

LIBERTY COUNTY, FLORIDA
ORDINANCE NO: 1

Repealed

AN ORDINANCE ESTABLISHING SUBDIVISION REGULATIONS FOR LIBERTY COUNTY, FLORIDA, DEFINING SUBDIVISIONS, SETTING MANDATORY REQUIREMENTS FOR PLAT APPROVAL, PROVIDING FOR AN EFFECTIVE DATE AND A PENALTY FOR THE VIOLATION THEREOF.

BE IT ENACTED BY THE BOARD OF COUNTY COMMISSIONERS OF LIBERTY COUNTY, FLORIDA:

SECTION ONE: PURPOSE, JURISDICTION, AND VIOLATION

- A. To provide such standards by regulation:
- a. To insure the best physical use of available land;
 - b. To insure that improvements will be of such quality as to require minimum long term maintenance and will harmonize with the future expansion in the area;
 - c. To create, by design, planning and development, an area which is competitive and attractive to our existing population, and to those seeking a community in which to live or invest;
 - d. To set forth in clear, concise, unambiguous and orderly manner, the chronological steps that a land developer must follow in order to subdivide land;
 - e. To facilitate the subdivision of land by coordinating the efforts of the land developer and the regulating agency.

The intent of these regulations is to provide for the harmonious development of the County; to secure a coordinated layout and adequate provision for traffic and also to secure adequate provisions for light, air, recreation, transportation, potable water, flood prevention, drainage, sewers and other sanitary facilities.

The standards set forth in these regulations require good design, be practiced in subdivision planning, and conservation of valuable and scenic natural features. Subdivision developers should utilize the skills of experienced land planners as well as surveyors and engineers. Subdivision design should be adapted to the peculiarities and opportunities of the site, should utilize contemporary imaginative design, should avoid monotonous repetition of pattern, wasteful gridiron patterns,

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and long straight minor or collector streets. Size, shape and orientation of lots and blocks should be carefully considered with relation to future use of the various lots to be created.

B. Jurisdiction:

These regulations shall govern all subdivisions of land within Liberty County as now or hereafter established. Within these regulations the term "subdivision", means the division of a parcel of land, whether improved or unimproved, into ten (10) or more lots or other division of land for the purpose, whether immediate or future, of transfer of ownership or, if the establishment of a new street is involved, any division of such parcel; provided, however, that the Board of County Commissioners in its discretion may require persons dividing a parcel of land into less than ten lots or other division to comply with these regulations. The division of land into parcels of ten acres or more exclusive of street right of way not involving the establishment or change in street lines or public street easements shall not be deemed to be a subdivision within the meaning of this regulation. The term includes a resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided.

The singular usage includes the plural and the plural the singular.

C. Violation:

Where a violation of the Subdivision Regulations has been brought to the attention of the Board of County Commissioners, said Board, upon being made aware of said violation and verification of same, shall file in the office of the Clerk of Circuit Court, in the Official Record Books, an instrument in recordable form setting forth the legal description of said property which was divided or sold in violation of the Subdivision Regulations, and stating that no building permit shall be issued for construction upon said premises, said instrument to be executed in the name of the Board of County Commissioners of Liberty County, Florida, by the Chairman and attested by the Clerk.

NOTE: The laws of the State of Florida require the subdivider to utilize the services of registered professional engineers and land surveyors. It is suggested that the subdivider engage professional assistance as early as possible to obtain maximum value from these services.

SECTION TWO: DEFINITIONS:

ALLEY: A roadway dedicated to public use which affords only a secondary means of access to abutting property and not intended for general traffic circulation.

LOT, THROUGH: Any lot having frontage on two parallel or approximately parallel streets or highways.

STREET: A public or private vehicular right-of-way which affords the principal means of access to more than one (1) parcel of property, or a public vehicular right-of-way which is intended for general traffic circulation.

STREET, MAJOR: A street or road which is designed to carry large traffic volumes.

STREET, MINOR: A street designed to serve only as access to the properties which front on it.

STREET, PRIVATE: A recorded street owned by the abutting property owners, over which there is no public right of access.

SECTION THREE: SUBDIVISION PLAT APPROVAL PROCEDURE

PRE-PLAN APPLICATION

The subdivider shall visit the Department of Pollution Control and any and all other federal, state, county or municipal agencies having jurisdiction over land use, water use, sanitation facilities and other natural resources. This will, undoubtedly, save him time and money when the developer begins detailed workings with his engineers.

APPLICATION FOR PRELIMINARY OR MASTER PLAN APPROVAL

Step No. 1 Subdivider submits three copies of preliminary or master plat to The Board of County Commissioners for a determination as to whether they conform with the subdivision standards. Preliminary or master

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plat approval by the Board of County Commissioners in no way constitutes approval of construction plans of final plat.

Note: If subdivision activity and development ceases for a period of two years, the plan shall require review and reapproval as a preliminary or master plat. Plans thus submitted for review and reapproval shall comply with all current regulations. Except when activity and development has ceased for two years, subdivisions receiving preliminary plat approval may proceed with preparation of final plans in accordance with the standards which were in effect at the time of preliminary approval.

APPLICATION FOR FINAL PLAT APPROVAL

- Step No. 1 Subdivider submits a final record plat to the Board of County Commissioners for approval. (See Section 8 for required information to be submitted with the record plat.)
- Step No. 2 Subdivider proceeds with construction and makes improvements in accordance with the construction plan, or posts security acceptable to the Board of County Commissioners covering improvements, to insure completion of said improvements.
- Step No. 3 When acceptable security is posted, the County Commission grants final approval to the record plat.
- Step No. 4 If the subdivider elects to construct improvements rather than post security, the procedure is as follows:
1. No work shall proceed until the subdivider has notified the county commissioners requesting permission to construct all improvements in accordance with approved plans.
 2. The contractor or subdivider shall request inspections on the following phases of construction:
 - (a) Sub-grade and curb
 - (b) Base material
 - (1) All required tests shall be made by a reputable testing laboratory with a certified copy furnished to the County Commissioners.
 - (c) Finished base before and after priming.
 - (d) Approval of related appurtenances, such as curbs, drainage pipe, underdrains, drainage structures and sidewalks.
 - (e) When construction is approved by the Board of County Commissioners, subdivider records his plat.

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SECTION FOUR: GENERAL REQUIREMENTS AND MINIMUM STANDARDS
OF DESIGN

A. STREETS:

1. The proposed street shall recognize and extend suitable existing streets, and shall make possible the future extension of streets into adjacent undeveloped land where feasible.
2. Intersections shall be as nearly at right angles as possible.
3. In residential areas "T" intersections are preferable to four-way intersections.
4. Private streets shall normally be prohibited, however, in certain instances, they may be approved when the following conditions exist:
 - (a) Except in unusual cases, only minor streets serving ten or fewer lots may be private streets.
 - (b) Subdivisions containing private streets shall not block logical access to adjoining lands.
 - (c) Private streets shall have a stabilized travel width of a minimum of nine feet per travel land.
5. The minimum width of right-of-way shall be sixty feet except private streets which shall have a minimum right-of-way of thirty feet.
6. Dead end streets shall be provided with a paved turn around diameter of 80' minimum and a right-of-way diameter of at least 100'. A landscaped cut-out in the center of the turn-around is permitted. Pavement widths around the turn-around shall be consistent with the pavement width leading up to the turn-around.

B. BLOCKS

1. Block length shall not exceed 1800 feet in any development other than estates or rural development, blocks bordering major streets or water front, or other design situations which warrant approval of longer blocks.
2. Pedestrian crosswalks, not less than ten (10) feet wide, shall be required where deemed essential to provide circulation, or access to schools, playgrounds, shopping centers, transportation, and other community facilities. Lots adjoining a pedestrian cross-walk shall not be considered corner lots.

C. LOTS

1. Lots shall front on a street for at least 20'.
2. Corner lots shall be 15% wider than the minimum width planned in the subdivision in which they are located.

- 3. Through lots shall be avoided except where essential to provide separation of residential development from major roads or to overcome specific disadvantages of topography and orientation.
- 4. Side lot lines shall be substantially at right angles or radial to the street where practicable.
- 5. Lots containing 15,000 square feet or more shall have a minimum average lot width of 100 feet. Lots containing less than 15,000 square feet but more than 10,000 square feet shall have a minimum average width of 80 feet. Minimum lot size for single family dwelling units shall be 10,000 square feet.

D. ACCESS:

No subdivision will be approved unless its street system is connected to a county or state road which has been approved for county maintenance.

E. IMPROVEMENT SECURITY:

Prior to action on a final plat, the Board of County Commissioners shall require that all improvements be satisfactorily completed by the subdivider, or in lieu thereof, a surety or performance bond be posted payable to Liberty County, Florida, to insure satisfactory completion of said improvements within two years, except that a period up to seven years shall be permitted for a subdivision or a portion thereof of lots being sold on installment sales contracts, provided that proof of installment sales contract is submitted. The Board of County Commissioners shall have no obligation to allow developers to post surety or performance bonds in lieu of actually completing physical improvements, but may permit such bonds if deemed desirable based on past performance of the developer. Where bonds are permitted, the developer shall submit his cost estimate to the Board of County Commissioners who shall review and adjust such cost estimate to the extent necessary to cover the full cost of said improvements, which bond shall be an amount of 110% of the total estimated cost of the improvements. The developer shall submit his bond in the form approved by the County Attorney. Any extension of the time limit for installation of improvements must be approved by the Board of County Commissioners. The Board of County Commissioners may release the subdivider of that portion of the surety or performance bond, or other security, for required improvements when completed and improved by the Board of County Commissioners; however, such release shall not constitute acceptance of any improvements by the County. At the discretion of the Board of County Commissioners, the requirements of a surety bond as heretofore outlined may be waived and the Board may require such other manner or form of security as to the Board seems advisable, including, but not limited to assignments, mortgages, and pledges or other transfer or encumbrances of real and personal property, where provided by law.

F. EASEMENTS REQUIRED:

Each plat shall have described thereon utility and drainage easements in substantially the following terms:

LOT LINE EASEMENTS: Easements of 8 feet in width along each rear lot line and 5 feet in width along each side lot line are hereby created and provided for the

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purpose of accommodating overhead, surface and underground utilities and drainage. Where an area is greater than one lot is used as a building site, the outside boundary of said site shall be subject to the lot line easements.

SECTION FIVE: REQUIRED IMPROVEMENTS

A. MONUMENTS:

Permanent reference monuments, at least four in number and not more than 1,000 feet apart shall be placed within the trace and/or on the exterior boundaries thereof so as to provide definite reference points from which may be located any points, lines or lots shown on the plat. The monuments shall be 4" x 4" concrete, at least 24" long, said monuments having a reference point marked thereon. They shall have their position in reference to each other indicated by distance and angles, and not less than one of said monuments shall have its location indicated on the plat in reference to the nearest government corner or any well established recorded corner. The position of said monument shall be indicated on the plat by a small circle and shall be marked "PERMANENT REFERENCE MONUMENT" or the initials "P.R.M." to designate the same.

After completion of construction and prior to final acceptance by the Board of County Commissioners, additional monuments shall be placed at all block corners, points of curvature, points of reverse curvature, points of tangency.

Security, acceptable to the Board of County Commissioners shall be posted in the amount of 110% of the estimated cost of placing additional required monuments, which estimate shall be prepared by the Florida Registered Land Surveyor whose name appears on the record plat. Upon completion and acceptance by the county, the posted security will be released.

B. STREET IMPROVEMENTS

1. All streets shall be constructed to meet the minimum standards now existing or hereafter adopted by the State of Florida, Department of Transportation for stabilized secondary roads.
2. All paved streets shall be of a minimum width of 32', or if the necessity for on-street parking is completely eliminated by appropriate design, the paved street width may be reduced to 26'. Swale ditches are required with erosion protection and with subsurface drainage as required. All paved streets shall meet the minimum standards now existing or hereinafter adopted by the State of Florida, Department of Transportation for secondary road construction.

C. HEALTH IMPROVEMENTS - (WATER SUPPLY AND SEWAGE TREATMENT FACILITIES)

The Liberty County Board of County Commissioners, the Florida State Board of Health and the Department of Pollution Control oppose the wide and indiscriminate use of individual wells and/or septic tanks in subdivisions and urbanized areas, and as septic tanks eventually endanger public health in almost every area where widely used, all proposed subdivisions shall comply with the State Board of Health and any and all governmental regulatory agencies which have jurisdiction in the matter requirements for water supply and sewage treatment facilities. Written proof shall be furnished to the Board of County Commissioners prior to final approval of a plat.

D. STREET NAMES:

Street names shall be approved by the Board of County Commissioners prior to final plat approval.

E. STREET NAME SIGNS:

Street names shall be placed at each street intersection on metal posts. Top of sign shall be 7' above centerline grade of road. All signs shall be uniform and conform to the following specifications: Green reflectorized background, baked on 6" wide aluminum blanks. Name letters shall be 4" silver reflectorized letters. Abbreviations are permissible as follows:

RD for Road
ST for Street
AVE for Avenue

PL for Place
CT for Court
N for North

S for South
E for East
W for West

All prefixes and suffixes shall be 2" silver reflectorized letters. Street name signs shall be installed prior to request for final inspection and release of 90% of surety. If no security is posted, street name signs shall be installed as a prerequisite for final plat approval.

F. SIDEWALKS:

Sidewalks to be 4" reinforced concrete.

G. COMMERCIAL SUBDIVISIONS, INDUSTRIAL SUBDIVISIONS, PLANNED UNIT DEVELOPMENTS AND CONDOMINIUMS.

The preceding design and improvement standards are primarily geared to typical residential subdivision needs. Commercial and industrial subdivisions normally require thicker and wider pavements, and have other peculiar design requirements. Planned Unit Developments and Condominiums may also be quite different from typical subdivisions, and as such their design and improvement needs may vary to some degree. In the case of Commercial and Industrial Subdivisions, Planned Unit Developments and Condominiums and other non-typical subdivision developments, the Board of County Commissioners may approve modification of such portions of these regulations and they determine to be inapplicable. In granting such modifications, the Board of County Commissioners will require such conditions and safeguards as will secure substantially the objective of the standards of requirements so modified, and in no case, reduce the minimum requirements set forth in these regulations.

SECTION SIX: REQUIRED CERTIFICATES ON FINAL PLAT

1. Certificates of Ownership and Dedication shall be properly executed and acknowledged in form and substance as approved by the County Attorney.
2. Certificate of Approval of County Commission shall be in form and substance as approved by the County Attorney.
3. Subdivider's Completion Bond shall be in form and substance as approved by the County Attorney.

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SECTION SEVEN: DRAINAGE REQUIREMENTS

- A. All areas within the subdivision, including lots, streets, alleys and other areas, must be suitable drained. In addition, where drainage runoff from outside the subdivision passes over or through areas of the subdivision, such runoff shall be included in the drainage system design. The system should be designed for long life and shall be suitable for low cost maintenance by normal methods.
- B. Underground drainage: Underground drainage through storm sewers, where employed, shall conform to good accepted engineering practices.
- C. Drainage Pipe Specifications: Drainage pipe shall conform to the State Department of Transportation Specifications now existing or as hereinafter modified.
- D. Design of Drainage Structure: Drainage structure such as bridges, culverts, headwalls, dams, spillways, bulkheads or other structures shall be designed hydraulically and structurally in accordance with good and accepted engineering practices. Foundations or other supports or anchoring methods shall be adequate.
- E. Dedications: All necessary rights-of-way, easement, and drainage structure shall be dedicated to Liberty County at no expense to the county. Dedication of drainage ditches shall include a suitable shoulder width for maintenance operations which shall be cleared of trees, shrubs, and other obstructions. All drainage by open ditch shall be located in rights-of-way.

SECTION EIGHT: REQUIREMENTS FOR FINAL RECORD PLAT

The following information shall appear on the record plat:

- 1. The government corner, 40 acre corner, or other recorded permanent reference monument, or description and ties to such control point, to which all dimensions, angles, bearings, and similar data on the plat shall be referred.
- 2. Tract boundary lines, right-of-way lines of streets, easements

and other right-of-way and property lines or residential lots or other sites, with accurate dimensions, bearings or deflection angles, and radius, arcs and central angles of all curves.

3. Name and right-of-way width of each street or other right-of-way.
4. Location, dimensions and purposes of any easements.
5. Lots shall be numbered progressively, or if in blocks, progressively numbered in each block, and the blocks progressively lettered.
6. Location and description of permanent reference monuments.
7. Names of record owners of adjoining unplatted land.
8. Reference to recorded subdivision plats of adjoining platted land by record name, plat book and page number.
9. Title, scale (1" = 100') north arrow, and date.
10. Area of each non-rectangular lot. This may be on a tabulated sheet certified by the surveyor.
11. Name of subdivision.
12. All land within the boundaries of the plat must be accounted for either by blocks, lots, parks, streets, alleys or excepted parcels.
13. Required certificates.
14. All final plats shall be drawn in india ink on tracing cloth 24 inches wide by 30 inches long, including 1½ inch binding margin on left side.

NOTE: All plats shall be prepared and filed in compliance with these regulations and the Statutes of the State of Florida pertaining thereto.

Title Opinion:

An opinion of title must be furnished showing ownership and encumbrances, if any by:

1. Attorney at Law, or

2. Licensed Title Company

All individuals and/or corporations having any interest in property within the area to be platted must sign appropriate certificate on plat.

SECTION NINE: This Ordinance shall take effect as provided by law.

PASSED in regular session of the Board of County Commissioners of Liberty County, Florida, this 1st day of May, 1973.

Terry N. Hawthorn
Chairman
Board of County Commissioners
Liberty County, Florida

ATTEST:

[Signature]
Clerk of Circuit Court
Liberty County, Florida