

ORDINANCE NO. 25-004

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 121 – SUBDIVISIONS TO AMEND THE PRELIMINARY PLAT PROCEDURES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fort Pierce, though the plat process regulates the subdivision of land within the city into lots which are proposed for development or sale; and

WHEREAS, the existing process of preliminary plat review requires amendment to clarify the procedures and to facilitate, if required, the designation of parcel identification numbers through application to the St. Lucie County Property Appraiser; and

WHEREAS, the City of Fort Pierce Planning Board held a properly noticed hearing at a regularly scheduled meeting to consider the revisions, and at their September 9th, 2024, meeting, voted 7 to 0 to recommend approval of the request.

NOW, THEREFORE BE IT ORDAINED by the City Commission of the City of Fort Pierce, Florida as follows:

SECTION 1. Chapter 121 – Subdivisions of the City of Fort Pierce Code of Ordinances is hereby amended so the same shall read as follows:

Sec. 121-1. Purposes of subdivision regulations.

The public health, safety, morale, and general welfare of the city require the harmonious, orderly, and progressive development of land. ~~thereof~~these

These regulations are adopted for the following purposes ~~;~~ and not limited to ensure:

- (1) ~~To encourage economically~~ Economically sound and stable development of the city;
- (2) ~~To ensure the~~ The provision of required streets, utilities, and other facilities and services to new land developments;
- (3) ~~To ensure the~~ The adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, to new developments;
- (4) ~~To ensure the~~ The provision of needed public open space and building sites in new land developments through the dedication or reservation of land for recreational, educational, and other public purposes; and
- (5) ~~To ensure, in~~ In general, the wise development of new areas, in harmony with the adopted comprehensive plan of the city.

Sec. 121-2. Chapter administration.

This chapter shall be administered by the city manager or his designee.

Sec. 121-3. Penalty for violation of chapter.

Any person, firm, or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished as prescribed by section 1-7.

Sec. 121-4. Definitions.

Except as defined herein, all words used in this chapter have their customary dictionary definition. Words in the present tense include the future. Words in the singular

include the plural, and words in the plural include the singular. The term "building" includes the term "structure." The term "shall" is mandatory; the term "may" is permissive. The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Block means a group of contiguous lots within a subdivision.

Building setback line means a line across a lot establishing the minimum distance to be provided between the building and the property line.

Easement means a grant by the property owner of a strip or parcel of land for specified purposes.

Lot means a portion or parcel of land separated from other portions or parcels by description as on a subdivision plat, or record of survey map, or as otherwise described, and intended for transfer of ownership or for building development. For purposes of this chapter, the term "lot" does not include any portion of a dedicated street right-of-way.

Lot, corner, means a lot abutting upon two or more streets at their intersection.

Lot, double frontage, means a lot other than a corner lot, abutting two streets.

Lot, interior, means a lot other than a corner or double frontage lot.

Minor replat means any division or redivision of a parcel of land into two separate lots or parcels which conform to the requirements of this chapter and all other applicable city codes.

Plat, final, means a drawing of a subdivision showing completely and accurately all legal and engineering information and certification necessary for recording.

Plat, preliminary, means a drawing which shows the proposed layout of a subdivision in sufficient detail to indicate its workability in accordance with sections 121-9 and 121-10, but is not in final form for recording and the details are not completely computed.

Street means a dedicated and accepted right-of-way for vehicular traffic, whether designated as a highway thoroughfare, expressway, avenue, boulevard, road, lane or other. ~~Following~~ The following are definitions intended to distinguish between categories of streets as used in this chapter.

Collector streets means those which are intended to carry traffic from minor streets to and from the major streets and expressways, and usually include the principal entrance and circulation streets within a subdivision.

Cul-de-sac means a street having one end open to traffic, the other end being terminated by a vehicular turnaround.

Expressways means high-capacity streets from which access to abutting property is prohibited, and which are intersected at specified locations by major and collector streets.

Major streets means those which are designed or designated by an official public agency as streets being capable of carrying large volumes of fast moving traffic.

Marginal access streets means minor streets parallel to and adjacent to major streets or expressways, providing access to abutting properties and protection from through traffic.

Minor streets means those which are used primarily for access to abutting properties, and usually radiate from collector streets.

Subdivider means any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.

Subdivision means any division or redivision of a parcel of land into three or more parcels and intended for future or immediate sale, legacy, or building development. However, the following are not defined as subdivisions for the purpose of this chapter. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots adhere to the standards of the city.

Sec. 121-5. Compliance with chapter and certain specified statutes, etc.

It shall be unlawful for any person, being the owner, agent or person having control of any land within the city, to subdivide and plat such lands into lots, except by a plat in accordance with the regulations contained herein, and in accordance with the following:

- (1) F.S. ch.177.
- (2) Regulations of St. Lucie County concerning recording plats.
- (3) Regulations of the clerk of the circuit court of the county regarding the recording of plats.
- (4) Regulations of all federal, state and local authorities having statutory jurisdiction.
- (5) Standards for minimum lot width, depth, and size, including standards in section 121-11(g).
- (6) All subdivision proposals shall include base flood elevation data.

Whenever the provision of the ordinance or statute of any governmental authority having jurisdiction applicable to the same subject matter, that requiring the highest or ~~more strict~~stricter standard shall govern.

Sec. 121-6. Authority of planning director.

- (a) The planning director may approve a minor replat if the resulting lots or parcels conform to the requirements of chapter 125, and any other applicable city regulations. The planning director shall consult with all affected departments or agencies, including, but not limited to, the engineering department, public works department and the city utility authority.
- (b) An applicant requesting a minor replat shall submit the following materials together with the appropriate application fee as described herein:
 - (1) A statement indicating whether water and/or sanitary sewer service is available to the property;
 - (2) Land descriptions and acreage or square footage of the original and proposed lots and a scaled drawing showing the intended division. All such drawings

shall be prepared by a professional land surveyor registered in the state. In the event that the property contains any structures, a survey showing the structures on the property shall accompany the application; and

- (3) An identification of any and all easements, rights-of-way, or similar instruments that may be found on or adjacent to the property which is subject to the minor replat.

All such minor replats shall not become effective until a completed application form and filing fee have been received by the planning director and the director shall have advised the city commission of his administrative approval at the earliest practical opportunity. A certified copy of the recorded replat shall also be filed with the planning department.

Sec. 121-7. Flood hazards.

- (a) All subdivision proposals shall be consistent with the need to minimize flood damage.
 - (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
 - (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
 - (d) Base flood elevation data shall be provided for all subdivision proposals.
- (Code 1983, § 18-7; Ord. No. J-04, § 1, 2-18-1992)

Sec. 121-8. General provisions applicable to subdivision of land.

It is the intent in the application of this chapter that the following shall apply to:

- (1) Any person proposing to subdivide land within the city into lots proposed for development or sale shall submit to the planning director a plat or plats of the proposed subdivision which shall conform to all requirements set forth in this chapter.

- (2) Any construction work undertaken on the proposed subdivision site prior to the receipt of final plat approval from the city commission shall be at the sole risk of the developer.
- (3) No plats or plat of a proposed subdivision shall be recorded in the office of the clerk of the circuit court of the county until such plat or plats shall have received final approval, as certified herein, from the city commission.
- (4) No land dedicated as a public street shall be accepted, opened, or improved nor shall any utilities or other facilities be installed therein, unless such streets shall have been accepted or opened as, or otherwise shall have received the legal status of, a public street prior to the adoption of this chapter, or unless such street corresponds in its location and lines with a street shown on a plan approved by the city commission or on a plan made and adopted by said commission; provided, however, that the city commission may locate or construct or may accept for construction any other streets.
- (5) No building permit shall be issued for, and no building or other structure shall be erected on, any lot unless such lot has legal description and access to a street which shall have been accepted or opened as or shall have otherwise received the legal status of a public street.

Sec. 121-9. Preliminary Plat procedure.

- (a) *Preliminary plat approval.* A preliminary plat is not mandatory. The subdivider may choose to proceed to final plat review .
 - (1) The subdivider shall submit five the required copies of the preliminary plat together with the appropriate application fee to the planning director.
 - (2) Upon a decision that the submittal complies with the specifications for preliminary plat, the ~~The~~ planning director will distribute the preliminary plat to all affected departments or agencies, including, but not limited to, the engineering department, public works department and utilities director. After review by the planning director and other affected departments and agencies

through the Technical Review Committee, and when the preliminary plat is found to be in compliance with city rules and regulations governing same, the following process shall be undertaken:

- ~~(3)~~a. The preliminary plat will be forwarded to the city planning board for review. The planning board shall review the proposed plat and make a determination of approval or denial. If the board recommends disapprovaldenial, the reason for such shall be stated. The determination shall be forwarded to the city commission.
- ~~(4)~~b. The city commission shall hold a public hearing and approve, approve with conditions, or disapprove the preliminary plat.
- c. Upon approval the preliminary plat shall be forwarded to the St. Lucie County Property Appraiser for allocation of parcel identification numbers.

~~(4)~~(3) Prior to submittal of the final plat, minor revisions to the preliminary plat may be approved by the planning director provided that such amendments do not involve an increase in the land area to be subdivided or an increase in the total number of lots to be created.

~~(b)~~

~~(1)~~

~~(2) The planning director will distribute the final plat to affected departments and agencies, including, but not limited to, the engineering department, public works department and utilities director prior to forwarding the final plat to the city commission. After review by the planning director and other affected departments and agencies, and when in compliance with city rules and~~

~~(c)~~

~~(1)~~

~~(2)~~

~~(3)~~

~~(d)~~

Sec. 121-10. Preliminary Plat specification.

(a) Preliminary plat specifications.

- (1) The preliminary plat shall represent the entire area which the subdivider contemplates developing, including possible unit divisions not scheduled for immediate development.
- (2) Five copies of the preliminary plat shall be submitted along with the application for preliminary plat approval to the planning director.
- (3) The preliminary plat shall be prepared by a land surveyor registered in the state and shall contain the following information:
 - a. Proposed name of the subdivision.
 - b. Name and address of owner of record.
 - c. Name and address of subdivider.
 - d. Scale, north arrow, and the date plat was drawn.
 - e. Boundary lines of the tract indicated by a heavy line giving approximate dimensions.
 - f. Boundary lines of lots, the approximate number of lots, and typical lot sizes.
 - g. Names of adjacent platted subdivisions.

Sec. 121-11. Preliminary Plat certificates.

(a) The following certificates are required for a preliminary plat:

- (1). Appropriate space shall be provided on the preliminary plat for the following certificate:

SURVEYORS CERTIFICATE:

"I hereby certify that this preliminary plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material adhere to the requirements of Chapter 177 Florida Statutes. _____, 20____.

Registered Land Surveyor"

CITY COMMISSION CERTIFICATE:

"Pursuant to the provisions of the Fort Pierce City Commission this plat was given Preliminary Approval by the City Commission at a meeting held on _____, 20____.

City Clerk"

Sec. 121-12. Final Plat procedure.

- (a) *final plat procedure.* If a preliminary plat has been approved, then the final plat shall substantially conform to the preliminary plat; it may, however, represent only that portion of the approved preliminary plat which the subdivider proposes to develop and record at any one time, provided that such portion conforms to the requirements of this chapter.
- (1) The subdivider shall submit the required number of copies of the final plat together with the appropriate application fee to the planning director for approval of compliance with subdivision regulations.
 - (2) Upon a decision that the submittal complies with the specifications for final plat, the planning director will distribute the final plat to all affected departments or agencies, including, but not limited to, the engineering department, public works department and utilities director. After review by the planning director and other affected departments and agencies through the Technical Review Committee, and when the preliminary plat is found to be in compliance with city rules and regulations governing same, the following process shall be undertaken:
 - (3) The city planning board shall consider whether the following standards have been met in its review of the application:
 - a. Adequate vehicular access and traffic circulation to each lot in the proposed subdivision.

- b. That adopted levels of service (LOS) standards in the comprehensive plan are not adversely impacted by the proposed plat. If such standards are negatively affected that appropriate mitigation plans as described in this chapter are also included in the proposed plat.
 - c. That other applicable comprehensive plan policies are addressed by the proposed plat.
- (4) The city commission shall hold a public hearing and approve, approve with conditions, or disapprove the final plat.

Sec. 121-13. Final Plat Specifications

- (a) Final plat specifications.
- (1) The final plat shall be prepared by a land surveyor registered in the state and shall contain the following information:
 - a. Proposed name of the subdivision.
 - b. Name and address of owner of record.
 - c. Name and address of subdivider.
 - d. Scale, north arrow, and the date plat was drawn.
 - e. Boundary lines of the tract indicated by a heavy line giving approximate dimensions.
 - f. Boundary lines of lots, the approximate number of lots, and typical lot sizes.
 - g. Names of adjacent platted subdivisions.
 - (2) The following detailed plans prepared by an engineer registered in the state, shall be submitted to the planning director for review and distribution to affected departments and/or agencies:
 - a. Two sets of construction plans of the proposed streets, including storm sewer and sanitary sewer and will show the following:
 - 1. All lateral widths.
 - 2. Centerline profile grade relative to elevations of adjacent properties at the right-of-way line.

3. Elevations at points of grade (tangent).
 4. Curve data for horizontal and vertical curves.
 5. Pipe size, grade and location of manholes, and inlets.
 6. Stationing at intervals of 100 feet, minimum, and all of new construction.
- b. Two sets of construction plans for the proposed water system that will serve the subdivision showing the size and location of mains and services.
 - c. Construction plans be drawn on profile paper having sheet size of 24 inches by 36 inches. Also, that plans be drawn at as large a scale as practicable.
 - d. Two sets of drainage plans, which may be part of the construction plans, and which shall conform to drainage requirements found in the South Florida Water Management District Permit Information Manual, Volume IV.
 - e. Five copies of the final plat shall be submitted for final plat approval to the planning director.
- (3) Approval of the plans specified in subsection 2.a of this section must be received before construction commences.
 - (4) Whenever city utility authority electrical energy is proposed to be used, the subdivider shall consult with the utilities authority. The utilities authority shall arrange for the furnishing of electrical energy in accordance with the regulations of the city utility authority.
 - (5) Whenever city utility authority gas energy is proposed to be used, the subdivider shall consult with the utilities authority. The authority shall arrange for the furnishing of gas energy in accordance with the regulations of the city utility authority.
 - (8) The submittal of the final plat shall consist of the original drawing, and two Mylar reproducible prints thereof. The submission shall be to the planning director.
 - (9) The final plat shall be clearly and legibly drawn at a scale no less than one-inch equals 50 feet and shall be on sheets no smaller than 24 inches by 36 inches.

- (10) In all other respects the final plat shall conform to the requirements of F.S. ch.177—Plats made for recording, and include the certificate, as specified in this section.

Sec. 121-14. Final Plat certificates.

- (a) The following certificates are required for a final plat:
- (1). Before a final plat is submitted the subdivider shall have stamped or printed thereon, and signed, substantially as follows:

SURVEYORS CERTIFICATE:

"I hereby certify that this plat is true and correct and was prepared from an actual survey of the property made by me or under my supervision; that all monuments shown hereon actually exist, and their location, size, type and material adhere to the requirements of Chapter 177 Florida Statutes. _____, 20____.

Registered Land Surveyor"

CERTIFICATE OF FINAL APPROVAL BY THE CITY COMMISSION:

"Pursuant to the provisions of the Fort Pierce City Commission this plat was given Final Approval by the City Commission at a meeting held on _____, 20____.

City Clerk"

OWNER'S ACKNOWLEDGMENT:

- (i) Must follow F.S. § 177.081.
- (ii) Dedication. In connection with the description there shall be a dedication of the plat by the owners, whose signatures must be witnessed, and their executions of the dedication

must be acknowledged in the same manner as deeds conveying lands are required to be witnessed and acknowledged; and in all cases the title, caption and dedication must agree. In case the dedication is to be made by a corporation then it shall be signed by the president or a vice-president, and by the secretary or an assistant secretary, respectively, of the corporation, by and with the authority of its board of directors.

Sec. 121-15. Design standards.

- (a) *Land suitability.* Land that is subject to flooding, periodic inundation, erosion, or otherwise deemed by the city commission to be topographically unsuitable for residential use shall not be developed for such use unless the necessary steps are taken to eliminate such conditions.
- (b) *Street access.*
 - (1) All subdivisions shall have access to publicly dedicated and accepted streets.
 - (2) Every lot within a platted subdivision shall have access to a publicly dedicated and accepted street.
 - (3) No subdivision shall be designed so as to completely eliminate street access to adjoining parcels of land.
- (c) *Conformity to the comprehensive plan.*
 - (1) All proposed subdivisions shall conform to the adopted comprehensive plan at the time of plat submission.
 - (2) When approval of the proposed subdivision will reduce levels of service (LOS) below standards adopted in the comprehensive plan, the subdivider shall mitigate such LOS reductions through reserving and dedicating the necessary additional facilities. Dedications may include school sites, parks, streets, open space, and any other affected facilities. The city commission shall disapprove

any plat where such planned features, as specified by the adopted comprehensive plan, are not incorporated in the subdivision plat.

- (d) *Zoning and other regulations.* Whenever there is a discrepancy between the minimum standards noted in these regulations and those contained in the zoning ordinance, or other city ordinances, the most restrictive shall apply.
- (e) *Street design.*
- (1) The arrangement, character, extent, width, grade, and location of all streets shall conform to the major thoroughfare plan and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety, and in their appropriate relation to the proposed uses of the land to be served by such streets.
 - (2) The arrangement of streets within the subdivision, where not shown on the major thoroughfare plan, shall either:
 - a. Provide for the continuation or appropriate projection of existing streets in the surrounding area at the same or greater width, but in no case less than the required minimum width; or
 - b. Conform to a plan approved or adopted by the city commission to meet a particular situation where existing conditions make continuance of existing streets impractical.
 - (3) Minor streets shall be so laid out that their use by through traffic will be discouraged.
 - (4) Where a subdivision abuts or contains an existing or proposed major street, the planning board may require marginal access streets to provide for adequate protection of residential properties and to afford separation of through and local traffic.
 - (5) Right-of-way width. Street right-of-way width shall be as follows:
 - a. Major street: 100 feet.
 - b. Collector street: 70 feet.
 - c. Minor street: 60 feet.
 - d. Marginal access street: 60 feet.

- e. Cul-de-sac:
 - 1. Turnaround radius: 50 feet.
 - 2. Other than turnaround: 50 feet.
- (6) Right-of-way exception. Right-of-way requirements in excess of 60 feet shall be reserved for acquisition by the appropriate public body.
- (7) Street classifications. All streets shall be classified by the city commission.
- (8) Half streets. Half streets or half right-of-way easements for street locations shall not be permitted.
- (9) Horizontal curves. Horizontal curves shall be measured at the centerline and have a minimum radius as follows:
 - a. Major street: As specified in the state department of transportation specifications.
 - b. Collector street: 300 feet.
 - c. Minor street: 100 feet.
 - d. Marginal access street: 100 feet.
- (10) Reverse curves. The tangent between reverse curves shall be not less than the following:
 - a. Major street: as specified in the state department of transportation specifications.
 - b. Collector street: 100 feet.
 - c. Minor street: 50 feet.
 - d. Marginal access street: 50 feet.
- (11) Visibility. The minimum visibility, measured between two points in the centerline and above the pavement level shall be:
 - a. Major street, as specified in the state department of transportation specifications.
 - b. Collector street: 300 feet.
 - c. Minor street: 200 feet.
 - d. Marginal access street: 200 feet.
- (12) Street intersections.

- a. Street intersections shall be as nearly at right angles as possible, and no intersection shall be at any angle less than 60 degrees.
- b. Right-of-way lines at street intersections shall be rounded with a radius of not less than 25 feet.
- c. Intersections with centerline offsets of less than 125 feet are prohibited.

(13) Cul-de-sac. The length of a cul-de-sac shall not exceed 700 feet.

(14) Reserve strips. Reserve strips controlling access to streets, or public grounds shall not be permitted unless their control is placed with the city.

(f) *Blocks.*

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

- a. Provision of adequate building sites suitable to the needs of the type of use contemplated;
- b. Zoning requirements as to lot sizes, building sizes and area requirements;
- c. Needs for convenient access, circulation, control and safety of street traffic; and
- d. Limitations and opportunities of topography.

(2) In general, the length of blocks shall not be greater than 1,000 feet. This requirement may be waived in the case of peculiarly shaped tracts of land.

(3) Blocks shall be wide enough to provide two tiers of lots, except where fronting on major streets or topographic conditions or size of property does not make this requirement practical.

(g) *Lots.*

(1) Insofar as practical, side lot lines shall be perpendicular to street lines. Each lot shall have access to a publicly dedicated street.

(2) Double frontage lots shall be avoided; where used, a planting reservation at least ten feet in width shall be provided along the rear property line. Access through such planting shall be prohibited.

(3) All corner lots shall have a minimum width of 75 feet.

- (4) Notwithstanding the provisions of this chapter, all lot dimensions shall conform with the standards contained in the zoning ordinance. In all cases, the most restrictive regulations regarding lot dimensions shall apply.

Sec. 121-16. Required improvements.

(a) *In general.*

- (1) Every subdivider at his own expense shall be required to install or have installed the physical improvements specified in this section.
- (2) Perimeter street improvements.
 - a. The city commission shall not waive the provision or installation of street paving but may waive the provision or installation of such portions of these improvements as sidewalks, curbs and gutters by the subdivider on or in streets on the exterior boundary or perimeter of the subdivision.
 - b. The subdivider may request the city to construct the improvements required and if the city commission agrees, the subdivider shall deposit with the city, cash, a letter of credit, and/or a surety bond for the estimated cost of the improvements as determined by the city engineer which will pay 110 percent of the total cost of the improvements requested on a fully dedicated street. The letter of credit, and/or surety bond shall be allowed for a maximum of two years from the date the subdivision plat was approved by the city commission, and the surety bond is to be secured from a bonding company licensed by the State of Florida, with a Best's financial rating of AAAA or better and a Best's general policy holder's rating of A+.
 - c. At the time of such deposit, the city commission in consideration thereof, shall officially agree to begin construction of the improvements agreed upon within two years without further cost to the subdivider or future owners of affected property, as to those specific improvements, and the city commission shall specify the approximate dates that such work shall

commence and be completed, and the city shall be thereby officially bound to so perform.

(b) *Street grading.*

- (1) All street rights-of-way shall be cleared and graded in accordance with the city standards and specifications.
- (2) Finished grades shall be at levels approved by the director of public works.

(c) *Street paving.*

- (1) Street pavements shall be installed in accordance to the city standards and specifications.
- (2) Paving widths. Street paving widths shall be measured from face of curb to face of curb, and contain the following minimum dimensions:
 - a. Major street: as specified in official public plans.
 - b. Collector street: 35 feet.
 - c. Minor street: 23 feet.
 - d. Marginal access street: 23 feet.
 - e. Cul-de-sac (street): 23 feet.
 - f. Cul-de-sac (radius): 25 feet.
 - g. Any street divided by a median strip shall have a minimum paving width of 16 feet on each side of the median strip.

(d) *Curbs and gutters.*

- (1) Standard curbs and gutters shall be installed on all streets, and to conform to the city standards and specifications.
- (2) In the case of streets having median strips, standard curbs and gutters shall be required on the side of the street adjacent to the median strip as well as to the outside of the street.

(e) *Sidewalks.*

- (1) Sidewalks shall be installed on both sides of all streets in the subdivision.
- (2) The installation of required sidewalks shall be in accordance to the city standards and specifications.

(f) *Water supply.*

- (1) A water distribution system shall be installed in accordance to the city utility authority standards and specifications.
- (2) All underground main lines and lateral lines to the meter shall be installed prior to the paving of the street.
- (3) Private water systems or individual wells are not permitted for domestic use.
- (4) When, in the written opinion of the city utility authority, a water supply line is not accessible, an alternate method of supplying water may be provided when in compliance to the state or county health department regulations.

(g) *Sanitary sewage disposal.*

- (1) All subdivisions shall be served by sanitary sewers and shall be installed in accordance to the city utility authority standards and specifications.
- (2) Whenever a sanitary sewer is required to be installed within the right-of-way of a street, the street shall not be paved without such sewer first being installed and accepted by the city utility authority.
- (3) When in the written opinion of the director of city utility authority a public sanitary sewer is not accessible, an alternate method of sewage disposal may be provided when in compliance to the state or county health department regulations.

(h) *Storm drainage.*

- (1) Every subdivision shall be served by an appropriate storm drainage control system. All drainage facilities shall conform to the South Florida Water Management District Permit Information Manual, volume IV.
- (2) All storm drainage facilities shall be designed to serve the entire drainage area in which these facilities are located.
- (3) Storm drainage facilities shall include gutters, ditches, catch basins, culverts, drainage lines and other necessary facilities to assist in the control of storm drainage water.

(i) *Monuments.* All monuments shall conform to standards found in F.S. ch. 177.

(j) *Utilities.*

- (1) Utilities shall be installed and maintained only in accordance with the adopted rules and procedures of the city utility authority.
- (2) Fire hydrants, when required, shall be installed at the expense of the developer.

Sec. 121-17. Subdivider's bond, etc., to secure construction of improvements; certificate of completion, maintenance of improvements; assumption of maintenance by city.

- (a) The subdivider shall file with the finance director a surety bond, letter of credit, cashier's check, or a certified check upon a solvent local bank conditioned to secure the construction of the improvements listed in this chapter in a satisfactory manner in accordance with the plans as approved by the city engineer, and within a period specified by the city commission, such a period not to exceed two years. No such bond, letter of credit, or check shall be accepted unless it be enforceable by or payable to the city in a sum at least equal to the cost of constructing the improvements as estimated by the city engineer and in form with surety and conditions approved by the city attorney. The subdivider shall have the election of providing an escrow account acceptable to the city attorney of an amount to be determined by the city engineer and such conditions for disbursement based upon completion of improvements, if required under the escrow agreement, with all costs of the escrow to be borne by the subdivider. The escrow account shall be with a local bank institution.
- (b) Upon completion of all work, the developer's engineer shall submit to the city engineer a certificate of completion stating that all work has been completed in its entirety, that it was constructed under his supervision and that it conforms to the development plan and these regulations. All releases from affected regulatory agencies shall also be submitted. The written certificate of completion shall be expressed in the following form:

CERTIFICATION

I hereby certify that all of the project improvements required by the City Commission and in accordance with the provisions of Chapter 18, Fort Pierce Code of Ordinances, have been completed on (Project Name) and that I have inspected the construction incrementally in accordance with the requirements of the City of Fort Pierce for public works construction. These improvements conform to the development plans with the following deviations (if any): These deviations will not result in functional or structural problems, other than routine maintenance based on my evaluation and professional opinion.

Certified by: _____

Florida Professional Engineer No. _____

- (c) Upon conformation from the city engineer that all improvements are acceptably completed the city commission shall act on conditionally accepting the findings of completion. Acceptance of the improvements shall be conditioned on a one-year and 30-day period, during which time the developer shall maintain all improvements and correct all deficiencies that occur. If the city commission conditionally accepts the improvements, the developer shall provide security in the amount of 15 percent of the cost of the improvements. At the end of the one-year and 30-day period, the city engineer shall report to the city commission on the status of the improvements. If the improvements are satisfactory, the city commission will accept the maintenance of the facilities and the developer will be entitled to the remaining balance of the security amount, if any.

Sec. 121-18. Filing fees.

A fee schedule established by the city commission by resolution shall be paid to the city upon filing of an application.

Sec. 121-19. Chapter amendments—Authorized.

This chapter may be amended from time to time by the city commission; provided, however, that all suggested amendments shall be reviewed by the city planning board and the city commission, and a public hearing shall be held prior to the adoption of any amendment.

Sec. 121-20. Chapter amendments—Public hearing; application fee; procedure.

Whenever a change in this chapter becomes necessary a public hearing shall be required before such change may become lawful. The application fee for a requested change shall be as established by resolution and paid to the city by the applicant. However, if a change in this chapter is initiated by the city commission, the application fee shall be waived. The procedure is as follows:

- (1) The department of development shall accept the application for the requested change.
- (2) The completed application shall be forwarded to the city planning board and to the city commission by the planning department.
- (3) No change to this chapter shall become effective except by ordinance approved by the city commission. Such ordinance shall be adopted at a public hearing after being duly advertised as required by state statutes.

CERTIFICATE OF FINAL APPROVAL BY THE CITY COMMISSION:

"Pursuant to the provisions of the Fort Pierce City Commission this plat was given Final Approval by the City Commission at a meeting held on _____, 20____.

City Clerk"

OWNER'S ACKNOWLEDGMENT:

- (i) Must follow F.S. § 177.081.
- (ii) Dedication. In connection with the description there shall be a dedication of the plat by the owners, whose signatures must be witnessed, and their executions of the dedication must be acknowledged in the same manner as deeds conveying lands are required to be witnessed and acknowledged; and in all cases the title, caption and dedication must agree. In case the dedication is to be made by a corporation then it shall be signed by the president or a vice-president, and by the secretary or an assistant secretary, respectively, of the corporation, by and with the authority of its board of directors.

SECTION 2. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance which shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 3. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM AND
CORRECTNESS:

Sara Hedges, Esq.
CITY ATTORNEY

STATE OF FLORIDA
COUNTY OF ST. LUCIE

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 25-004 was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the

St. Lucie News Tribune on Sunday, January 5th, 2025; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on January 21st, 2025; and was duly introduced, read by title only, and passed on second and final reading _____, 2025, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HERewith, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this ____ of _____, 2025.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)