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Subdivision Analysis with Proposed Subdivision Regulations

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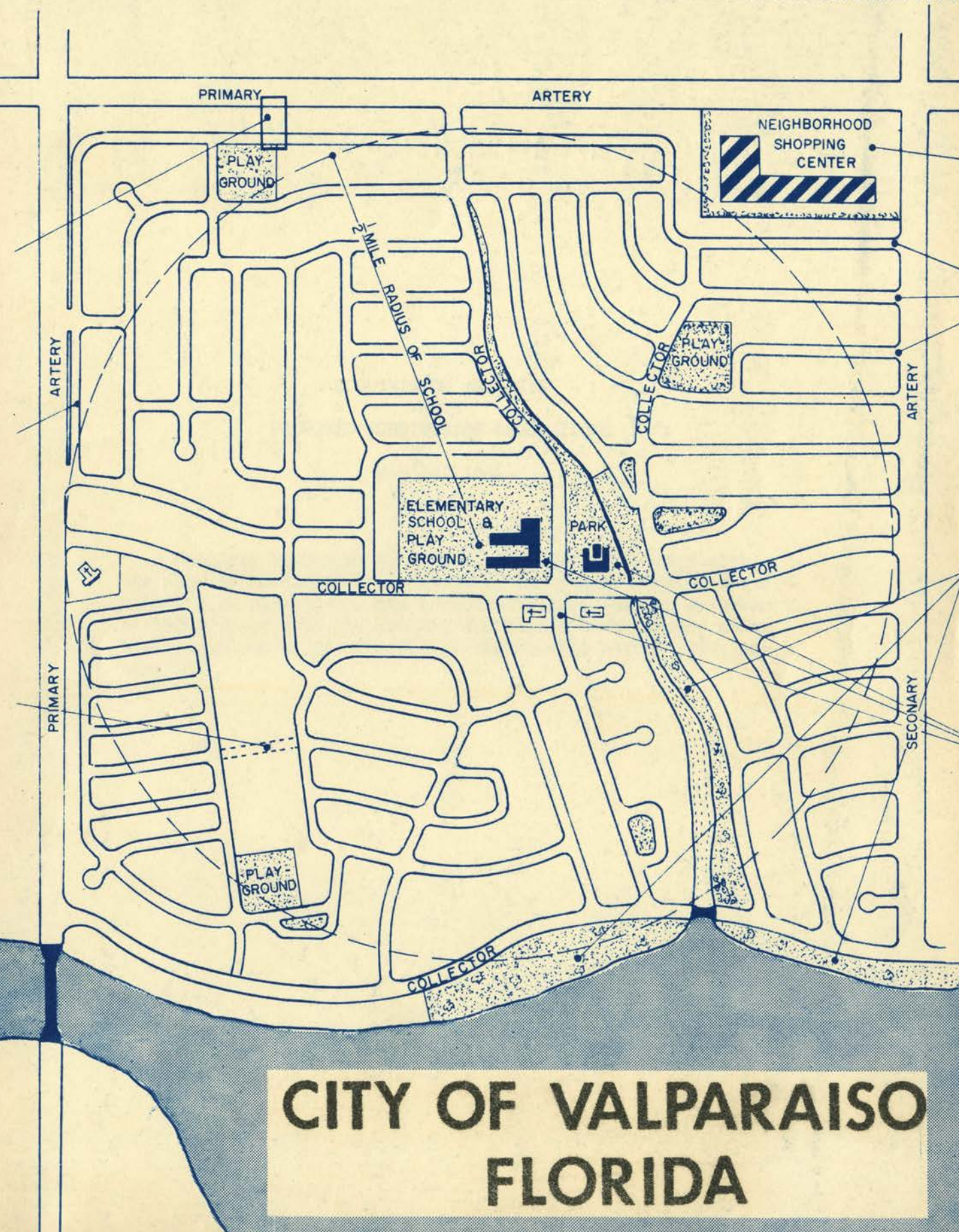
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SUBDIVISION ANALYSIS



SUBDIVISION ANALYSIS
WITH
PROPOSED SUBDIVISION REGULATIONS

May 12, 1961

Prepared by George W. Simons, Jr., under contract with the Florida Development Commission. The preparation of these subdivision regulations was financed in part through an urban planning grant from the Housing and Home Finance Agency under the provisions of Section 701 of the Housing Act of 1954, as amended.

SUBDIVISION ANALYSIS

Because Valparaiso was planned from the beginning of its development, a very good pattern of development has evolved. In general, lots are spacious and minor streets are planned to provide attractive vistas, good buildable sites, and discourage excessive through traffic. Adequate parks were originally reserved, but unfortunately some of these, dedicated in the original plats, have not been retained. A good system of major streets has been provided.

The major criticism to be made against subdivision practices in Valparaiso is that in the over-optimism of the past too much land was subdivided ahead of the growth available to use the land. Spotty development resulted, and this causes excessive costs for street and utility improvements.

The Map of Subdivision Analysis, page b, includes notations of the strong and weak points in subdivision practices in Valparaiso.

Caution is urged regarding future replats. The original platting of Valparaiso achieved an unusually high quality for that day. Some of these areas have been re-subdivided in recent years along more modern designs. While generally good, these replats tend to omit certain highly desirable features - from the City's viewpoint - such as waterfront parks and natural drainage courses. In permitting replats the City should require the new plat to include such features as these of the original plats.

GOOD PLANNING
WIDE RIGHT-OF-WAYS FOR
ALL MAJOR STREETS

AVOID ANGULAR TURNS;
INSTEAD USE HORIZONTAL
CURVES. SEE FIGURE 4B

AVOID OBTUSE ANGLE
INTERSECTIONS. SEE
FIGURE 4A

PLATTED IN 1919

GOOD SUBDIVISION DESIGN OF
CIRCUMLINEAR STREETS THAT
FOLLOW THE CONTOUR OF THE LAND.
LONG BLOCKS AND GOOD BUILDING
SITES.

WELL LOCATED SCHOOL CENTRAL
TO RESIDENTIAL SERVICE AREAS

PLATTED IN 1957

A GOOD SUBDIVISION DESIGN OF
CIRCUMLINEAR STREETS THAT
FOLLOW CONTOUR OF THE LAND.
SPACIOUS LOTS.

AVOID JOGS IN STREET
DESIGN. SEE FIGURE 4A

GOOD PLANNING

DEDICATION OF PARKS ADD BEAUTY TO THE SUBDIVISION AND ALSO PRESERVE NATURAL DRAINAGE COURSES.

GOOD AESTHETIC DESIGN
THE WATERFRONT WAS DEDICATED AS PUBLIC PROPERTY FOR ALL TO ENJOY AND FOR THE BEAUTIFICATION OF THE CITY

TOO MUCH LAND WAS
SUBDIVIDED AHEAD OF
THE POTENTIAL MARKET

POOR SUBDIVISION DESIGN

THIS REPLAT IS OF A POORER DESIGN THAN THE ORIGINAL PLAT, WHICH DEDICATED THE WATERFRONT AS A PARK AND ALL LOTS HAD FRONTAGE ON A PUBLIC STREET OF STANDARD DIMENSIONS. MANY OF THESE LOTS HAVE NO ACCESS TO A PUBLIC STREET EXCEPT VIA INADEQUATE LANES. THE USE OF CUL-DE SACS ON STREETS OF ADEQUATE WIDTH WOULD BE PREFERABLE. SEE FIGURE 3.

THIS REPLAT IS OF A POORER DESIGN THAN THE ORIGINAL PLAT, WHICH DEDICATED THE WATERFRONT AS A PARK AND ALL LOTS HAD FRONTAGE ON A PUBLIC STREET OF STANDARD DIMENSIONS. MANY OF THESE LOTS HAVE NO ACCESS TO A PUBLIC STREET EXCEPT VIA INADEQUATE LANES. THE USE OF CUL-DE SACS ON STREETS OF ADEQUATE WIDTH WOULD BE PREFERABLE. SEE FIGURE 3.

SUBDIVISION REGULATIONS
PROPOSED FOR
VALPARAISO AND NICEVILLE

Neither Valparaiso nor Niceville have subdivision regulations. The Comprehensive Planning study requires a review of subdivision practices and a proposed subdivision regulation in a form for adoption. Of course, the subdivision regulations proposed herein are tentative until adopted in the proposed or modified form.

Because of the common interest of the two communities, which have similar problems of land development, the proposed regulations should be identical for each city insofar as possible. In the process of adopting these regulations minor changes may be required from one city to the other.

Included in this report are various illustrations for informational purposes, primarily to guide city officials in the review of future subdivision plats. Although these illustrations are not necessarily a part of the regulations, they could be issued as an appendix to the ordinance for guidance of developers.

PROPOSED FOR ADOPTION

AN ORDINANCE OF THE CITY OF VALPARAISO, FLORIDA
REGULATING THE SUBDIVISION OF LAND IN OR ABOUT
TO BE ANNEXED TO THE CITY OF VALPARAISO, FLORIDA

BE IT ORDAINED BY THE CITY OF VALPARAISO, FLORIDA:

ARTICLE I DECLARATION OF PURPOSE,
JURISDICTION, AND DEFINITIONS

SECTION 1. DECLARATION OF PURPOSE

The procedures and standards for the development and subdivision of real estate and for the surveying and platting thereof, adopted and prescribed by this ordinance and hereby found by the City of Valparaiso, Florida to be necessary and appropriate in order to provide for economical and sufficient streets with adequate widths and with proper alignment and grades designed to promote the public safety, health and general welfare, to provide for suitable residential neighborhoods with adequate streets and utilities and appropriate building sites, to save unnecessary expenditure of public funds by initial proper construction of streets and utilities and to provide proper land records for the convenience of the public and for better identification and permanent location of rear estate boundaries.

SECTION 2. JURISDICTION

From and after the date of adoption, these regulations shall govern subdivisions of land within the City Limits and subdivisions about to be annexed to the City, and no subdivider may proceed with improvement or sale of lots in a subdivision until such subdivision plat shall have been approved and accepted herein:

SECTION 3. DEFINITIONS

For the purpose of these regulations certain words and terms used herein are defined as follows:

- (1) **PLANNING BOARD.** The words "Planning Board" shall be construed to mean the Planning Board of the City of Valparaiso, Florida as now constituted.
- (2) **CITY.** The City of Valparaiso, Florida.
- (3) **COMPREHENSIVE PLAN.** A Plan, which may consist of several maps, data and other descriptive matter, for the physical development of the city or any portion thereto including any amendments, extensions or additions thereof adopted by the City of Valparaiso, Florida, indicating the general locations for major roads, parks or other public open spaces, public building sites, routes for public utilities, zoning district or other similar information.

- (4) CITY COMMISSION. The City Commission of the City of Valparaiso, Florida.
- (5) CUL-DE-SAC. A street having one open end and being permanently terminated by a vehicular turn-around.
- (6) DEDICATION. The deliberate appropriation of land by its owner for any general and public uses, reserving to himself no other rights than such as are compatible with the full exercise and enjoyment of the public uses to which the property has been devoted.
- (7) EASEMENT. A right-of-way granted for limited use of private property for a public or quasi-public purpose.
- (8) LOT. A tract or parcel of land identified as a single unit in a subdivision and intended for transfer of ownership, use or improvement.
- (9) RIGHT-OF-WAY. Land reserved, used or to be used for a street, alley, walkway, drainage facility or other public purpose.
- (10) STREET. The term "Street" means a public way for vehicular traffic whether designated as a street, highway, thorofare, parkway, throughway, road, boulevard, land, place or however designated.
 - (a) ARTERIAL STREETS AND HIGHWAYS. Those which are used primarily for fast or heavy traffic.
 - (b) COLLECTOR OR FEEDER STREETS. Those which carry traffic from minor streets to the major system of arterial streets or highways, including the principal entrance streets of residential development and streets for circulation within such a development.
 - (c) MARGINAL ACCESS STREETS. Minor streets which are parallel and adjacent to arterial streets and highways and which provide access to abutting properties and protection from traffic.
 - (d) MINOR STREETS. Those which are used primarily for access to abutting property.
 - (e) HALF-STREET. Generally parallel and adjacent to the boundary of a tract, having a lesser right-of-way width than required for a full width of the type involved.
 - (f) PARKWAY. Streets with limited access on an exceptional right-of-way permitting marginal parkways for landscaping.
 - (g) ALLEY. A minor roadway which is used primarily for vehicular service access to the back or the side of properties otherwise abutting on a street.

- (11) SKETCH PLAN. An informal plan indicating the salient existing features of the site and its surroundings as described in Section 3 and the general layout of a proposed subdivision.
- (12) SIGHT DISTANCE. The minimum extent of an unobstructed forward vision (in a horizontal plane) along a street from a vehicle located at any given point on a street.
- (13) SUBDIVIDER. A person, or his agent, who undertakes the activities covered by these regulations, particularly the drawing up of a subdivision plat showing the layout of the land and the public improvements involved therein. Inasmuch as the subdivision plat is merely a necessary means to the end of assuring a satisfactory development, the term "subdivider" is intended to include the term "developer", even though the persons involved in successive stages of the project may vary.
- (14) SUBDIVISION. The division of a parcel of land into two (2) or more lots or parcels either by plat into lots and blocks or by metes and bounds description for the purpose of transfer of ownership or development, when said division results in two or more lots of parcels of three acres or less for either; or if a new street is involved, any division of a parcel of land; or resubdivisions of land heretofore divided or platted into lots, sites or parcels. However, the sale or exchange of small parcels of land to or between adjoining property owners where such sale or change does not create addition lots shall not be considered a subdivision of land.
- (15) ZONING ORDINANCE. Whenever used in these regulations means the Zoning Ordinance of the City of Valparaiso, Florida, and amendments thereto.

ARTICLE II - PROCEDURE FOR PLAT APPROVAL

SECTION 1. GENERAL PRE-APPLICATION PROCEDURE

Prior to the preparation of a preliminary plat and for assistance to the subdivider, the sub-divider shall obtain a copy of the City of Valparaiso Subdivision Regulations, and he shall prepare a declaration describing in general terms the subdivision contemplated, accompanied by a sketch plan as required in Article III, Section I.

The subdivider may request a preliminary conference with the Planning Board, at which review conference he shall submit the declaration and sketch plan. However, the subdivider in lieu thereof may choose to proceed to step two as required in Section 2 that follows, in which case the declaration and sketch plan shall be submitted with copies of the preliminary plat.

SECTION 2. PRELIMINARY PLAT PROCEDURE

- (1) Any person desiring to subdivide land and who has fulfilled the requirements of Section 1 hereof, shall prepare a Preliminary Plat of the proposed subdivision in accordance with the specifications and requirements of Section 3 that follows.

- (2) One (1) copy of the Preliminary Plat shall be filed with the City Clerk, one (1) copy with the Planning Board, and one (1) copy with the City Engineer for examination at least five (5) days prior to the Planning Board meeting at which it is to be considered.
- (3) The City Engineer shall examine and check the Preliminary Plat for general engineering and the requirements of Section 4. The City Clerk shall check the Preliminary Plat for street numbering and naming and conformance with the Comprehensive Plan of the City. Both officials shall forward to the Planning Board one print of said Plat with their approval or recommended changes.
- (4) The Planning Board shall review the recommendations of the City Engineer and the City Clerk. In its consideration of the Preliminary Plat the Planning Board may call upon the City Engineer, representatives of the Power Company, Planning Consultants and the Board of Public Instruction for information as to how the site of the proposed subdivision can be served with utilities, drainage facilities, parks, and schools.
- (5) Within fifteen (15) days from such review the Planning Board shall forward to the City Commission its recommendation along with the recommendations submitted by the City Engineer.
 - (a) If the recommendation is for approval, such approval shall not constitute an approval of the final plat even though it may not be at variance with the preliminary plat.
 - (b) If the recommendation is for rejection, the Planning Board shall furnish the City Commission in writing a list of reasons, and a copy shall be furnished the subdivider.
 - (c) Failure of the Planning Board to make a recommendation within thirty (30) days after its initial consideration shall be deemed a recommendation of the plat as approved by the City Engineer and the City Clerk.
- (6) If the City Commission approved the Plat conditional upon modifications, corrections, or changes, the Plat shall be altered by the developer to conform with the said modifications before being signed by the aforementioned parties, after which one print of the signed Preliminary Plat shall be furnished by the developers to the Planning Board, the City Engineer, and the City Clerk.

SECTION 4. PROCEDURE FOLLOWING APPROVAL OF THE PRELIMINARY PLAT

- (1) Receipt of the signed copy of the approved Preliminary Plat is authorization for the Subdivider to proceed with the preparation of plans and specifications for the following minimum improvements and with the preparation of the final plat:
 - (a) Street grading and paving, curb and gutter, sidewalks.
 - (b) Drainage of the subdivision.
 - (c) Water Supply.
 - (d) Sanitary sewers.
 - (e) Street name signs.
 - (f) Monuments.

- (2) Prior to the construction of any improvements, the Subdivider shall furnish the City Engineer a copy of all plans, information and data necessary to determine the character of the site improvements contemplated for compliance with the minimum standards and specifications of the City for said improvements. Street and drainage plans shall be prepared by an engineer registered in the State of Florida.
- (3) Upon approval of (2) above the Subdivider may proceed with surveys and initial construction in accordance with the minimum standards and specifications of the City.

SECTION 5. PROCEDURE FOR TENTATIVE APPROVAL OF THE FINAL PLAT

- (1) Within six months after approval of the Preliminary Plat, three (3) copies of the final plat shall be submitted to the City Commission for their examination and approval. However, an extension of time may be granted by the City Commission upon written request. Of these three copies, one copy shall be transmitted to the Planning Board, one copy to the City Engineer, and one copy to the City Clerk for their review and comments.
- (2) The final plat shall conform substantially to the Preliminary Plat as approved, and if desired by the subdivider it may constitute only that portion of the approved Preliminary Plat which he proposes to develop and record at the time, however, that such portion conforms to all the requirements of these regulations.
- (3) Application for approval of the final plat shall be submitted in writing to the City Commission at least ten (10) days prior to the meeting at which it is to be considered, with copy to the Planning Board, the City Engineer, and the City Clerk.
- (4) The City Engineer and the City Clerk shall examine the final plat for conformance with the preliminary plat with regard to their individual responsibilities, and within ten (10) days they shall notify the Planning Board of their findings in writing. After review the Planning Board shall notify the City Commission of their findings. However, the Planning Board's certification will not include anything as to such structures as sidewalks, streets, sewers, drainage or other engineering components that comprise the ultimate development. Such physical components must conform to specified engineering standards prescribed by the City Commission. Failure of the Planning Board to act within thirty (30) days after submission of said plat shall be deemed approved and the final plat must be forwarded to the City Commission for tentative approval.
- (5) After certification of the Final Plat by the Planning Board, the City Engineer and the City Clerk, the City Commission may give tentative approval of the Final Plat. Final approval shall be suspended until all the required improvements are installed to the satisfaction and final approval of the City Commission or in lieu thereof, the deposit of cash equal to the construction costs estimated by the City Engineer or the filing of a surety bond conditioned to secure the construction of required improvements.

- (6) The certification of the Planning Board and the tentative approval of the City Commission shall be each stamped or imprinted on the Final Plat. The original copy shall be returned to the subdivider, one (1) copy to the City Engineer, and one (1) copy to the Planning Board and one copy to be retained in the files of the City Clerk.

SECTION 7. PROCEDURE FOLLOWING TENTATIVE APPROVAL OF THE FINAL PLAT BY THE CITY COMMISSION

- (1) Upon the finding by the City Commission that the subdivider has complied with the applicable State, County, and City laws and the provisions of these regulations, and said Commission has given tentative approval to the final plat, the subdivider shall install all required improvements immediately or deposit either of the following surety alternatives:
 - (a) File with the City Commission a surety bond conditioned to secure the construction of the improvements listed in Article IV in a satisfactory manner and within a time period specified by the City Commission, such period not to exceed one (1) year. Said bond shall be executed by a surety company authorized to do business in the State of Florida and having a resident agent in Okaloosa County. No such bond shall be accepted unless it is enforceable by or payable to the City in a sum at least equal to the cost of constructing the improvements as estimated by the City Engineer and in form with the surety and conditions approved by the City Attorney, or,
 - (b) Deposit with the City or place in escrow cash, cashier's check or a certified check in an amount equal to the cost of construction the improvements as estimated by the City Engineer. The City Clerk may release portions of this security deposit as the work progresses.
 - (c) Estimates for the costs of said improvements shall be provided by the subdivider, to be made by an engineer registered in the State of Florida. Such information as necessary shall be made available to the City Engineer for his determination of costs.
- (2) Following receipt of the surety deposit or notification by the City Engineer that all improvements have been installed, whichever occurs first, the City Commission may give final approval to the Final Plat and cause said plat to be properly executed.
- (3) After final approval by the City Commission, the subdivider shall file a true copy of the plat as approved, within sixty (60) days from the date of such approval with the Clerk of the Circuit Court of Okaloosa County.
- (4) When the plat has been recorded, four (4) copies thereof shall be filed with the City Clerk, who shall distribute one each to the Planning Board, the City Engineer and the Building and Planning Official and shall retain one for the City Commission.

- (5) No building permit shall be issued until the final plat has been recorded in the office of the Clerk of the Circuit Court of Okaloosa County. No temporary or final Certificate of Occupancy shall be issued until all physical improvements serving the property have been installed in accordance with Article V.

ARTICLE III

REQUIREMENTS OF THE SKETCH PLAN, THE PRELIMINARY PLAT AND THE FINAL PLAT

SECTION 1. REQUIREMENTS OF THE SKETCH PLAN

- (1) The location of the land or site to be subdivided and the approximate area thereof.
- (2) An indication of such natural features as unusual topography, low or swampy areas, streams or lakes.
- (3) An indication of the proximity of such utilities as water, sewerage, drainage, electric light and power and how the subdivision will be served by each.
- (4) The subdivision of existing lands, if any, surrounding or abutting the proposed site, notably the street pattern.
- (5) The relationship of the proposed subdivision to existing community facilities which serve or influence it such as main traffic arteries, railways, waterways, shopping or commercial centers, schools, parks and playgrounds or any other physical features that will enable the Planning Board to determine how the subdivision will fit into the pattern of the community as a whole.

SECTION 2. REQUIREMENTS OF THE PRELIMINARY PLAT

- (1) The Preliminary Plat shall be drawn to a scale of not more than 100 feet to the inch, provided, however, that a scale of 200 feet to the inch may be used for large areas and shall show the following:
 - (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 sketch related to the city limits.
 - (c) North point, graphic scale and date.
 - (d) Name of the owner of property or his authorized agent.
 - (e) Name of the registered engineer or surveyor responsible for the plat.
 - (f) Locations and names of adjacent subdivisions.
 - (g) Boundary line of the tract to be subdivided drawn accurately to scale and with accurate linear and angular dimensions.

- (h) All existing water courses, drainage ditches, canals and bodies of water on or adjacent to proposed subdivision. Elevations at 2 foot intervals.
- (i) All existing buildings on the proposed subdivision and all existing sewers, water mains, culverts, fire hydrants, underground or above ground utilities on or adjacent to the proposed subdivision.
- (j) 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.
- (k) All existing property lines, easements and rights-of-way and the purpose for which the easements or rights-of-way have been established.
- (l) Location and width of all proposed streets, alleys, rights-of-way and easements, purpose of easements, proposed lot lines for each street.
- (m) Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses.
- (n) Sites, if any, for multiple family dwellings, shopping centers, churches, industry or other non-public uses exclusive of single family dwellings.
- (o) Locations and size of proposed water, sewer, drainage facilities, fire hydrants and other utilities on the land to be subdivided and on land within one hundred (100) feet thereof.
- (p) Site data, in tabular form, including number of residential lots, typical lot sizes and areas in parks, etc.
- (q) Space and forms for the following signatures indicating approval:
 - 1. Developer.
 - 2. Mayor (attested by City Clerk).
 - 3. Chairman of the Planning Board.
 - 4. The City Engineer.
 - 5. City Clerk.
- (2) Where the proposed plat covers only a portion of the subdivider's entire holding, sketch shall be submitted showing the prospective street layout and proposed use for the remainder.
- (3) The extent and boundaries of the platted area shall be graphically indicated in a clear and understandable manner.
- (4) A draft of the deed restrictions or protective covenants, whereby the subdivider intends to regulate the land use other than through the zoning ordinance, shall be attached to the preliminary plat.
- (5) If the proposed land to be subdivided does not lie within the corporate limits but is proposed for annexation to the City, the preliminary plat shall show a plan indicating the proposed use of the lots and the County zoning.

SECTION 3. REQUIREMENTS OF THE FINAL PLAT

- (1) The final plat shall be clearly and legibly drawn in ink or tracing cloth to a scale of not more than 200 feet to one inch. Individual sheets shall not be larger than _____ inches by _____ inches overall, as approved by Okaloosa County for purposes of recording. Where the Final Plat of a proposed subdivision requires more than one sheet, each sheet shall be keyed to a master map with appropriate marks of identification.
- (2) The Final Plat shall include the following information:
 - (a) Location sketch showing location of subdivision with respect to section or government lot lines.
 - (b) Boundary lines of the tract with accurate distances measured to hundredths of a foot and angles to half minutes. The boundaries shall be determined by accurate survey in the field, which shall be balanced and closed with error closures not to exceed one foot to 5,000 feet. Surveys shall be coordinated and tied into the nearest established section corner or quarter section corner by angle and distance.
 - (c) The exact names, locations and widths along the property lines of all existing or recorded streets intersecting or paralleling the boundaries of the tract.
 - (d) The accurate location and material of all permanent reference monuments.
 - (e) 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 arcs and radii, points of curvature and tangent bearings; all easements or rights-of-way where provided for or owned by public services; all lot lines with dimensions in feet and hundredths and with bearings or angles of other than right angles to the street or alley lines.
 - (f) Lots numbered in numerical order beginning with number one in each block and blocks numbered in numerical order or lettered in alphabetical order.
 - (g) The accurate outline of all property which is to be dedicated or reserved for public use including open drainage courses and suitable easements and all property that may be reserved by covenants in deeds for the common use of the property owners in the subdivision, with the purposes indicated thereon.
 - (h) Names and locations of adjoining subdivisions, if any, the adjacent portions of which shall be shown in outline form.
 - (i) Acknowledgment of the owner or owners and all lien holders to the plat and restrictions, including dedication to public use of all streets, alleys, parks or other open spaces shown thereon and the granting of the required easements. Mortgage holders shall execute the following certificates on plats:

The mortgagee (s) consents and agrees to the platting of the lands embraced in the plat and to the dedication shown thereon, and further, should it become necessary to foreclose the mortgage covering the said property that all pieces and parcels dedicated to the public will be excluded from said suit and the dedication remain in full force and effect.

- (j) Private restrictions and/or trusteeships and their period of existence. Should these restrictions be of such length as to make their lettering on the plat impracticable and thus necessitate the preparation of a separate instrument, reference to such instrument shall be made on the plat.
- (k) The certificate of the Registered Land Surveyor attesting to the accuracy of the survey and that the permanent reference monuments have been established according to law.
- (l) Space and forms for the following necessary signatures indicating approval:
 - Planning Board Chariman.
 - Mayor (Attested by City Clerk)
 - City Clerk.
 - County Commission
 - County Engineer
- (m) Subdivision name or identifying title.
- (n) North point, scale and date.
- (o) Name of record owner and subdivider.
- (p) Such other features as may be required by Chapter 177, Florida Statutes.
- (3) A separate instrument shall be attached to and made a part of all plats showing the grade of all roads, streets, alleys and other right-of-ways however designated, and the elevations of the several portions of the land depicted on the plat, by contour lines at two foot intervals.
- (4) A letter from an abstract company certifying the following shall be presented with the final plat.
 - (a) Parties executing plats are owners of the land embraced in the plat.
 - (b) All mortgages, liens, or other encumbrances.
 - (c) Whether or not taxes and assessments are paid.
 - (d) Description shown of the property to be platted is correct.

ARTICLE IV.

GENERAL REQUIREMENTS AND DESIGN STANDARDS

SECTION 1. CONFORMITY TO THE COMPREHENSIVE PLAN

All proposed subdivisions shall conform to the City Zoning Ordinance and to any elements of the Comprehensive Plan that have been adopted by the City. Whenever a tract to be subdivided embraces any part of a street that is designated as a highway, arterial or major street, collector or secondary street, or parkway so designated on any City, County, or State plan, such part of such proposed public way shall be platted by the subdivider in the same location and at the same minimum width indicated on such City, State or County plan.

SECTION 2. LAND UNSUITABLE FOR SUBDIVISION

Land which the Planning Board has found to be unsuitable for subdivision due to flooding, bad drainage, or other features likely to be harmful to the health, safety, and general welfare of future residents shall not be subdivided, unless adequate methods of correction are formulated by the City Engineer and the Planning Board. Protective measures required must be referred to on the plat, including such features as drainage ponds, ditches, etc.

SECTION 3. STREETS

(1) The arrangement, character, extent, width, grade and location of all streets shall conform to the Streets and Highway Plans of the State, County and City, respectively, and shall be considered in their relation to existing and planned streets, to topographical conditions, to public convenience and safety, in their appropriate relation to the proposed uses of the land to be served by such streets and the most advantageous development of the surrounding neighborhood.

(2) Where such is not shown in any major street or highway plan, the arrangement of streets in a subdivision shall either:

- (a) Provide for the continuation or appropriate projection of existing principal streets in surrounding areas at the same or greater width, but in no case less than the minimum required width, or,
- (b) Conform to a plan for the neighborhood, approved or adopted by the Planning Board to meet a particular situation where natural conditions make continuance or conformance to existing streets impracticable.
- (c) Provide for access streets to major, secondary, or collector streets indicated on the Major Street Plan adopted by the City, such access streets to be provided with minimum right-of-way width as collector streets, when considered necessary by the Planning Board.

(3) Minor streets shall be so laid out and arranged as to discourage their use by through traffic. (See Figure 1).

(4) Where a subdivision abutts or contains an existing or proposed arterial street, the Planning Board may require marginal access streets, reverse frontage with screen planting contained in a non-access reservation along the rear property line, deep lots with rear service alleys, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic. (See example A and C of Figure 2 and Examples A, B, C, and D of Figure 3).

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

(6) Reserve strips controlling access to streets shall be prohibited except where their control is definitely placed in the City under conditions approved by the Planning Board.

(7) There shall be no private streets, lanes or ways, platted in any subdivision. Every subdivided lot or property shall be served from a publicly dedicated street.

(8) Half or partial streets shall not be permitted except where essential to reasonable subdivision of a tract in conformance with these regulations and where, in addition, satisfactory assurance for dedication of the remaining part of the street is provided. Wherever a tract to be subdivided borders on an existing half or partial street the other part of the street shall be dedicated within such tract.

(9) Dead end streets are prohibited except those designed to be so permanently. Permanent dead end streets shall be no longer than four hundred (400) feet, under approval by Planning Board, and shall be provided at the closed end (cul-de-sac) with a turn-around having an outside roadway diameter of at least eighty (80) feet and a street property line diameter of at least one hundred (100) feet. (See example B of Figure 3).

(10) Street jogs with center line off-sets of less than one hundred twenty-five (125) feet shall be avoided. (See figure 4).

(11) Curvilinear streets are recommended for residential, minor and collector streets in order to discourage excessive vehicular speeds and to provide attractive vistas. (See Figure 5 and 6).

(a) Whenever a street changes direction or connecting street lines deflect from each other by more than ten degrees there shall be a horizontal curve. (See Example B Figure 4).

(b) To ensure adequate sight distance, minimum center line radii for horizontal curves shall be as follows:

| | |
|--|----------|
| Minor Streets | 150 feet |
| Collector Streets | 300 feet |
| Secondary arterial streets and section lines roads | 500 feet |
| Major arterial streets | 750 feet |

(See Example B, Figure 4)

- (c) A tangent at least 100 feet long shall be provided between reverse curves on collector streets and at least 250 feet long on major and secondary arterial streets and section line roads.

(12) Street intersections:

- (a) Streets shall be laid out to intersect as nearly as possible at right angles. No street shall intersect another at an angle of less than 60 degrees, except at a "Y" intersection of two minor streets. (Example A Figure 4)
- (b) Multiple intersections involving junction of more than two streets shall be prohibited except where found to be unavoidable by the Planning Board.
- (c) "I" intersections of minor and collector streets are to be encouraged.
- (d) As far as possible, intersections on arterial streets shall be located not less than 800 feet apart, measured from center line to center line.
- (e) Property line radii at street intersections shall be twenty-five (25) feet for minor streets and where the angle of intersection is less than sixty degrees a greater radii may be required by the City Engineer.

- (13) Unless otherwise indicated or required by a Major Street Plan, street rights-of-way shall not be less than the following:

| <u>STREET TYPE</u> | <u>RIGHT-OF-WAY - FEET</u> |
|---|----------------------------|
| Major arterial street | 100 |
| Secondary arterial or section line road | 80 |
| Collector street and business streets | 80 |
| Minor street, for apartments | 70 |
| Minor street for one and two families | 60 |
| Marginal access street | 40 |

- (a) Additional right-of-way width may be required to promote public safety and convenience, or to assure adequate access, circulation and parking in high density residential areas, commercial areas and industrial areas.
- (b) Where a subdivision abutts or contains an existing street of inadequate right-of-way width, additional right-of-way in conformance with the above standards may be required.

(14) A proposed new street which is in alignment with or a continuation of an existing street shall have the same name as the existing street. In no case shall new streets have names or numbers which duplicate or which are phonetically similar to existing street names, regardless of the prefix or suffix used as "Avenue", "Boulevard", "Court", "Crescent", "Drive", "Place", "Street" or "Terrace". All street names shall be subject to approval of the Planning Board, which may require names easily recognizable.

SECTION 4. ALLEYS

(1) Alleys shall be provided to serve multiple dwellings, business, commercial and industrial areas, except that the Planning Board may waive this requirement where other definite and assured provision is made for service access, off-street loading, unloading and parking consistent with and adequate for the uses permissible on the property.

(2) The width of an alley shall be twenty (20) feet or more.

(3) Changes in alignment of alleys shall be made on a center-line radius of not less than 50 feet.

(4) Dead-end alleys shall be avoided where possible, but if unavoidable, shall be provided with adequate turnaround facilities for service trucks at the dead end, with a minimum external diameter of 100 feet.

SECTION 5. EASEMENTS

(1) Easements across lots or centered on rear or side lot lines shall be provided for public utilities where necessary and shall be at least 14 feet in width. All plats shall provide 7 foot minimum utility easements at the rear or side of all lots, so designed as to provide present or future access for the providing and servicing of utilities. Perimeter easements shall be 14 feet if no easements exist adjacent thereto.

(2) Where a subdivision is traversed by a water course, drainage way, canal or stream, there shall be provided a storm water easement or drainage right-of-way conforming substantially with the lines of such water course, and such further width of construction, or both, as will be adequate for the purpose. Parallel streets or parkways may be required in connection therewith where necessary for service or maintenance.

(3) Easements may be required for drainage purposes of such size and location as may be determined by the City Engineer.

SECTION 6. BLOCKS

(Refer to Figure 1)

(1) The length, widths and shapes of blocks shall be determined with due regard to:

(a) Provision of adequate building sites, suitable to the special needs of the types of use contemplated. (See Figure 7.)

- (b) Zoning requirements as to lot sizes and dimensions.
- (c) Needs for convenience and safe access, circulation, control of pedestrian and vehicular traffic.
- (d) Limitations and opportunities of topographic features.

(2) Block lengths shall not exceed 1,320 feet nor be less than 500 feet, unless found unavoidable by the Planning Board. (See Figure 6)

(3) Pedestrian crosswalks, not less than 10 feet in width may be required through blocks over 1,000 feet in length where necessary in the judgment of the Planning Board to provide safe and convenient access to schools, playgrounds, shopping centers, transportation or other community facilities.

SECTION 7. LOT REQUIREMENTS

(1) The lot size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated, and shall conform to the requirements of the Zoning Ordinance and Plan of the City and amendments thereto. In no case shall any lots be platted less than sixty (60) feet in width, one hundred (100) feet in depth, and seven thousand five hundred (7,500) square feet in area.

(2) Corner lots for residential use shall have extra width to permit appropriate building setback from the orientation of both streets. (See example A, figure 8).

(3) Insofar as practicable, side lot lines shall be at right angles to straight right-of-way lines or radial to curved right-of-way lines. (See example B, Figure 8).

(4) Double frontage and reverse frontage lots, shall be avoided except where desirable to provide separation of residential developments from traffic arteries or to overcome specific disadvantages of orientation. A planting screen easement of at least 10 feet and across which there shall be no right of access, shall be provided along the line of lots abutting such a traffic artery or other disadvantageous situation. (See Example D, figure 3).

(5) Every lot shall abutt upon and have permanent access to a public street.

SECTION 8. SITES FOR PUBLIC USE

(1) All sites designated in subdivision plats for public parks and recreation areas shall be dedicated in the plat and also deeded to the City for this purpose. When a subdivision covers an area within which a park or recreation site is shown in the Comprehensive Plan of the City, provision shall be made for the reservation of the site in the plat for a period of one year to enable the City to purchase or make satisfactory arrangements for acquisition of said site. If the City fails to act within one year, the subdivider may replat the reserved site.

(2) The subdividers or owners shall make outright dedication to the City for park and recreation purposes at least four (4) per cent of the gross area of said subdivision, said dedication to include parts or all of park areas proposed in the Comprehensive Development Plan of the City that are located in said subdivision. In the event the subdivision is too small for an acceptable park dedication or does not include a park area as shown on the comprehensive plan, the owner may elect to pay unto the City of Valparaiso such sum of money equal in value to four (4) per cent of the gross area of the subdivision, which sum shall be held in escrow and used by the City of Valparaiso for the purpose of acquiring parks and playgrounds and shall be used for no other purpose. The aforementioned value shall be the value of the land subdivided without improvements and shall be determined jointly by the subdivider and the City Commission. If agreement cannot be reached as to a land value, the value shall be determined by arbitration. The City Commission shall appoint a professional land appraiser, the subdivider shall appoint a professional land appraiser, and these two shall appoint a third.

(3) When a subdivision applying for annexation covers an area within which the Board of Public Instruction requires a school site, provision should be made in the subdivision plat for such school site, properly integrated into the plans of the subdivision. Standard minimum site requirements shall be as follows:

| | |
|-------------------------------------|----------|
| Elementary School | 10 acres |
| Junior or Senior High School | 20 acres |
| Combined Elementary and High School | 30 acres |

When a school site has been designated in a plat the site shall be reserved for a period of one year from date of recording. If the Board of Public Instruction fails to purchase the site, or to make arrangements satisfactory to the subdivider for the acquisition of the site within the one year period, the subdivider may replat the reserved school site.

ARTICLE V. IMPROVEMENTS PRE-REQUISITE TO FINAL APPROVAL

The following tangible improvements, in accordance with the plans and specifications approved by the City Engineer are required before final plat approval in order to assure the physical reality of a subdivision which approval and recordation will establish legally. Construction shall be subject to the supervision of the City Engineer.

SECTION 1. MONUMENTS

(1) At intersection of center line all streets install a one inch pipe, three feet long embedded in concrete with the top flush with the finished pavement.

(2) All other lot corners shall be marked with an iron pipe not less than one-half inch in diameter and twenty-four inches long and set so as to be flush with the finished grade.

(3) Permanent reference monuments shall be as required by the State Plat Law.

SECTION 2. GRADING

All streets, cross-walks and alleys shall be graded to their full width by the subdivider in accordance with the city specifications. Due to special topographical conditions deviation to the above will be allowed only with special approval of the City Engineer.

SECTION 3. STORM DRAINAGE

An adequate drainage system including necessary open ditches, pipes, culverts, intersectional drains, inlets, bridges, etc., shall be provided for the proper drainage of all surface water, both within the subdivision and to ultimate outfall. Cross drains shall be provided to accommodate all natural water flow and shall be of sufficient length to permit full width roadway and required slopes.

SECTION 4. PAVING

All streets of the subdivision shall be paved by the subdivider in full accordance with the specifications for paving officially adopted by the City of Valparaíso. Minimum widths of all pavings shall be not less than the following:

- (a) Minor Interior Streets - 26 feet.
- (b) Collector Streets - 44 feet.
- (c) Arterial streets - 44 feet or over. to be determined by the City Commission. Any pavement costs in excess of 44 feet will not be imposed upon the subdivider, but will be the responsibility of the City or County.

SECTION 5. WATER SUPPLY.

Water mains properly connected with the city water supply system shall be provided as to adequately serve all lots shown on the subdivision plat for both domestic use and fire protection.

SECTION 6. SANITARY SEWERS

Where possible sanitary sewer mains properly connected with the city sewerage system shall be provided. In addition to sewer mains, laterals shall be installed to each platted lot and stubbed off at the property line for future connection.

The sanitary sewer system shall also be subject to the approval of the State Board of Health. The use of individual septic tanks, wherever a sewer system may be connected to the City sewerage system, shall not be permitted.

SECTION 7. STREET NAME SIGNS

Street name signs shall be installed at the intersection of all streets carrying the street names approved on the subdivision plat. Location of street name signs shall be subject to the approval of the City Engineer.

ARTICLE V. VARIANCES, SEVERABILITY, PENALTYSECTION 1. HARDSHIP

Where the Planning Board finds that extraordinary hardships may result from strict compliance with these regulations, it may vary the regulations so that substantial justice may be done and the public interest secured; provided that such variation will not have the effect of nullifying the intent and purpose of the Comprehensive Development Plan, the Zoning Ordinance or these regulations, and such variance is issued by the City Commission only after public hearing.

SECTION 2. CONDITIONS

In granting variances and modifications, the Planning Board may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

SECTION 3. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, the validity of the remaining portions shall not be affected thereby.

SECTION 4. PENALTY

Any person or persons, firm or corporation violating or failing to comply with the terms and provisions specified herein, shall be upon conviction and at the discretion of the Court, fined a sum not to exceed two hundred (\$200.00) dollars or by imprisonment not exceeding sixty (60) days, or by both fine and imprisonment.

SECTION 5. SALE OF NON-PLATTED LOTS NOT PERMITTED

No owner of a tract of real property shall sell lots from said tract without first having said tract surveyed and recorded in accordance with these regulations.

This Ordinance shall take effect upon its adoption and publication as required by law. Authenticated this _____ day of _____, A. D., 19____.

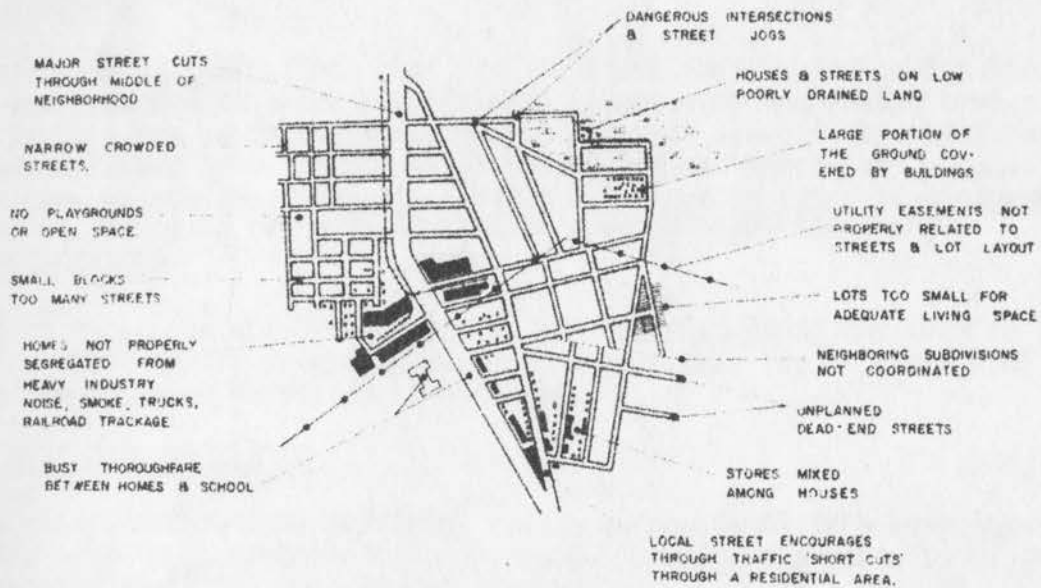
MAYOR

ATTEST:

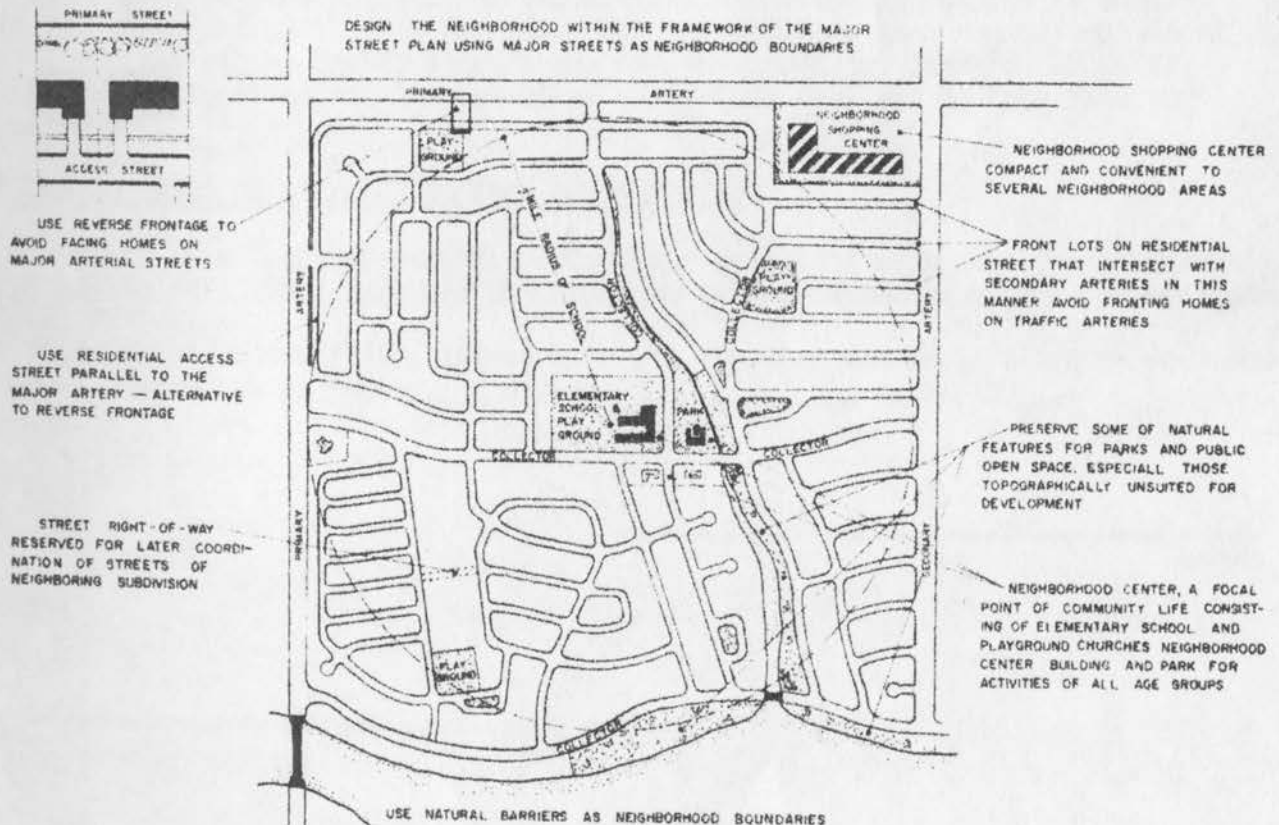
CITY CLERK

Figure 1

The illustration that follows indicates many of the problems of poor environment that result when housing areas are not planned. The figure below indicates the idealized approach to subdividing land for residential use and its related services:



DESIGNING GOOD NEIGHBORHOODS

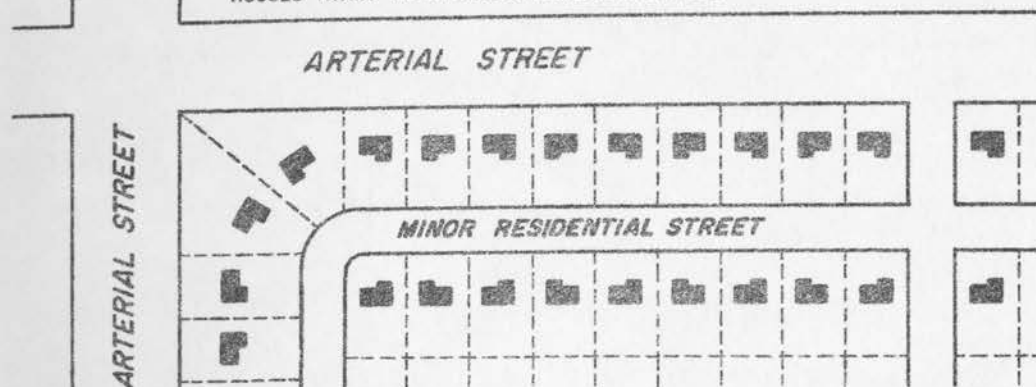


SUGGESTED TREATMENT ALONG ARTERIAL STREETS IN SUBDIVISIONS AND COMMERCIAL AREAS

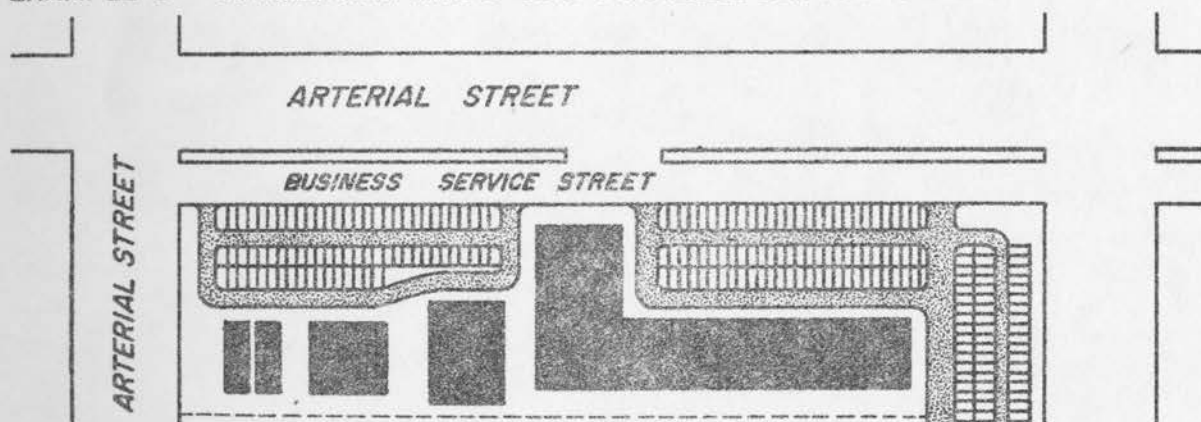
Figure 2

EXAMPLE "A"—RESIDENTIAL AREAS WITH REVERSED FRONTAGE

HOUSES FACING ON THE MINOR RESIDENTIAL STREET

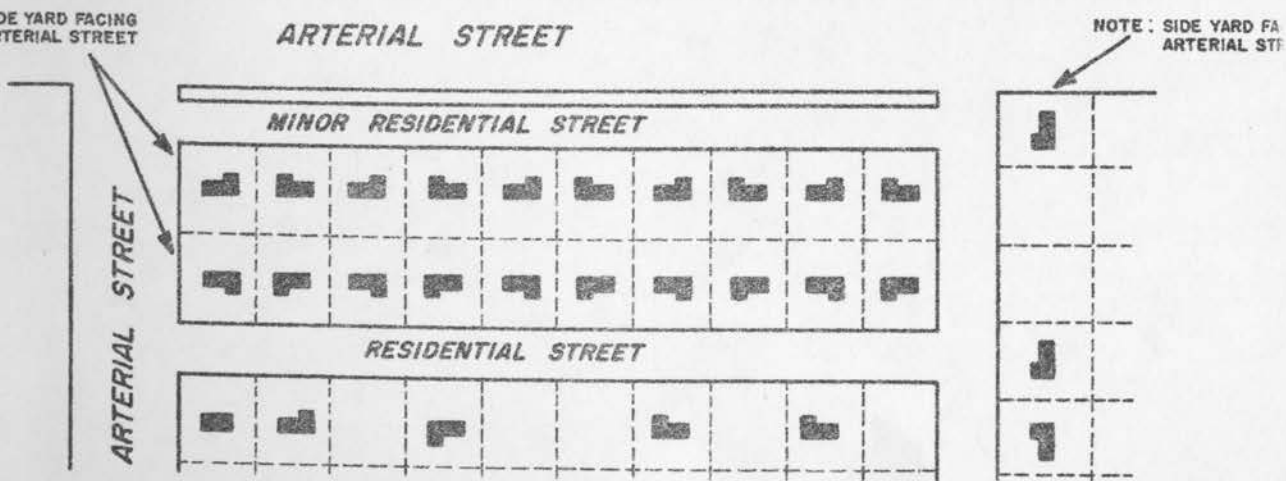


EXAMPLE "B"—COMMERCIAL AREAS WITH PARALLEL SERVICE STREET



EXAMPLE "C"—RESIDENTIAL AREAS WITH RESIDENTIAL SERVICE STREETS PARALLEL TO ARTERIAL STREETS OR INTERSECTING ARTERIAL STREETS

NOTE: SIDE YARD FACING
ARTERIAL STREET

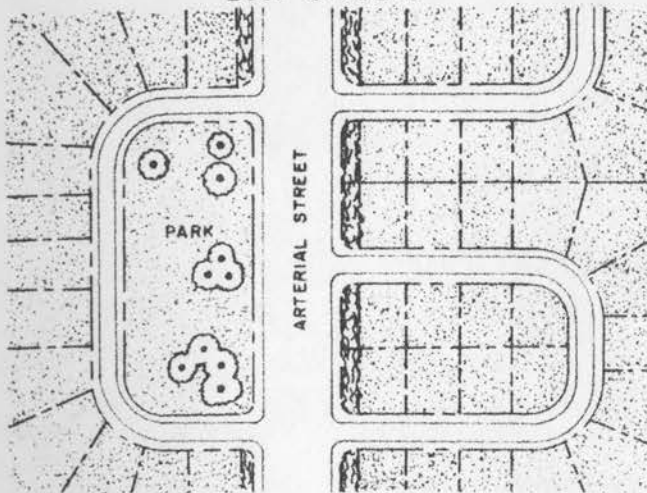


NOTE: SIDE YARD FACING
ARTERIAL STREET

STREET DESIGNS FOR RESIDENTIAL AREAS

Figure 3

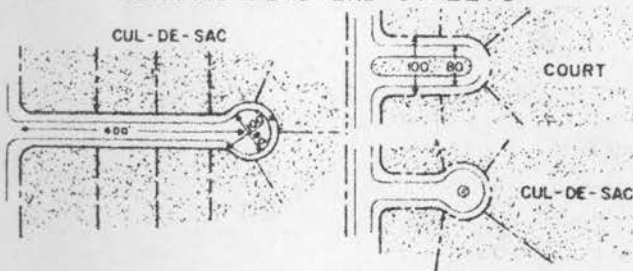
LOOP STREETS



A

LOOP STREETS PROVIDE EXCELLENT BUILDING SITES FREE OF THE HAZARDS OF THROUGH TRAFFIC. WHEN COMBINED WITH SMALL DECORATIVE PARKS HIGHLY DESIRABLE LOTS ARE OBTAINED.

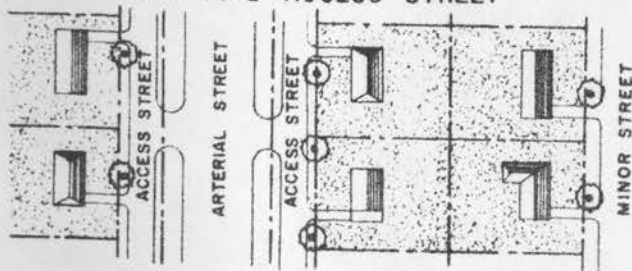
PLANNED DEAD-END STREETS



B

FOR SECLUDED LOTS FREE OF ANY UNNECESSARY TRAFFIC. AVOID CUL-DE-SACS OF EXCESSIVE LENGTHS; SHORTER LENGTHS PROVE MORE SUCCESSFUL.

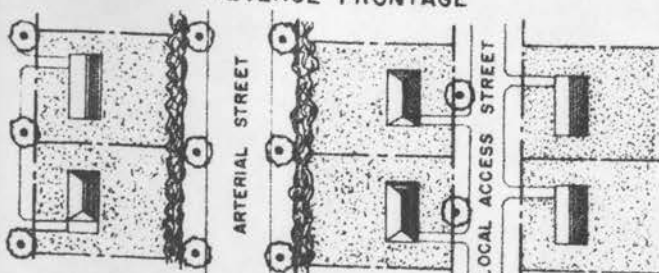
MARGINAL ACCESS STREET



C

WHERE HOMES MUST FACE MAJOR TRAFFIC ARTERIES ATTRACTIVE SITES CAN BE PROVIDED ON PRIVATE ACCESS STREETS.

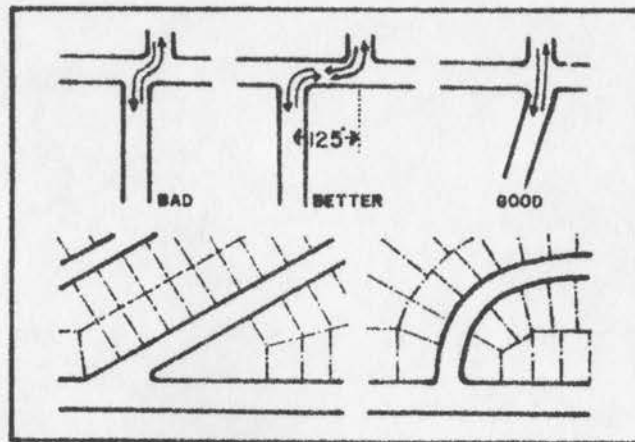
REVERSE FRONTAGE



D

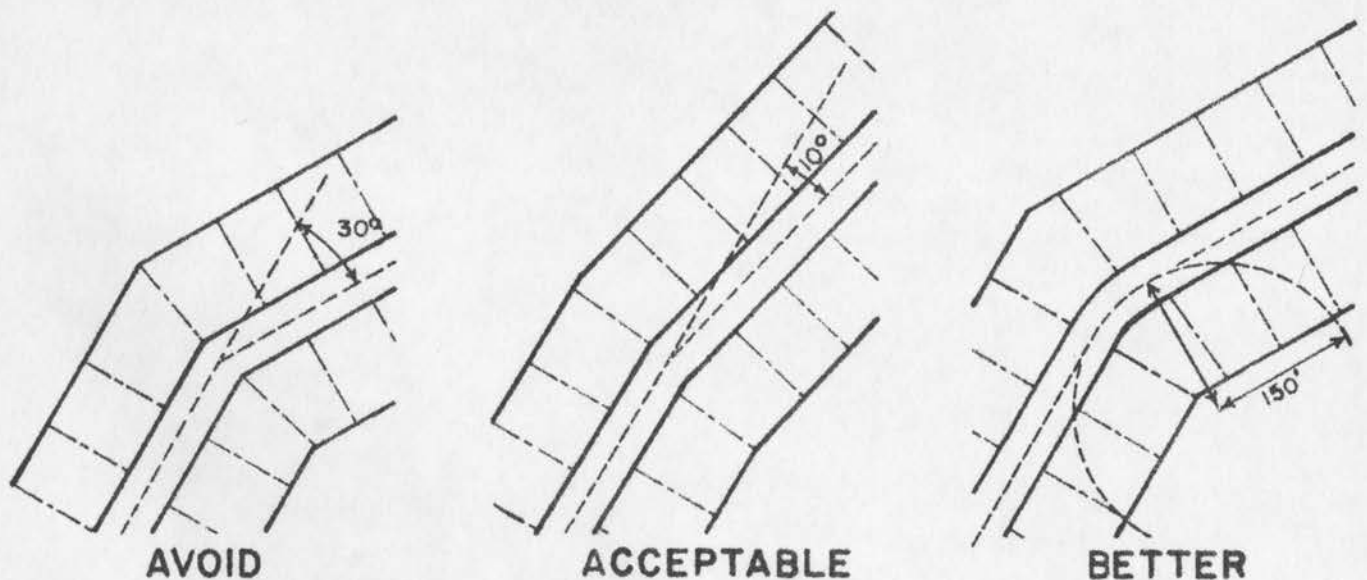
REVERSE FRONTAGE CREATES DESIRABLE BUILDING SITES AND ALSO PROTECTS THE MAXIMUM EFFICIENCY OF THE MAJOR TRAFFIC ARTERY.

A. INTERSECTION DESIGNS



STREETS SHOULD INTERSECT AT NEARLY RIGHT ANGLES.
AVOID JOGS.

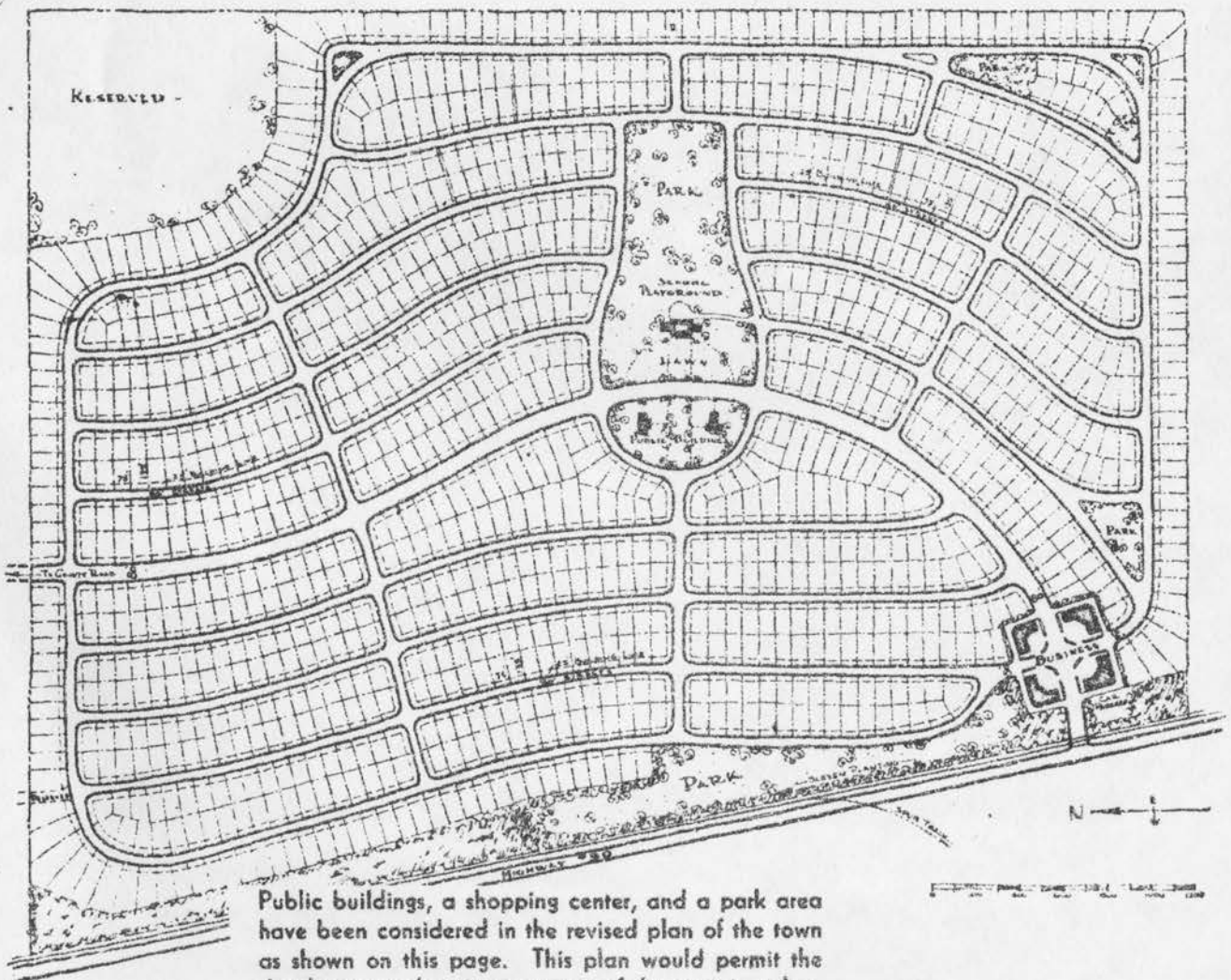
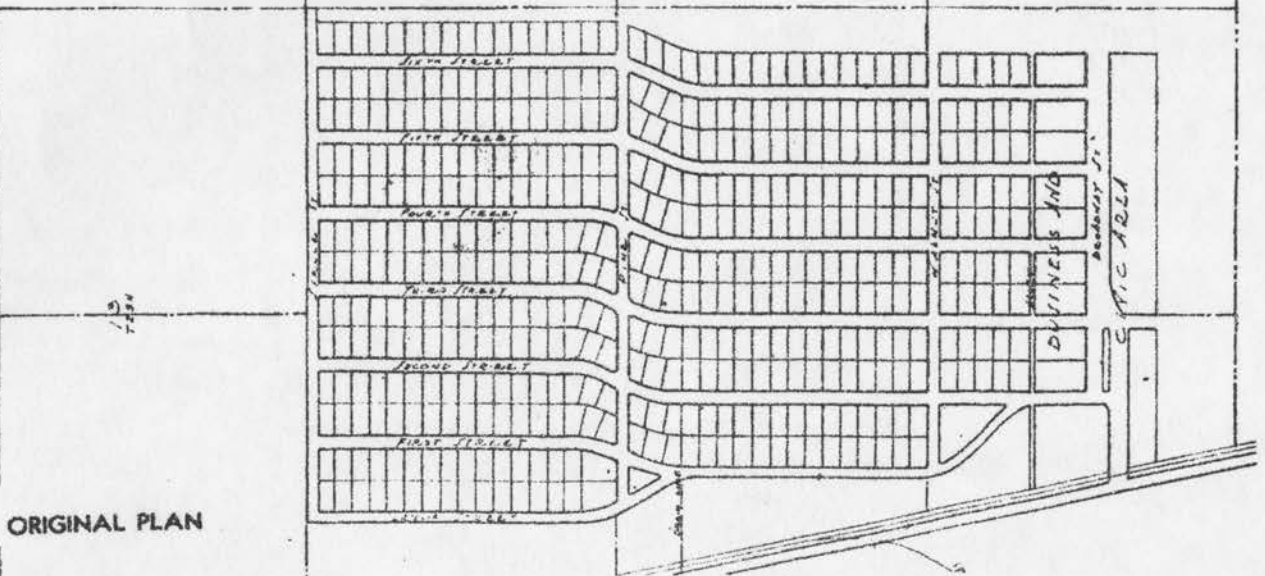
B. AVOID ANGULAR DEFLECTIONS OF MORE THAN 10° HORIZONTAL CURVES.



HORIZONTAL CURVES SHOULD HAVE A CENTER LINE RADIUS
OF NOT LESS THAN 150 FEET ON MINOR STREETS, 300
FEET ON COLLECTOR STREETS, AND 500 FEET UP ON
MAJOR STEETS.

The planning of this proposed new town would make an unattractive development due to the monotonous rectangular street system. The plan does not consider the location of a shopping center, school, churches, and other features in relation to the rest of the community

Figure 5



Public buildings, a shopping center, and a park area have been considered in the revised plan of the town as shown on this page. This plan would permit the development of various sections of the tract in a logical and orderly manner as the need might demand

SUGGESTED REVISED PLAN

Figure 6

SHORT BLOCKS ARE NOT ECONOMICAL

These sketches contrast two types of local street design—one, an example of the rigid gridiron pattern, the other planned to meet the requirements of local access and circulation.

BAD

Short blocks increase initial construction costs because of the large number of cross streets, and also increase traffic hazards and travel time through such districts. In the lower plan, better shaped lots are secured and those facing the State highway are protected by a park strip. This plan also provides a local shopping center and a school site.

GOOD

The platting of suburban residential blocks up to 1,300 feet in length by two lot-depths wide, bounded by streets that are adjusted to topographic and traffic requirements is recommended as being most economical.

TRAFFIC SHOULD FLOW TOWARD THOROUGHFARES

When traffic does not flow toward main thoroughfares, it causes an unnecessary use of local streets in order to reach the main traffic ways. This excessive use of residential streets causes an added expense of pavement construction and maintenance. Local streets that carry unnecessary traffic form definite hazards to pedestrians and children.

BAD

The street design of a subdivision should be carefully planned to provide for all traffic demands and at the same time create a street arrangement that will make an attractive neighborhood. This will generally produce fewer streets than one which cuts up the land into numerous rectangles without consideration of proper traffic routing. A monotonous street system of this type is generally extravagant, producing more streets than are needed.

GOOD

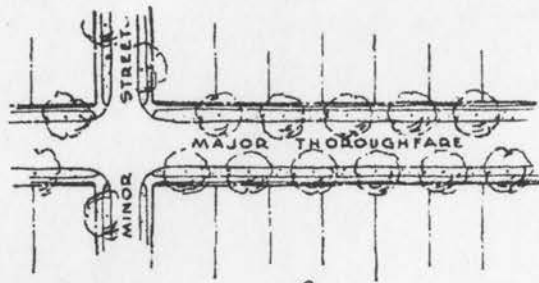
Figure 7

PROTECT RESIDENTIAL LOTS AGAINST MAJOR STREET TRAFFIC

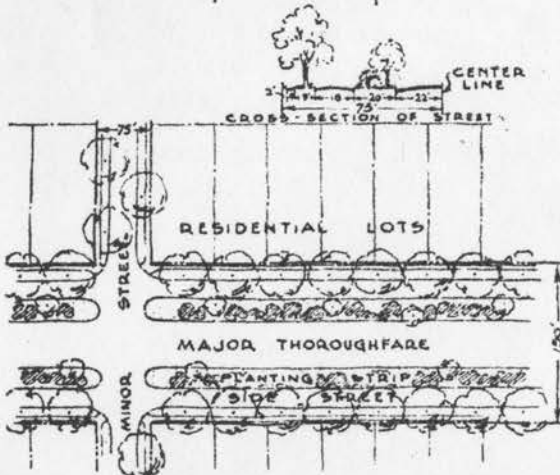
When residential lots are located on a major thoroughfare, it is suggested that the through traffic be separated from local service by a planting strip about 20 feet wide.

An 18-foot local service roadway should be located inside of this planting protecting the residences against the noise and dust of traffic, and lessening the street dangers to children. Increase in the desirability of the lots will offset the cost of added street width and the planting of trees and shrubs will add to its attractiveness.

In the past it has been the custom of developers of subdivisions to set aside all property on main thoroughfares for business or apartments because of the belief that a major highway was not a suitable place for a private dwelling. The result has been spotted developments, with many vacant lots.



BAD



GOOD

PLAN LOTS TO FACE DESIRABLE VIEWS

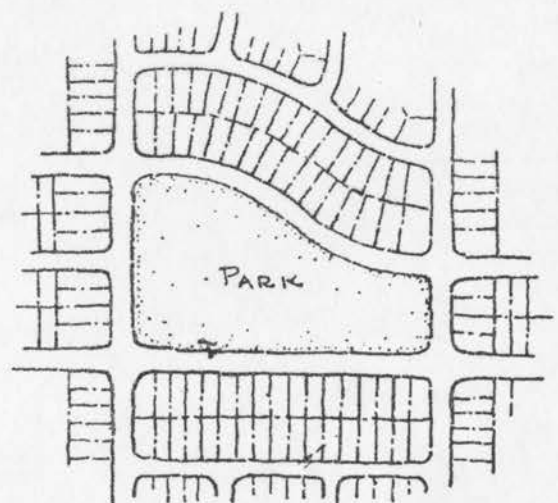
In laying out a subdivision the planner should take advantage of any natural or created beauty spot. Whenever possible lots should be so faced that houses will look out over the park rather than face on side streets.

Developers should give consideration to the arrangement of lots so that the proposed dwellings will not overlook neighboring rear yards, face undeveloped and unrestricted property, nor be exposed to the adverse effects of heavily traveled streets and adjacent nonconforming land uses.

Each lot within a new subdivision should not only constitute a good house site, but also be so planned as to size, shape, and orientation that it takes full advantage of such desirable natural features as views, the slope of the land, sunlight, prevailing winds, shade trees, and adjoining public spaces.



BAD



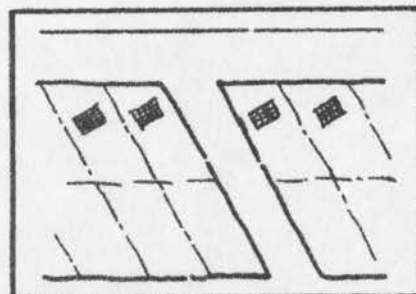
GOOD

Figure 8

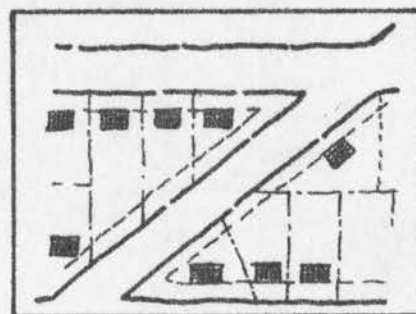


The diagram shows a 10x10 grid. The top row contains the numbers 1 through 10. The second row contains the numbers 1 through 10. The third row contains the numbers 1 through 10. The fourth row contains the numbers 1 through 10. The fifth row contains the numbers 1 through 10. The sixth row contains the numbers 1 through 10. The seventh row contains the numbers 1 through 10. The eighth row contains the numbers 1 through 10. The ninth row contains the numbers 1 through 10. The tenth row contains the numbers 1 through 10.

UNDESIRABLE



UNDESIRABLE



UNDESIRABLE

B METHODS OF LOTTING WHEN DIAGONAL STREETS CANNOT BE AVOIDED.

