

Subdivisions

Prepared by the
Central Florida Regional Planning Council

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ARTICLE 12.
SUBDIVISIONS

Section 12.01.00. Purpose of Subdivision Platting.

These requirements are adopted for the following purposes:

- A. Assist orderly and efficient development of the city.
- B. Promote the health, safety, morals and general welfare of the residents of the city.
- C. Ensure conformance of subdivision plats with the city plan, zoning requirements and public improvement plans of the city.
- D. Ensure coordination of development of related areas of the city and contiguous territory.
- E. Establish uniform standards for the design of subdivision plats and for minimum subdivision improvements.
- F. Provide regular procedures for the uniform and expeditious processing and approval of subdivision plats by the proper agencies and officials.
- G. Ensure cooperation and greater convenience for subdividers.

Section 12.02.00. Applicability of Article.

The procedure set forth in this Article shall apply to all new plats subdividing or resubdividing lands situated in the city.

Section 12.03.00. Plats, Generally.

Preliminary and final plats for all proposed subdivisions of land lying within the city shall be filed with the City Administrator, or his or her designee for review and approval.

Section 12.03.01. Submission Deadlines for Planning and Zoning Board Review.

Provided that plats and necessary supporting data are filed not less than thirty (30) working days in advance of the meeting, plats will be considered by the Planning and Zoning Board at its next regular meeting subsequent to filing.

Section 12.03.02. Small Subdivisions with No Improvements.

The initial plat filed with the Planning and Zoning Board shall be considered a preliminary plat. However, if the plat and supporting data comply in all respects with the requirements of this Article for a final plat, the plat may, in the case of a small subdivision involving no new streets, proceed to final plat action.

Section 12.04.00 Subdivision Platting Process.

Whenever any subdivision of land is proposed, the developer, or his or her authorized agent, shall apply for and secure approval of the proposed subdivision through the submission of the following documents:

- A. Concept Plan;
- B. Preliminary Subdivision Plat;
- C. Construction Plan;
- D. Final Subdivision Plat.

Section 12.05.00. Pre-Application Conference.

Unless otherwise waived, at the discretion of the City Manager, or his or her designee, a pre-application conference with the DRC shall be held for each new proposed subdivision plat submitted to the City for review. For purposes of the pre-application conference, the applicant shall present as best as possible at the time of the pre-application conference, a Concept Plan in accordance with the Concept Plan Requirements provided in Section 10.01.03 of this Code.

Section 12.06.00. Concept Plan.

Following the pre-application conference, the applicant shall submit a final Concept Plan for technical review by the DRC. The final Concept Plan shall demonstrate that comments from the DRC at the pre-application conference have been incorporated into the Concept Plan.

12.06.01 Procedures for Review of a Concept Plan.

- A. Applicants shall submit a Concept Plan, consistent with Article 10 of this Code, to the City Administrator, or his or her designee, for distribution to the DRC for technical review.
- B. Such concept plans shall be considered as submitted for informal and confidential discussion between the subdivider and the DRC. Submission of a concept plan shall not constitute formal filing of a plat.
- C. Upon completion of the DRC review, the City Administrator, or his or her designee, shall forward the application and any attachments thereto, with DRC comments to the applicant for preparation of the preliminary subdivision plat.

Section 12.07.00. Preliminary Subdivision Plat.

The purpose of the preliminary subdivision plat is to provide sufficient information to enable the City to evaluate the proposed subdivision as it relates to the Comprehensive Plan and the Unified Land Development Code. The applicant may present a preliminary subdivision plat after receiving DRC comments in response to the submission of a Concept Plan. The preliminary subdivision plat shall demonstrate that comments from the Concept Plan review have been incorporated into the plat.

A preliminary subdivision plat shall be submitted within twelve (12) months following the approval date of the Concept Plan by the DRC or the Concept Plan shall become invalid and require the submission of a new Concept Plan for DRC review.

Section 12.07.01. Preliminary Subdivision Plat Requirements.

The preliminary subdivision plat shall be drawn to a scale of not less than one (1) inch equals one hundred (100) feet and shall show or be accompanied by the following information:

- A. Proposed subdivision name or identifying title, which shall not duplicate or closely approximate the name of any other subdivision in the county;
- B. Location map within the city;
- C. North arrow, scale and date prepared;
- D. Name of the owner of property or his or her authorized agent;
- E. Name of the surveyor and mapper responsible for preparing the plat;
- F. Locations and names of adjacent subdivisions;
- G. A certified boundary survey of the tract prepared by a surveyor registered with the State of Florida showing the location and type of boundary evidence related to the State Plane Coordinate System, if available, and the accurate legal description of the property with a computation of the total acreage of the tract to the nearest tenth of an acre. The survey shall have been prepared within one (1) year prior to filing the preliminary plat;
- H. A survey showing existing topographical features, including contours at one (1) foot intervals as well as spot elevations arranged in a grid system with thirty-five (35) foot spacing;
- I. Identification of natural features including watercourses, swales, catch basins, ditches, and significant stands of mature trees and understory vegetation that may provide wildlife habitats or other environmentally unique areas;
- J. Delineation of all environmentally sensitive areas and identification of any soil limitations/characteristics, and endangered wildlife and plants, as determined by the appropriate agency;
- K. Identification of all wetlands and flood-prone areas as delineated by the National Wetlands Inventory and the Flood Insurance Rate Maps published by the Federal Emergency Management Agency (FEMA);
- L. All existing streets and alleys on or adjacent to the tract, including name, right-of-way width and pavement width. Existing streets shall be dimensioned to tract boundaries;
- M. All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established;
- N. Location and width of all proposed streets, alleys, rights-of-way and easements; proposed lot lines with approximate dimensions; and playgrounds, public buildings, public areas and parcels of land proposed or dedicated for public use by the developer;
- O. All existing and proposed utilities and utility tie-in locations, including but not limited to:

1. Water and wastewater pipe sizes, rim and invert elevations, direction of flow and top and bottom elevations and fire hydrant locations and flows.
2. Telephone, electric, gas and other utilities.

P. Legal description of property included in the preliminary plat.

The extent and boundaries of the platted area shall be graphically indicated in a clear and understandable manner.

Section 12.07.02. Preliminary Plat Review Process.

- A. The applicant shall submit seven (7) prints of the preliminary subdivision plat, and any additional copies as may be required by the City, together with a preliminary plat application, any attachments, and an application fee, in an amount established by resolution by the City Council, to the City Administrator, or his or her designee. The City Administrator, or designee, shall distribute the preliminary subdivision plat to the DRC for review and comment.
- B. The DRC shall review the preliminary plat and provide written comments to the City Administrator, or his or her designee, who shall forward such comments to the applicant to make any changes or adjustments, as needed.
- C. Upon preliminary plat approval by the DRC, the City Administrator, or designee, shall forward the preliminary subdivision plat, a staff report, and any attachments to the Planning and Zoning Board for their review.
 1. Standards for Review: The Planning and Zoning Board, in studying the preliminary subdivision plat, will take into consideration the requirements of this Article, the needs of the community and the best use of the land being subdivided. Particular attention will be given to width, arrangement and location of streets, surface drainage, lot sizes and arrangement as well as requirements for parks, playfields, playgrounds, school sites, public building sites, parkways and highways. Adequate street connections will be required to ensure free access to and circulation for adjoining subdivisions and lands.
 2. Approval: At a scheduled public meeting, the Planning and Zoning Board shall receive comments on and review the preliminary subdivision plat to determine its conformance to this Code. While no public hearing shall be required on the proposed plat unless a street or public place is intended to be vacated, the applicant and any other person interested in or affected by the proposed subdivision shall have a right to be heard by the Planning and Zoning Board either in person or by letter, before the action of the Planning and Zoning Board is taken. The Planning and Zoning Board shall have the right to call for a public hearing if it deems a hearing advisable.
 3. The Planning and Zoning Board may approve the preliminary subdivision plat as presented or with minor modifications, if found to be in conformance with this Code, or may disapprove the plat when not found to be in conformance or readily capable of being revised to conform. Approval of the preliminary subdivision plat, subject to conditions, revisions and modifications as stipulated by the Planning and Zoning Board, shall constitute conditional approval of the subdivision as to the character and intensity of development and the general layout and approximate dimensions of streets, lots and other proposed features.

Section 12.08.00. Prerequisites for Construction.

Receipt of the signed copy of the approved preliminary plat is authorization for the subdivider to proceed with the plans and specifications for the minimum improvements described in this Article 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 Administrator, or his or her designee, all plans, information, and data necessary to determine the character of the improvements and compliance with city standards and specifications. The construction plans shall consist of complete working drawings and design specifications, and shall be the basis for evaluating the quality and completeness of the proposed engineering design, compliance with all applicable regulations, establishment of a construction schedule, and site improvement permitting. These plans shall be examined by the DRC and shall be approved if in accordance with all requirements. Following this approval, construction of subdivision infrastructure improvements can be started or the amount of a bond determined. Construction shall be subject to supervision by the city's engineer.

Section 12.08.01. Construction Plan Preparation.

Construction plans shall be submitted on twenty-four (24) by thirty-six (36) inch sheets drawn to a scale of not less than one (1) inch equals one hundred (100) feet, unless allowed otherwise at the discretion of the City, and shall show the following information:

- A. Development Review Application;
- B. Seal of registered engineer and surveyor responsible for the plan and data;
- C. Final alignments, dimensions, grades and profiles of proposed streets, sidewalks, bicycle paths, utilities, stormwater management and other improvements to be constructed consistent with the City of Arcadia's engineering standards;
- D. Calculations, computations and details as may be necessary to determine the limits of wetlands, groundwater table characteristics, off-site impacts of the proposed development, and other technical matters that may be specified by the City or any consultant under contract to do work for the City.
- E. Any permits from agencies approving access to state or county roadways.
- F. Any permits from agencies approving the proposed stormwater management system;
- G. Any permits from agencies approving the utilities plan;
- H. Any permits from environmental agencies having jurisdiction;
- I. Three (3) copies of estimates of quantities, unit prices and estimated costs for streets, stormwater management and storm wastewaters, water distribution systems, and wastewater systems;

Section 12.08.02. 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 proposed

improvements in conformity with law and in a satisfactory manner and within a time period specified by the City Council, 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 1½ times the cost of constructing the improvements as estimated by the city's engineer and is in a form and with surety and conditions approved by the City Attorney. In lieu of a bond, a cash deposit 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.

Section 12.08.03. Expiration of Preliminary Subdivision Plat and Construction Plan.

Approval of a preliminary subdivision plat and construction plan shall lapse and become void one (1) year after the date of the approval unless a final subdivision plat, based thereon, is submitted to the City for review within that year, or unless a time extension is recommended by the Planning and Zoning Board. Such extensions of time shall be made only upon receipt of a written request by the developer and for a single period up to one (1) year from the date the plan would otherwise expire. All such requests for extensions shall be submitted in writing not less than thirty (30) days before the expiration of the preliminary subdivision plat, stating the reason for the time extension request.

Section 12.08.04. Record Drawings.

- A. Two (2) sets of engineering as-built drawings shall be submitted to the Office of the Building Department for distribution to the appropriate city officials prior to the issuance of a Certificate of Completion.
- B. One (1) electronic copy, or an equivalent, of the drawings shall be submitted to the Office of the Building Department for distribution to the appropriate city officials prior to the issuance of a Certificate of Completion.
- C. The engineering as-built drawings shall be consistent with engineering standards adopted by the City of Arcadia.
- D. All as-built drawings shall contain a certification by a professional engineer and registered land surveyor of personal verification of the exact location and dimensions of all completed improvements, as well as certification that all utilities have been installed in accordance with specifications.

Section 12.09.00. Final Subdivision Plat.

- A. Within one year after Planning and Zoning Board approval on a preliminary plat, a final plat and necessary supporting data shall be submitted to the Planning and Zoning Board for final approval; provided, however, that an extension of time may be granted by the Planning and Zoning Board upon written request. A final subdivision plat shall be prepared by a land surveyor registered in the State of Florida.
- B. The Planning and Zoning Board may permit submission of the final plat in sections, each covering a portion of the entire proposed subdivision as shown on the preliminary plat.

Section 12.09.01. Final Subdivision Plat Requirements.

- A. Plats made for recording shall be consistent with Chapter 177, F.S.
- B. The subdivision plat submitted for final approval shall be clearly and legibly drawn in black permanent drawing ink.

- C. Final subdivision plats shall be on sheets not larger than 24 inches by 36 inches overall. It is recommended that, as far as practicable, final plat sheets shall be held to the following overall sizes: 17 inches by 22 inches or 20 inches by 34 inches. Where necessary to avoid sheets larger than the maximum size specified in this subsection, final plats should be drawn in two or more sections accompanied by a sketch diagram showing relative location of the sections, on the same size sheet as the plat sheets. The final plat, insofar as preparation is concerned, shall comply with all applicable regulations and state laws dealing with the preparation of plats.
- D. The final plat shall be at a scale of not more than 100 feet to the inch and shall include the following information:
1. The name of the plat shall be shown in bold legible letters on each sheet included.
 2. The section, township, and range shall appear immediately under the name of the plat on each sheet included, along with the name of the city, county and state.
 3. All section lines and quarter section lines occurring within the subdivision shall be indicated by lines drawn upon the plat, with appropriate words and figures.
 4. North arrow, scale and date on each sheet shall be shown.
 5. A legend of all symbols and abbreviations shall be shown.
 6. Name of record owner and mortgage lien holder.
 7. Sufficient angles, bearings, or azimuth to show direction of all lines shall be shown and centerlines of all streets shall be shown.
 8. The location, width, and names of all streets, waterways, or other rights-of-way shall be shown, as applicable. The exact names, locations and widths along the property lines of all existing or recorded streets intersecting or paralleling the boundaries of the tract.
 9. The location and width of proposed easements and existing easements identified in the title opinion or certification shall be shown on the plat or in the notes or legend, and their intended use shall be clearly stated.
 10. The accurate location of all permanent reference monuments and permanent control points shall be provided.
 11. 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; and all lot lines with dimensions in feet and hundredths, and with bearings or angles if at other than right angles to the street and alley lines.
 12. Sufficient survey data shall be shown to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat. Lots shall be numbered in numerical order, beginning with number 1 in each block, and blocks shall be numbered in numerical order or lettered in alphabetical order.

13. The purpose of all areas dedicated must be clearly indicated or stated on the plat. The plat shall include an 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 purposes indicated thereon, and a plat note added requiring the creation of a homeowners or property owners association that shall be responsible for such facilities.
14. A complete description of the land intended to be subdivided shall be provided. The description shall be the same in the title certification and shall be so complete that from it, without reference to the plat, the starting point and boundary can be determined.
15. Names and locations of adjoining subdivisions, identified by subdivision title, plat book, and page, or, if unplatted, the land shall be so designated.
16. Acknowledgment by the owner and all mortgage lien holders of lands included within the plat of the execution of the plat and the dedication to public use of all streets, alleys, parks, easements and other public places shown upon the plat.
17. The plat shall be prepared by a professional surveyor and the plat shall be signed and sealed by that professional surveyor, who must state on the plat that the plat was prepared under his or her direction and supervision and that the plat complies with all of the survey requirements of Florida Statutes Chapter 177, and as may be amended. Every plat shall contain the printed name, and registration number of the professional surveyor, directly below the statement.
18. All interior excepted parcels as described in the description of the lands being subdivided shall be clearly indicated and labeled "Not a part of the plat."
19. Space and forms for the following necessary approvals:
 - a. City Council.
 - b. Planning and Zoning Board.
 - c. City's Surveyor.
 - d. City's Engineer.
 - e. Clerk of the Circuit Court Desoto County.
 - f. 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, etc. Such plat containing such dedication, when properly recorded, shall constitute a sufficient, unrevokable conveyance to vest in the city the fee titles to the parcels 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 Council shall have the full force and effect of an acceptance.

- g. No plat shall be accepted by the city or approved by the City Council unless certification is provided that all taxes and improvement liens levied against the lands included in such plat have been paid and discharged.
- h. The plat shall include in a prominent place the following statements: "NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this county."

E. Final Plat Documentation.

The following documentation shall accompany the final plat:

1. A title opinion by an Attorney at Law, licensed in Florida, or a certification by an abstractor or title company stating that the court records identify that the title of the land as described and shown on the plat is in the name of the person or persons or corporation executing the dedication. In addition, a document entitled, "Consent to Platting of Lands and Partial Release of Mortgage," shall be filed together with the final plat for each person or corporation holding a mortgage on all land included on the plat, where such person or corporation has not signed the final plat.
2. All required final permits and approvals issued by agencies and governing bodies having jurisdiction over properties being subdivided shall be furnished to the City Administrator, or his or her designee. The final plat shall not be approved by the City without proper submission of the final permits and approvals.
3. Any existing or proposed private restrictions and trusts, and their periods of existence, shall be filed as a separate instrument and reference to such instrument shall be noted on the Final Plat.
4. One (1) printed copy and one (1) electronic copy of the homeowner's association covenants or deed restrictions shall be provided.

Section 12.09.02. Final Subdivision Plat Review.

A. DRC Review.

The applicant shall submit seven (7) prints of the final subdivision plat, and any additional copies as may be required by the City, together with a final plat application, any attachments, and an application fee, in an amount established by resolution by the City Council, to the City Administrator, or his or her designee. The City Administrator, or designee, shall distribute the final subdivision plat to the DRC and a professional surveyor, either employed by or under contract to the City, the costs of which shall be borne by the legal entity offering the plat for recording, for review.

To be approved, the final subdivision plat shall be consistent with the preliminary plat and applicable City Codes and policies, and shall be prepared in an acceptable form for recording purposes consistent with the provisions of Chapter 177 Florida Statutes. The approved final plat shall be forwarded to the Planning and Zoning Board for their review and recommendation.

B. Planning and Zoning Board Action.

Upon final plat approval by the DRC and the professional surveyor, the City Administrator, or designee, shall forward the final subdivision plat, a staff report, and any attachments to the Planning and Zoning Board for review at a scheduled public meeting. The Planning and Zoning Board shall recommend approval of a final subdivision plat if it finds the plat conforms to the provisions of this Code and F.S., Chapter 177. The recommendation of the Planning and Zoning Board shall be provided to the City Council.

Within 60 days after approval of a final plat by the Planning and Zoning Board, the final plat or section thereof shall be presented for approval by the City Council. Should the plat not be presented to the City Council within such period, the action of the Planning and Zoning Board shall become null and void, unless an extension of time is granted upon written request.

C. City Council Action.

The City Administrator, or his or her designee, shall forward the final subdivision plat, a staff report including the recommendation of the Planning and Zoning Board, and any attachments to the City Council for review. The City Council shall review the recommendation of the Planning and Zoning Board and take action on the final plat. City Council approval of the final subdivision plat and acceptance of public improvements and dedications shall be by resolution. Approval shall authorize the appropriate officials to sign the plat.

Upon approval by the City Council, the City Clerk shall file and record the final subdivision plat with the Clerk of the Circuit Court for Desoto County. The developer shall be responsible for the payment of all fees related to the cost of recording the final subdivision plat and producing copies. One (1) printed copy and one (1) electronic copy of the final plat and the required supporting data shall be kept on file with the City Clerk. The final subdivision plat shall be recorded prior to the issuance of any building permits within the subdivision.

Section 12.10.00. Design Requirements.

Subdivisions are subject to the following design requirements and the Development Design and Improvement Standards provided in Article 6 of this Code.

Section 12.10.01. Blocks.

- A. The length, widths, and shapes of blocks shall be determined with due regard to:
1. Provision of adequate building sites suitable to the special needs of the type of use contemplated.
 2. Zoning requirements as to lot sizes and dimensions.
 3. Need for convenient and safe access, circulation, control of pedestrian and vehicular traffic.
 4. Limitations and opportunities of topographic features.

- B. Block lengths shall not exceed 1,320 feet or be less than 500 feet, unless found unavoidable by the Planning and Zoning Board.
- C. Pedestrian crosswalks, not less than ten feet in width, may be required through blocks over 1,000 feet in length, where necessary in the judgment of the Planning and Zoning Board to provide safe and convenient access to schools, playgrounds, shopping centers, transportation or other community facilities.

Section 12.10.02. Lots.

- A. *Generally.* 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.
- B. *Conformance with Zoning and Subdivision Regulations.* Lot dimensions and areas shall be not less than specified by applicable provisions of the zoning regulations in effect. See Article 5 of this Code for lot dimension and lot area requirements as specified for each city zoning district.
- C. *Corner Lots.* Corner lots for residential use shall have such additional width, greater than a corresponding interior lot, as may be necessary to provide appropriate building setbacks and buildable areas equivalent to corresponding interior lots.
- D. *Orientation of Side Lot Lines.* Side lot lines shall be substantially at right angles or radial to street lines.
- E. *Double Frontage and Reverse Frontage Lots.* Double frontage and reverse frontage lots for residential use shall be avoided, except where essential to provide separation of residential development from designated arterial roadways or to overcome specific handicaps of topography and orientation.
- F. *Street Frontage.* Every lot shall abut for at least 40 feet upon permanent access to a public street.
- G. *Relation to Surrounding Property and Development; Variances.* Lot arrangement and design shall be properly related to topography, to the 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 this Article unreasonable and impracticable in the judgment of the Planning and Zoning Board, the Planning and Zoning Board is hereby authorized to vary the requirements in appropriate cases in such manner as to carry out the spirit and purpose of this Article.

Section 12.10.03. Recreation and Open Space Requirements.

Where deemed essential by the Planning and Zoning Board, and upon consideration of the particular type of development proposed within the subdivision, the Planning and Zoning Board may require that certain areas or sites be dedicated or reserved, to the extent a location within the subdivision is suitable to meet such needs created by the proposed development, to accommodate for parks, recreation and open space, and other neighborhood amenities. However, in no event shall the developer be required to dedicate more than ten percent (10%) of the gross area of the proposed subdivision.

Section 12.10.04. Street Name Signs.

Street name signs of the size, location, number, design and construction adopted as standard by the city shall be supplied and installed at all street intersections.