

HILLIARD TOWN COUNCIL MEETING

Hilliard Town Hall / Council Chambers
15859 West County Road 108
Post Office Box 249
Hilliard, FL 32046

TOWN COUNCIL MEMBERS

Floyd L. Vanzant, Mayor
John P. Beasley, Council President
Kenny Sims, Council Pro Tem
Lee Pickett, Councilman
Jared Wollitz, Councilman
Callie Kay Bishop, Councilwoman

ADMINISTRATIVE STAFF

Lisa Purvis, Town Clerk
Richie Rowe, Public Works Director
Gabe Whittenburg, Parks & Rec Director

TOWN ATTORNEY

Christian Waugh

HILLIARD PLANNING AND ZONING BOARD MEETING

BOARD MEMBERS

Harold "Skip" Frey, Chair
Wendy Prather, Vice Chair
Charles A. Reed, Board Member
Josetta Lawson, Board Member
Lee Anne Wollitz, Board Member

ADMINISTRATIVE STAFF

Janis Fleet, AICP
Land Use Administrator

PLANNING AND ZONING ATTORNEY

Mary Norberg

AGENDA

THURSDAY, NOVEMBER 03, 2022, 6:00 PM

CALL TO ORDER

PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL

WORKSHOP

ITEM-1

ARTICLE XII - TREES - Chapter 62 Zoning and Land Development Regulations
LUA Add 2022.

ITEM-2

ARTICLE XIII - SUBDIVISION - Chapter 62 Zoning and Land Development
Regulations moved from Chapter 46 Subdivision by FS 177.

ADDITIONAL COMMENTS

ADJOURNMENT

ADA NOTICE

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the Town Clerk's Office at (904) 845-3555 at least seventy-two hours in advance to request such accommodations.

PUBLIC PARTICIPATION

Pursuant to Section 286.0114, Florida Statutes, effective October 1, 2013, the public is invited to speak on any "proposition" before a board, commission, council, or appointed committee takes official action regardless of whether the issue is on the Agenda. Certain exemptions for

emergencies, ministerial acts, etc. apply. This public participation does not affect the right of a person to be heard as otherwise provided by law.

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ARTICLE XII. TREES

Sec. 62-570. Removal of trees.

- (a) Removal of a tree includes any act which will cause a tree to die, such as damage inflicted upon the root system by heavy machinery, changing the natural grade above the root system or round the trunk, damage, including fire damage, inflicted on the tree permitting infection or pest infestation.
- (b) It shall be unlawful for any person, organization, society, association or corporation or any agent or representative thereof, directly or indirectly, to cut down, destroy, remove or move, or effectively destroy through damaging any tree located on any property without obtaining a permit.
- (c) No authorization for the removal of a protected tree shall be granted unless the developer demonstrates the reason for removal of trees.

Sec. 62-571. Exceptions and exemptions.

The following are exempt from the requirements of section 62-275.

- (1) Utility and public works projects undertaken by the Town, including in the case of emergencies such as hurricane, windstorm, flood, freeze, or other disasters.
- (2) One- and two-family dwelling units.
- (3) Dangerous trees.
 - a. In the event that any tree endangers health or safety and requires immediate removal, verbal authorization may be given by the development services director.
 - b. The tree may be removed without obtaining a written permit. The verbal authorization shall later be confirmed in writing by the development services director.
- (4) Exempt trees. The following types of trees shall be exempt from the provisions of this section and removal allowed without a permit:

Common Name	Botanical Name
American mulberry	Morus rubra
Australian pine	Casuarinas spp.
Black cherry	Prunus serotina
Brazilian pepper	Shinus terebinthifolius
Cajuput tree	Melaleuca leucadendra
Camphor tree	Cinnamomum camphora
Cherry laurel	Prunus laurocerasis
Chinaberry	Meliaa azedarach
Chinese tallow tree	Sapium sebiferum
Containerized trees and nursery stock trees grown for resale	
Ear trees (Enterolobium contortisliquum)	Enterolobium cyclocarpum
Eucalyptus robusta	Eucalyptus robusta
Jacaranda	Jacaranda acutifolia

Golden rain tree	Koelreuteria elegans
Orchid tree	Bauhinia
Rosewood	Dalbergia sissoo
All pines	Pinus
Silk oak	Grevillea robusta
Pecan	Carya illinoensis

Sec. 62-572. Drought-tolerant plant standards applicable to required landscaping.

Drought-tolerant plants which shall be used in required landscaping are native, noninvasive plants which will survive and flourish with comparatively little supplemental irrigation. Industrial, commercial, civic, and multifamily residential buildings or structures and common areas of single-family or multifamily residential developments shall incorporate drought tolerant trees, shrubs, and groundcovers in landscape plans as a water conservation measure. A list of plants which require minimal water are included in the St. Johns River Water Management District's publication Water Wise, Florida Landscapes. In addition, mulches and drought tolerant groundcovers shall replace narrow turf areas where irrigation is impractical. Interior remodels or minor modifications to the exterior of a structure are not subject to this requirement.

Sec. 62-573. Conditions for tree removal.

The Land Use Administrator shall issue the permit for removal of a tree if one of the following reasons for removal is found to be present:

- (1) The condition of the tree with respect to disease, insect attack, age or other damage creates a danger of falling, or otherwise causes the tree to have an adverse impact on the urban or natural environment;
- (2) Removal of the tree is necessary to construct proposed improvements in order to make use of the property;
- (3) To avoid interference with utility services; or

Sec. 62-574. Replacement.

- (a) *Generally.* In respect to removal of trees to allow construction of improvements on property, and as a condition to the granting of a permit, replacement shall be required.
 - (1) *Trees removed.*
 - a. *Live oaks.*
 1. All efforts shall be made to maintain all live oak trees on the site.
 2. Replacement of live oak trees shall be with live oak trees and the total caliper inches of replacement trees shall equal the total caliper inches of live oak trees removed.
 - b. *All other trees.*
 1. Trees removed over 12 inches DBH on the site shall be replaced.
 2. The replacement for all trees over 12 inches in caliper at DBH on the site shall equal one-third of the total caliper at DBH of the trees removed.
 - (2) *Tree replacement or payment to Town.* In lieu of replacement of trees on the site, the Land Use Administrator may approve a plan for replacement of trees offsite or payment to the Town's tree mitigation fund. The value will be based on the average cost of other municipalities in northeast Florida.

(b) *Credit for trees.* Trees which are preserved shall receive credit against the landscape requirements according to the following schedule:

- (1) Trees 12 to 18 inches: Live oaks, one-inch credit; all others, 50 percent-inch credit.
- (2) Trees 19 to 30 inches: Live oaks, 1.25-inch credit; all others, 75 percent-inch tree credit.
- (3) Trees over 30 inches: Live oaks, 1.5-inch credit; all others, 100 percent-inch credit.

Sec. 62-575. List of plants recommended for the Town.

Understory Trees (Max. Height 15 Feet)	
Common Name	Botanical Name
Redbud	Cercis canadensis
Anise	Illicium spp.
Drake/Chinese elm	Ulmus parvifolia
Flowering dogwood	Comus florida
Wax myrtle	Myrica cerifera
Loblolly bay	Gordonia lasianthus
Southern red cedar	Juniperus silicicola
Yaupon holly	Ilex vomitoria
Fringe tree	Chionanthus virginica

Canopy Trees Spaced 50 Feet Apart	
Common Name	Botanical Name
American elm	Ulmus americana
Live oak	Quercus virginiana
Sweet bay magnolia	Magnolia virginiana
Silver dollar tree	Eucalyptus cinerea
Chinese elm	Ulmus parvifolia
Red bay	Persea borbonia
American sycamore	Platanus occidentalis
Tulip tree	Liriodendron tulipifera
Southern magnolia	Magnolia grandiflora & cultivar
Laurel oak	Quercus laurifolia
Washington palm	Washingtonian robusta
Canary Island palm	Phoenix canariensis
European fan palm	Chamaerops humillis
Sabal palm	Sabal palmetto
Chinese fan palm	Livistona chenensis
Windmill palm	Trachycarpus fortunei
Pindo palm	Butia capitata

Canopy Trees Spaced 30 Feet Apart	
Common Name	Botanical Name
Dahoon holly	Ilex cassine
Hornbeam/bluebeech	Carpinus caroliniana
Water ash; pop ash	Fraxinus caroliniana
Florida winged elm	Ulmus alata
Florida elm	Ulmus americana floridana

Red maple	Acer rubrum
Savannah holly	Ilex opaca × attenuate & cultivars
American holly	Ilex opaca & cultivars
Loblolly bay	Gordonia lasianthus
River birch	Betula nigra
Palatka holly	Ilex attenuate

<i>Ornamental Landscape Trees; Small Trees</i>	
<i>Common Name</i>	<i>Botanical Name</i>
Crape myrtle	Lagerstroemia × fauriei
Wax myrtle	Myrica cerifera
Loblolly bay	Gordonia lasianthus
Junipers	Juniperus torulosa & spartan
Bottlebrush	Callistemon spp.
Redbud	Cercis canadensis
Rusty pittosporum	Pittosporum ferrugineum
Podocarpus	Podocarpus nagi
Holly	Ilex spp.
Leyland cypress	Cupressocyparis leylandi
Jerusalem thorn	Parkinsonia aculeate

<i>Large Ornamental Trees and Palms</i>	
<i>Common Name</i>	<i>Botanical Name</i>
Winged elm	Ulmus alata
Washington palm	Washingtonian robusta
Canary Island palm	Phoenix canariensis
European fan palm	Chamaerops humillis
Sabal palm	Sabal palmetto
Heritage river birch	Betula nigra "heritage"
Chinese fan palm	Livistona chenensis
Windmill palm	Trachycarpus fortunei
Pindo palm	Butia capitata

<i>Shrubs and Minimum On-Center (OC) Requirements for Visual Screens</i>		
<i>Common Name</i>	<i>Botanical Name</i>	<i>On Center</i>
Glossy abelia	Abelia spp.	2.0 OC
Allamanda	Cortadenia selloana	4.0 OC
Pineapple guava	Feijoa sellowiana	3.0 OC
Anise	Illicium floridanum	2.5 OC
Pittosporum	Pittosporum tobira	3.0 OC
Azalea	Rhododendron spp.	3.0 OC
Plumbago	Plumbago capensis	2.0 OC
Banana shrub	Michelia fuscata	3.0 OC
Primrose jasmine	Jasminum mesnyi	3.0 OC
Boxwood	Buxus microphylla	2.0 OC
Viburnum	Viburnum spp.	3.0 OC

Chinese juniper	Juniperus chinensis	3.0 OC
Silverthorn	Elaeagnus philippensis	3.0 OC
Podocarpus	Podocarpus macrophyllus	2.0 OC
Holly	Ilex spp.	2.0—3.0 OC
Indian hawthorne	Raphiolepis indica	2.5 OC

<i>Groundcovers</i>	
<i>Common Name</i>	<i>Botanical Name</i>
Bugle weed	Ajuga reptans
Asparagus fern	Asparagus sprengeri
Iceplant	Carpobrotus edulis
False heather	Cuphea hyssopifolia
Dichondra	Dichondra carolinensis
Golden creeper	Ernodea littoralis
Trailing fig	Ficus sagittata
Carolina jessamine	Gelsemium sempervirens
Algerian ivy	Hedera canariensis
Beach sunflower	Helianthus debilis
Dwarf yaupon holly	Ilex vomitoria "Schellings"
Chinese juniper	Juniperus chinensis
Dwarf lantana	Lantana depressa
Lily turf	Liriope spicata
Sword fern	Nephrolepis exaltata
Oyster plant	Rhoeo spathacea
Erect selaginella	Selaginella involvens
Confederate jasmine	Trachelospermum asiaticum
Caltrops	Trilobus terrestris
Society garlic	Tulbaghia violacea
Coontie	Zamia pumila
Aloe	Aloe spp.
Cast iron plant	Aspidistra elatior
Gopher apple	Locania michauxii
Earth star	Cryptanthus spp.
Miniature agave	Dyckia brevifolia
Creeping fig	Ficus pumila
Dwarf gardenia	Gardenia jasminoides
Fig marigold	Glottiphyllum depressum
English ivy	Hedera helix
Daylily	Hemerocallis spp.
Beach elder	Iva imbricate
Shore juniper	Juniperus conferta
Trailing lantana	Lantana montevidensis
Partidge berry	Mitchella repens
Mondo grass	Ophiopogon japonicus
Leatherlef fern	Rumonra adiantiformis
Purple heart	Setcreasea pallida
Star jasmine	Trachelospermum jasminoides
Wedelia	Wedelia trilobata

Chapter 46 SUBDIVISIONS¹

ARTICLE I. IN GENERAL

Sec. 46-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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

Building includes the term "structure" and shall be construed as if followed by the phrase "or part thereof."

Developer means a person or his duly authorized agent who undertakes the subdivision of land as defined in this section. The term "developer" includes the term "subdivider." Developer" means the owners of record executing the dedication required by F.S. § 177.081 and applying for approval of a plat of a subdivision pursuant to F.S. § 177.01 et seq.

Developer's engineer means a professional engineer registered in the state and engaged by the developer to prepare engineering plans and to supervise construction.

Land includes the term "water," "marsh" or "swamp."

Lot includes the term "plot" or "parcel." A lot is also identified as a single unit in a subdivision.

Plat means a map on which the developer's plan for subdivision is presented and which he submits for approval and intends, in final form, to record.

Subdivision means one of the following:

- (1) The division of any parcel of land, of any size whatsoever, into two or more lots of any size.
- (2) The establishment or dedication of a road, street or alley through a tract of land, regardless of area.
- (3) The resubdivision of land heretofore or hereafter divided or platted into lots.

The following shall not be included within this definition nor be subject to this chapter:

- (1) The sale or exchange of lots to or between adjoining property owners, where the sale or exchange does not create additional lots.
- (2) The public acquisition by purchase, acceptance of deed of dedication or exercise of the right of eminent domain of strips of land for the widening or opening of streets or roads.

Surveyor means a land surveyor registered in the state and engaged by the developer to survey and plat the land for subdivision.

¹State law reference(s)—Municipal Home Rule Powers Act, F.S. ch. 166; platting, F.S. ch. 177.

Town-approved road or street means a road or street paved in accordance with the specifications prescribed in this chapter, involved in any division of land into a recorded or unrecorded subdivision plat.

(Code 1997, § 46-1; Ord. No. 85-102, § 1.01, 9-10-1985)

Sec. 46-2. Intent and purposes.

It is determined and declared:

- (1) The public health, safety, order, convenience, prosperity, morals and welfare require the harmonious, orderly and progressive development of land throughout the town. It is intended that this chapter be liberally construed to accomplish those purposes.
- (2) These subdivision regulations are adopted for the following purposes:
 - a. To establish uniform and adequate standards for the design of subdivision plats and for minimum necessary improvements.
 - b. To provide regular and orderly procedures for the uniform and expeditious processing of subdivision plats by the proper agencies and officials.
 - c. To ensure coordination of subdivision plats with public improvements of the county and the town.
 - d. To ensure subdivision, design which will encourage the development of a sound and economically stable community and the creation of a healthful living environment.
 - e. To prevent traffic hazards and to provide safe and convenient traffic circulation, both vehicular and pedestrian.
 - f. To discourage premature, uneconomical and scattered development.
 - g. To assure cooperation and greater convenience for developers.

(Code 1997, § 46-2; Ord. No. 85-102, § 1.02, 9-10-1985)

Sec. 46-3. Jurisdiction; compliance.

The regulations set out in this chapter apply to all land within the town. No land shall be subdivided or laid out into lots, unless by plat in accordance with this chapter, nor shall any building be constructed in a subdivision unless the subdivision conforms to this chapter.

(Code 1997, § 46-3; Ord. No. 85-102, § 2.01, 9-10-1985)

Sec. 46-4. Exceptions.

- ~~(a) *Abutting publicly owned and maintained right of way.* Property may be subdivided into two or more lots provided the subdivided property abuts a publicly owned and maintained right of way and the subdivided property meets the requirements for the zoning district the property is within.~~
- ~~(b) *Unusual size or shape.* Whenever the tract to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that strict application of the requirements contained in this chapter would result in real difficulties or in substantial hardships or injustice, the council, after a report by the town engineer, may vary or modify the requirements of this chapter, by a duly adopted ordinance, so that the developer may develop the property in a reasonable manner, but so that, at the time, the public~~

~~welfare and interest of the town and surrounding area are protected and the general intent and spirit of this chapter are preserved.~~

~~(Code 1997, § 46-4; Ord. No. 85-102, § 6.01, 9-10-1985; Ord. No. 2002-02, § 1, 2-7-2002)~~

Sec. 46-5. When plat not recorded.

The clerk of the circuit court will not record any instrument showing a subdivision of land that does not bear the approval of the ~~town engineer, the town attorney, the town clerk and the mayor.~~

~~(Code 1997, § 46-5; Ord. No. 85-102, § 7.01, 9-10-1985)~~

Sec. 46-6. Town not to approve expenditure of money.

The town will not permit any money to be expended for improvements in any area that has been subdivided or upon any street that has been platted after the effective date of the ordinance from which this chapter is derived unless the subdivision or street has been approved in accordance with this chapter.

~~(Code 1997, § 46-6; Ord. No. 85-102, § 7.02, 9-10-1985)~~

Secs. 46-7—46-30. Reserved.

ARTICLE II. PLATTING

Sec. 46-31. General procedure for plat approval.

~~A. The preliminary and final plat shall be submitted to the town engineer for his recommendation to the council. The town attorney shall likewise examine the preliminary and final plat to determine its compliance with all legal conditions set forth in this chapter and in F.S. ch. 177. Upon approval by the town engineer and town attorney, the plat shall be submitted to the council for final approval. No plat shall be recorded and no lots shall be sold from the plat unless and until finally approved as provided in this chapter.~~

~~(Code 1997, § 46-31; Ord. No. 85-102, § 2.02, 9-10-1985)~~

Sec. 46-32. Preliminary plat.

The developer shall submit three prints of the proposed plat accompanied by two copies of the preliminary plat that will show the following:

- (1) The location of present property and section line boundaries of existing lots, streets, buildings, lakes and watercourses.
- (2) Any existing sanitary or storm sewers, water mains and culverts within the tract or adjacent thereto.
- (3) The proposed location and width of streets, lots, setback lines, easements and typical street cross sections showing proposed pavements, wearing surfaces, curbs, shoulders and the like.
- (4) The title under which the proposed subdivision is to be recorded and the name of the developer platting the tract.
- ~~(5) The names of adjoining subdivisions and the ownership of adjoining parcels of unsubdivided land.~~

- (6) North point, scale and date.
- (7) Contours of the land on one-foot and 50-foot grid or less on current geodetic datum and an area outside the boundaries that will show the final disposition of all surface drainage.
- (8) Benchmarks at convenient points with locations and elevations indicated on the preliminary plat.
- (9) A location key map that will show the relation of the proposed subdivision to existing community facilities, main traffic arteries and the like.
- ~~(10) Department of agriculture survey results for property.~~
- (11) A written statement regarding proposed grades of streets and the facilities for surface water drainage.

~~(Code 1997, § 46-32; Ord. No. 85-102, § 2.03, 9-10-1985; Ord. No. 2002-02, § 2, 2-7-2002)~~

Sec. 46-33. Final plans. Engineering Plans? Should this section be with Chapter 58?

The final plans shall be submitted in triplicate on black and white or blue line prints drawn at a scale of not more than 50 feet to the inch on sheets 24 inches by 36 inches in size, with a one-half inch margin at the right, top and bottom edges and a three-inch margin at the left (binding) edge. If more than two sheets are required, the title sheet shall show the entire subdivision on one sheet and the various areas shall be shown on other sheets. The final plans shall be signed by the developer's engineer.

~~(Code 1997, § 46-33; Ord. No. 85-102, § 2.04, 9-10-1985)~~

Sec. 46-34. Final plat.

The final plat shall have the dimensions prescribed in section 46-33, shall be submitted in triplicate and shall show the following: **Mylar plus PDF as described in application?**

- (1) The boundary lines of the area platted with distance and bearings and the legal description of the property. The property appraiser's parcel identification number is not acceptable as legal description.
- (2) The lines of all proposed streets with their widths and names.
- (3) The outline of any portions of the property intended to be dedicated for public use, such as for schools, parks and so forth.
- (4) The lines of adjoining streets with their widths and names.
- (5) All lot lines, together with the identification system of all lots and blocks, and the square foot area of each lot. The lot numbers within a subdivision shall be assigned counterclockwise from the northeast corner and shall follow in a logical numerical order within a particular block.
- (6) The location of all setback lines and easements provided for public use, service, utilities or drainage.
- (7) All dimensions, both linear and angular, for locating the boundaries of the subdivision, lots, streets, easements and any other areas for public or private use. Linear dimensions shall be given to the nearest 1/100 of a foot. Closure shall be shown on the plat.
- (8) The radii, arcs, chords, chord bearings, points of tangencies and central angles for curved streets and rounded block corners.
- (9) The location of all survey monuments and benchmarks with their descriptions.
- (10) The name of the subdivision, the scale of the plat, points of the compass and the name of the owner of the subdivision.

- (11) The certificate of the surveyor as to the correct representation of the plat and as to F.S. ch. 177, pt. I (F.S. § 177.011 et seq.).

(12) Private restrictions and trusteeships and their period of existence. Easements?

- (13) Acknowledgment of the owner to the plat and restrictions, including dedication to public use of all streets and parks, the dedication of or granting of required easements and a statement that all streets are paved and drained or will be paved and drained before any lots are sold.

~~(Code 1997, § 46-34; Ord. No. 85-102, § 2.05, 9-10-1985; Ord. No. 2002-02, § 3, 2-7-2002)~~

Sec. 46-35. Signatures; certifications and acknowledgments.

The final plat must contain space and forms for the appropriate certifications and acknowledgments and shall be signed by the following:

- (1) A notary public or other officer authorized by law to take acknowledgments as to the certification of the acknowledgment by the owner.
- ~~(2) A representative of the state department of health and/or the county health officer as to sanitary sewage facilities.~~
- (3) The town engineer as to approval for engineering requirements.**
- (4) The town attorney as to legal sufficiency and compliance.
- (5) The town clerk as to approval by the council.
- (6) The mayor as to approval for the town.
- (7) The clerk of the circuit court for the county as to the plat having been filed for record. The plat book and page designation shall be obtained from the clerk at the time it is presented to the clerk for recording.

~~(Code 1997, § 46-35; Ord. No. 85-102, § 2.06, 9-10-1985)~~

Secs. 46-36—46-80. Reserved.

ARTICLE III. DESIGN STANDARDS

Sec. 46-81. Relation to adjoining street system.

The arrangement of streets in a subdivision shall make provision for the continuation of the principal existing streets in adjoining areas or their proper projection where adjoining land is not subdivided insofar as this may be deemed necessary by the council for public requirements. The street arrangement shall be such as not to cause hardships to owners of adjoining property when they plat their own land and seek to provide convenient access to it. Offset streets shall be avoided and the angle of intersection between streets shall not vary by more than ten degrees from a right angle. Streets obviously in alignment with existing streets shall bear the names of the existing streets.

~~(Code 1997, § 46-81; Ord. No. 85-102, § 3.01, 9-10-1985; Ord. No. 2002-02, § 4, 2-7-2002)~~

Sec. 46-82. Street widths.

- (a) As a minimum requirement for streets, sidewalks and public utilities, the plat shall dedicate a minimum width of 60 feet. Dead-end streets and/or culs-de-sac, streets that terminate within a subdivision other than at boundary line, shall have a minimum width of 60 feet and shall terminate in a turnaround with a minimum radius of 50 feet.
- (b) The council may, after proper study, require a street width in excess of 60 feet, if traffic engineering surveys indicate that present or anticipated future traffic densities justify a street of greater width.
- (c) Where streets parallel and adjoin section and half-section lines adjoining unsubdivided property, a half-street, 50 feet in width, shall be dedicated and, whenever subdivision property adjoins a half-street on a section or half-section line, the remainder of a 100-foot right-of-way shall be dedicated. Water systems shall be placed within 43½ feet of the section and half-section lines.
- (d) The council may, after proper study and due consideration, reduce the right-of-way on certain half-section lines to a width of 80 feet.

(e) Alleys are not recommended in a residential district.

(Code 1997, § 46-82; Ord. No. 85-102, § 3.02, 9-10-1985)

Sec. 46-83. Blocks.

- (a) Where a tract of land is of such size and location as to prevent a lot arrangement related to a normal street design, there may be established courts, dead-end streets or culs-de-sac, provided that a proper access shall be given to all lots from a dedicated street or court.
- (b) No block shall be longer than 600 feet. Where blocks are made longer than 600 feet in length, a crosswalk, ten feet in width, shall be required near the center of the block.

(Code 1997, § 46-83; Ord. No. 85-102, § 3.03, 9-10-1985)

Sec. 46-84. Lots.

- (a) The minimum building setbacks required are 25 feet from the right-of-way of the street. Side lot setbacks will be ten percent of the front lot width, with a minimum of ten feet.
- (b) Lots shall comply with the zoning district that the subdivision is located within.
- (c) A corner lot shall have widths sufficient to permit the establishment of front building lines on both the front and side of the lot adjoining the streets.
- (d) The arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of the surrounding development.
- (e) Restrictions requiring buildings to be set back to the building lines shall be shown on the plat. Restrictions shall also be made and shown on the plat requiring all residential buildings to be set a minimum of ten feet off each side lot line and not less than 25 feet from rear lot lines.
- (f) All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout.

(Code 1997, § 46-84; Ord. No. 85-102, § 3.04, 9-10-1985; Ord. No. 2002-02, § 5, 2-7-2002)

Sec. 46-85. Easements.

- (a) Easements at least 7 ½ feet in width shall be provided on each side of all back lot lines and five feet in width on each side of side lot lines where necessary for poles, wires, conduits, sewers, gas or water lines or drainage swales. Easements of greater width may be required along or across lots where necessary for proper drainage for street rights of way.
- (b) Whenever any stream or important surface drainage course is located in an area being subdivided, the developer shall provide an adequate easement along the stream for sanitary sewer installations and for the purpose of widening, deepening or improving or for drainage use.

(Code 1997, § 46-85; Ord. No. 85-102, § 3.05, 9-10-1985)

Secs. 46-86—46-110. Reserved.**ARTICLE IV. REQUIRED IMPROVEMENTS****Sec. 46-111. Preparation of plans and specifications for improvements.**

Receipt of the signed copy of the approved preliminary plat is authorization for the developer to proceed with the preparation of plans and specifications for the minimum improvements required by this article and with preparation of the final plat. Prior to the construction of any required improvements, the developer shall furnish the town engineer all plans, information and data necessary to determine the character of the improvements. These plans shall be examined and will be approved if in accordance with this article. Following this approval, construction can be started or the amount of the bond guaranteeing the improvements determined. No final or official plat of a subdivision shall be approved unless either:

- (1) The improvements listed in this article have been installed prior to the approval; or
- (2) The developer files with the town a surety bond to secure the construction of the improvements listed in this article in a satisfactory manner and within a period specified by the council, this period not to exceed 12 months. The bond shall be in an amount at least equal to the cost of constructing the improvements as estimated by the developer's engineer and approved by the town engineer and in a form approved by the town attorney.

(Code 1997, § 46-111; Ord. No. 85-102, § 4.01, 9-10-1985)

Sec. 46-112. Inspection.

- (a) The town may have an inspector on the project when deemed necessary during the construction period, and the inspector shall be authorized to enforce the construction of the work in accordance with the approved plans and specifications. The developer shall pay the cost of the inspector. If any changes are required in the approved plans or specifications during the period of construction, the changes must first be approved, in writing, by the town or its authorized representative so that subdivision files can be complete.
- (b) The developer shall have available, when necessary, a qualified engineer for the purpose of setting all line and grade stakes when required by the contractor or inspector.
- (c) The engineer shall furnish the town engineer with a written construction schedule at intervals of at least once each month. The schedule shall show the construction work to be accomplished during the period covered by the schedule.

(Code 1997, § 46-112; Ord. No. 85-102, § 4.06, 9-10-1985; Ord. No. 2002-02, § 6, 2-7-2002)

Sec. 46-113. Acceptance for maintenance by town.

- (a) Prior to acceptance by the town, the developer shall furnish a certificate prepared by the developer's engineer to the effect that all improvements have been completed in accordance with the approved plans and specifications. Where the developer elects to post a bond ensuring that the work will be completed in a stated period of time, the certificate required by this section will be required at the time of completion of construction.
- (b) Upon completion of the work covered by the plans and a unilateral agreement, the owner shall notify the town engineer in writing. Upon receipt of notification, the town will make an inspection of the construction work. If all work is found to be satisfactorily completed, then the town, after a period of 90 days from the time of inspection, will make a final inspection. If the work is found satisfactory and if all deficiencies are repaired or corrected, then the town will accept the improvements for maintenance. A performance bond in the amount of 100 percent of the estimated cost of street improvements will be required in all subdivisions.

(Code 1997, § 46-113; Ord. No. 85-102, §§ 5.01, 5.02, 9-10-1985)

Sec. 46-114. Street improvements.

- (a) All streets and public ways shall be cleared and graded to their full width of right-of-way, including side slopes, and to the appropriate grade and shall be surfaced in accordance with the applicable standard specifications of the state department of transportation and the manual of uniform minimum standards. They shall meet the following minimum specifications:
 - (1) Pavement shall be 22 feet in width.
 - (2) Shoulders shall be six feet in width.
 - (3) Front and back slopes shall not be less than 3:1.
 - (4) All shoulders and slopes shall be seeded, mulched and fertilized.
 - (5) Paving specifications and application shall be according to the current edition of the state department of transportation specifications for road and bridge construction.
 - (6) Street cross drains will have headwalls and endwalls.
- (b) If required to prevent erosion or excessive washing of the shoulders, protective measures shall be taken as required by the town or its representative.
- (c) Curbs and gutters shall be constructed along both sides of all streets and in accordance with the standards of the state department of transportation. A modified curb, constructed in accordance with county specifications, may be used on streets with gradients of two percent or less. Where required, turnouts will comply with town specifications and be constructed before the building is completed and before the lot or building is sold.
- (d) The following pavement bases shall be constructed of the following type having a minimum thickness of six inches:
 - (1) Sand-bituminous road mix.
 - (2) Florida limerock base.
 - (3) Limerock stabilized base (300 pounds per square yard).

(4) Shell cement mix.

(5) Soil cement mix.

(e) All pavement bases shall have a surface wearing course of one of the following types, as outlined in the state department of transportation specifications:

(1) Double surface treatment.

(2) Asphaltic concrete surface course, one-inch minimum thickness.

(3) Hot sand asphalt surface course, one-inch minimum thickness.

(4) Concrete roads are not acceptable.

(f) Subgrades, paving bases and surface wearing course shall be constructed in accordance with the specifications of the state department of transportation.

(g) The owner or developer shall retain a reputable recognition commercial laboratory which shall certify to the town that all materials entering into the completed work are in accordance with these specifications. Where the pavement base is to be sand-bituminous road mix or soil cement mix, the laboratory shall furnish a report covering the blending of soil materials with bituminous materials or cement prior to base construction. A report of the laboratory shall be submitted covering the completed pavement.

(h) Concrete sidewalks shall not be required in residential areas unless, in the opinion of the council after proper study, pedestrian traffic will justify the installation of sidewalks as a safety precaution.

(i) All street markers will be constructed, painted and erected in accordance with town specifications. Street markers will be installed by the developer at the locations shown on the drawings.

(j) Radii at intersections shall be a minimum of 25 feet.

(k) A developer shall place appropriate road signs, within the area described by the plat to be recorded. The signs shall be constructed by the town and paid for by the developer.

(l) All design shall meet requirements of the Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways prepared by the state department of transportation.

(Code 1997, § 46-114; Ord. No. 85-102, § 4.02, 9-10-1985; Ord. No. 2002-02, § 7, 2-7-2002)

Sec. 46-115. Drainage requirements. SJRWMD Requirements??

(a) All drainage pipe shall have adequate capacity to carry the runoff resulting from a rainfall intensity which may be exceeded on the average of at least once every year. All drainage facilities shall be designed for a positive outfall to existing storm sewer system, lakes, canals, rivers, streams or previously constructed town, county or state road ditches. If the added runoff from the developed area overtaxes the existing road or outfall ditches, the developer shall include in the plans sufficient work to enlarge the present facilities to care for the added drainage imposed on the system.

(b) Where storm sewers are provided, the maximum overland flow shall be 400 feet. Minimum grade for curb and gutter shall be three-tenths of one percent; provided that one-half percent grade shall be held insofar as practical.

(c) Drainage pipe shall be corrugated metal pipe, plain or reinforced concrete pipe or plain or extra strength vitrified clay pipe, except that corrugated metal pipe shall not be installed under a paved road unless it is asphalt coated. Minimum pipe size shall be 15 inches in diameter.

(d) All plans shall show, in addition to contours, the outlines and sizes in acres of drainage areas at the various points of concentration.

- (e) Catchbasins, drop inlets, curb inlets and manholes shall be of a class A concrete or brick construction and in accordance with state department of transportation standards. All grates shall be cast iron or steel with minimum size of two square feet net open area.
- (f) Where land is subject to periodic flooding by the overflow from creeks, rivers or streams, a floodplain must be established and no building will be permitted within the area of the floodplain, unless the entire area is filled to two feet above the floodplain.
- (g) Permits shall be obtained from St. Johns River Water Management District prior to final approval.

(Code 1997, § 46-115; Ord. No. 85-102, § 4.03, 9-10-1985; Ord. No. 2002-02, § 8, 2-7-2002)

Sec. 46-116. Water lines.

- (a) Where an approved public water supply is reasonably accessible or procurable, each lot within the subdivision shall be provided with a connection to the water supply. The water service for each lot will be installed at the time of the application for a building permit. All mains, to the under paving, shall be constructed prior to the paving installation. Fire hydrants will be installed in all subdivisions where a public water supply is available.
- (b) Where no approved public water supply is available, the installation of a private water supply system will be required at the time of the application for a building permit. The private water supply system shall be constructed in such a manner that an adequate supply of potable water will be available to each lot. All applicable state rules and regulations shall govern the installation of the system.

- (c) The developer shall pay all costs required to process the permit.

(Code 1997, § 46-116; Ord. No. 85-102, § 4.04, 9-10-1985; Ord. No. 2002-02, § 9, 2-7-2002)

Sec. 46-117. Sanitary sewers.

- (a) Where an adequate sanitary sewer is reasonably accessible, each lot in the subdivision shall be provided with a connection to the sanitary sewer. All connections and the subdivision sewer system shall comply with all applicable state rules.
- (b) Where sewers are not accessible and where septic tanks are not permissible, the owner or developer shall install and operate a sewage collection and treatment system of a capacity sufficient to serve the entire subdivision and all contemplated additions. The system shall be constructed in accordance with the regulations and requirements of and approval of the county health officer and the state department of environmental protection.

- (c) The developer shall pay all costs required to process the permit.

(Code 1997, § 46-117; Ord. No. 85-102, § 4.05, 9-10-1985; Ord. No. 2002-02, § 10, 2-7-2002)