TOWN OF ST. LUCIE VILLAGE

ST. LUCIE COUNTY, FLORIDA

ORDINANCE NO. 62-8

An ordinance setting forth the regulations for filing plats and developing new subdivisions and resubdivisions in the Town of St. Lucie Village, Florida, including definitions; general information; general procedure for filing plats; requirements pertaining to the plat; clearing and grading; paving; bridges and culverts; supervision of construction; maintenance; policy of the Board; validity; violations and penalties; form of certificates; and effective dates.

WHEREAS, the Board of Aldermen of the Town of St. Lucie Village, Florida, is authorized and empowered by Chapter 177 of the Florida Statutes and amendments thereto and Chapters 29490, Laws of Florida 1953, and 31237, Laws of Florida 1955 to adopt regulations for the design and development of new subdivisions and of resubdivisions within the town in order to promote the adequacy and efficiency of the street and road system, so as to avoid congestion and promote safety, to secure the proper distribution of population and the necessary open spaces for light and air, and for the purpose of improving the health, safety and general welfare of the citizens.

THEREFORE, be it ordained by the people of the Town of St. Lucie Village as follows:

SECTION A. Definitions.

- 1. Board.--The term "Board" as used herein refers to the Board of Aldermen of the Town of St. Lucie Village, Florida.
- 2. Surveyor -- The term "Surveyor" as used herein refers to a land surveyor registered in Florida and engaged by the developer to survey and plat the land proposed for subdivision.
- 3. Developer's Engineer. The term "developer's engineer" as used herein refers to a professional engineer, registered in Florida, and engaged by the developer of the subdivision to plan and supervise the construction of the work.
- 4. Work.--The term "Work" as used herein includes all construction called for or shown on the development plan as well as all facilities and features of every kind in, under and over the dedicated rights-of-way and drainage easements within and furnished in connection with the plat; except gas, sanitary sewage, electric power, telephone, street lighting facilities and related facilities.
- 5. State Road Department Specifications. -- The term "State Road Department Specifications" as used herein refers to the latest current road and bridge specifications adopted as standard by the State Road Department of Florida.
- 6. Administrative Officer. -- The term "Administrative Officer" as used herein refers to the Mayor of the Town of St. Lucie Village, Florida, or his authorized representative.

SECTION B. General Information.

1. Overall Requirements and Conditions.—In order to file a plat for any purpose except merely to record the boundaries of an ownership, the roads, streets and publicly owned parking areas shall be paved according to the Town's requirements, and all the requirements of these regulations shall be met.

2. Administration of These Regulations.--The Mayor or his authorized representative shall administer these regulations under the direction of the Board.

SECTION C. General Procedure for Filing Plats.

- 1. Preparing Plat and Development Plan.—When land is to be subdivided a plat and a development plan shall be prepared. The plat shall be prepared by a registered surveyor and shall be accompanied by a development plan prepared by a registered engineer, showing the existing physical conditions of the terrain, low ground areas to be filled and minimum proposed lot elevations and a design showing the grade and cross section for the proposed construction of streets, and a design for drainage, together with arrangements for final disposal of drainage run-off. The developer shall present a letter certifying that he has hired an engineer (naming him) to prepare the development plan and supervise the work and that when the work is completed the engineer will certify that the work has been done in accordance with the development plan. The subdivider shall comply with all existing zoning regulations in the presentation of his plat and shall show that he has cleared with and had approval from the zoning authority.
- 2-2. Review of Plat and Development Plan: -- The plat and one white print of the development plan shall be submitted to the Administrative Officer who shall review them for conformity with these regulations. When the Administrative Officer has determined that all of the existing plat filing regulations have been complied with the plat may then be submitted to the Board of Aldermen.
- 2-b. Recording Plat.--When the developer submits a plat to the Board of Aldermen for approval, he shall furnish in addition to the linen copy, two transparencies and a check payable to the Clerk of the Circuit Court of St. Lucie County to cover the cost of recording said plat. Upon approval of the plat, the Mayor or President of the Board shall sign the linen copy and both transparencies and shall cause them to be delivered with said check to the said Clerk. When the said Clerk has completed the certificate on the linen and transparencies, he shall return one of the transparencies to the developer who shall then furnish the said Clerk with four copies of said plat.
- 3. Construction of the Work.--After the development plan has been approved, the developer shall proceed according to one of the following methods:
- 3-a. Should the developer elect to construct the work without a bond or escrow agreement, his engineer shall, upon completion of the entire work on one or more units, furnish the Administrative Officer with a written certificate of such completion, accompanied by certain records and plans as hereinafter prescribed, whereupon the Administrative Officer shall recheck the plat, and, if same is found to comply with these regulations, the Board shall, on the recommendation of the Administrative Officer, approve the plat for filing and accept the work for Town maintenance.
- 3-b. Bond.--After the development plan has been approved, and after the Board has accepted the plat for filing contingent on an approved bond being furnished within 60 calendar days. The developer shall so furnish a surety company bond satisfactory to the Board, guaranteeing that within twelve (12) months the work shall be entirely completed in full accordance with the approved development plan and these regulations, copies of both of which shall be attached to and constitute a part of the bond agreement. If the bond is not thus furnished, the approval of the plat shall artifactedly be voided, and the plat shall not be filed. One 12-months extension of the bond may be granted at the discretion of the Board, but not more than one 12-months extension shall be granted. Said Bond shall be in an amount equal to 111 per cent of the sun or the engineering and construction contracts.

3-c. Escrow Agreement. -- Within 60 days after the development plan has been approved the developer shall enter into a written contract with a registered engineer to perform all required engineering services in connection with the construction, completion and acceptance of the work, and a bonded written contract with a qualified contractor for the construction of the work within a time limit specified by the Board, both in full accordance with the approved development plan and these regulations. The construction contract time limit shall be in accordance with the amount of work to be done, but shall not exceed 12 months. Both contracts shall be satisfactory to the Board, shall be substantially definite in amount rather than on a cost-plus or other indeterminate basis, and shall be made with the developer and the Town, both jointly and separately, but shall expressly relieve the Town from paying for any of the services or work except with funds supplied by the developer. The Contractor's surety bond shall be satisfactory to the Board, shall be in the full amount of his contract, shall bind the surety to the developer and the Town, both jointly and separately, to complete the work in full accordance with the contract in case the contractor defaults. An executed copy of the complete engineering contract, and an executed copy of the complete construction contract including bond, shall be filed with the Administrative Officer. The developer, within said 60 days, shall deposit in escrow, in a depository satisfactory to the Board, an amount equal to the sum of the engineering and construction contracts, plus an additional amount for contingencies which shall be 10 percent of the sum of the engineering and construction constracs; the condition of the escrow agreement being that the deposited fund shall be released to the developer's engineer and contractor only upon written approval of the Board, which, during the course of construction, shall approve the release of portions of the fund, not more often than twice each month, to the developer's engineer and contractor, on the recommendation of the Administrative Officer, in the amounts due each for work done to date, based on the per cent completion of the work multiwork done to date, pased on the per cent completion of the work multiplied by the respective contract price less 10 per cent; and further, that upon the completion of the work the Board shall approve releases to the developer's engineer and contractor, on the recommendation of the Administrative Officer of amounts sufficient to pay them in full, and shall then approve the release of any remainder to the developer. In case there shall be a deficiency of funds on completion of the work, the Board shall on the recommendation of the Administrative work, the Board shall on the recommendation of the Administrative Officer, authorize the release of the entire remaining fund to the Developer's engineer and contractor in such amounts that each shall have been paid the same per cent of the total due him, in which event the developer but not the Town shall owe the developer's engineer and contractor the remaining unpaid balances.

SECTION D. Requirements Pertaining to the Plat.

- 1. Applicable Laws. -- A plat shall be furnished, prepared by a registered surveyor. It shall comply with Chapter 177, Florida Statutes 1955, and amendments thereto, Chapter 29490, Laws of 1953, Chapter 31237, Laws of 1955, and with the requirements that follow:
- a. Dedicator shall Own the Land. -- The dedicator of the plat shall be the owner of record c= the land at the time the plat is accepted for filing, and shall furnish the Board with a certificate to that effect from the developer's attorney or from an abstract company.
- b. Taxes Shall be Paid.—All due taxes shall have been paid at the time the plat is accepted for filing, and the developer shall furnish the Board with a certificate to that effect from the developer's attorney, from an abstract company, or from the Tax Collector of St. Lucie County and the Town.
- c. Land shall be suitable for Development.—The land shall be of such size, shape and nature that it is capable of being platted and developed in full accord with these regulations. Any elevations shown on the plat shall refer to United States Coast and Geogetic Survey datum, MSL.

- a condition of accepting the plat for filing, the developer shall construct and drain the roads, streets, and publicly owned parking areas in a subdivision, including his side of any roads and streets which he plats centering along or near the boundaries of the subdivision, for which he dedicates part of the right-of-way, all of this to be done in accordance with these regulations; except the developer shall not be required to pave State or County maintained roads. He shall also be required to regrade and otherwise modify the side ditches or roadside swales of County Roads and State maintained roads within or abutting the subdivision if necessary to properly accommodate subdivision drainage.
- e. Positive Drainage Required.--The developer shall provide such facilities as may be needed to drain the subdivision to positive outlets that can be legally maintained in permanent use, or into a public drainage system of adequate capacity which discharges into such positive outlets, including all rights-of-way, easements and necessary construction, at no expense to the Town. Side ditches along public roads shall not necessarily be considered as such public drainage systems or positive outlets.
- f. Dedications to Public Required. -- Rights-of-way for roads, streets and alleys, easements for utilities, and rights-of-way and easements for drainage shall be dedicated to the public. The following widths shall be required:
 - State Roads as required by State Road Department, but not less than 50 feet each side of center line.
 - 2. County Roads 40 feet each side of center line.
 - 3. Arterial Streets 40 feet each side of center line.
 - 4. All other streets 30 feet each side of center line unless proper drainage requires wider right-of-way in which event such wider right-of-way must be dedicated.
 - 5. Alleys 10 feet each side of center line.
 - 6. Utility Easements 5 feet wide on the rear of each parcel and shall be identified on plat as "utility easement."
 - 7. Drainage easements and Rights-of-way.--Easements and rights-of-way for drainage shall be of such widths as to adequately accommodate the drainage facilities to be put on them, plus 15 feet on one side to permit equipment to enter for maintenance by normal methods of maintenance. Drainage easements shall be identified on the plat as such.
 - g. Location of Arterial Roads and Streets .--
 - 1. If existing roads or streets are located in adjoining subdivisions, the arterial roads or streets on the new plat shall be so located as to provide an extension and continuation of the existing rights-of-way.
 - In a rectangular block layout, all arterial roads and streets shall be centered on section lines or the standard subdivision lines of the section.
 - 3. In curvelinear patterns, the arterial roads or streets shall be located, with respect to the property boundaries, so as to provide a continuity of traffic flow across the property platted, and such arterial streets shall begin and terrinate at street intersections wherever the same are existing.

- 4. All other streets shall be laid out to provide adequate traffic circulation in the subdivided area and shall begin and terminate at arterial roads or streets.
- 5. In general, all roads, streets and alleys shall provide access to adjacent lands, shall enter and leave adjoining roadways, as nearly as practicable, at right angles thereto.
- h. Deadend Streets. -- There shall be no deadend alleys and no deadend arterial streets. All other streets, if deadended, shall be provided at the closed end with a turn-around having a street right-of-way diameter of not less than 100 feet. Deadend streets shall not be longer than 500 ft. except where lateral streets cannot be provided.
 - i. Building Set-backs and Minimum Lot Size:
 - Show a building set-back line at a minimum distance of 25 feet from outside lot or street lines.
 - 2. No lot shall have a width of less than 75 feet at the front set-back line and all lots which are not provided with a community water supply and distribution system approved by the State Board of Health shall contain not less than 10,000 sq. feet. Whenever a developer installs a community water supply and distribution system approved by the State Board of Health for each and every lot on the plat, the minimum lot dimensions may be reduced to not less than 75 feet frontage and 110 feet depth. A bond as provided for in Section C, Paragraph 3-b, covering the estimated cost of the water supply and distribution system shall be posted with the Board as a guarantee that the water supply and distribution system will be installed. Provided, however, that in the event the developer has already constructed and installed an adequate community water supply and distribution system approved by the State Board of Health in one or more units of a subdivision already approved and recorded, the Board may at its discretion waive the posting of bond to cover the cost of extending said system in subsequent and adjacent units.
 - Corner lots shall be at least 10 ft. wider at front set-back line than other lots in the block.
 - 4. Lots zoned for business only, either by deed restriction or by Town Zoning regulations, shall have a width of not less than 25 feet at the front set-back line, a depth of not less than 100 feet and shall have at least a 20-foot alley on the rear lot line.
- j. Contour Lines. -- Each plat shall delineate contour lines based on Coast and Geodetic Survey datum (Mean Sea Level) at least with a contour interval of:
 - 1 ft. when land slope is less than 2 feet vertical per 100 feet horizontal.
 - 2 ft. when land slope is greater than 2 feet per 100 feet but less than 4 feet vertical per 100 feet horizontal.

- 5 ft. when land slope is greater than 4 feet vertical per 100 feet horizontal.
- k. Names of Subdivisions, Roads and Streets.--Names previously used for subdivisions in St. Lucie County shall not be given to new subdivisions. Roads and streets which form extensions, or are located along the general projections of existing roads and streets, shall be named after the existing roads and streets.
- 1. Street Markers.--Street markers shall be provided at all intersections, said markers to be double faced, minimum requirements to be not less than markers currently used by the St. Lucie County Road Department.
- m. Block Corners.--All block corners shall be marked with permanent reference markers, markers to be either concrete monuments or iron pipe, before developer is released from bond, if bond is posted. If no bond is posted, this work will have to be accomplished prior to the signing of the plat.
- 1-n Bulkheads.--All lots constructed on major waterways, dredged or excavated channels and open waters shall be provided with severe action of wind and tide shall be bulkheaded to a height of not less than 5 ft. above mean sea level. In protected waters or mean sea level may be reduced to 4 ft. Where natural bank conditions occur and proper showing is made that erosion will not occur, quirements for bulkheads.
- 1-0 Minimum Lot Elevations. -- All lots filled and/or reclaimed from marginal or submerged lands or islands shall be filled to a minimum elevation of 5 ft. above mean sea level.

SECTION E. Clearing and Grading.

1. The developer shall be required to clear all rights-of-way to their full width and to grade all streets and alleys to an approved grade. Minimum width of shoulders shall be 6 ft.

SECTION F. Paving.

- Arterial Streets.
 - a. The sub-grade shall be stabilized to a width of 1 ft. wider each side than the proposed pavement.
 - b. Minimum width of pavement to be 18 ft. except when a divided street isconstructed. Then the minimum width of each lane shall be 16 ft.
 - c. The sub-grade shall be stabilized with a suitable material to a minimum depth of 8 inches for a bearing value of at least 50 lbs. per square inch. except in the case where the road is to be constructed on non-stable soil, then at the discretion of the Administrative Officer the Thickness of the stabilization shall be increased.
 - d. If, in the opinion of the developer's engineer and with the concurrence of the Administrative Officer, the bearing value of the sub-grade as it exists meets the above requirements, it shall not be necessary to add other materials to the sub-grade for stabilization purposes.

- e. The base material for the pavement is to be composed of limerock to meet State Road Department specifications and the thickness is to be not less than 6 inches compacted.
- f. The minimum wearing surface shall be a slag surface, single application, using #15 crushed stone applied on semi-solid asphalt. The asphalt shall be applied at the rate of approximately 25/100 gals. per sq. yard. The crushed stone shall be applied at the rate of 25 lbs. per sq. yard and rolled with a suitable roller after application. If the developer desires to use an asphaltic concrete wearing surface, inch and comply with State Road Department specifications.
- g. Construction methods are to conform with State Road Department specifications.

2. Other Streets.

All other streets except 1/2 right-of-way streets are to be constructed the same as Arterial Streets with the exception that the sub-grade isto be stabilized to a minimum depth of 8 inches for a bearing value of not less than 50 lbs. per square inch and the limerock road base will have a compacted thickness of not less than 5

- 3. 1/2 Right-of-way Streets.
 - a. In instances where the developer provides only 1/2 of the right-of-way, it will be the developer's responsibility to construct the pavement of the same specifications as that shown in "Other Streets", except that the pavement may be only 10 feet in width. These specifications will hold true unless in the decision of the Administrative Officer the road will ultimately become an arterial street or through Town Road, and in such cases the specifications for arterial streets shall prevail, with the exception of the width of the pavement. Shoulder widths in this instance may be minimized.
 - b. It shall be the responsibility of the adjoining property owners, should his land be subdivided in the future, to pave his side of the 1/2 right-of-way street and bear the expense of joining his pavement to the existing pavement so that the pavement will be located in the center of the right-of-way, scarifying the existing pavement of the using whatever methods are deemed necessary to make a continuous pavement of 18 feet in width.
- 4. Alternate Types of Pavement and Subgrade.
 - a. Alternate types of pavements and subgrades which, in the opinion of the Administrative Officer and Board are equal or superior to those specified above, may be approved. Applications for such approval shall be accompanied by written data, calculations and analyses which show by accepted engineering prinliples that the alternate types are equal or superior to the specified types.

SECTION G. Bridges and Culverts.

- 1. Bridges.--Minimum width of bridges isto be 24 ft. All bridges are to be of permanent construction. Load capacity not less than H-15. Separate plan for all bridges to be approved by the Town prior to their construction.
- 2. Culverts.--Culverts shall be of such size to provide adequate drainage opening, and sufficient length to extend beyond the shoulder lines of the road. Culverts shall be fully coated C.M.P., concrete pipe or built-in-place concrete box culverts.

SECTION H. Supervision of Construction.

- 1. Inspections.—The Administrative Officer or his representative shall make such inspections as may be needed before, during and after the construction of the work to keep informed of the status of the development and to generally assist all agencies involved in the work to maintain the standards of these regulations.
- 2. Approval.--Clearing, grading, stabilization, paving and drainage facilities shall be approved by the Administrative Officer or his representative.

SECTION I. Release of Developer's Bond.

- 1. Upon completion of all work the Developer's engineer shall submit to the Administrative Officer a Certificate of Completion stating that the work has been entirely completed; that it was constructed upon his supervision and that it conforms to the development plan and these regulations.
- 2. Upon receipt of said Certificate of Completion the Administrative Officer shall make a final inspection of each of the several contract operations on the site, and, if the work complies with the requirements of these regulations and conforms to the development plans and specifications, he shall issue a letter to the Developer or his Engineer stating that the work has been acceptably completed for the applicable contract, so that particular contractor may receive his final pay estimate and be released from his performance bond by the Developer. In the event that certain elements of the incompleted project do not conform to the requirements of these regulations and the plans and specifications, the Administrative Officer shall notify the Developer's Engineer in writing of such defective work so that corrective measures may be instituted within the life of the construction contract and within the tenure of the contractor's performance bond.
- 3. Upon completion of all of the elements of the work in accordance with these regulations and the development plans and specifications, the Administrative Officer shall submit the certification to the Board of Aldermen that the work has been acceptably completed and recommending that the Board of Aldermen release the performance bond of the Developer and assume maintenance of the roads, streets, and drainage facilities related thereto in the subdivision.
- 4. Limitations as to Town Maintenance.—Nothing in these regulations shall be construed as meaning that the Board shall take over for Town Maintenance any road, street, public parking or other public area, or drainage facility related thereto, except those designed and built in accordance with the Town's requirements and taken over for Town maintenance by specific Board action. The assumption of maintenance by the Town under these regulations shall not be construed to mean that the Town shall assume operating or other costs of street lighting. Nothing in these regulations shall be construed as obliging the Town to drain any land, except that which lies in the public right-of-way and drainage easements.

SECTION J. Policy of the Board.

1. It shall be the policy of this Board of Aldermen not to require conformance to additional plat filing regulations, not included herein, until such additional regulations, if deemed to be

necessary, have been adopted by a majority vote of this Board, as an amendment or revision to the regulations herein, and a thirty day period of notice to affected interests has elapsed, between the adoption of such revised regulations and the effective date of enforcement thereof.

2. It has been and shall be the policy of the Board of Aldermen, in adopting and administering these plat filing regulations, to be guided by their purpose and intent, which is to promote and protect the general welfare of the community through orderly development, and to ensure as far as possible that the commitments of land subdividers are fulfilled.

SECTION K. VALIDITY

Should any article, section, paragraph, sentence, clause, phrase or other parts of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decisions shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be invalid.

SECTION L. VIOLATIONS AND PENALTIES

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Any person, firm or corporation or anyone acting in behalf thereof, who shall violate or fail to comply with any of the provisions of this Ordinance, shall upon conviction be punished by a fine not exceeding five hundred (\$500.00) dollars or imprisonment at hard labor on the streets or other works of the Town for a term not exceeding sixty (60) days, or by both such fine and imprisonment in the discretion of the Court.

Each day that a violation of this Ordinance is continued or permitted to exist without compliance shall constitute a separate offense punishable upon conviction in the manner prescribed in this Section.

SECTION M. Form of Certificates.

1. Certificate of Dedication by Individuals.

STATE OF FLORIDA COUNTY OF ST. LUCIE

and	•
his wife, do hereby dedicate and set apart all of the alleys, thoroughfares, parks, canals and utility and d easements shown on this plat to the use of the general forever.	rainage
WITNESS our hands and seals this day of	· · · · · · · · · · · · · · · · · · ·
	(SEAL)
	(SEAL)
Witnesses	
STATE OF FLORIDA COUNTY OF ST. LUCIE Before me, the undersigned authority, personally appeared and his wife, to me known to be the individuals described who executed the foregoing Certificate of Dedication, each duly acknowledged before me that they executed the WITNESS my hand and official seal at St. Lucie County, Florida, this day of	and they

2. Certificate of Dedication by Corporations.

STATE OF FLORIDA COUNTY OF ST. LUCIE

duly elected president and secretary acting by and with the

this plat to the use of	estreets, alleys, thoroughfares, by and drainage easements shown on the general public forever.
COrporate seal to be be-	the undersigned corporation has be executed in its name, and its eunto affixed by its president and of, 19
	Ву
	President
Witnesses	ATTEST: Secretary
	Secretary
STATE OF FLORIDA COUNTY OF ST. LUCIE	
Before me, the under	rsigned authority, personally appea
tion, and they each dul-	the loregoing Certificate of De
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Certificate of Approval of County Commission

STATE OF FLORIDA COUNTY OF ST. LUCIE

It is hereby certified that this plat has been officially approved for record by the Board of County Commissioners of St. Lucie County, Florida, this ___day of

> Chairman, Board of County Commissioners.

5. Certificate of Approval of Clerk of Circuit Court

STATE OF FLORIDA COUNTY OF ST. LUCIE

Court of St. Lucie County, Florida, do hereby certify that this plat has been examined, and that it complies in form with all the requirements of the laws of Florida pertaining to Maps and Plats, and that this plat has been filed for record in Plat Book records of St. Lucie County, Florida, this _ of the public __day of

> Clerk of Circuit Court St. Lucie County, Florida

SECTION N. Effective Date. This ordinance shall become effective immediately upon passage and approval by the Mayor.

President, Board of Aldermen

STATE OF FLORIDA COUNTY OF ST. LUCIE

We, the undersigned President of the Board of Aldermen and the Town Clerk of the Town of St. Lucie Village, Florida, DO HEREBY CERTIFY that the foregoing and above Ordinance No. 62 - 8 was duly introduced, read and passed by the BOARD OF ALDERMEN of the Town of St. Lucie Village, Florida, on February 27 1962.

IN WITNESS HEREOF, we hereunto set our hands and affix the official seal of the Town of St. Lucie Village, Florida, this the

day of February, A.D. 1962.

President, Board Aldermen

Debath TOWE Clerk

Approved this 27

Mayor, Town of St. Lucie

Village, Florida