

Chapter 20

PLATTING*

* **Cross References:** Review committee, § 2-71; review committee to review all plats, § 2-72; buildings and building regulations, Ch. 5; numbering of buildings, § 5-1; fire limits, § 5-2; building standards, § 5-41 et seq.; building slab elevations, § 5-43; utility department and city engineer must approve utility installations and on-site paving and drainage plans on all site plans where design approval is required before a building permit is issued, § 5-44; exterior screening of delivery pallets and containers required, § 5-45; driveways and parking lots, § 5-151 et seq.; code enforcement, Ch. 6; drainage requirements, § 9-56 et seq.; plats cannot be approved without submission and approval of a drainage plan, § 9-57; placement of survey stakes in designated drainage areas, § 9-66; landscaping, Ch. 13; landscaping planning and review board, § 13-16 et seq.; landscape plan required to be submitted for site plan approval, § 13-44; cutting, trimming, removal of trees, § 13-46; street trees designated, § 13-49; marine structures, wharfs and activities, Ch. 15; seawalls, § 15-51 et seq.; docks, § 15-71 et seq.; lake and canal excavations, § 15-91 et seq.; permit required before lake and canal excavations, § 15-92; noises, Ch. 16; planning and development, Ch. 19; comprehensive plan, § 19-51; signs and advertising, Ch. 22; streets, § 23-21 et seq.; numbering and naming of streets prior to issuance of building permit, § 23-22; sidewalks, § 23-121 et seq.; parks and playgrounds, § 23-171 et seq.; streets, sidewalks, bridges and other public places, Ch. 23; traffic and vehicles, Ch. 25; utilities, Ch. 26; zoning, Ch. 27; parking of commercial vehicles prohibited in certain areas, § 25-43; parking of house trailers and mobilehomes in certain areas prohibited, § 25-44; parking of boats, boat trailers, airboats, golf carts, horse trailers, swamp buggies and utility trailers prohibited in certain areas, § 25-45; industrial construction or farm equipment prohibited in certain areas, § 25-46; septic tanks regulations and requirements, § 26-123; utility systems in subdivisions, § 26-146 et seq.

State Law References: Platting, F.S. § 177.011 et seq.

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ARTICLE I.

IN GENERAL

Sec. 20-1. Platting of land required.

(a) No unplatted land existing at the effective date of the ordinance from which this section was derived shall be divided into two or more parcels, any one of which is less than five acres, for the purpose of sale or lease unless a subdivision plat is recorded in accordance with the subdivision and platting regulations of the City of Plantation.

(b) No lot, tract or other parcel of land, however designated, which is part of a recorded subdivision plat shall be divided into two or more parcels for the purpose of sale or lease unless a replat covering such area is recorded in accordance with the subdivision and platting regulations of the city except that part of one lot, tract or other parcel of land, however designated, may be added to another in order to increase a building site provided no parcel remains which has a less width or depth or which contains less area than the minimums established for the district in which it is located, and also except that a parcel may be leased or sold without replatting where said parcel is part of both a recorded plat previously approved by the city council and a city council approved current site development plan, and where the purchaser commits the parcel to continued development pursuant to said recorded plat and obtains a review and reapproval of such site development plan if same is more than six months old based on such divided ownership and otherwise commits to continue said purchased parcel under a plan of unified control previously approved by the legal department of the city for the entire previously platted land area committed to such unified control (or a substituted form of uniform control to be approved by the legal department of the city for such parcel prior to the issuance of any building permits for such parcel.)

(Code 1964, App. A, Art. XVIII, § 7)

Sec. 20-2. Platting of land.

When any land shall be platted or replatted into lots, blocks, parcels, tracts or other divisions however designated, a plat shall be duly recorded, and any such lots, blocks, parcels, tracts or other divisions however designated, shall conform to at least the minimum lot area and lot width requirements as established for the district in which such land is located.

(Code 1964, App. A, Art. XVIII, § 9)

Sec. 20-3. Platting of land and exemptions therefrom.

The city shall not grant an application for a building permit for the construction of a building or structure on a parcel of land unless a plat including the parcel or parcels of land has been approved by the city council and recorded in the official records of Broward County, subsequent to June 4, 1953.

- (1) This platting requirement shall not apply to parcels of land regardless of size owned by the city or any other unit of government which is proposed to be improved for a valid public purpose.
- (2) The platting requirements set forth above shall not apply to applications for one or more building

permits by one or more applications for the construction of one or more primary buildings or primary structures on any parcel which is either a single-family zoned lot or parcel of less than five gross acres in size, or any multifamily or nonresidential zoned lot or parcel which has been, subsequent to June 4, 1953, included in a plat, approved by the city, and recorded in the public records of Broward County, of less than five gross acres in size; which application has received the approvals provided in section 20-67 of this chapter, and complies with all other subdivision improvements, or bonding of such improvements required at time of platting in other existing codified ordinances or sections of codified ordinances of the city, including its comprehensive zoning ordinance No. 305, as amended, with the words "site data record" to be substituted for the word "plat" on such subdivision improvement requirements, and with the words "plat approval" to be substituted in such requirements with the words "site data record approvals."

- (3) The platting requirement set forth above shall also not apply to applications for a building permit for the construction of a primary building or structure or on any multifamily or nonresidentially zoned lot or parcel, which is both less than five acres in size and also specifically delineated on a plat recorded on or before June 4, 1953, provided that any building permit issued thereon be in compliance with all other applicable land development regulations, subdivision improvements or bonding of such improvements required at time of platting where platting is required in sections of codified ordinances of the city, including its comprehensive zoning ordinance, as amended, and that the site data record approvals provided in section 20-67 of this chapter are obtained in compliance with all other subdivision improvements or bonding of improvements and other existing codified ordinances, including the city's comprehensive zoning ordinance, are met where applicable.
- (4) No one acting alone or in concert with others may by common scheme develop more than five acres of contiguous or adjacent property for intended private (nonpublic) usage under the platting exemption set forth herein.

(Code 1964, § 23-1)

Sec. 20-4. City to be reimbursed for charges made by city attorney for reviewing submissions made by a developer seeking waiver of a platting ordinance.

(a) Whenever a developer seeks a waiver of any platting ordinance of the city and submits documents to the city for approval by the city attorney in order to obtain such waiver of platting from the city, then and in such event there shall be added to the permit charges otherwise to be collected from the applicant for such development permit the actual charge made by the city attorney for the review and approval of such submitted documents (at the then prevailing agreed hourly rate for general consultive work by the city attorney for the city) as an added charge.

(b) The city attorney shall advise the chief building official in writing of the approval of such document submissions and of the time involved in said approval and of the hourly rate charged for such time and the building inspector shall see that said costs incurred by the city are reimbursed to the city by the applicant for such development permit prior to the issuance of such requested development permit.

(Code 1964, § 6-20)

Secs. 20-5--20-15. Reserved.

ARTICLE II.

SITE DATA RECORDS*

* **Cross References:** Building and building regulations, Ch. 5; landscape plan required to be submitted for site plan approval, § 13-44; planning and development, Ch. 19.

Sec. 20-16. Applicability.

This article shall apply to any application for building permits requested on those parcels of land exempted from platting as set forth in section 20-3 wherein the building permit has not been issued. Although a site may be exempt from platting, it shall still meet the applicable level of service (LOS) requirements in Chapter 20, entitled, "Platting," Article III thereof.
(Code 1964, § 23-1.1; Ord. No. 1809, § 1, 10-2-91)

Sec. 20-17. Site data record requirements.

The applicant for a building permit seeking to utilize the waiver of platting requirements as set forth in section 20-3 shall submit to the building department a site data record fulfilling the following requirements:

- (1) The site data record must be prepared by a licensed Florida land surveyor who shall certify that said site data record was made under his direction; that said site data record conforms to the minimum requirements adopted by the Florida Administrative Code, section 21HH-6, Minimum Technical Standards for Land Surveyors in the State of Florida, a minimum of four permanent reference markers as shown on said record, shall also be certified as having been set where indicated (one at each corner of said parcel). Coordinates shall be shown on all boundaries of said parcel and at least two bench marks shall be shown referenced N.G.V.O. the same to conform to third order accuracy.
- (2) The record shall demonstrate, and the surveyors shall certify, that it complies with the requirements of the city planning consultants guidelines, as from time to time are approved by the city council, as to the location of easements or rights-of-way needed by governmental agencies and their franchisees to serve the land.

(Code 1964, § 23-1.1(a))

Sec. 20-18. Approvals.

(a) The site data record shall be submitted to the city review committee which shall indicate its approval on the site data record.

(b) If the subject land lies in any local drainage district, the record shall be submitted to the drainage district prior to the time the application is filed with the building department, and the review committee shall not review the record until a copy of the district application stamped "received" is obtained by the building and zoning director.

(c) All site data records which have obtained the approval of the city review committee and the legal department, shall be submitted to the city council for approval by resolution. The building and zoning director shall not complete compilation of the agenda packets until the local drainage district has completed its conceptual review and delivered to the building official evidence of same; thereafter, the agenda material on the item will be compiled and delivered to the city clerk for appropriate advertising, if required, and for setting the meeting date at which the item will be considered by the city council. If approved, the site data record shall not be filed of record in the public records of Broward County, Florida.

(d) An executed Mylar of the site data record as so executed and approved shall be filed with the building department simultaneously with the request for an issuance of a building permit thereof.

(e) Nothing herein shall be deemed to constitute any approval of the conveyance of land by reference to the site data record, regardless of whether the same be placed of record in the public records of Broward County, Florida. Unless and until the land within the site data record as defined herein, is platted as provided by law all conveyances of the parcel depicted by the site data record shall be by the legal description contained herein.

(Code 1964, § 23-1.1(b), (d), (h), (i), (k); Ord. No. 2074, § 2, 3-6-96)

Sec. 20-19. Amended record.

Should an applicant seek a primary building permit on land included in a previously approved site data record on a building site not depicted therein, then (if all other requirements in this chapter have been met) an amended site data record shall be submitted to the building department along with the title opinion or abstract certification called for in section 20-70(c) depicting the building site, with its identified legal description, and once the legal description is approved by the engineering department and the title information approved by the legal department insofar as proper execution of the amended site data record is also approved, and the approval of the Old Plantation Water Control District or the Plantation Acres Improvement District for any land within either of such district's boundary is obtained, and a fee of \$200.00 submitted for such amended site data record is paid, the building department shall administratively issue such primary building permit without further review or approval being required.

(Code 1964, § 23-1.1; Ord. No. 2074, § 3, 3-6-96)

Sec. 20-20. Contents.

(a) Each such site data record shall indicate thereon all required rights-of-way and easements with reference to the book and page of the official records of Broward County where such conveyances were recorded.

(b) If any such site data record encompasses two or more building sites then the site data record shall contain a separate metes and bounds description to each such building site. A building site shall be delineated on the site data record and the description tied to the delineation in some appropriate fashion.

(c) Every site data record submitted to the city must be accompanied by a title opinion of an attorney-at-law licensed in Florida, or a search certification by an abstractor or title company, showing that apparent record title to the land as described and shown on the site data record, is in the name of the person, firm or corporation applying for such waiver of platting requirements or executing any of the required

easements or rights-of-way. The certificate shall be accompanied by a photocopy of each and every instrument referenced therein. The title opinion or certification shall also show all mortgages not satisfied or released of record.

(d) The surveyor's certificates to be appended to and made a part of the site data record shall read as follows:

"I hereby certify that this site data record is a true and correct representation of the land surveyed and described herein and that the site data record was made under my responsible direction and supervision and that this data complies with all the city council approved guidelines of the city's planning consultant as to location of easements and rights-of-way referred to herein. The P.R.M.'s as shown on the site data record have been set where indicated. All coordinates and bench marks conform to third order accuracy. The survey information meets the Florida Administrative Code, section 21HH-6, Minimum Technical Standards for Land Surveyors in the State of Florida. All recorded easements and rights-of-way for utilities, waterways, drainage, access and other information pertaining to the site have been indicated herein."

(Code 1964, § 23-1.1(c), (e), (f), (g))

Sec. 20-21. Reserved.

Editors Note: Section 1 of Ord. No. 2051, adopted October 11, 1995, repealed § 20-21, which pertained to application fees and derived from Code 1964, § 23-1.1(j).

Secs. 20-22--20-35. Reserved.

ARTICLE III.

DEVELOPMENT PERMIT*

* **Cross References:** Boards, commissions and committees, § 2-31 et seq.

DIVISION 1.

GENERALLY

Secs. 20-36--20-45. Reserved.

DIVISION 2.

REVIEW COMMITTEE APPROVAL*

* **Cross References:** Review committee, § 2-71 et seq.; boards, commissions and committees, § 2-31 et seq.; planning and development, Ch. 19; zoning, Ch. 27.

Sec. 20-46. Required.

(a) All plats and site data records shall be reviewed by the review committee of the city and shall then proceed for consideration to the city council without a secondary review by the planning and zoning board of the city.

(b) An application for approval of the plat of a new subdivision or a site data record may be approved by the review committee under the following conditions:

- (1) The application in proper form must be filed with the secretary of the review committee prior to 10:00 a.m on Friday following the fourth Thursday of the month. The application shall show the manner in which streets and easements depicted thereon will coincide with extensions of streets and easements of adjacent platted parcels. Signatures of property owner(s), of mortgagor (if any) and surveyor who prepared the plat, and a copy of an application for conceptual approval by the Old Plantation Water Control District or the Plantation Acres Improvement District for all land within such district stamped "received" shall be suitably contained within the application before the committee reviews same.
- (2) If the review committee is convinced that the application of the proposed subdivision will not adversely affect the interests of the city, or owners of property adjacent to the proposed subdivision, and complies with the measurable standards and criteria contained in this chapter and is consistent with Chapter 27 of the City Code, the review committee may approve same. In evaluating whether a plat or site data record is consistent with the city zoning regulations, a conceptual site plan may be required by the city council, and consequently, the applicant is encouraged to submit one with an application.

(c) Once the application has completed the review committee review, the chairman of the city review committee shall affix his signature to the plat linen or to the site data record mylar (if same is approved), and after he receives evidence of conceptual approval by the local drainage district, shall forward the matter for consideration and review to the city council, together with the minutes of the review committee deliberations and any additional material or comment deemed appropriate.

(Code 1964, App. A, XXIII 1/2, § 2(d), (e)(6); Ord. No. 2074, § 4, 3-6-96; Ord. No. 2000, § 1, 5-31-2000)

Cross References: Platting, Ch. 19; subdivisions, § 20-86b et seq.

Sec. 20-47. Appeals.

Any development review standard imposed by the review committee may be appealed to the city council for final determination.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(11); Ord. No. 2074, § 5, 3-6-96)

Sec. 20-48. Plat notes/delegation requests.

(a) All applications to change a notation on a plat or site data record (so as, for example, to change the noted development type or increase intensity approved thereby, or to change nonvehicular access lines, etc.), which applications are made by delegation requests or otherwise, shall be reviewed by the city review committee, except when the city building and zoning director determines, upon consultation with the city engineer and city planner, that the application is necessary to implement a valid city council approved site plan upon which building permits may be issued (in accordance with section 27-6 of this Code) and is consistent with such site plan in which latter event the application may be approved by the building and zoning director.

(b) When applications to change a notation on a plat or site data record are made, by delegation request or otherwise, without a concurrent application for site plan approval, and after same have been reviewed by the review committee, the application may proceed to the city council without any further advisory board or committee review. The applications shall be evaluated in accordance with the requirements of this chapter. (Ord. No. 2074, § 6, 3-6-96)

Secs. 20-49--20-60. Reserved.

DIVISION 3.

DEVELOPMENT REVIEW REQUIREMENTS*

* **Cross References:** Utilities in subdivisions, § 26-146 et seq.

Sec. 20-61. Requirements of division to be met.

The review committee shall exercise its functions on an application for a plat approval, a change in the notation on a plat, a site data record approval, a site plan approval (except minor adjustments thereto which are reviewed pursuant to section 27-51, City Code), a conditional use approval, a use variance approval, or an approval of a special public interest district variation which is not reviewed by the State Road 7 advisory committee, to determine whether or not the proposal meets the following development requirements, is consistent with the city comprehensive plan, and is consistent with the city zoning regulations. Where an application to change a notation on a plat or site data record so as to increase the extent of development intensity thereby approved or to modify a nonvehicular access line is made (by delegation request or otherwise) without the city's concurrent review of a proposed site plan, or which is not necessary to implement a valid, approved site plan, a conceptual site plan may be required by the city council so that the application may be evaluated to determine whether, as conceptually planned, the proposal is conceptually consistent with the city's zoning regulations. The review committee shall also exercise its functions on an application for a change in a parcel of property's comprehensive future land use designation or a text amendment to the comprehensive plan which is requested by the property owner, or to change a parcel of property's zoning classification or amend the zoning law requested by the property owner, to determine whether the proposal meets the following development requirements:

All of the various approvals identified in the preceding paragraph shall be referenced herein as development permits.

No approval will be given unless the requirements of each and every paragraph listed in this division are met or unless, for each and every paragraph not met the developer agrees in writing to the condition that no certificate of occupancy will be issued until the proposal meets the development review requirements in this division.

All development, for which development permits are issued after January 1, 1990, must meet the service standards adopted by Plantation for water, sewer, drainage, solid waste and roads before the impacts of the development occur on these services. Residential development must also meet the adopted service standards for

parks before the impacts of the development occur on parks.

The developer must provide proof of meeting Plantation's adopted level-of-service standards. If the standards are not met but can be met, the improvements the developer needs to provide must be guaranteed in an enforceable agreement and installed at least before certificate of occupancy. Such enforceable agreement shall be on forms approved by the city legal department unless the developer requests, or in the judgment of the city planner it is found desirable that the enforceable agreement be one adopted pursuant to the requirements of the Florida Local Government Development Agreement Act (sections 163.3220 through 163.3243, Florida Statutes).

Building permits shall not be issued for any development permit until:

- (1) The adopted service standards are met; or
- (2) The adopted service standards will be met before certificate of occupancy through improvements guaranteed in an enforceable development agreement; or
- (3) The adopted service standards will be under construction at the time a permit is issued; or
- (4) The adopted service standards will be met due to programmed improvements in the city's annual budget; or
- (5) The adopted service standards will be met through improvements in a binding, executed contract with a specific time limit; or
- (6) The developer proves he has contributed funds necessary to the city and county to provide the new facilities and a commitment to building the facilities will be made through a budget amendment, or contribution of funds by the governmental entity; or
- (7) The proposed development is otherwise found to have vested rights in providing the required services.

Approval for perimeter plats will not grant the property any reserve capacity for local services, and the property will therefore still have to meet the local service standards before the impacts of development occur.

A determination by the city that an application for a development permit satisfies, or will satisfy, service standards adopted by Plantation for water, sewer, drainage, solid waste, roads, parks, and other applicable concurrency service standards, shall be considered by the city as a maximum "cap" for the approved development intensity and not as a minimum threshold for same, such that the city may restrict the actual development ultimately allowed to a lesser intensity than the amount approved for concurrency purposes in accordance with the city's other land development regulations (e.g., zoning law), and such that the city may revisit concurrency standards as further development orders are sought, including building permits, and apply the concurrency requirements then in effect.

(Code 1964, App. A, Art. XXIII 1/2, 2(g); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1825, § 1, 1-15-92; Ord. No. 2074, § 7, 3-6-96)

Sec. 20-62. Potable water service.

(a) Potable water service must be available to provide the needs of the proposed development prior to occupancy. Potable water service includes publicly and privately owned water treatment facilities and on-site wells on individual parcels which will provide for the needs of the proposed project.

(b) The city will deny an application for a development permit when it finds that potable water service is not or will not be available according to the provisions (c), (d), (e), (f) and (g), except that the city will deny an application in the individual parcels in zoning districts RS-1EP where potable water is available only by on-site wells when the use of the wells is not approved by the Broward County Health Department.

(c) A finding that potable water service is available must be based upon a determination that an existing water treatment facility has sufficient capacity to sustain a minimum average design flow of 350 gallons a day for each equivalent residential connection (ERC's) at 50 pounds per square inch pressure for the potable water needs of the proposed development and for other developments in the service area, which are occupied, available for occupancy, permitted for construction or for which potable water treatment capacity has been reserved.

(d) A finding that potable water service will be available must be based upon a demonstration that there is an economically and fiscally feasible plan to construct or expand a water treatment facility which will have sufficient capacity to provide for the potable water needs of the proposed development and for the developments in the service area, which are occupied, available for occupancy, permitted for construction, or for which potable water treatment capacity has been reserved and, in addition, must be based on a demonstration that the requirements of (e) are met.

(e) Before there can be a finding that potable water service will be available, the city must find that the construction or expansion of water treatment facilities has begun and that sufficient funds are committed to complete the construction or expansion in one year, and the applicant agrees in writing that certificate of occupancy will be withheld until the city finds that an existing water treatment facility has sufficient treatment capacity to provide for the potable water needs of the proposed development and other developments and reserves for the service area.

(f) The review committee's findings related to potable water service, capacity and feasibility, as listed in (c), (d), and (e) above, shall be reflected on plans sealed by a Florida registered engineer, submitted to the city utility department for review and approval prior to issuing a building permit(s) for such projects development, and the appropriate engineering and inspection fees and capacity charges, if applicable, are paid prior to issuing any building permit, as described in section 26-155.

(g) The proposed development shall provide adequate easements necessary for the installation and maintenance of the potable water distribution system, which shall comply with all applicable building, health and environmental regulations of City Code and Chapter 17-22, Florida Administrative Code. (Code 1964, App. A, Art. XXIII 1/2, § 2(g)(1); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1809, § 1, 10-2-91)

Sec. 20-63. Waste water treatment and disposal service.

(a) Waste water treatment and disposal service are or will be available prior to occupancy to provide

for the needs of the proposed development.

(b) A finding that waste water treatment and disposal services are available must be based upon a demonstration that existing waste water treatment and disposal facilities have sufficient capacity to provide for the treatment and disposal needs of the proposed development and for other developments and reserves in the service area.

(c) A finding that waste water treatment and disposal services will be made available must be based upon a demonstration that there is an economically and fiscally feasible plan to construct or expand waste water treatment and disposal facilities which will have sufficient capacity to sustain a minimum average flow of 275 gallons a day for each equivalent residential connection (ERC's) for treatment and disposal needs of the proposed development and for other developments in the service area, which are occupied, available for occupancy, or permitted for construction, or for which waste water treatment and disposal capacity has been reserved. The projected additional effluent generated by the proposed development will not exceed the capacity of the waste water treatment capacity to effectively treat the effluent to meet the standards of county, state, and federal regulatory agencies. Development will be allowed on property for which waste water disposal will become available in the future only if the applicant agrees in writing that no certificate of occupancy will be issued until such waste water treatment becomes operative. Use of septic tanks will be allowed for development in areas where it is not feasible to connect to central facilities. Issuance of development permits for these areas however, will be conditioned upon demonstration of compliance with federal, state, and local permit requirements for on-site waste water treatment systems.

(d) For developments in any zoning district, on-site waste water treatment and disposal systems will be considered to meet the requirements of this section if such system will provide for the needs of the proposed development and will meet the applicable county health department and state health requirements.

(e) The review committee's findings related to waste water treatment and disposal services, capacity, and feasibility, as listed in (b), (c) and (d) above, shall be reflected on plans sealed by a Florida registered engineer approval prior to issuing a building permit for such project development, and the engineering and inspection fees and capacity charges, if applicable, are paid prior to issuing any building permit, as described in section 26-155.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(2); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1809, § 1, 10-2-91)

Cross References: Utilities, Ch. 26; utilities in subdivisions, § 26-146 et seq.

Sec. 20-64. Solid waste disposal service.

(a) Solid waste disposal service must be available prior to occupancy to provide the service needed for the proposed development.

(b) Since the city has franchised its private disposal service, the review committee will communicate with the franchises in writing to establish their capacity limits for additional service. If the franchisees cannot adequately dispose of the additional solid waste generated by the proposed development, the proposed development shall not be permitted or, if development permitted, no certificate of occupancy issued.

(c) A finding that solid waste disposal service will not be available must be made in the absence of a demonstration that there is an economically feasible plan to construct or expand a solid waste disposal facility where such facility does not presently exist and which the disposal needs of development proposed by the

applicant and for other developments in the service area which are occupied, available for occupancy, or permitted for construction will have sufficient capacity to sustain the following levels of service:

Solid Waste Facilities	Level of Service Standard
Citywide	
Residential	8.9 lbs. per unit per day
<i>Industrial and commercial:</i>	
Factory/warehouse	2 lbs. per 100 sq. ft. per day
Office building	1 lb. per 100 sq. ft. per day
Department store	4 lbs. per 100 sq. ft. per day
Supermarket	9 lbs. per 100 sq. ft. per day
Restaurant	2 lbs. per meal per day
Drug store	5 lbs. per 100 sq. ft. per day
<i>School:</i>	
Grade school	10 lbs. per room and 1/4 lbs. per pupil per day
<i>Institution:</i>	
Hospital	8 lbs. per bed per day
Nurse or intern home	3 lbs. per person per day
Home for aged	3 lbs. per person per day
Rest home	3 lbs. per person per day

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(3); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1809, § 1, 10-2-91)
Cross References: Garbage and refuse, Ch. 10; utilities in subdivisions, § 26-146 et seq.

Sec. 20-65. Drainage.

Drainage must meet the requirements of division 6, Drainage facilities, and chapter 9, Stormwater and floodplain management. Drainage must be adequate to protect structures and the equipment that services or is contained within the structure from the 100-year flood. The drainage must be based on the drainage standards of the Old Plantation Water Control District or the Plantation Acres Improvement District or Broward County, and any city drainage standards. The pertinent district's standards will be that district in which the project is located, and shall be promulgated, interpreted, applied, and primarily enforced by the local drainage district and not by the city. The city drainage standards shall be promulgated, interpreted, applied, and enforced by the city engineer. In the event that a city standard conflicts with the drainage district standard the city engineer may waive the city requirement if it is inconsistent with the intent of the drainage district's master drainage permit. The proposed development shall not receive building permits, or certificates of occupancy, or certificates of completion if the drainage for the development is not approved by the drainage district in which the development is located and the city engineer and unless there is sufficient available capacity to sustain the levels of service set forth in chapter 9 of this Code.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(4); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1809, § 1, 10-2-91; Ord. No. 2074, § 8, 3-6-96; Ord. No. 2264, § 27, 11-28-2001; Ord. No. 2264, § 27, 11-28-01)

Cross References: Drainage, 9-56 et seq.; drainage facilities, § 20-176b et seq.

Sec. 20-66. Transportation--Capacity.

- (a) *Generally.* The regional transportation network must be adequate to serve the proposed

development. The regional transportation network is illustrated and described on the Broward County Trafficways Plan approved by the county commission. The network also includes all projects budgeted for construction under the county's annually adopted capital improvement program, as well as those network improvements contracted by city, state and federal agencies under their annual budgets, when completed and a part of the regional network.

(b) *Definitions.* For the purposes of this Code section the following definitions shall apply:

Action plan refers to a program of transportation improvements designed to maintain and improve the capacity of roadway links in heavily congested areas. An action plan shall describe a program of improvements and/or innovations to the transportation system that will provide additional capacity on congested links; shall provide substantiation in the form of engineering studies or other backups acceptable to the city to demonstrate the anticipated effect of the proposed program of improvements and/or innovations; shall provide for a source of funding for the improvements and/or innovations; and shall provide for monitoring of the program to ensure that the program achieves the anticipated effect at or before the time the impacts of developments occur.

Compact deferral area refers to the geographic area which is a two-mile band having a centerline which is coincident with the centerline of the congested link, extending parallel to the congested link for a distance of one-half (1/2) mile beyond each end point of the congested link.

Constrained facility refers to a road segment which is not planned for a capacity improvement in the county's adopted 2010 highway network plan.

Planned improvement facility refers to a road segment for which a capacity improvement is planned in the county's adopted 2010 highway network plan.

TRIPS model is a computer model maintained in the county office of planning which accounts for the traffic from approved but not built development.

110 percent maintain means that the number of trips on a road segment shall not exceed 110 percent of the number of actual trips in the road segment plus the number of committed trips in the county TRIPS model approved as of February 21, 1989.

(c) *Service standards for road segments.* For the purpose of issuing development permits the service standard for state, county and local road segments operating at level of service D or better is level of service D; the service standard for road segments operating below level of service D that are constrained facilities is "110 percent maintain"; the service standard for road segments operating below level of service D that are planned improvement facilities is "110 percent maintain" and requires a finding that approval of the development would not prevent the planned improvement from achieving level of service D.

The procedure for the initial measuring of highway capacities is the Florida DOT Table of Generalized Daily Level-of-Service Maximum Volumes made available to local government for use from January 1989 through December 1990. The measurement of capacity may also be determined by the county TRIPS model, or substantiation in the form of engineering studies or other data. Traffic analysis techniques must be technically sound and justifiable.

(d) *Minimum right-of-way.* The right-of-way established by the county trafficways plan shall be the minimum and shall be increased where the city land use plan and comprehensive plan set requirements of a broader right-of-way. The rights-of-way on the county trafficways plan for the regional network either located within or providing primary access to the areas proposed to be developed, shall be conveyed to the public by deed or grant of easement. Where the city land use plan and comprehensive plan show broader right-of-ways for the regional network than required by the county trafficways plan, the excess right-of-way shall be conveyed to the city according to the requirements for conveyances of this Code for linear parks, bike paths, bus stops, city streets, landscaping, and other such transportation-oriented public uses.

(Code 1964, App. A, Art. XXIII 1/2, 2(g)(aa), (bb); Ord. No. 1741, § 1, 10-10-90)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23; traffic and vehicles, Ch. 25.

Sec. 20-67. Same--Adequate capacity required.

The city shall deny any application for a development permit when it finds that the regional transportation network will not have the capacity to accommodate the additional traffic generated by the proposed development at the level of service set by the county trafficways plan and/or that the required rights-of-way, as designated on the county trafficways plan approved by the county commission, have not been conveyed to the public by deed or grant of easement.

An adequacy determination shall be made for: development of unplatted property; development of platted property with plat approval received before March 20, 1979; and for the development of all property for the additional trips that equal the difference between the trips generated by the proposed development and the trips generated by any existing development or existing note on the plat.

Before a development permit is approved the engineering department shall determine that the adopted level of service is met and that the proposed development is not within a compact deferral area or is not creating a compact deferral area. Traffic studies, county TRIPS model runs, and/or a letter of approval from the county office of planning submitted by an applicant shall be considered in reaching this determination for county-and state-maintained roads.

If the proposed development is within a compact deferral area, or will be creating a compact deferral area, a development still can be approved if one of the following conditions applies:

- (1) The proposed development does not place any trips on the over capacity link;
- (2) There is an approved action plan to accommodate the traffic impact of the development;
- (3) The necessary improvements to provide a level of service D are under construction at the time the permit is issued;
- (4) The necessary improvements to provide level of service D are the subject of an executed contract with a road contractor for the immediate construction of the facilities;
- (5) The necessary improvements for LOS D have been included in the county's or the city's capital improvement program at the time a development permit is issued and although the facilities are not yet the subject of a binding contract for construction, the city makes a good faith determination that a binding contract for construction of the improvement will be executed

within one year, or executed within three years for state roads;

- (6) The necessary improvements for the applicable LOS are provided for in an enforceable development agreement and will be available at least prior to certificates of occupancy that require those facilities. An enforceable development agreement may include, but is not limited to, development agreements pursuant to section 163.3220, Florida Statutes;
- (7) The development is authorized by an approved DRI development order in which case a determination shall be made only for local roads;
- (8) The proposed development is found to have vested rights with regard to any affected road segments; or
- (9) The proposed development is one single family or a duplex dwelling on a lot, or parcel of record prior to March 1, 1989. A "parcel of record" shall mean, at the very least, specifically delineated on a deed recorded amongst the county public records.
- (10) The proposed development meets all of the following criteria:
 - a. For the proposed development on vacant land, the residential density shall not exceed more than the average of four dwelling units per gross acre and the nonresidential floor area shall not exceed ten percent of the gross land area,
 - b. For the proposed redevelopment of developed property, the number of proposed dwelling units shall not exceed twice the number of existing dwelling units, and the proposed gross floor area for nonresidential use shall not exceed twice the existing floor area. Conversions between residential and nonresidential uses shall not exceed twice the floor area of the original use.
 - c. The traffic generated by the proposed development on the overcapacity link does not exceed one-tenth of one (0.1) percent of the capacity of that link at the adopted level of service.
 - d. The cumulative impact of such exemptions shall not exceed three percent of the capacity of any overcapacity link at its adopted level of service.
 - e. The total traffic generated by the proposed development shall not exceed 500.00 trips per day.
 - f. A notation is placed on the face of the plat, or is recorded against the property via separate document if the application is not for a plat, stating that if a building permit for a principal building is not issued on the subject property within three years of the issuance of the development permit, that the city's finding of adequacy of the regional/local road network has expired, and that no additional building permits shall be issued unless the City of Plantation makes a new finding that the application satisfies the adequacy requirements of the regional/local network.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(5)(dd); Ord. No. 1741, § 1, 10-10-90; Ord. No. 2016, § 1, 1-18-94)

Sec. 20-68. Same--Traffic impact analyses.

When the proposed development deviates from the city comprehensive plan and/or does not meet the adopted service standards for state, county and local roads, the proponent for the proposed development shall submit with this proposal a traffic impact analysis prepared by Broward County or a registered Florida engineer experienced in highway system capacity analysis which shall:

- (1) Provide an estimate of the number of average and peak hour trips per day generated during and post-construction, and directions or routes of travel for all trips with an external end.
- (2) Identify, on the regional transportation network maps, existing or proposed generators of more than 6,000 trips per day within two miles of the perimeter of the proposed development traffic generators.
- (3) Estimate how traffic from the proposed development will change traffic volumes and levels of service on the existing and programmed regional transportation system within five miles of this development. Computer oriented methods of analysis shall be used for the large urban areas (Broward County's Traffic Review and Impact Planning System TRIPS) and manual method used for the proposed development project.
- (4) If traffic generated by the proposed development requires any modification of existing or programmed components of the regional transportation network, define what city, county or state agencies have programmed the necessary construction and how this programming relates to the phasing of the proposed development.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(5)(cc); Ord. No. 1741, § 1, 10-10-90)

Sec. 20-69. Same--Regional transportation network.

Findings and determinations on regional transportation network capacity and acceptable levels of service shall consider:

- (1) Existing transportation studies.
- (2) The annual regional transportation report at such time as it has been adopted by the county commission.
- (3) Adopted traffic circulations elements of the county and city comprehensive plans.
- (4) Any other information that the review committee considers relevant.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(5)(cc))

Sec. 20-70. Same--Access.

- (a) Local streets and roads will provide safe, adequate access between buildings within the

development and to the regional transportation network prior to occupancy.

(b) The locations of local streets shall conform to the transportation network of the current City of Plantation Land Use Plan and comprehensive plan.

(c) The street network of the proposed development shall be constructed according to appropriate standards and stipulations described in chapters 23 and section 20-96 et seq. and the requirements of all law relating to impact fees shall be met.

(d) A local street may not intersect a trafficway of the regional transportation network unless aligned with and extending an existing local street which intersects the network or at a minimum distance of 500 feet from any other intersection, such intersection existing now or at a later date.

(e) A local collector may intersect the regional transportation network only if aligned with and extending an existing collector which intersects the network or at a minimum distance 1,320 feet from the intersection of any collector, existing now or at a later time, and the network.

(f) The frontage width of a residential lot fronting on the regional transportation network should not be less than 200 feet unless one of the following conditions is met:

(1) Access to the lot is limited to a street other than the network.

(2) Access to the lot is provided jointly with other lots created as part of the same development or another development.

(3) Access to the lot will be provided from a frontage road paralleling the network.

(g) If the development abuts the regional transportation network, a nonvehicular access line may be required to be granted along the property frontage except at those points of access not in conflict with sound engineering practice and principles.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(6))

Sec. 20-71. Fire protection service.

(a) Fire protection service will be adequate to protect people and property in the proposed development.

(b) The city fire department shall be consulted to determine whether or not the locations of functioning, manned, and equipped fire stations provide the proposed development with the level of fire protection set by the city fire department to meet the Southeast Fire Underwriter's Reaction Time requirements.

(c) Applications for water must be made to the city utility department as to the procedure and criteria established in Chapter 26 Utilities, and services, capacity, and feasibility of the proposed project.

(d) Water supply facilities, existing or proposed to be constructed by the proponents of the development, shall be adequate to meet fire protection needs of the proposed development:

- (1) If the proposed development is less than 1,320 feet (one-fourth mile) from existing public water supply, the water supply must be extended to the new development. The means for funding extensions of public water supply mains are described in sections 26-146 and 26-76 et seq. of the Code.
- (2) In the case of urban residential developments with lot sizes of 34,999 square feet or less, totaling 200 or more units, the water system used for fire flow must meet the water flow requirements set by chapter 26. A single water supply system for both potable and fire water service may be used provided it meets the requirements of chapter 26.
- (e) Fire hydrants, if required, shall be installed with distances measured along street rights-of-way, according to section 26-76 et seq.
 - (1) In proposed residential development of single-family dwellings, fire hydrants shall be installed at 800 feet intervals with a minimum size of six inches, and no structure shall be more than 400 feet from an approved fire hydrant by center line of roadway measurement.
 - (2) Hydrants for other areas, not included in single-family residential areas (1) above, shall be installed at not more than 350 feet intervals with a minimum main size of eight inches, and no structure shall be more than 400 feet from an approved fire hydrant by center line of roadway measurement.
 - (3) For other occupancies of a high-hazard type (such as a shopping center, a storage facility for flammable chemicals or paint, or compressed gasses, or similar fire hazardous uses) hydrants and mains shall be installed by computing the required fire flow taking into consideration, where pertinent, the number and type of city fire department stations, vehicles, and other facilities to provide the normal responses within the given response area. On future requirements, if total flow needs are determined less than specified in chapter 26, city approval must be obtained based on acceptable calculations and other information, such calculations and information to be prepared and sealed by a Florida registered engineer, and submitted to the city utilities department for review with city fire department participation and approval. All fire flows in Chapter 26, Municipal Code, shall otherwise be considered as the minimum fire flow requirements.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(7))

Cross References: Fire prevention, Ch. 8.

Sec. 20-72. Police protection.

(a) Police protection service will be adequate to protect people and property in the proposed development according to the standards established by the City of Plantation Police Department.

(b) The impacts of any proposed developments can make police service difficult. The review committee shall consult the city police department as to those features of any proposed development that could be modified to minimize the adverse impact on police protection service.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(8))

Cross References: Police, Ch. 21.

Sec. 20-73. Park and recreation facilities.

(a) Park and recreation facilities will be adequate to serve the proposed development and meet the Broward County Regional Parks requirement and the city land use plan and comprehensive plan.

(b) In order to provide land suitable for the parks, open space and recreational needs of the future residents of the area in which the proposed development is a part the developer must provide land or funds or both used to provide additional community and neighborhood parks necessary to meet the need of such local level parks created by population growth in the area, according to all applicable ordinances of the city. Service standards for neighborhood parks are two acres per 1,000 population, and for community and city parks are one acre per 1,000 population, all of which will be measured by meeting the total of four acres of park land per every 1,000 residents of the city. This measure, though, is subject to being exceeded by other ordinances of the city. The additional one acre per 1,000 that Plantation requires beyond the three acres per 1,000 that the county requires can be met by also counting school playgrounds and open space, golf courses and private neighborhood association recreational facilities.

(Code 1964, App. A, Art. XXIII 1/2, 2(g)(9); Ord. No. 1741, § 1, 10-10-90; Ord. No. 1809, § 1, 10-2-91)

Cross References: Parks and playgrounds, § 23-171 et seq.

Sec. 20-74. School siting and school concurrency.

(a) School sites and school buildings shall be available to serve the education needs of the projected school age population as determined by the Broward County School Board.

- (1) *Public school concurrency.* Pursuant to the public school facilities element of the City of Plantation Comprehensive Plan (PSFE) and the Amended Interlocal Agreement for Public School Facility Planning (ILA), the City of Plantation shall assist Broward County in their collaboration with the county school board (school board), to ensure public school facilities will be available for current and future students consistent with available financial resources and adopted level of service standards and such facilities are available concurrent with the impact of proposed residential development.
 - (2) *Applications subject to a public school concurrency determination.* The city shall not approve an application for a plat, replat, plat note amendment, findings of adequacy or any area site plan involving residential uses (application), that generates one or more students unless exempt or vested from the requirements of public school concurrency, until the school board has reported that the school concurrency requirement has been satisfied. (Note: A plat could be both residential and nonresidential.)
- (b) *Exemptions and vested development.*
- (1) The following residential applications shall be exempt from the requirements of public school concurrency:
 - a. An application which generates less than one student at each level in the relevant concurrency service area (CSA). Such development shall be subject to the payment of school impact fees.

- b. An application for age restricted communities with no permanent residents under the age of 18. Exemption for an aged restricted community shall only be available subject to a recorded restrictive covenant prohibiting the residence of school aged children in a manner not inconsistent with federal, state or local law or regulations.
 - c. An application within a development of regional impact (DRI) with a development order issued before the effective date of Senate Bill 360 or an application submitted before May 1, 2005.
 - d. An application as may otherwise be exempted by Florida Statutes, including but not limited to, applications within the City of Plantation which meet specific qualifying criteria outlined in the statute and approved by the school board.
- (2) The following residential applications shall be vested from the requirements of public school concurrency:
- a. Any application located within a previously approved comprehensive plan amendment or rezoning which is subject to a mitigation agreement in accordance with the following:
 - 1. The mitigation to address the impact of the new students anticipated from the development has been accepted by the school board consistent with school board policy 1161, entitled "Growth Management", as may be amended from time to time, and;
 - 2. Any declaration of restrictive covenant or tri-party agreement has been properly executed and recorded by the developer or the development is located within a boundary area that is subject to an executed and recorded tri-party agreement consistent with school board policy 1161, as may be amended from time to time.
 - 3. The applicant shall provide a letter from the school board or other evidence acceptable to the city verifying 1. and 2. above. Other evidence may include documentation as specified in the tri-party agreement.
 - b. Any application which is included within a residential plat or development agreement for which school impacts have been satisfied for the dwelling units included in the proposed application. This includes any application approved between February 2, 1979 and the effective date of the public school facilities element of the comprehensive plan and this section. In the transmittal of an application to the school district, the city shall include written information indicating that the units in the application are vested.
 - c. Any application that has received final approval, which has not expired, prior to the effective date of the public school facilities element of the comprehensive plan and this section.
- (3) To be exempt or vested from the requirements of public school concurrency, an applicant

seeking such a determination shall be required to submit documentation with the application which shall include written evidence sufficient to verify that the subject development meets the exemptions stated herein, and as such, is exempt from the requirements of public school concurrency.

(c) *Level of service standards.*

- (1) The level of service standard (LOS) shall be 110 percent of the permanent Florida Inventory of School Housing (FISH) capacity for each concurrency service areas (CSA). The LOS shall be achieved and maintained within the period covered by the five-year schedule of capital improvements contained in the effective five-year adopted district educational facilities plan (DEFP).

(d) *Concurrency service areas (CSA's).*

- (1) Concurrency service areas (CSA), shall be the approved school boundaries for elementary, middle and high schools as annually adopted by the school board. For the purpose of public school concurrency, such CSA's shall be effective on the first day of the school year, and end on the last day before the beginning of the next school year.

(e) *Student generation rates.*

- (1) The effective adopted student generation rate(s) as determined by the school board shall be utilized to determine the potential student impact anticipated from any application subject to a public school concurrency determination.

(f) *Review procedure.*

(1) *Public school impact application (PSIA).*

- a. Any applicant submitting an application with a residential component, unless exempt or vested from the requirements of public school concurrency, is subject to public school concurrency and shall be required to submit a PSIA for review by the school district. Evidence of acceptance of the PSIA and payment of the applicable application fee to the school district shall be required prior to acceptance of the application by the city.
- (2) The school district shall consider the potential student impact from the proposed residential development on the applicable CSA by performing the review procedure specified in school board policy 1161, as may be amended from time to time, and make a determination as to whether capacity is or is not available.
 - (3) School capacity availability determination letter (SCAD).
 - a. No residential application or amendments thereto, shall be approved by the city or scheduled for city council, unless the residential development is exempt or vested from the requirements of public school concurrency, until a SCAD letter has been received

from the school district confirming the proposed development satisfies public school concurrency requirements. The SCAD letter shall be sent to the applicant, the county development management division and the city no later than 45 days after acceptance of the completed PSIA by the school district.

- b. If the school district reviews an application and determines that sufficient permanent capacity is available at the adopted LOS to accommodate students anticipated from the development, the school district shall issue a SCAD letter indicating that adequate school facilities exist to accommodate the student impact and that the proposed development satisfies public school concurrency requirements.
 - c. If the SCAD letter states that the development has not satisfied public school concurrency requirements, the SCAD letter shall state the basis for such determination, and the applicant shall have 30 days to propose proportionate share mitigation to the school district.
 - d. If the applicant proposes proportionate share mitigation within the thirty-day deadline, upon the subsequent acceptance of the proposed mitigation by the school board, and upon the execution of a legally binding document among the school board, the City of Plantation, if applicable, and the applicant, an amended SCAD letter shall state that adequate capacity anticipated from the accepted proportionate share mitigation will be available to accommodate the student impact anticipated from the proposed development and that the proposed development satisfies public school concurrency requirements. The total amount committed for any mitigation option shall not be less than the school impact fees due for the proposed units as calculated based upon the adopted school impact fee schedule of the school board. The school impact fee due for the project shall be considered included in the total proportionate share mitigation amount due or paid. If the proportionate share mitigation is not accepted by the school board, the amended SCAD letter shall state the basis upon which the mitigation proposal(s) was rejected and why the development is not in compliance with public school concurrency requirements.
 - e. An applicant adversely impacted by a SCAD determination may appeal such determination by written request to the school board within the designated thirty-day time period. A timely request for an appeal shall stay the requirement for an applicant to propose proportionate share mitigation until the appeal has been resolved.
 - f. If an application or approval expires, the SCAD letter will no longer be valid.
- (g) *Expiration of concurrency/vesting.*
- (1) The public school concurrency approval for a residential application shall be valid for a period of five years from the date of city council approval.
 - (2) If the rights granted by the residential application approval are not exercised within the five-year period by:

- a. The issuance of a building permit for a principal building and first inspection approval; or
- b. Substantial completion of project water lines, sewer lines and the rock base for internal roads the public school concurrency approval shall expire. If the development was denied, the district shall deduct from its database, students associated with the development.

(Code 1964, App. A, Art. XXIII 1/2, § 2(g)(10); Ord. No. 2414, § 1, 8-6-2008)

Sec. 20-75. Time limit on review committee recommendations for plats and site data records.

Review committee recommendations for development permits shall have full force and effect for a period of nine months from the date of the issuance of said recommendation. If no city council approval is obtained for such development permit applications before the nine-month recommendation period has elapsed, the recommendations shall have no further validity, and a new application for review must be resubmitted for consideration by the review committee. Service standards approvals for development will expire if and when the approval for the respective development permit expires.

(Ord. No. 1395, § 1, 5-21-86; Ord. No. 1741, § 1, 10-10-90; Ord. No. 2074, § 9, 3-6-96)

Editors Note: Ord. No. 1395, § 1, adopted May 21, 1986, added provisions designated as § 2(h) of Art. XXIII 1/2 of the zoning ordinance; said provisions have been codified herein as § 20-75 at the editor's discretion.

Sec. 20-76. Natural resource and wellfield protection.

(a) Prior to the city issuing a building permit for property identified on the comprehensive plan wetlands map as "transitional wetlands," permitting shall be required by the South Florida Water Management District and Florida Department of Environmental Regulation, as determined to be necessary by those agencies.

(b) Plans for development in areas with significant native vegetation as identified in the city's conservation element of the comprehensive plan will show the location of the vegetation and will indicate how the vegetation will be preserved.

(c) Uses within potable water wellfield cones of influence will be restricted to those allowed under the county wellfield protection ordinance.

(Ord. No. 1741, § 1, 10-10-90; Ord. No. 2074, § 10, 3-6-96)

Secs. 20-77--20-85. Reserved.

ARTICLE IV.

SUBDIVISIONS*

* **Cross References:** Proximity of alcoholic beverage establishments, § 3-2; proximity of establishments to houses of worship, schools, § 3-3; proximity of alcoholic beverage establishments to child care centers, § 3-4; utilities, Ch. 26; utility systems in subdivisions, § 26-146 et seq.

State Law References: Platting, F.S. § 177.011 et seq.

DIVISION 1.

GENERALLY

Sec. 20-86. Requirement for certain residentially zoned corner building sites in Plantation Acres.

Where unplatted residentially zoned land lies within the area of the city known as Plantation Acres (which said area is generally bounded on the north by the City of Sunrise, on the east by Haiitus Road as presently constructed, on the south by North New River Canal, and on the west by Flamingo Road as presently owned by Plantation Acres Improvement District) and such residentially zoned land is being subdivided into individual building sites, either by platting or by the city's site data record process for residential land which is exempt from platting, all corner parcels having boundaries common to collector streets (as from time to time designated by the city planner based on city planning criteria) and minor interior streets shall have such corner building sites front upon the minor interior streets so as to lessen the number of residential buildings requiring ingress and egress onto the adjacent collector streets.

(Ord. No. 1599, § 1, 1-11-89)

Editors Note: Ord. No. 1599, § 1, adopted Jan. 11, 1989, being nonamendatory of the Code, has been included as § 20-86 herein at the discretion of the editors.

Cross References: Additional development criteria on residential construction within Plantation Acres' surface water drainage jurisdiction, § 20-184; conveyance in Plantation Acres, § 23-106; road specifications, § 23-107; zoning generally, Ch. 27; Plantation Acres district regulations, § 27-591 et seq.

Secs. 20-87--20-95. Reserved.

DIVISION 2.

PERMITS

Sec. 20-96. Temporary construction and storage areas.

Upon the approval of a master plan for a subdivision comprising not less than 50 acres, a developer who has commenced development of any part of said subdivision under a plat approved by the city council and recorded in the Official Records of Broward County, Florida, may apply for the issuance of a temporary permit for the construction of a storage area which may be issued by the city council subject to the conditions in this division.

(Code 1964, § 23-18)

Sec. 20-97. Application.

- (a) An application shall be made by the developer and shall include a drawing of the area for which the permit is requested.
- (b) The application and/or drawing shall include details of the area for which the permit is requested including:
 - (1) Dimensions or area;
 - (2) Description of any fixed buildings or parked trailers to be within the permitted area;

- (3) Description of any fencing desired which in any case shall not be more than eight feet in height. No fencing shall be constructed of barbed wire or electrified wire;
- (4) Location of any and all driveways, entrances or exits;
- (5) Location of nearest structure or improvements such as roads, houses, canals, etc., as measured by straight line measurement but it shall not be necessary to show in full scale said improvements although measurements showing the distance of such improvements shall be accurately shown;
- (6) Period of time for which temporary permit is requested;
- (7) Statement by the applicant under oath that upon expiration of the permit or any extensions thereof, all materials, buildings, trailers, fences, etc., shall be removed, or in the alternative, be made to comply fully with the city zoning and building codes and that upon failure to do so within 30 days from the expiration of the permit, the city shall without any further notice to applicant have the right and permission to enter upon said property and remove all buildings, trailers, materials, fences, etc., and return the property to its original condition and that the permit-holder shall pay the entire cost of the city in so returning the property to its previous condition including any administrative costs incurred by the city.

(Code 1964, § 23-18(1), (2))

Sec. 20-98. Bond.

Such temporary permits, if approved by the city council, may include the requirements of a cash bond, the amount of which shall be determined by the council at the time that the permit is approved. Likewise, the permits shall be for a fixed and definite period of time and shall require at the expiration of the permit the removal of any such temporary construction and storage area. However, the city council may, in its discretion, upon good cause being shown, extend the expiration date of the permits.

(Code 1964, § 23-18)

Sec. 20-99. Issuance.

Upon approval of said permit by the city council, the building department shall issue same when all conditions of the permit as have been prescribed by the city council have been complied with, and a cash bond provided for by the city council, deposited with the city clerk. The city clerk shall hold such cash bond for safekeeping and after expiration of the permit, and upon being informed by the building department of the satisfactory compliance with the conditions of the permit, shall remit said cash bond to the permit-holder.

(Code 1964, § 23-18)

Secs. 20-100--20-110. Reserved.

DIVISION 3.

FEES

Subdivision A.

Engineering and Administrative Fees*

* **Cross References:** Finance, § 2-266 et seq.

Sec. 20-111. City engineering and administrative costs; formula.

(a) The city shall be paid a fee for its administrative and engineering costs in making inspections of the construction of streets, seawalls, pavement, drainage and culvert facilities and the installation of street marker signs in accordance with the formula of five percent of the total estimated construction and installation costs of the street, seawall, pavement, drainage and culvert facilities and street marker signs.

(b) The city engineer shall estimate the construction and installation costs to be used in determining the inspection fee. The cost estimates as provided by the permit applicant, shall compare favorably with current construction costs prevailing in the city. The fee shall be collected by the city clerk simultaneous with the posting of the bond herein required and in all events shall be paid prior to the final approval of any plat. The inspection fee as determined above shall include the costs of all material tests required by the city except those which indicate that the material being used does not meet the city's minimum standards, in which case the costs of those tests indicating a failure shall be paid for by the person who paid the original inspection fee. (Code 1964, § 23-10; Ord. No. 1499, § 1, 9-30-87; Ord. No. 1853, § 1, 7-15-92)

Secs. 20-112--20-125. Reserved.

Subdivision B.

Impact Fees*

* **Cross References:** Finance, § 2-266 et seq.; parks and playgrounds, § 23-171 et seq.

Sec. 20-126. City park impact fees.

(a) The requirements of this section pertaining to property to be developed must be met before the city council approves any plat, site data record, or site development plan.

(b) Any payment of money pursuant to this section, must be made upon approval by the city council of a plat, site data record, or site development plan except that the city council may defer such payment until the issuance of the first building permit upon the request of the applicant and a determination by the city council that sufficient good reason exists for such deferral. Such fees shall be paid in accordance with subsection (d) hereof.

(c) Reserved.

(d) If city park impact fees have been charged to any applicant at the time of city council approval of

either the plat or the site data record, then additional city park impact fees will only be charged against the applicant at the time of the approval by the city council of the site development plan, if during that period of time between the approval of the plat or site data record and the site development plan, the need for city level parks created by the applicant's proposed additional residential development has increased.

(e) In order to provide lands or funds or both to provide additional parks necessary to meet the need for city level parks created by additional residential development, a developer must provide for such needs according to one of the following methods. Unless the city council directs that the method prescribed in (1) hereof must be met because such will most adequately serve the needs of the particular area, in which event the developer shall comply with (1), the developer shall have the discretion to comply with either (2) or (3) hereof.

(1) To meet the requirements of this paragraph, and must be dedicated of suitable size, dimension, topography and general character to serve as parks or substantial portions thereof, which will meet urban park needs created by the development. The total amount of land to be dedicated for city level parks either on or off the development site must equal a ratio of four acres of land for every 1,000 potential residents estimated to occupy the development under the following formula:

<u>4 Acres</u>	×	(<u> </u>)	×	(<u> </u>)	=	Acres
1000 Pop.		No. Units		Persons/Units		Dedication

Density in dwelling units per gross acre of residential land area	Estimated number of persons per dwelling unit
From 0 up to 1	3.3
Over 1 up to 5	3.0
Over 5 up to 10	2.5
Over 10 up to 16	2.0
Over 16 up to 25	1.8

Unless the plat or Site Data Record specifically limits the number of building sites or units (in which case the density shall be based on such limitations), the density for the development site shall be determined by the maximum allowable densities as shown on the city's land use master plan for such development site.

(2) To meet the requirements of this paragraph, a deposit must be made in a non-lapsing trust fund established and maintained by the city of an amount of money equal to or exceeding the value of such amount of land as would have been required to be dedicated under (c)(1). Evidence of land value shall be determined by the county property appraiser's assessed value of the land or the fair market value of the land based upon an appraisal provided by the developer and acceptable to the city. If no appraisal is presented which is acceptable to the city, then the value will be determined by the city and if such value is not accepted by the applicant then an M.A.I. appraiser mutually acceptable to the city and applicant shall determine such fair market value with such appraisal to be at the expense of the applicant.

(3) To meet the requirements of this paragraph, a deposit must be made in a non-lapsing trust fund established and maintained by the city of an amount of money as set forth in the schedule below for each

dwelling unit to be constructed within the developed area. Unless the plat or site data record specifically limits the number of building sites or units (in which case the density shall be based on such limitations), the density for the development site shall be determined by the maximum allowable densities as shown on the city's land use master plan for such development site. From the effective date of this section until September 30, 1984, the amount of money to be deposited for each dwelling unit to be constructed shall be as follows, and for each fiscal year thereafter the amounts required for new developments under this paragraph shall be adjusted by the amount of the change reflected for the previous 12 month period in the implicit price deflator of the gross national product prepared by the United States Department of Commerce, Bureau of Economic Analysis. This pertinent schedule for application in the first year after passage of this article is as follows:

Dwelling type	Bedrooms	Fee per unit
Single family, townhouse, villa and duplex	2 or less	\$ 178.00
	3	\$ 229.00
	4 or more	\$ 269.00
Mobile home	1 or less	\$ 124.00
	2	\$ 162.00
	3 or more	\$ 233.00
Garden apartment and mid-rise	1 or less	\$ 106.00
	2 or more	\$ 164.00

- (4) The city planner will calculate such yearly adjustments and post the current fee per unit schedule prominently in his offices and file a copy of the current fee per unit schedule with the city clerk.
- (5) Where the applicant for plat or Site Data Record approval cannot satisfactorily show the specific dwelling types to be built on the land, the following presumptions will apply:
 - a. Where single-family residential development is permitted, the presumption is that four bedroom dwelling units will be constructed;
 - b. Where multi-family development is permitted, the presumption is that three bedroom townhouses will be constructed.

(f) Money deposited by a developer pursuant to this section for city level parks shall be expended within the city and in a reasonable period of time for the purpose of acquiring and developing land necessary to meet the need of city level parks created by the development in order to provide a system of city level parks which will be available to and substantially benefit the residents of the developed area. In accordance with the descriptions of parks contained in the adopted recreation and open space element, City of Plantation Comprehensive Plan, 1981, money deposited by a developer pursuant to this section for city level parks shall not be expended to acquire or develop land for park purposes outside the city limits or farther than three miles from the perimeter of the developed land except as provided in paragraph (3). The funds collected pursuant to this section to be spent on city parks will be kept in a non-lapsing trust fund, such Fund specifically ear-marked to be spent according to the term of this section.

(Code 1964, § 23-13.1; Ord. No. 1283, § 2(23-13.1(a)--(d)), 1-16-85; Ord. No. 1344, § 1, 8-21-85; Ord. No. 1762, §§ 1, 2, 2-20-91)

Sec. 20-127. Recreational facilities.

The city has provided parks that incorporate recreational facilities to serve the entire population of the city. Included in these parks are special facilities and programs designed to serve particular recreational needs of the entire population, and which cannot be provided in neighborhood or community parks. Thus, money deposited by a developer pursuant to this subdivision for city level parks may be expended to create or expand specialized facilities or programs at parks farther than three miles from the perimeter of the developed land where it is established that the additional facilities or programs are required due to the growth in population directly generated by the development.

(Code 1964, § 23-13.1; Ord. No. 1283, § 2(23-13.1(e)), 1-16-85)

Sec. 20-128. Capital program.

Within a reasonable length of time, the city council shall establish an effective capital program for the urban parks in order to meet the existing need for city level parks which may be created by residential developments constructed after the effective date of this section. The annual budget and capital program of the city shall provide for appropriations of funds as may be necessary to carry out the city's capital program for the acquisition of land for city level parks. The funds necessary to require lands to meet the presently existing need for city level parks must be provided from a source of revenue other than from the amounts deposited in the trust fund.

(Code 1964, § 23-13.1; Ord. No. 1283, §2(23-13.1(f)), 1-16-85)

Sec. 20-129. Expenditures.

The city's master recreation/open space park plan dated March 1, 1983 adopted herein by reference and on file in the city clerk's office provides a schedule of expenditures which are currently anticipated will be incurred on parks and recreational facilities, as well as a developmental priority rating for these facilities. The department of parks and recreation shall review and update the recommended schedule of expenditures and the developmental priority rating for parks and recreational facilities from time to time and shall make specific recommendation to the city council at least annually. The city council will thereafter formally review these recommendations.

(Code 1964, § 23-13.1; Ord. No. 1283, § 2(23-13.1(f), (g)), 1-16-85)

Sec. 20-130. Use of funds.

All funds received by the city from the county under the county's park impact fee ordinance shall be used in accordance with the county guidelines for such park impact fees.

(Code 1964, § 23-13.1; Ord. No. 1283, § 2(23-13.1(h)), 1-16-85)

Secs. 20-131--20-140. Reserved.

DIVISION 4.

PLAT CONTENTS*

* **Cross References:** Landscape plan required to be submitted for site plan approval, § 13-42.

Sec. 20-141. Proposed plat--Approval.

Any person who proposed to develop or subdivide any tract of acreage within the city exceeding five acres shall first submit his proposed plat of the area to the city council and obtain approval therefor. (Code 1964, § 23-2; Ord. No. 1283, § 1(23-2), 1-16-85)

Sec. 20-142. Same--Requirements.

The plat shall show, in addition to the other requirements of this chapter, if the area to be platted exceeds five acres, or if the area to be platted is a part of a tract of land under common ownership of the developer or under ownership of a syndicate or organization of which the developer is a member or associate, an area to be set aside and dedicated for usable park, playground, or recreational or school purposes, within the subdivision, if such land dedication is required by section 20-126 et seq. or other applicable ordinances or laws. (Code 1964, § 23-2; Ord. No. 1283, § 1(23-2), 1-16-85)

Sec. 20-143. Same--May be shown by separate instrument.

As to the requirements to be shown by the plat, such requirements may be shown by a separate instrument or document other than the plat itself, but the separate instrument or document shall be attached to and by reference made a part of such plat. The separate instrument does not necessarily have to be recorded in the county records, but in all events shall be filed with the city council. (Code 1964, § 23-7)

Sec. 20-144. Street numbers.

The plat shall show that the streets thereon are named or numbered in accordance with the city's street naming or numbering system. (Code 1964, § 23-3)

Secs. 20-145--20-155. Reserved.

DIVISION 5.

STREETS, FENCES, BRIDGES, SEAWALLS*

* **Cross References:** Streets, sidewalks, bridges and other public places, Ch. 23.

Sec. 20-156. Streets, alleys and roadway; approval by city council

No street, roadway or alley of any nature, except private driveways wholly located on privately-owned property, shall be constructed, used or maintained within the city limits without the same having first been approved by the city council as to location, width and type of construction, and without the same having been shown on a plat previously approved by the city council.

(Code 1964, § 23-16)

Sec. 20-157. Street grades and extensions of existing streets; dedication of right-of-way.

(a) The plat shall show the grades of all roads, streets, alleys and other rights-of-way, however designated, and the elevation of the several portions of land depicted on the plat by contour lines or otherwise. The plat shall further show the extensions and continuation along the same courses of existing streets, alleys and other rights-of-way, however designated, which, when projected would cross the platted lands whenever required by the city council.

(b) The plat shall further show a dedication to the public by the owners of the lands involved of all roads, streets, alleys and other rights-of-way, however designated, shown on the plat for perpetual use for public road and street purposes and other purposes incidental thereto. The affect of such dedication shall be to vest in the city full, complete and exclusive possession and control of the same and of all trees, shrubs and other plantings and installations therein, and the full width thereof as shown on such plat.

(Code 1964, § 23-4)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23.

Sec. 20-158. Construction agreements and financial assurances for promised improvements.

(a) No plat shall be approved nor shall any street, public or private residential subdivision roadway or parking area, seawall (except for seawalls installed by a single-family residence after the residence is constructed), or bridge, be constructed, nor shall fill (except for fill for a single-family residence), drainage wells, culverts, gutters, sewers, and other drainage facilities be installed even in an unplatted area, unless the owner seeking the approval of such plat or seeking the construction of a street, public or private residential subdivision roadway or parking area facilities (such street, public or private roadway, or parking area facilities include striping, signage, curbs and guttering), seawall, or bridge or the installation of fill, drainage wells, culverts, gutters, sewers or other drainage facilities shall first furnish the city a construction agreement in form approved by the city which is financially assured as hereinafter provided. All contemplated work described which is bonded or otherwise financially assured as provided herein shall be completed within two years after the plat is recorded or after specifications for same have been permitted (where the improvements are not promised in order to secure plat approval).

(b) Each such contract agreement for the extension and installation of paving and drainage facilities shall be financially assured with a surety bond covering performance of and payment for the developer's construction agreement (including a one-year guarantee against defective or faulty work or materials which appear within one year after final acceptance of the completed facilities by the city), and all losses, damages, expenses, costs, and attorneys' fees, including appellate proceedings, that city sustains as a result of default by the developer. The surety bond(s) shall cover the same independent obligations as the public construction bond specified in section 255.05(3), Florida Statutes (1993). All surety bonds are to be in a penal sum of at least equal to 110 percent of the certified engineering estimate of the work shown in the approved plans and based upon the most current Broward County Estimate Form or 125 percent of such estimate if approved plans are not available, based upon a scope of work approved by the city engineer, and must be written by an approved domestic surety company with a AAA rating in the latest "Best's Insurance Guide with Key Ratings" or by listing in U.S. Treasury Department circular called "Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reinsuring Companies," and shall obligate the developer as principal, and such company as surety, and shall be payable to the city as obligee. After final acceptance of the

completed facilities by the city and the satisfactory performance of developer obligations up to commencement of the guarantee period, the city may release the surety bond herein provided (and may release all other alternative financial assurances set forth in this section) upon receipt of a substitute guarantee and maintenance cash bond or surety bond, the penal sum for which shall be ten percent of the facilities' original bond amount.

(c) In lieu of the payment, performance, all losses, and maintenance guarantee bonds provided in (b) above, the city shall accept; if tendered:

- (1) A cash escrow agreement in a form acceptable to the city from a recognized financial lending institution acceptable to the city, with a branch or corresponding office in the county, covering the same obligations as the public construction bond specified in § 255.05(3), Florida Statutes (1993), in the required penal amount for surety bonds certifying that the full sum of the balance due to the city is being held by the institution for payment to the city, except only for such portions of the work certified to be duly completed by the representative of the city engineer, with payment of the final ten percent of the original escrow amount to be held to guarantee against defective or faulty work or material which appears within one year after final acceptance of the completed facilities by the city, and so much of such final ten percent as may remain after the completion of the guarantee obligations to be then paid or released to the developer; or
- (2) A cash bond in form acceptable to the city, covering the same obligations as the public construction bond specified in section 255.05(3), Florida Statutes (1993), in a required penal amount of 100 percent of the penal amount set forth above for surety bonds, such cash bonds being held in their original amounts and not subject to pay downs as performance of the construction progresses, except the final ten percent of the amount of the original penal sum required for surety bonds, which shall be held to guarantee against defective or faulty work or material which appears within one year after final acceptance of the completed facilities by the city, and so much of such final ten percent as may remain after the completion of the guarantee obligations to be then paid or released to the developer.

(d) If, all of the developer obligations for performance, payment, coverage of all losses, and the guarantees, are not timely performed, the city shall be able but shall not be required to call the bonds (or receive and become entitled to the amount escrowed together with any subdivider's guarantee deposits) for such uncompleted performance and the city shall be able but shall not be required to complete such uncompleted performance. All of the costs to the city for assuring the completion of such performance which are in excess of the total amounts reserved therefor from any source may be assessed against the land benefitted by the improvements (and liens shall be created to secure such improvement assessments) in the same manner as charter special assessments, and the liens which secure such special assessments shall be created and enforced, and shall have the same superiority as charter assessments.

(e) No building permit shall be issued for any building or structure to be located upon all or a portion of the land embraced in a plat or subdivision until a contract for the work bonded or otherwise financially assured in accordance with this section has been let and construction for said work has commenced.

(f) It is the intention of the city that to the extent the subdivider fails to pay for required subdivision improvements and to the extent that the amounts reserved for such improvements are insufficient, the property shall be assessed for such benefit. The city council may waive any such bond or conditions of such bond if such

improvements have already been made, or in the event some or all improvements are not required. Nothing contained herein is to be construed as repealing any portion of section 20-161.

(Code 1964, § 23-6; Ord. No. 1470, § 1, 5-27-87; Ord. No. 1896, § 1, 1-13-93; Ord. No. 2057, § 1, 11-15-95)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23.

Sec. 20-159. Setback distance.

The plat shall show on its face the required setback distances on all the irregular-shaped lots.

On culs-de-sac the front setbacks in no case shall be less than 20 feet.

(Code 1964, § 23-8)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23.

Sec. 20-160. Fence, wall or hedge; required for screening purposes.

The city council, in considering any subdivision plat, may require that a fence or wall be constructed for screening purposes, and may fix the height of said wall or fence in accordance with the zoning chapter when said fence or wall is recommended for screening purposes. The city council, in recommending that a fence or wall be constructed for screening purposes, shall take into consideration the following:

- (1) Design of the fence or wall for appearance.
- (2) Location of the wall, whether on private or public property.
- (3) Impairment of visibility at street or driveway intersections.

(Code 1964, § 23-9.1)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23.

Sec. 20-161. Approval of plans by city engineer; street requirements.

(a) *Plans:* Prior to the presentation of a subdivision plat to the city council for final approval, complete construction drawings prepared by a professional engineer, duly registered in the state, shall be presented to the city engineer for approval. These drawings shall show in detail all work contemplated and shall include, in addition to typical cross-sections, a plan showing the widths of all pavement and a profile showing the elevation and grade of all pavement.

(b) *Minimum width of wearing course:*

- (1) Minor streets, defined as streets used primarily for access to abutting properties and not for through traffic, shall have a minimum wearing course width of 20 feet.
- (2) Collector streets, defined as streets, which in addition to giving access to abutting properties, carry traffic from minor streets to the major system of arterial streets, or streets which provide the principal access to, and circulation within, a subdivision, shall have a minimum wearing course width of 22 feet.
- (3) Arterial streets, defined as streets used primarily for fast and heavy traffic traveling considerable

distances, shall have a minimum wearing course width of 24 feet.

(c) *Minimum width of base:* Where compacted limerock is to be used for the base material, and where no curbs and/or gutters are contemplated, the width of the base shall be two feet wider than the wearing course.

(d) *Radius at intersections:* The radius of the wearing course edge at all intersections shall be determined as follows:

(1) Where each intersecting road right-of-way is less than 60 feet in width, the radius shall be 30 feet.

(2) Where any one of the intersecting road rights-of-way is at least 60 feet, but all are less than 70 feet in width, the radius shall be 35 feet.

(3) Where any one of the intersecting road rights-of-way are 70 feet or greater in width, the radius shall be 40 feet.

(4) No street sign, fire hydrant, utility pole, or other obstruction shall be erected within the radius arc of any street intersection at a point less than six feet distant from the edge of the wearing course of the pavement.

(e) *Minimum pavement grades:* The grade of all pavement shall be not less than 0.20 percent.

(f) *Minimum pavement elevation:* The minimum allowable elevation of any pavement within a subdivision shall be determined by the city engineer from a study of each individual case.

(g) *Drainage swales:* Drainage swales, of such type as approved by the city engineer, shall be constructed on both sides of all pavement. In that portion of the city lying west of University Drive and east of the C-42 Canal there shall be constructed on both sides of all pavement, other than driveways and off-street parking facilities, valley gutters to provide drainage of such pavement as approved by the city engineer pursuant to standard details of pavement, sidewalk and valley gutter construction for the city, as depicted and set forth on the specifications and details of the city engineer, entitled "Standard Details of Pavement, Sidewalk and Valley Gutter Construction for City of Plantation, Florida, Section II," which the standard details are incorporated herein and made a part hereof by reference (see section 23-121).

(h) *Materials and construction methods:* The materials, equipment and construction methods to be used shall conform to the specifications established by the city.

(i) *Approval.* The city engineer shall advise the chief building official of each plat so reviewed and approved by his office.

(Code 1964, § 23-14; Ord. No. 2051, § 2, 10-11-95)

Cross References: Streets, sidewalks, bridges and other public places, Ch. 23; standard details of pavement, sidewalks and swale construction, § 23-121.

Secs. 20-162--20-175. Reserved.

DIVISION 6.

DRAINAGE FACILITIES*

* **Cross References:** Buildings and building regulations, Ch. 5; flood prevention, Ch. 9.

Sec. 20-176. Reserved.

Editors Note: Ord. No. 2264, § 28, adopted Nov. 28, 2001, deleted § 20-176, Scope and minimum requirements, derived from the 1964 Code, § 23-15(1), (2).

Sec. 20-177. Plans.

Prior to the presentation of a subdivision plat to the city council for final approval, complete construction drawings, prepared by a professional engineer, duly registered in the state, and covering the area proposed to be platted, shall be submitted to the city engineer for approval. These drawings shall show in detail all of the drainage facilities contemplated and shall include a plan of the subdivision showing the proposed street elevations at each intersection or change in grade, and the location, size, grade, and invert elevation of each storm sewer, together with the location and construction details of each catch basin or other drainage facility.

Sec. 20-178. Master drainage plan.

Prior to the submission of detailed drainage plans as required under paragraph (3) each developer shall submit a master drainage plan of the entire area contemplated for development, showing generally the subdivision block layout and the general drainage plan for the entire area. The master drainage plan shall be revised and resubmitted as often as is necessary to establish the continuity and adequacy of the drainage plan for each individual area as it is platted.

(Code 1964, § 23-15(4))

Sec. 20-179. Design criteria.

(a) The design criteria shall be consistent with the SFWMD Environmental Resource Information Manual Volume IV Design Aids and Examples and shall meet the approval of the city engineer.

(b) The detailed drainage plans submitted will be checked for adequacy in accordance with the following procedure:

(1) Runoff formula: $Q = AC1i$

Where:

Q = Runoff in cubic feet per second

A = Discharge area in acres

C = Coefficient of imperviousness

i = Rainfall intensity in inches per hour

- (2) Coefficient of imperviousness: The coefficient of imperviousness "C" to be used in the runoff formula will be as follows:

Residential Areas--0.50

Business Areas--0.90

- (3) It is recognized that the coefficient "C" will vary with each area. Coefficients less than given above will be considered on an individual basis provided sufficient supporting data is furnished by the developer's engineer.
- (4) Rainfall intensity: The rainfall intensity "i" to be used in the runoff formula will be determined from the "Intensity-Duration-Frequency" curves published by the State of Florida Department of Transportation; Office of Design, Drainage Section; "Drainage Handbook Hydrology" Zone 10" latest revision.
- (5) Conduit size and slope: The Kutter, Manning or other recognized engineering formula will be used to determine the size and slope of all conduits and open channels. The minimum size conduit shall be 12 inches.

(c) Alternate design criteria will be considered provided sufficient supporting data is presented by the developer's engineer.
(Code 1964, § 23-15(5), (6); Ord. No. 2264, § 29, 11-28-01)

Sec. 20-180. Catch basins.

(a) At least one catch basin connected to an approved storm sewer system having a positive outfall to a primary or secondary drainage system shall be located within each block.

(b) Catch basins shall be equipped with a cast iron grate and frame of equivalent size to Florida State Road Department Type "C" and shall have a minimum depth of 12 inches below the pipe invert for cleanout purposes. A two foot minimum width asphaltic concrete apron shall be constructed on three sides of each catch basin, extending to the edge of the pavement on the fourth side.
(Code 1964, § 23-15(7))

Sec. 20-181. Canals, ditches and swales.

Drainage ditches and swales which shall mean any open channel, the bottom of which is at or above elevation minus 2.0 mean sea level datum plane excluding roadside drainage ditches and swales as defined in section 20-161(g), will not be approved. Canals which shall mean any open channel, the bottom of which is below elevation minus 2.0 mean sea level datum plane will be approved.
(Code 1964, § 23-158(a))

Cross References: Drainage and flood prevention, § 9-56 et seq.; waterways, § 15-20 et seq.; lake and canal excavations, § 15-91 et seq.

Sec. 20-182. Construction drawings.

Prior to the presentation of the subdivision plat to the city council for approval, complete construction drawings prepared by a professional engineer, duly registered in the state, shall be presented to the city engineer on such seawalls for approval.

(Code 1964, §§ 23-15(8)(b), 23-22)

Sec. 20-183. Materials and construction methods.

The materials, equipment and construction methods to be used shall conform to the specifications established by the city.

(Code 1964, § 23-15(9))

Sec. 20-184. Additional development criteria on residential construction in Plantation Acres' surface water drainage jurisdiction.

(a) In reviewing and "signing off" on development reviews as defined in section 27-594, City Code, which are a precondition of obtaining building permits for primary structures, the Plantation Acres Improvement District (hereafter "PAID") shall indicate whether drainage easements or conveyances are necessary to serve as swale percolation areas with no canal excavations to take place (hereafter "surface swale easements", or whether under PAID's reclamation plan any drainage areas are to be excavated as drainage canals (hereafter "canal easements"). Should any such drainage easements be intended in time to be canal easements, PAID shall otherwise advise the depth of the canal within the easement area on the plat, site data record or site plan to which PAID is required to "sign off" before such plat, site data record or site plan can be processed through the city's engineering and legal departments so that the angle of repose of such canal easement can be computed and determined.

(b) Whenever the floor slab and invert elevation of the septic tank on residential construction dictates a floor slab of higher elevation than required by ordinance so as to assure positive drainage of plumbing fixtures to said septic tank and when said higher floor elevation results in an inability to maintain a four-to-one slope from the nearest edge of said floor slab to the nearest edge of the adjacent surface swale easement or canal easement of PAID, then and in such event, a monolithic slab cannot be utilized and a stem wall method of construction shall be required with the stem wall to be located no closer than two feet from any surface swale easement line or any angle of repose calculated on a canal easement from datum furnished by PAID as part of its said plat, site data record, or site-plan sign-off. (A failure to present such canal depth datum at such time of sign-off shall result in Plantation treating all drainage easements depicted on such plat or site data record as surface swale easements regardless of any contrary indication or description.) The land area between such stem wall or monolithic slab and the adjacent nearest drainage easement line of such surface swale easements shall maintain the requisite four-to-one grade so as to assure positive drainage to said adjacent drainage easements; and to otherwise assure that the residential structure in question will not be undermined.

(c) Whenever the easement areas required for swale drainage or to assure the calculated angle of repose for canal easements exceeds the City of Plantation's building setback lines provided by Code, then and in either such event, no structure shall be permitted within said easement or within two feet of such angle of repose lines as determined from submitted PAID datum when PAID signs off on the plat, site data record or site plan

of the residential property on which a building permit is sought.

(d) The spot survey of floor elevation shall reflect all surface swale easement lines and canal angles of repose so as to assist the building department in obtaining compliance with this section.

(Ord. No. 1607, §§ 1--4, 3-22-89; Ord. No. 2074, § 11, 3-6-96)

Editors Note: Ord. No. 1607, adopted Mar. 22 1989, was nonamendatory of the Code; hence inclusion of §§ 1--4 as § 20-184 was at the discretion of the editors.

Cross References: Drainage and flood prevention, § 9-56 et seq.; drainage standards required for development review, §§ 20-65, 27-594; conveyances in Plantation Acres, § 23-106; road specifications, § 23-107.