



**TO:** Technical Review Committee  
**FROM:** Kev Freeman, Planning Director  
**RE:** Technical Review for Project: 99800004  
**TRC DATE:** **SEPTEMBER 21, 2023**

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### **STAFF REPORT**

**Requested Action:** Review Proposed Revision to City Code Language  
**Site Location:** Citywide

**Background:** See attached.

**Summary of Request:** Proposed Revised Plat Process – removing Preliminary Plat process.

**Please respond with comments referencing project # to:**

Kev Freeman  
kfreeman@cityoffortpierce.com

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## **Sec. 121-9. Final Plat procedure.**

- (a) Final plat approval.
  - (1) The subdivider shall submit five copies of the final plat to the planning director for approval of compliance with subdivision regulations.
  - (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 regulations governing same, the final plat will be forwarded to the city planning board for review.
- (b) The city planning board shall consider whether the following standards have been met in its review of the application:
  - (1) Adequate vehicular access and traffic circulation to each lot in the proposed subdivision.
  - (2) 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.
  - (3) That other applicable comprehensive plan policies are addressed by the proposed plat.
- (c) The city commission shall hold a public hearing and approve, approve with conditions, or disapprove the final plat.

## **Sec. 121-10. Final Plat specification.**

- (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).

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- 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 of 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.
- (3) The applicant shall submit the application for the final plat to the planning director for review and distribution to affected departments and/or agencies.
  - (4) The applicant will be responsible for a charge in respect of a review of the final plat by the city's consultant. Payment of such fee shall be completed prior to approval of the final plat.
  - (5) Approval of the plans specified in subsection (a)(4) of this section must be received before construction commences.
  - (6) 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.
  - (7) 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.
- (b) Mylar print specifications.
    - (1) 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.
    - (2) 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.
    - (3) In all other respects the final plat shall conform to the requirements of F.S. ch. 177—Plats made for recording, and include the certificates, as specified in subsection (c)(1) of this section.
  - (c) Plat certificates.
    - (1) The following certificates are required for final plat approval:
      - a. 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:

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"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.

**ORDINANCE NO. 23-NNN**

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 121 – SUBDIVISIONS, SECTION 121-9. – PLAT PROCEDURE; AND SECTION 121-10, - PLAT SPECIFICATION; 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 plat review is confusing and offers limited benefit from the preliminary plat process to property owners and developers, 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 \_\_\_\_\_, 2023, meeting, voted \_\_\_\_\_ to recommend \_\_\_\_\_ of the request.

**WHEREAS**, the

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

**SECTION 1.** Section 123-6 and Section 123-7 are hereby amended so the same shall read as follows:

**Sec. 121-9. Final Plat procedure.**

~~(a) Preliminary plat approval. The subdivider may choose to proceed to final plat review notwithstanding a submittal of a preliminary plat.~~

~~(1) The subdivider shall submit five copies of the preliminary plat to the planning director.~~

~~(2) 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, and when in compliance with city rules and regulations governing same, the preliminary plat will be forwarded to the planning board for determination.~~

~~(3) The city planning board shall review the proposed plat and make a determination of approval or denial. If the board recommends disapproval, the reason shall be stated.~~

~~(4) 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)~~(a) Final plat approval.

- (1) The subdivider shall submit five copies of the final plat to the planning director for approval of compliance with subdivision regulations.
- (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 regulations governing same, the final plat will be forwarded to the city planning board for review.

~~(c)~~(e) The city planning board shall consider whether the following standards have been met in its review of the application:

- (1) Adequate vehicular access and traffic circulation to each lot in the proposed subdivision.
- (2) 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.
- (3) That other applicable comprehensive plan policies are addressed by the proposed plat.

~~(d)~~(e) The city commission shall hold a public hearing and approve, approve with conditions, or disapprove the final plat.

~~(Code 1983, § 18-9; Ord. No. J-04, § 1, 2-18-1992; Ord. No. 22-040, § 1, 1-3-2023)~~

~~Editor's note(s) — Ord. No. 22-040, § 1, adopted Jan. 3, 2023, amended § 121-9 and in doing so changed the title of said section from "Plat procedure; city planning board review" to "Plat procedure," as set out herein.~~

## **Sec. 121-10. Final Plat specification.**

(a) ~~Preliminary~~Final 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(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.

~~(4) Prior to the submission of a final plat, the~~(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 of 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.

(3) The applicant shall submit the application for the final plat to the planning director for review and distribution to affected departments and/or agencies.

(4) The applicant will be responsible for a charge in respect of a review of the final plat by the city's consultant. Payment of such fee shall be completed prior to approval of the final plat.

(5) Approval of the plans specified in subsection (a)(4) of this section must be received before construction commences.

(6) 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.

(7) 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.

(b) ~~Final plat~~Mylar print specifications.

~~(1) 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.~~

~~(2)~~(1) 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.

~~(3)~~ 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.

~~(4)~~ 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~~certificates, as specified in subsection (c)(~~2~~1) of this section.

(c) Plat certificates.

~~(1) The following certificates are required for a preliminary plat:~~

~~a. Appropriate space shall be provided on the preliminary plat for the following certificate:~~

~~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"~~

~~(1)~~ The following certificates are required for final plat approval:

a. 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.

**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.

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. **23-NNN** was duly advertised in accordance with Section 171.044(2) of the Florida Statutes in the St. Lucie News Tribune on Sunday, \_\_\_\_\_, 2023 and Sunday, \_\_\_\_\_, 2023; 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 \_\_\_\_\_, 2023; and was duly introduced, read by title only, and passed on second and final reading \_\_\_\_\_, 2023, 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 \_\_\_\_\_, 2023.

\_\_\_\_\_  
Linda Hudson  
MAYOR COMMISSIONER

ATTEST

\_\_\_\_\_  
Linda W. Cox  
CITY CLERK

(CITY SEAL)

APPROVED AS TO FORM AND  
CORRECTNESS:

\_\_\_\_\_

Sara Hedges, Esq.  
ACTING CITY ATTORNEY