

ARTICLE II. ADMINISTRATION; SUBDIVISION REVIEW PROCEDURE*

***Cross references:** Administration of land development code, generally, § 3-1 et seq.

Sec. 7-10. Planning department to administer chapter.

The planning department and planning official are designated as the administering office and officer, respectively, for all subdivision applications and coordination, and for the enforcement of these regulations, except that the building and zoning official shall whenever possible render assistance to the planning department and the planning commission in the enforcement of this chapter.

(Ord. No. 85-4, 7-23-85; Ord. No. 86-3, § 24, 4-2-86)

Sec. 7-11. Subdivision application and approval required. No person shall subdivide land within the county unless and until an application for such subdivision has been submitted and approved in accordance with the provisions in this chapter. Violation of this section shall be punished as provided in section 7-28 of this chapter.

(Ord. No. 85-4, 7-23-85)

Sec. 7-12. Standards for approval of subdivisions generally.

(1) *Conformity with comprehensive plan.* All proposed subdivisions in the county shall conform to the Wakulla County comprehensive plan, as it is amended from time to time.

(2) *Consistent with chapter intent and regulations.* No proposed subdivision plan or preliminary plat shall be approved which is inconsistent with either the intent of this chapter, expressed in section 7-2, or the other provisions in this chapter, including the design and construction standards contained in article III of this chapter.

(Ord. No. 85-4, 7-23-85)

Sec. 7-13. Preapplication conference.

Any owner of land in the unincorporated area of the county who is contemplating subdividing the land for any lawful purpose may request an informal preapplication conference with the planning official on behalf of the planning commission. At such conference the owner or owner agent may present tentative proposals with a view toward learning what would be required to properly evaluate the proposal within the limits of these regulations. No fee or formal application shall be required for this conference, and no binding determination of the acceptability of the proposal shall be made.

(Ord. No. 85-4, 7-23-85)

Sec. 7-14. Application for approval of plan and preliminary plat.

(1) *Place of filing; fee.* Any person intending to subdivide land within the county shall submit to the planning official an application for approval of a subdivision plan and preliminary plat for such land on a form to be provided by that department, accompanied by information and drawings prepared in accordance with section 7-15 and an application fee for advertising and other administrative costs in an amount set by resolution of the board of commissioners.

(2) *Conditions on acceptance.* No application shall be accepted which does not contain the drawings and information listed in section 7-15.

(3) *Number of copies.* Two (2) sets of the items listed in section 7-15 shall be submitted at the time application for approval is made; however, at least ten (10) days prior to the first public hearing on the application an additional nine (9) copies shall be submitted to the planning department.

(Ord. No. 85-4, 7-23-85; Ord. No. 86-3, § 25, 4-2-86)

Sec. 7-15. Contents of subdivision plan and preliminary plat.

(1) *In general.* In order to ensure compliance with this chapter and the Code, and to avoid wherever possible additional expenses imposed on an applicant in connection with required subsequent revisions to a proposed plat or plan, the applicant shall submit a subdivision plan and preliminary plat for the property to be subdivided showing in textual and graphic form, at a scale not smaller than one (1) inch equals one hundred (100) feet, the information and drawings listed in this section.

(2) *Name.* The subdivision name, the name and address of the owners and the designer of the plat.

(3) *Date, scale and acreage.* Date of preparation of the preliminary plat, north point, graphic scale and total acreage of the site to be subdivided, and the acreage of each plot and other area within the subdivision.

(4) *Existing and proposed features.* The location of existing and proposed property lines, roads and streets, buildings, watercourses or bodies, railroads, sewers, bridges, culverts, drainpipes, water mains and any public utility easements, both on the land to be subdivided and on the adjoining land, and the proposed phases of development.

(5) *Adjacent owners.* The names of adjacent subdivisions and the names and addresses of record owners of contiguous parcels of land as they appear on the current tax records of the county.

(6) *Proposed street and building lines.* The name, location, width, composition and other dimensions of proposed streets, alleys, easements, lot lines, building and setback lines, fire lanes, bridges and rights-of-way.

(7) *Topography.* Topography of the parcel or parcels to be subdivided, showing contour lines at one-foot intervals.

(8) *Street profiles.* Profiles of all street showing natural and finished grades drawn to a scale of not less than one (1) inch equals one hundred (100) feet horizontal and one (1) inch equals ten (10) feet vertical.

(9) *Utilities.* Preliminary sketches of proposed utility layouts (sewer, water, electricity and gas) showing feasible connections to existing and proposed utility systems, and plan for solid waste disposal, together with evidence of how proposed demands for these services are to be satisfied.

(10) *Land use.* The zoning and land use designation for the site, as well as the proposed use or uses, number of commercial or residential units which the subdivision is designed for and density (for multifamily subdivisions).

(11) *Water management plan.* Proposed water management plan, including Florida Department of Environmental Regulation storm water permit, or statement of exemption from DER coverage, using accepted engineering principles as provided for in this Code.

(12) *Soil and vegetation map.* General soil and vegetation maps with tables of interpretation and erosion control plan, and vegetation key and index.

(13) *Flood areas.* Flood hazard designations assigned to the property by the federal emergency management agency or other applicable federal authority.

(14) *Reserved areas.* Map showing lands to be reserved or dedicated for public uses, including schools, parks, open spaces, roads and utilities.

(15) *Specifications.* Engineering specifications for all improvements, including roads, sewer and storm water lines and water lines, including diagrams and cross-sections.

(16) *Additional items.* Copies of all deed restrictions and plans for enforcement of same, and such additional information as is required in other parts of this Code or as is necessary for the planning commission properly to implement this chapter and other parts of this Code.

(Ord. No. 85-4, 7-23-85; Ord. No. 86-3, § 26, 4-2-86)

Sec. 7-16. Notice and placement on planning commission agenda.

The building and zoning official shall promptly forward the application to the planning official, who shall publish due public notice of the application in accordance with section 3-2(5) of this Code and place it on the agenda for the next practicable monthly meeting of the planning commission.
(Ord. No. 85-4, 7-23-85)

Sec. 7-17. Transmission to other agencies.

The planning official shall also promptly forward a copy of all or a portion of the application materials to all appropriate county or municipal departments for review and recommendation.
(Ord. No. 85-4, 7-23-85)

Sec. 7-18. Planning commission review and action.

(1) *In general.* The planning commission shall review the subdivision plan and preliminary plat for compliance with this chapter and the Code at the public hearing set for the application. If the plan and plat contain the materials required to be submitted and meet the substantive regulations in this chapter and the rest of the Code, the plan and the preliminary plat may be approved.

(2) *Commission action.* The planning commission may approve, approve with conditions or disapprove the application for acceptance of the subdivision plan and preliminary plat.

(3) *Conditional approval.* If the application for the plat and plan is approved subject to conditions to be fulfilled by the applicant, such approval shall not become effective until such time as the applicant has submitted an amended plan and plat reflecting the fulfillment of said conditions, and the planning commission has approved the amended plan and plat at a public hearing with due public notice.

(4) *Written reasons for disapproval; appeal.* If the application for preliminary approval is denied, the planning commission shall enter its reasons for doing so on the record and transmit a letter containing such reasons to the applicant. The applicant may appeal the disapproval to the county commission in accordance with section 7-19.

(Ord. No. 85-4, 7-23-85; Ord. No. 86-3, § 27, 4-2-86)

Sec. 7-19. Appeal of disapproval.

(1) *Notice of appeal.* Any person whose preliminary plan and plat are disapproved by the planning commission may appeal such denial to the county commission by filing a written notice of appeal with the building and zoning director within fourteen (14) days of such disapproval date.

(2) *Review by county commission.* The building and zoning official shall place the appeal on the agenda and publish due public notice thereof in accordance with section 3-2(10) of this Code. The county commission shall review the plat and plan for compliance with this Code and vote as to the final approval or disapproval of the subdivision plan and preliminary plat.

(3) *Appeal to circuit court.* Any person claiming to be injured or aggrieved by any final action of the county commission concerning a preliminary or final subdivision plat may present to the circuit court of Wakulla County, Florida, a petition for writ of certiorari or other request for relief to review such final action of the county commission in the manner prescribed by applicable statutes and court rules.

(Ord. No. 85-4, 7-23-85)

Cross references: Administrative procedures for land development code, § 3-20 et seq.

Sec. 7-20. Effect of approval of preliminary plat and plan.

The approval of the subdivision plan and preliminary plat by the planning commission or by the county commission on appeal shall not be deemed final acceptance of the plat for recording, but rather an expression of approval of the layout of the proposed subdivision as submitted on the preliminary plat. One (1) copy of the preliminary plat approved by the planning commission or county commission on appeal shall be retained in the planning department files.

(Ord. No. 85-4, 7-23-85)