

ORDINANCE NO. 2006-__

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 14.07.07, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED FINAL PLAT REQUIREMENTS; INCREASING THE REQUIRED PLAT SHEET SIZE TO 24" X 36"; IMPLEMENTING A MINIMUM TEXT SIZE OF 0.10 INCH IN HEIGHT; IMPOSING METAL ROD REQUIREMENTS AND SPECIFICATIONS FOR PERMANENT REFERENCE MONUMENTS (PRMs); IMPOSING MINIMUM OF TWO FLORIDA STATE PLANE COORDINATE POINTS ON SUBDIVISION PLAT BOUNDARIES; IMPOSING VICINITY MAP REQUIREMENT AND SPECIFICATIONS; REQUIRING VERIFICATION OF FIELD PRMS BY LAKE COUNTY; REQUIRING PLATS IN SPECIAL FLOOD HAZARD AREAS TO SHOW A MINIMUM OF 2 BENCHMARKS AND ELEVATIONS ON THE PLAT; PROVIDING THAT ALL EASEMENTS AND RIGHTS OF WAY BE GRAPHICALLY DEPICTED; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in Ordinance No. 2002-28, the Board of County Commissioners did revise Chapter 14, Land Development Regulations, including the provisions for final plat submittal; and

WHEREAS, Section 177.091, Florida Statutes, states that the size of each sheet shall be determined by the local governing body; and

WHEREAS, the current required plat sheet size is 22 1/2" x 27" which is not the industry standard and it has been determined that a larger scale drawing and larger text would result in easier to read documents; and

WHEREAS, the current standard for Permanent Reference Monuments (PRM) allow 18" rebar and optional concrete and this standard is not optimal in Lake County due to sand conditions and unstable soil; and

WHEREAS, the State Plane coordinate controls are needed on all plats in order to enter the new plats into the county GIS data base map; and

WHEREAS, the Board has determined this amendment to be in the best interests of the citizens of Lake County, Florida.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Amendment. Section 14.07.07, Lake County Code, Appendix E, Land Development Regulations, entitled Final Plat Requirements, is hereby amended to read as follows:

1
2 **14.07.07 Final Plat Requirements.**
3

4 A. Final Plat Submittal Requirements. Prior to final plat approval, the final plat shall be consistent
5 with all of the information in the preliminary plat and construction plans and shall include the
6 followings information and/or documents:
7

8 1. The final plat shall conform with all requirements set forth in Chapter 177,
9 Florida Statutes.

10
11 2. Final plats shall be ~~twenty-two and one-half (22 1/2)~~ twenty-four (24) inches by
12 ~~twenty-seven (27)~~ thirty-six (36) inches with proper borders clear of all writing
13 except for the space for plat book and page number, drawn to an appropriate
14 scale. All text size on plats shall be a minimum of 0.10 inches in height,
15 including lower case lettering. The scale shall not be smaller than one (1) inch =
16 one hundred (100) feet. The County Manager or designee may grant exception to
17 this rule based on necessity or for good cause shown.
18

19 3. Survey markers.

20
21 a. ~~All lot corners shall be marked with one (1) inch interior diameter iron~~
22 ~~pipes, five eighths (5/8) inch iron rods, or concrete monuments with~~
23 ~~metal reinforcement sufficient to be detected with a magnetic locator,~~
24 ~~and Shall be four (4) inches wide on each side if square, or four (4)~~
25 ~~inches in diameter if round. Lot corners shall have a minimum length of~~
26 ~~two (2) feet and be set at each lot corner, including curve points along~~
27 ~~road rights of way. Permanent Reference Monuments (PRMs), shall be~~
28 ~~placed no more than eight hundred (800) feet apart within the platted~~
29 ~~lands and on the exterior boundaries thereof so as to provide definite~~
30 ~~reference points. PRMs shall be set at all points of curvature, points of~~
31 ~~reverse curvature, points of tangency, and each corner or change in~~
32 ~~direction. The monuments shall be four (4) inches by four (4) inches~~
33 ~~reinforced concrete, twenty-four (24) inches long, and have the reference~~
34 ~~point marked thereon. All monuments shall have their location indicated~~
35 ~~on the plat and referenced by angles and distances. The monuments shall~~
36 ~~be marked "Permanent Reference Monuments" or "PRM."~~
37

38 b. ~~Markers shall be installed prior to submission of and approval of the final~~
39 ~~plat and shall conform to locations indicated on the approved preliminary~~
40 ~~plat, if the infrastructure improvements are constructed prior to the~~
41 ~~recording of the final plat. If the plat is recorded prior to construction of~~
42 ~~the infrastructure improvements, then the installation of lot corner~~
43 ~~markers may be delayed until the time of construction. However, in all~~
44 ~~cases, all markers shall be installed and a surveyors certification attesting~~
45 ~~to the installation shall be submitted prior to final inspection and~~
46 ~~approval. PRMs must be set in the field and shown on the plat prior to~~
47 ~~final approval and recordation of the plat . The County Manager or~~
48 ~~designee shall physically inspect the PRMs to verify existence and~~
49 ~~placement. The surveyor and mapper certifying the plat, or their agent,~~
50 ~~must identify the location of the PRMs in the field prior to calling for~~

1 inspection. The applicant is responsible for the proper placement of
2 destroyed, damaged, or altered PRMs through securing services of a
3 surveyor and mapper. Replaced PRMs must be stamped "PRM re-set"
4 and include the registration number of the individual who replaced it.
5

- 6 4. Restrictions pertaining to the type and use of existing or proposed improvements,
7 waterways, stormwater systems, water and wastewater systems, open spaces,
8 building lines, buffer strips and walls, and other restrictions of similar nature shall
9 require the establishment of restrictive covenants and such covenants shall be
10 submitted with the final plat for recordation.
11
- 12 5. Where the site includes private streets, ownership and maintenance association
13 documents shall be submitted with the final plat and the dedication contained on
14 the final plat shall clearly indicate the roads and maintenance responsibility to the
15 association without recourse to the city/County or any other public agency.
16
- 17 6. All man-made lakes, ponds, and other man-made water bodies excluding
18 retention/detention areas shown on the final plat shall be made a part of adjacent
19 private lot(s) or dedicated to a homeowner's association as shown on the final plat.
20 The ownership of these water bodies shall not be dedicated to the public unless
21 approved by the County.
22
- 23 7. When a conservation easement is required pursuant to Section 6.01.00, Land
24 Development Regulations, the following information is required for review and
25 approval prior to the recording of the conservation easement deed:
26
- 27 a. Completed conservation easement form with conditions and legal
28 description.
 - 29
 - 30 b. Illustration of conservation easement on Final Plat.
 - 31
- 32 8. A title opinion or an update of a previously submitted title opinion by an attorney
33 at law licensed in Florida or a certification by an abstractor or a title company
34 showing all persons or entities with an interest of record in the property
35 including, but not limited to, the record fee owners, easement holders, mortgage
36 and lien holders, leasehold interest holders, judgment interest holders and parties
37 with any interest in the land by reason of probate or other legal proceedings. The
38 report shall include the tax identification number(s) for the property and copies of
39 documents such as deeds, easements, etc., referenced in the title opinion. The
40 title opinion required by this Subsection shall be brought current to the day of
41 approval of the final plat by the Board of County Commissioners.
42
- 43 9. An organization established for the purpose of owning and maintaining common
44 facilities not proposed for dedication to Lake County shall be created by
45 covenants running with the land. Such covenants shall be included with the final
46 plat. Such organization shall not be dissolved nor shall it dispose of any common
47 facilities or open space by sale or otherwise without first offering to dedicate or
48 sell the same to the County.
49
- 50 10. An easement for utilities lying adjacent to and contiguous with all platted or

1 deeded public rights-of-way, the minimum width of which shall be seven and a
2 half (7.5) feet in width, may be required in each subdivision submitted for
3 approval, and dedicated on the final plat, upon an individualized determination
4 that the dedication is related both in nature and extent to the impact of the
5 proposed development. This easement, if required to be dedicated, is in addition
6 to the current County standards for width and road rights-of-way.
7

8 11. An easement for lot grading drainage, lying contiguous to the side and rear lot
9 lines, a minimum of eight (8) feet total, may be required upon an individual
10 determination that the dedication is related both in nature and extent to the
11 impact of the proposed development, for the purpose of maintaining stormwater
12 run off, as per construction plans submitted for the proposed development.
13 Structures shall not be permitted within said drainage easement area. Driveways,
14 landscaping and other lot appurtenances may be allowed providing that they do
15 not obstruct the flow of water as per approved lot grading plan. This easement, if
16 required to be dedicated, is in addition to all other requirements for drainage and
17 retention ponds.
18

19 12. Establish a minimum of two (2) horizontal control points on the boundary of the
20 subdivision plat with Florida State Plane Coordinates (Florida East Zone) values
21 shown on the plat for each point established. The acceptable methods for
22 establishing these control points shall be as follows:
23

24 a. Direct Global Positioning System (GPS) observation, in accordance with
25 Third Order, Class II requirements as set forth in Standards and
26 Specifications for Geodetic Control Networks, Federal Geodetic Control
27 Committee, September 1984. A certification by the surveyor and mapper
28 in charge of the establishment of these points will be required as part of
29 the submittal of the final plat.
30

31 b. Self closing (looped) traverse(s), conducted between two (2) existing
32 control stations of the Lake County Geodetic Control Network and the
33 plat boundary, with a minimum precision of no less than one (1) part in
34 twelve thousand (12,000) before adjustment.
35

36 c. Self closing (looped) traverse(s), conducted between one (1) existing
37 horizontal control station of the Lake County Geodetic Control Network,
38 the plat boundary, and a line which azimuth has been determined by
39 astronomic observation or GPS, with a minimum precision of no less
40 than one (1) part in twelve thousand (12,000) before adjustment.
41 Astronomic or GPS observations shall be performed in accordance with
42 Third Order, Class II requirements set forth in Standards for Geodetic
43 Control Networks, Federal Geodetic Control Committee, September
44 1984.
45

46 Horizontal control stations that are used shall be shown on the plat by
47 graphically identifying their location, name and number. The final
48 adjusted direct tie (bearing and distance) shall be shown between those
49 horizontal control stations and specific points on the plat boundary. If
50 only one (1) horizontal control station was located as in Subsection c.

1 above, a bearing diagram shall be shown on the plat relating the bearing
2 structure shown on the plat to grid North. Subdivisions of less than
3 ~~twenty (20) five (5) lots may~~ shall be granted exemption from this
4 Subsection ~~relating to the technical submittal requirements~~ for good
5 cause shown.
6

7 13. All plats must show a vicinity map referencing the project in relation to the
8 nearest roads and road intersections. A vicinity map should state the scale or
9 “not to scale”, show the project location, and contain a north arrow.
10 Additionally, the legal description of the platted land must contain the total
11 acreage of the platted land and such acreage must be consistent with the title
12 opinion .
13

14 14. All plats situated in special flood hazard areas (FIRM “A” and “AE” zones)
15 according to current flood insurance rate maps, must have a minimum of two (2)
16 benchmarks clearly shown on the plat and state the elevations in the current
17 applicable FIRM datum.
18

19 15. All easements and rights of way that are identified in the title opinion, proposed,
20 or existing, shall be identified and graphically depicted, together with bearing
21 and distance ties to the plat.
22

23 ~~13-16.~~ Computer Aided Design and Drafting (CADD) methods shall be used in the
24 preparation of the subdivision plat and a copy of the associated electronic data
25 file shall be provided to Lake County. All final plats must be submitted in
26 electronic format using AutoCAD version 12 or later. Any graphics file in
27 electronic format shall be in AutoCAD native file format (.dwg) or file exchange
28 format (.dxf) compatible with AutoCAD version 12 or later. Graphics files shall
29 use the same bearing structure and coordinate system as the Lake County
30 Geodetic Control Network and the Horizontal Control Station used to satisfy
31 Subsection 12 above. Subdivisions of less than twenty (20) lots shall be exempt
32 from this Subsection relating to the technical submittal requirements.
33

34
35 *{Subsections B and C shall remain unchanged}*
36
37

38 **Section 3. Inclusion in Code.** It is the intent of the Board of County Commissioners
39 that the provisions of this Ordinance shall become and be made a part of the Lake County Code
40 and that the sections of this Ordinance may be renumbered or relettered and the word “ordinance”
41 may be changed to “section”, “article”, or such other appropriate work or phrase in order to
42 accomplish such intentions.
43

44 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance is
45 held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
46 shall in no way affect the validity of the remaining portion of this Ordinance.
47

48 **Section 5. Effective Date.** This ordinance shall become effective on the thirtieth day
49 after the date of enactment.
50

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45

Enacted this _____ day of _____, 2005.

Filed with the Secretary of State _____, 2005.

Effective _____, 2005.

Ordinance No. 2006-___; Amending Section 14.07.07, Land Development Regulations.

**BOARD OF COUNTY COMMISSIONERS OF
LAKE COUNTY**

Jennifer Hill, Chairman

This _____ day of _____ 2005.

ATTEST:

James C. Watkins, Clerk of the
Board of County Commissioners
of Lake County, Florida

Approved as to form and legality:

Sanford A. Minkoff
County Attorney