Sec. 10.01.05. Subdivision Review Procedures

A. Pre-Application Procedures

1. Determination of Required Review. Prior to the submittal of any application for subdivision review, a determination shall be made by the Administrator regarding the type of subdivision review required.

2. Presubmittal Conference. The Applicant may request that the Administrator arrange a presubmittal conference to be attended by representatives of reviewing agencies and the Applicant. The purpose of the presubmittal conference is to provide information to a potential Applicant concerning the information needed for submittal and the standards and other requirements to be met. The reviewing agencies may include ~~Planning and Growth Management~~ County Departments (Natural Resources, Zoning Compliance, Comprehensive Plan Compliance, Traffic Operations, Stormwater Management, Water and Wastewater Utilities, and Adequate Public Facilities Determination), School Board, Fire Department, 911, Environmental Protection Commission, and FDOT, if applicable.

B. Expedited Review Procedures

1. Certified Parcel Subdivision Review

Where a division of land qualifies for Certified Parcel Subdivision review, the Administrator shall certify parcels and the subdivision of such parcels in accordance with the following procedures:

a. The Applicant shall make application for Parcel Certification, or for certification of the subdivision of a parcel, on forms provided by the Administrator and shall provide such information as set forth in the Development Review Procedures Manual, Section 4.1.4.

b. All parcels to be certified and the subdivision of such parcels shall be reviewed for compliance with all applicable regulations, including but not limited to wetlands, upland habitat, access, and zoning.

c. Upon review and approval of a Certified Parcel Subdivision, the Administrator shall attach the following notation to the record: "The lot(s) hereby described: (insert or refer to the legal description(s)) is a subdivision of a certified parcel as certified by the Administrator and may not be further subdivided under the provisions for subdividing a Certified Parcel."

d. In any instance where a folio number has not previously been assigned to a certified parcel, the Administrator shall ensure that such number is assigned and made part of the permanent record.

2. Platted Subdivision With No Improvements Required

a. Platting shall be required for subdivisions with no improvements proposed or required, not meeting the Certified Parcel Subdivision requirements. The plat shall meet the survey standards as set forth in Chapter 177, Florida Statutes and the Florida Administrative Code, for platting requirements and shall be prepared, signed and sealed by an individual registered by the State of Florida as a Professional Surveyor and Mapper.

b. Application shall provide information as set forth in the Development Review Procedures Manual, Section 4.1.4.

c. All necessary easements required for the plat, shall be submitted and approved by the County Real Estate Department prior to acceptance of the plat. Lots within a previously approved platted residential subdivision with no improvements with easement access may not be further subdivided pursuant to this subsection if the total number of existing lots also served by the easement exceeds three (3). This requirement shall not be varied.

d. Upon receipt of certification from the Administrator that the plat meets all state and local technical requirements, the ~~Chairperson of the Board of County Commissioners~~ designated administrative authority has the delegated authority to approve and sign the plat. Whenever land comprising all or part of an existing subdivision plat of record is proposed as all or part of a new subdivision, all or part of the existing plat shall be vacated through Board resolution prior to ~~Board~~ approval of the Final Plat. Board approval of vacating any plat, either in whole or in part, shall be contingent upon a showing that the persons making the application for said vacation own the fee simple title to the whole or that part of the tract covered by the plat sought to be vacated. It must be further shown that the vacation by the Board will not affect the ownership or the right of convenient access of persons owning other parts of the subdivision.

e. The applicant is responsible for providing a mylar copy, in addition to the original mylar, for recordation, and for providing the recordation fee. The approved plat shall be recorded with the Clerk of the Circuit Court within five working days of the ~~Chairperson's~~ designated administrative authority's approval. Building Permits shall not be issued until after plat recordation.

3. Minor Subdivisions

a. A minor subdivision is a residential subdivision in a Rural Service Area with up to ten (10) lots that does not meet the Certified Parcel Subdivision requirements. (See Figures 1 and 2).

b. Lots within a previously approved Minor Subdivision or Platted Subdivision with No Improvements may be further subdivided pursuant to this subsection only if the total number of new and existing lots would not exceed ten (10).

c. A Minor Subdivision shall have access to a public street which has been accepted for maintenance by Hillsborough County, a municipality or the Florida Department of Transportation. All lots within a Minor Subdivision shall have driveway access either to an easement, Low Volume Private Road or, subject to the Access Management provisions of this Code, to a publicly maintained road.

d. Flag Lots: No lot within a Minor Subdivision may have access onto an improved and maintained public road by flag lot.

e. Platting is required for Minor Subdivisions. The plat shall meet the survey standards as set forth in Ch. 177, Florida Statutes and the Florida Administrative Code, for platting requirements and shall be prepared, signed and sealed by an individual registered by the State of Florida as a Professional Surveyor and Mapper.

f. The plat shall be reviewed administratively and approved by the designated administrative authority ~~Board of County Commissioners~~, and thereafter recorded in the public records of Hillsborough County.

g. The applicant is responsible for providing a mylar copy, in addition to the original mylar, for recordation. The approved plat shall be recorded by the County ~~Planning and Growth Management Department~~ with the Clerk of the Circuit Court within five (5) working days of being notified that the plat has been signed by the designated administrative authority ~~Chairperson of the Board of County Commissioners~~ and upon receipt of the recording fee from the applicant.

h. Submittal and review requirements for a Minor Subdivision shall be as set forth in the Development Review Procedures Manual.

i. All necessary easements required for the plat shall be submitted and approved by the County Real Estate Department prior to acceptance of the plat.

j. Building permits shall not be issued until after plat recordation and the Low Volume Private Road has been constructed and approved.

k. All other subdivisions requiring platting shall meet the requirements listed below.

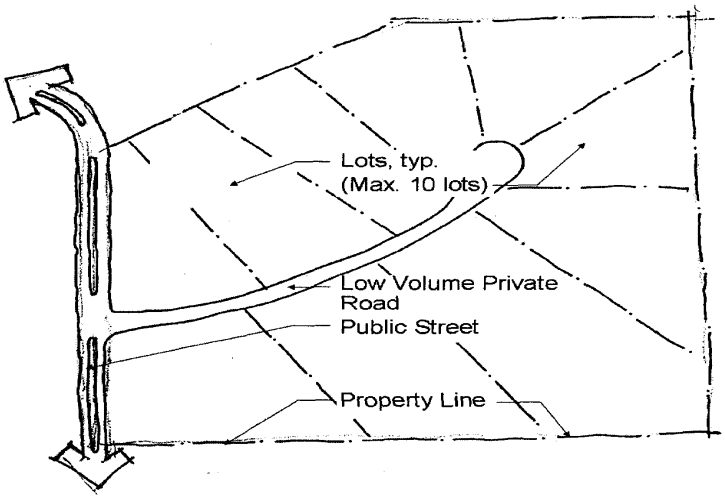


Figure 1
Minor Subdivision: 10-lot Configuration

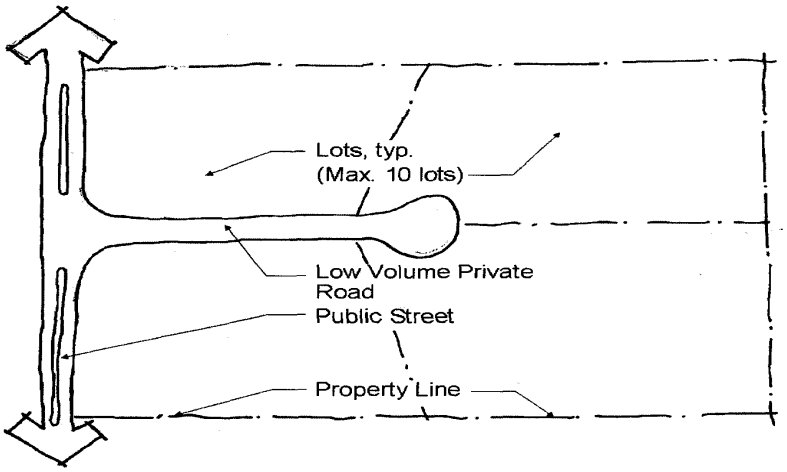


Figure 2
Minor Subdivision: 4-Lot Minimum Configuration (Low Volume Private Road Access)

C. Full Review: Platted Subdivision With Improvements

1. Preliminary Plat

a. The purpose of the Preliminary Plat is to safeguard the subdivider from unnecessary expense involved in having final engineering drawings and specifications prepared which do not conform to the standards set forth in these regulations. The Preliminary Plat review serves only to show compliance with standards, and does not imply acceptance of final Improvements design drawings (i.e., Construction Plans), or final platting which must conform to these regulations.

b. An application for review of a Preliminary Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

2. Construction Plans

a. Construction plans show the improvement facilities planned for each phase of the preliminary plat, in compliance with subdivision construction standards. Construction plans must correspond to the preliminary plat. Construction plans are submitted after approval of the preliminary plat.

b. Construction plans shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

3. Combined Preliminary Plat and Construction Plans

a. An applicant may elect to submit for a combined preliminary plat and construction plans for review and approval as one permit.

b. Combined preliminary plat and construction plans shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

4. Final Plat

a. The purpose of the final plat is to indicate the final, recorded lot and street layout of the subdivision. The final plat is reviewed administratively and approved by the designated administrative authority ~~Board of County Commissioners~~, and thereafter recorded in the public records of Hillsborough County. It cannot be altered without subsequent ~~Board action~~ approval by the designated administrative authority. Securities are generally posted at the time of a request for final plat recording.

b. A Final Plat shall contain information as set forth in the Development Review Procedures Manual, Section 4.1.4.

5. Expedited Residential Building Permit Program

a. An applicant may submit residential building permits for up to 100 percent of the lots in a proposed subdivision prior to the approval and recording of a final plat in the public record provided that a complete application is filed for either combined preliminary plat and construction plans or for construction plans following approval of a preliminary plat.

b. Building permits shall not be issued until all of the following conditions are met:

(1) Approval of combined preliminary plat and construction plans or construction plans.

(2) Applicant provides proof that a copy of the approved combined preliminary plat and construction plans or approved preliminary plat and construction plans have been provided to the relevant electric, gas, water, and wastewater utilities.

(3) Applicant provides a valid performance bond for up to 130 percent of the cost to provide necessary improvements, as defined in Section 177.031, Florida Statutes, for the proposed subdivision that have not been completed upon submission of the building permit application.

(4) An applicant indemnifies and hold harmless the County, its employees and agents, in accordance with Section 177.073, Florida Statutes.

6. Building Permit Application

a. Except for projects electing to follow the expedited residential building permit program as provided in this subsection, no building permit applications shall be accepted by the County

(other than permits for Model Homes) until such time as (1) all of the public Improvement Facilities are accepted for maintenance, and all of the private Improvement Facilities are completed and inspected, as required herein; or (2) construction plans for all Improvement Facilities have been approved by the County, and a Financial Guarantee in the amount of 125 percent of the cost to construct the remaining Improvement Facilities is in proper order.

b. No certificate of occupancy shall be issued, unless: (1) all of the Improvement Facilities are acceptable for maintenance, as required herein or, (2) construction of the Improvement Facilities has been completed with not more than minor construction correction required and provided that 100 percent of the required performance bonds are in proper order.

7. Issuance of Building Permits and Certificates of Occupancy

a. Except for projects electing to follow the expedited residential building permit program as provided in this subsection, building permits (other than permits for Model Homes) shall not be issued until after Final Plat recording.

b. No certificate of occupancy shall be issued, unless: (1) all of the on-site Improvement Facilities are acceptable for maintenance or completed and inspected, as required herein or, (2) construction of the on-site Improvement Facilities has been completed with not more than minor construction correction required and a Financial Guarantee provided as set forth in Section 10.01.05.C.4.a.(2).

8. Compliance Requirements

Construction inspections shall be conducted by the County in accordance with the requirements of the Development Review [Procedures] Manual, and as-built drawings shall be provided as required by the Development Review [Procedures] Manual.

9. Financial Guarantees

The applicant shall provide financial guarantees to the Administrator to insure the construction and warranty of the Improvement Facilities. A Financial Guarantee shall be in the form of a surety bond, letter of credit, escrow agreement, or cashier's check, and shall remain in full force and effect for a period of 25 months from the date said Financial Guarantee is received and approved by the Board. Financial Guarantees shall be administered in accordance with the requirements of the Development Review [Procedures] Manual. The amount of a Financial Guarantee shall be determined based upon the approved plans and an engineer's certified estimate of the applicant's probable costs. The Financial Guarantee shall not limit the County from recovering the County's actual costs to construct, replace or repair the Improvement Facilities, as necessary, up to the full amount of the Financial Guarantee.

10. Model Homes

In any one (1) subdivision phase, up to ten (10) percent of the platted lots or a total of five (5) model homes, whichever is more, may be permitted per subdivision, upon approval of the subdivision construction plans and final plat by the Administrator and the issuance of a Single-Family Natural Resources Permit per 4.01.00 for each unit. In addition to the information required in 4.01.00, the application submittal for the Natural Resources Permit shall include the information listed in Section 6.11.00, Model Dwelling Units and Preconstruction Sales Offices. Certificates of Occupancy shall not be released until the Improvement Facilities for public use are completed and accepted by the Board or until Improvement Facilities for private ownership and maintenance are substantially completed as determined by the Administrator.

D. Notification of Street Connectivity

1. An applicant shall provide public notification in accordance with the requirements listed below for any proposed development that, because of cross-connectivity requirements, must provide for either direct or secondary vehicular access on an existing local street that is primarily residential in character.
   a. By proof of mailing of the proposed development to owners of any residential property, as reflected on the current year's tax roll, that abuts the local street being accessed up to a distance of 500 feet from the exterior boundary of the development. The notice shall be mailed no later than five (5) days after the development has been submitted for processing.
   b. Simultaneously with the notice referenced above, notice shall be provided by proof of mailing to all duly registered neighborhood organizations located within one (1) mile of the boundary of the proposed development.
   c. By posting of a sign on the property being developed at the approximate proposed location of the connection with the existing street no later than five (5) days after the development has been submitted for processing. The size and information shown on the sign must be consistent with a template to be provided by the County ~~Department of Planning and Growth Management~~.
2. Developments that meet the above cross-connectivity notification criteria that have already been subject to a zoning or zoning modification public hearing whereby the issue of access either was or could have been addressed, shall not be subject to the above additional notification requirement.

LDC 25-1224	Division Director Sign-off	J. Brian Grady