

## Chapter 160

### SUBDIVISION OF LAND

**[HISTORY: Adopted by the of the Town Council of the Town of Callahan 11-5-2001 by Ord. No. 6-O-2001. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Comprehensive Plan — See Ch. 12.  
Building construction — See Ch. 73.  
Fair housing — See Ch. 100.  
Fees — See Ch. 102.  
Floodplain control — See Ch. 110.  
Signs — See Ch. 152.  
Zoning — See Ch. 195.

#### ARTICLE I General Provisions

##### **§ 160-1. Title; applicability.**

These regulations shall be known and may be cited as the "Subdivision Regulations of the Town of Callahan, Florida," and its provisions shall apply to all lands to be subdivided in the Town of Callahan in accordance with Chapter 177, Part I, Platting, Florida Statutes.

##### **§ 160-2. Purpose.**

The Subdivision Regulations of the Town of Callahan, Florida, establish the minimum requirements for the division of lands and improvements thereon within the incorporated limits of Callahan, Florida, to protect the public health, safety and general welfare. More specifically, these minimum requirements are designed to:

- A. Establish reasonable and equitable standards of subdivision design and procedures for the subdivision of land that will encourage stable communities and the creation of healthy living environments which preserve the natural beauty and topography and ensure appropriate development with regard to these natural features.
- B. Ensure that public facilities and utilities are available and will have a sufficient capability and capacity to service land developments and their occupants.
- C. Prevent traffic hazards and to require the provision of safe and convenient vehicular and pedestrian traffic circulation in land developments, having particular regard to avoiding congestion on the streets and highways.
- D. Coordinate the construction of streets, drainage and utilities in an orderly planned manner, ensuring protection of the environment and protection of the general welfare.
- E. Increase safety from fire, flood and other danger.
- F. Provide for adequate light, air and privacy, and to prevent overcrowding of the land and

undue congestion of the population.

- G. Ensure proper legal descriptions and monumenting of subdivided land.
- H. Prevent or reduce the pollution of air, streams and ponds; to assure the adequacy of drainage facilities; to safeguard the water table; and to encourage the wise use and management of natural resources in order to preserve the integrity, stability and beauty of the Town and the natural value of the land.
- I. Provide for open spaces and recreational areas through the most efficient design and layout of the land.
- J. Guide the future growth and development of the Town in accordance with the Callahan Comprehensive Plan<sup>1</sup> and Ch. 195, Zoning.
- K. Minimize public and private losses due to flood conditions.

**§ 160-3. Administration.**

The Subdivision Regulations of the Town of Callahan, Florida, shall be administered by the Callahan Planning Commission. It shall be the duty of the Planning Commission to inspect and to suggest changes which should be made in the proposed design of a subdivision and to approve or disapprove preliminary plats. It shall be the duty of the Planning Commission to inspect final plats and the information submitted within such final plats, and to recommend approval of such final plats when the requirements of these regulations have been met and to recommend disapproval of such final plats when the requirements of these regulations have not been met. When the Planning Commission acts on the final plat it shall be forwarded to the Town Council for its final approval and the signature of the Mayor.

**§ 160-4. Statutory Authority.**

Pursuant to the powers vested through the Town Council of Callahan, Florida, under Chapters 163, 165 and 177, Florida Statutes, the Town Council grants to the Planning Commission authority to exercise the power to review, approve or disapprove preliminary plats and review and recommend approval or disapproval of final plats to the Town Council for division of lands into three or more parcels, lots or tracts within the corporate limits of the Town of Callahan, Florida, and to require minimum standards for improvements accompanying such subdivisions.

**§ 160-5. Compliance required.**

- A. It shall be unlawful for any person to submit a plat for the subdivision of land to the Nassau County Clerk of the Circuit Court or his representative for the purpose of recording such plat located in the corporate limits of the Town of Callahan until said plat has been approved by the Callahan Town Council under the provisions of these regulations, and signed by the Mayor. In the event an unapproved plat is recorded, it shall be stricken from the public records upon the adoption of an appropriate resolution by the Callahan Town Council. No changes, erasures, modifications, or revisions shall be made in any plat after

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1. Editor's Note: See Ch. 12, Comprehensive Plan.

approval without the consent of the Town Council.

- B. After adoption of these regulations, no lot in any subdivision, exclusive of lands sold by metes and bounds legal description, shall be sold, no permit shall be issued to alter or erect any building within a subdivision and no building shall be erected within a subdivision unless a subdivision plat has been approved and recorded and until any reasonable improvements required by the Town Council for a subdivision have been constructed or guaranteed, as provided herein.

## ARTICLE II Definitions

### § 160-6. Definitions adopted by reference.

The definitions listed in Part I, Platting, of § 177.031, Florida Statutes, are adopted by reference, except as further defined in § 160-7.

### § 160-7. Specific terms defined.

Terms in these regulations are defined for the purpose hereof, as follows:

**APPROVED ROAD** — Any local paved street, constructed according to specifications herein and accepted by resolution of the Town of Callahan for maintenance purposes.

**BLOCK** — A parcel of land entirely or partially surrounded by roads or highways, railroad right-of-way or waterway, golf course, campus, park, or other natural or manmade features or barriers.

**BUILDING LINE** — A line across a parcel of land that is the distance a building or structure must be set back from a lot boundary line, street center line or right-of-way, as defined in Ch. 195, Zoning, for the district in which the parcel is located.

**CALLAHAN COMPREHENSIVE PLAN** — A series of elements containing maps, facts, tables and figures adopted by the Town Council to guide future development, consistent with the requirements of the Local Government Comprehensive Planning Act, as amended.

**EASEMENT** — A grant of the use of a strip or parcel of land by the proper owner to any person, firm or corporation, or to the general public for a specified purpose.

**ENGINEER** — A registered professional engineer within the State of Florida.

**LOT** — A parcel or plot of land of varying size which is designated as a single unit of property and which is intended to be occupied by one building, or group of buildings, and its accessory buildings and uses.

**MOBILE HOME SUBDIVISION** — A recorded subdivision where lots are sold for the exclusive occupancy of mobile homes.

**PLANNING COMMISSION** — The Callahan Planning Commission.

**PLAT** — A map or drawing upon which an exact representation of the subdivision and other information is presented in compliance with the requirements of these regulations, including the

terms "replat," "amended plat" or "revised plat."

**RIGHT-OF-WAY** — The area of a highway, road, street, way, parkway or other such strip of land reserved for public use, whether established by prescription, easement, dedication, gift, purchase, eminent domain or any other legal means.

**STREET** — A paved dedicated public or private way for vehicular traffic, designated as an avenue, boulevard, thoroughfare, road, highway, expressway, lane, drive, or alley. For the purposes of these regulations, streets are divided into the following categories:

- A. **ARTERIAL STREET** — A paved street or highway which is used to move large volumes of traffic rapidly between population centers, around population centers or from one section of the urban area to another.
- B. **CONNECTOR STREETS** — A paved public way designed primarily to connect local streets with arterials or to provide access from residential areas to major destination points such as shopping or employment centers and which may be expected to carry a significant volume of traffic.
- C. **CUL-DE-SAC** — A paved minor street of short length having one end open to traffic and one end terminating in a vehicular turn-around.
- D. **LOCAL STREET** — A street used primarily for access to abutting properties within a subdivision.
- E. **COLLECTOR STREETS** — A paved minor street parallel and adjacent to a major thoroughfare and which provides access to abutting properties and protection from through traffic.

**SUBDIVIDER** — Any person, firm, corporation or other legal entity subdividing land.

**SUBDIVISION** — The division of real property in the incorporated areas of Callahan, Florida, into three or more contiguous lots, parcels, tracts, tiers, blocks, sites, units or any other division of land, designated by reference to the number or symbol of the lot, parcel or such units contained in the plat or drawing of such subdivision for the purpose, whether immediate or future, of transfer of ownership, or if the establishment of a new street is involved, any division of such parcel. The word includes establishment of new rights-of-way and alleys and additions when they result in such division of real property. When appropriate to the context, the word also includes resubdivision. This shall not apply to gifts or devise within a family unit.

**ZONING ORDINANCE** — The officially adopted Zoning Ordinance for the Town of Callahan.<sup>2</sup>

### ARTICLE III

#### **Application Procedures; Review Process; Required Submittals**

##### **§ 160-8. General requirements.**

- A. The following subdivision platting procedures shall be adhered to in the submission,

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2. Editor's Note: See Ch. 195, Zoning.

review, approval or disapproval of subdivision plats in the incorporated limits of the Town of Callahan. No changes, erasures, modification, or revisions shall be made in any plat after approval by the Town Council without the consent of the Town Council.

- B. The application procedure consists of two major stages: preliminary plat review and final plat approval. The subdivider or his authorized agent is encouraged, but not required, to discuss informally his plans prior to submission of the proposed plat.

**§ 160-9. Preliminary plat.**

A. Application submission.

- (1) This stage begins when the applicant makes formal submission for plat approval to the Town Clerk. The subdivider will include as his submission a preliminary plat of the proposed subdivision, together with improvement plan and other supplemental materials.
- (2) Every plat of a subdivision must be accompanied by a title opinion of an attorney-at-law licensed in Florida or a certification by an abstractor or a title company showing that record title to the land as described and shown on the plat is in the name of the person, persons, corporation, or entity executing the dedication. The title opinion or certification shall also show all mortgages not satisfied.
- (3) An application and fee shall accompany the submission. The fee shall total the prescribed amount as stipulated in the adopted fee schedule (See Appendix.<sup>3</sup>)
- (4) Five copies of the application with the preliminary plat containing the information stipulated in § 160-11 and any supplementary material shall be submitted to the Town Clerk, and two copies to the County Health Department, at least 14 days prior to the Planning Commission meeting at which it is to be considered.

B. Review; action by Planning Commission.

- (1) Following review of the preliminary plat and supplementary material submitted for conformity thereof and negotiations with the subdivider on changes deemed advisable and the kind and extent of improvements made by him, the Planning Commission shall, within 50 days, act thereon as submitted or modified, and, if approved, the Planning Commission shall express its approval as conditional approval and state the conditions of approval, if any, or if disapproved, shall express its disapproval and its reasons therefor.
- (2) The action of the Planning Commission, which shall be noted on four copies of the preliminary plat is hereby limited to a period of 12 months, after which time the subdivider is required to resubmit a (new) preliminary plat.

**§ 160-10. Final plat.**

A. Application.

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3. Editor's Note: See Ch. 102, Fees, Art. III, Building and Development Fees; License Fees.

- (1) The final plat shall conform substantially to the preliminary plat as approved, and if desired by the subdivider, it may constitute only that portion of the approved preliminary plat which is proposed to be recorded and developed; provided, however, that such portion conforms to all requirements of these regulations.
- (2) Five copies of application for approval of the final plat containing the information stipulated in § 160-11 shall be submitted in writing to the Town Clerk at least 14 days prior to the Planning Commission meeting at which it is to be considered. Accompanying the application shall be either a certificate from the Town's consulting engineer that the subdivider has installed the required improvements or confirmation from the Town Clerk that a performance bond and/or certified check has been posted.

B. Action by Planning Commission and Town Council; recording.

- (1) If the Planning Commission finds that all the requirements of these regulations have been met, the final plat shall be submitted to the Town Council with the Planning Commission's recommendation for approval. If the Planning Commission finds that all the requirements have not been met, and after deficiencies have been discussed and reviewed with the subdivider, and the subdivider given a period of time which shall not exceed 90 days to take corrective action, and if he fails to take such action, then the Planning Commission shall recommend disapproval of the final plat and shall set forth its reasons for such disapproval in writing. Except where an extension of time is authorized by the applicant for final plat review, the Planning Commission shall have 75 days from the date of the submission of a final plat to take action.
- (2) The Town Council shall consider at its next regularly scheduled meeting authorizing signing of the final plat by the Mayor.
- (3) The final plat, if approved, shall then be recorded with the Clerk of Court for Nassau County. All costs of copying and recording the plat are borne by the subdivider.

C. Revisions. Proposed revisions to a recorded plat shall be submitted as a preliminary plat if street and/or drainage improvements are to be altered. Proposed revisions that would not alter the drainage or street layout shall be submitted as a final plat.

**§ 160-11. Required submittals.**

The following information shall be included on preliminary and/or final plats:

A. Preliminary plat.

- (1) Date, North point, scale.
- (2) Proposed subdivision name in bold legible letters under which the Town of Callahan should appear.
- (3) The lines of all proposed streets with their widths and names. All street names must have the written approval of the 911 Coordinator.
- (4) Name of the subdivider(s) or owner(s) if other than subdivider(s) and surveyor or engineer preparing plat.

- (5) A location (key) map shall show the relation of the proposed subdivision to existing community facilities main traffic arteries, etc.
- (6) Location of the plat by quarter section, section, Town and range or stated if land grant.
- (7) Contours of the land on two-foot intervals or less on U. S. Coast and Geodetic Datum and an area outside the boundaries that will show the final disposition of all surface drainage.
- (8) Bench marks shall be provided at convenient points with locations and elevations indicated on the preliminary plan.
- (9) Location and names of adjacent subdivisions and the owners of adjoining parcels of unsubdivided land.
- (10) Total acreage and zoning classification of lands to be subdivided. Zoning classification of all adjacent lands.
- (11) Exact radii of all curves and lengths of all tangents.
- (12) Exact location and area of all land to be dedicated for public use or reserved by deed covenant for common use of all property owners with the purpose indicated thereon. All lands dedicated for public use, other than streets, shall be marked "Dedicated to the Public."
- (13) Deed restrictions, if any, including the boundaries of each type of restrictions
- (14) Accurate location and material of all permanent reference to monuments and bench marks.
- (15) Approximate location and area of all property to be dedicated for public use or reserved by deed covenant for use by all property owners in the development with a statement of the conditions of such dedication or reservation.
- (16) Subsurface conditions of the tract stating depth of the groundwater table unless test pits are dry at the depth of three feet, the results of soil percolation tests, and soil profile to show hard pan, muck, clay strata, etc.
- (17) A soil analysis obtainable from the United States Department of Agriculture, Soil Conservation Service, when requested.

B. Final plat.

- (1) Date, North point, scale.
- (2) Unique subdivision name in bold legible letters under which the Town of Callahan should appear.
- (3) The lines of all proposed streets with their widths and names. All street names must have the written approval of the 911 Coordinator.
- (4) Location of the plat by quarter section, section, Town and range or stated if land grant.

- (5) Location and names of adjacent subdivisions.
- (6) Exact location, widths, and names of all existing platted or dedicated streets, easements, railroad and utility rights-of-way, parks, watercourses, drainage ditches, within the boundaries of the land to be subdivided.
- (7) Exact dimensions (location and width) of all streets, their bearings, angle of intersection, length of arcs, radii, points of curvature and tangent bearings.
- (8) Exact location and width of all easements, whether public or private, and a statement of easement rights.
- (9) The boundary lines of the area being subdivided with the distance and bearings and the legal description of the property.
- (10) Exact dimensions of all lots.
- (11) Exact radii of all curves and lengths of all tangents.
- (12) Exact location and area of all land to be dedicated for public use or reserved by deed covenant for common use of all property owners with the purpose indicated thereon. All lands dedicated for public use, other than streets, shall be marked "Dedicated to the Public."
- (13) Deed restrictions, if any, including the boundaries of each type of restriction.
- (14) Accurate location and material of all permanent reference to monuments and bench marks.
- (15) Certificate of the registered land surveyor preparing the plat that the plat, as presented, fully complies with the requirements of these regulations and the platting laws of the State of Florida relative to the surveying, dividing and mapping of land; that the plat is a correct representation of all exterior boundaries of the land surveyed; that the plat represents a survey made by him and that all monuments indicated thereon exist and their location, size and material are correctly shown.
- (16) A certificate issued by the authorized Town and county officials stating that there are no unpaid taxes or special assessments on any of the lands included in the plat.
- (17) A certificate by the owner or owners dedicating to the public full public use, all street and street way and other lands designated as "Dedicated for the Public's Use" and the granting of utility easements as shown on the plat.
- (18) Certificate of approval by the Zoning Administrator, Planning Commission and the Town Engineer.
- (19) Certification of acceptance by the Town of Callahan accompanied by the notarized signature of the Mayor prior to filing with the Clerk of the Circuit Court for Nassau County.

**§ 160-12. Signature blocks.**

The final plat shall have the required signature blocks for the following signatories:



- A. By a Notary Public or other officer authorized by law to take acknowledgments as to the certification of the acknowledgment by the owner or owners.
- B. By the County Health Officer certifying the water supply and sewage system's acceptability.
- C. By the Mayor.
- D. By the Nassau County Tax Collector as to the approval that the taxes are current.
- E. By the Zoning Administrator.
- F. By the Town Attorney.

ARTICLE IV  
**Design Standards**

**§ 160-13. Intent; compliance required.**

The subdivision design standards contained in these regulations are intended to ensure that the character and form of new developments will conform to minimum requirements promoting the health, safety and general welfare of the public. In addition to these regulations and to insure that future developments are consistent with the growth objectives and goals of the Town, subdivisions shall conform to the Callahan Comprehensive Plan, Ch. 195, Zoning, County Health Department regulations and any other applicable ordinances of the Town of Callahan.

**§ 160-14. Blocks.**

- A. The length, width and shape of blocks shall be determined with due regard to:
  - (1) The provision of adequate building sites suitable to the particular needs of the type of use contemplated.
  - (2) Zoning requirements as to lot size and dimensions.
  - (3) Needs for convenient access, circulation, control and safety of traffic.
  - (4) Limitations and opportunities afforded by topography and other natural features.
- B. Block lengths shall not exceed 1,800 feet or be less than 900 feet in length, wherever practical.
- C. Pedestrian walkways shall be required where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities.
- D. All streets will have curbs and gutters.
- E. The Planning Commission may require sidewalks.

**§ 160-15. Easements; dedications.**

- A. Easements for public utilities are required for poles, wires, conduits, gas and water lines, sewers, and storm drainage facilities. Utility easements shall be 10 feet along side lot lines

(five feet per side yard) and 15 feet along rear lot lines (7 1/2 feet per side yard). Easements of greater width may be required along or across lot lines where necessary for adequate drainage.

- B. Dedication or reservation of sites or areas for schools, parks and other public areas may be requested by the Planning Commission. Lot areas shall not be less than the minimum standards established for that district as stipulated in Ch. 195, Zoning. Each lot must have a minimum of 50 feet in frontage along an approved road.

**§ 160-16. Lots.**

The size and shape of residential, commercial or industrial lots shall be subject to modifications by the Planning Commission. Lot areas shall not be less than the minimum standards established for that district as stipulated in the Ch. 195, Zoning. Each lot must have a minimum of 50 feet in frontage along an approved road.

**§ 160-17. Streets.**

Street design standards are based upon the intended use as specified by their functional classification and are stipulated in Table One.<sup>4</sup>

ARTICLE V  
**Required Improvements**

**§ 160-18. Compliance required.**

Required improvements may not be indicated on the plat of the proposed subdivision, however, conformance of the subdivision with these regulations and in advance of any building permits is contingent upon the improvements listed in this article being accomplished by the subdivider. The subdivider is also required to execute the appropriate agreements that guarantee performance prior to approval of the final plat.

**§ 160-19. Engineering plans.**

- A. Plans and profiles of streets and drainage improvements will be submitted and drawn to a scale. All drainage and roadway design and construction plans shall bear the seal and signature of a registered professional engineer in the State of Florida and shall equal or exceed design standards set forth herein.
- B. The subdivider will also furnish written and graphic information concerning the elevations of the one-hundred-year flood with a twenty-four-hour duration.

**§ 160-20. Monuments.**

Permanent reference monuments (PRMs) shall be set before the recording of the plat and shown on the plat according to § 177.091(7), Florida Statutes. Permanent control points (PCPs) shall also be placed on the tract and designated on the plat according to § 177.91(8), Florida Statutes.

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4. Editor's Note: Table One, Street Design Standards, is included at the end of this chapter.

The registered land surveyor for the proposed subdivision shall be responsible for furnishing the Town Clerk and the Nassau County Clerk with the dates PCPs were set in the ground.

**§ 160-21. Performance bonds.**

In the interest of good development and to protect the taxpayers and future purchasers of residential, commercial and industrial properties, it shall be the policy of the Callahan Town Council to require that all dedicated streets and other public lands be improved to the degree herein stated prior to acceptance and recording of final plat and the building of structures thereon. Final plats may be accepted for recording prior to completion of the improvements where the owner and/or developer of the platted subdivision furnishes a certified check or surety bond equal to the amount of the estimated cost of the improvements.

**§ 160-22. Street names; signs.**

- A. Street name signs shall be placed at all block corners. Signs shall be made of permanent materials, mounted upon metal posts and located on diagonal corners at full intersections. New streets that are extensions of existing streets shall bear the name of the existing street. All streets shall be named in the following manner.

<b>Direction</b>	<b>Greater than 1,000 Feet</b>	<b>Less than 1,000 Feet</b>
East and west	Street	Place
North and South	Avenue	Court
Diagonal	Road	Way
Curving	Drive	Lane or Circle

- B. In no case shall the name given to a new subdivision street duplicate an existing street name. The Planning Commission reserves the right to approve and/or reject any proposed street name.

**§ 160-23. Street and drainage improvements.**

- A. All construction and materials used to install streets and drainage shall conform to the Standard Specifications for Road and Bridge Construction of the Florida Department of Transportation.
- B. The streets shall meet the minimum specifications set forth herein, including.
  - (1) Subgrade. Where the subgrade does not exceed a Florida Bearing Test of 40 pounds per square inch, a subgrade shall be stabilized to this strength in accordance with the specifications of the Florida Department of Transportation standards referenced above.
  - (2) Pavement base construction. Base construction shall utilize only Florida limerock, soil-cement, sand-bituminous road mix, shell cement or lime rock stabilized base.
  - (3) Surfacing. Surfacing shall consist of Type II asphaltic concrete surface course, crowned to a finished slope of 1/4 inch per foot.

(4) Dimensions. Minimum dimensions shall conform to the following table:

	<b>Highways and Arterials</b>	<b>Collector Streets</b>	<b>Minor Subdivision Streets</b>
Base Thickness (inches)	6	5	4
Pavement Width	See street design standards.		
Pavement Thickeners	1 1/2	1 1/4	1

(5) Street intersections. Acute angles occurring between streets at their intersection alignments shall be curved so that tangents to the curves shall intersect at right angles. Radii at intersections shall be a minimum of 50 feet.

- C. As a minimum, an overall drainage plan shall be submitted with the preliminary plat. All necessary facilities shall be constructed to provide adequate conveyance, detention or retention of storm runoff to prevent flooding and to maintain any natural watercourses. Any culvert or drainage facility shall be designed and constructed to accommodate runoff from the entire upland drainage area, including any area outside the subdivision and use an average five-year storm as a minimum design criteria.
- D. Where land is subject to periodic flooding, the one-hundred-year, twenty-four-hour floodplain shall be delineated, and no building will be permitted within the flood plain unless the first floor elevation is raised above the one-hundred-year floodplain or the building flood-proofed as stipulated in Appendix M and II of the Florida Building Code, as amended. [Amended 2-16-2010 by Ord. No. 2010-03]

**§ 160-24.Sewerage and water supply.**

- A. The subdivision's sanitary sewer collection and potable water distribution lines shall be connected to the Town's system at the subdivider's sole expense. Sanitary sewer lines including lateral connections shall be eight inches in diameter unless a larger size is stipulated by the Town's sewer plan. Force mains, lift stations and sewers shall be designed and constructed to accommodate a peak flow of twice the average daily flow.
- B. In the event sewers cannot be connected to the municipal system by gravity, a lift station with connecting force main must be constructed by the developer. The Town will reimburse the developer for the additional expense of constructing any lift station having a greater capacity than required by the development alone when necessary to provide adequate service to areas outside the subdivision. As those areas are developed and tied in to the system, the developers will be required to reimburse the Town for their proportionate share of the initial cost of the installation.
- C. The potable water supply lines in the subdivision shall be designed and constructed to deliver an instantaneous demand of 400 gallons per person per day at a pressure of 45 pounds per square inch at the furthestmost connection.
- D. The force main system shall be designed to supply the necessary fire flow in quantity and

pressure as stipulated by the National Board of Fire Underwriters for classification assigned to the Town of Callahan. Fire hydrants shall be required for all subdivisions and shall be located no further than 600 feet apart.

**§ 160-25.Utilities.**

All utilities, existing and proposed, throughout the subdivision shall be shown on the preliminary plat. Underground service connections to the street property line of each platted lot shall be installed at the subdivider's expense. At the discretion of the Planning Commission, the requirement for service connections to each lot may be waived in the case of adjoining lots to be retained in single ownership and intended to be developed for the same primary use.

**§ 160-26.Inspection of improvements.**

- A. The Town of Callahan shall provide for inspection of required improvements during construction and ensure their satisfactory completion. If the required improvements are not found to meet the standards and specifications required herein, the subdivider shall be responsible for completing the improvements satisfactorily.
- B. The applicant and the bonding company shall be liable for completion of bonded improvements. The Town of Callahan shall not accept dedication of required improvements nor release or reduce a performance bond until such improvements are satisfactorily completed as certified by the Town of Callahan's inspector or the Town's consulting engineer. A performance bond can be reduced upon dedication of incremental improvements and only by the ratio of the increment to the total of the bonded improvements.

ARTICLE VI  
**Requirements**

**§ 160-27.Improvements; suitability of land.**

Each subdivision shall contain improvements designed and constructed according to the requirements and specifications of this chapter, and the applicable policies, resolutions, regulations and ordinances of Town of Callahan, Florida, including the Callahan Comprehensive Plan and the laws of the State of Florida. The land proposed for subdivision shall be suitable for development and, upon completion of the drainage and construction described in the drainage plans, shall not be subject to damaging floods, poor drainage, erosion or other conditions detrimental to the health, safety and general welfare of the public.

**§ 160-28.Roads and driveways.**

All roads and driveways within the subdivision shall be paved and constructed in accordance with the requirements set forth herein. All subdivisions shall have direct paved access to a connection with a Town- or county-maintained road or street dedicated to public use which has been accepted for maintenance by the Town or Florida Department of Transportation. If the Town- or county-maintained road or street is not paved, the developer shall pave the road or provide paved access from the subdivision to connect with a paved Town or county road or street accepted by the Town or the state. If the road is paved but in substandard condition,

improvements may be required of the developer in order to bring the road up to current Town standards. If a driveway is not constructed or in substandard condition, it is the responsibility of the developer to construct or improve the driveway to current Town standards.

**§ 160-29.Relation to adjoining street system.**

The arrangement of streets in new subdivisions shall make provisions for the continuation of the principal existing streets in adjoining areas (or their proper projection, where adjoining land is not subdivided) insofar as that may be deemed necessary by the Board.

**§ 160-30.Street signs; street names.**

- A. New streets shall be appropriately marked at each intersection with street regulatory signs. The applicant shall be responsible for cost of all initial street signs in the subdivision.
- B. All street names require written approval of the 911 Coordinator.

**§ 160-31.Blocks.**

- A. Where a tract of land is of such size and location as to prevent a lot arrangement related to a normal street design, there may be established courts, dead-end streets, or culs-de-sac; provided, however, that proper access shall be given to all lots from a dedicated street or court and a cul-de-sac or other turnaround device is installed that meets all Town requirements.
- B. Residential blocks shall be not more than 1,800 feet in length. The width of any residential block shall be sufficient to allow two tiers of appropriate depth, except where lots abut directly upon an expressway, major arterial, lake, waterway, or a land use other than residential. Block requirements will vary according to zoning requirements for industrial and commercial subdivisions.

**§ 160-32.Culs-de-sac.**

Where a street does not extend beyond the boundary of the subdivision area and its continuation is not required by the Town Council for access to adjoining property, its terminus shall not normally be nearer to such boundary than 50 feet. However, the Town Council may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, utilities, or emergency access. A cul-de-sac turnaround shall have a minimum of 50 feet of paved radius and shall be provided at the end of a permanent dead-end street. For greater convenience to traffic, permanent dead-end streets shall be limited in length to 1,000 feet from the nearest intersection unless otherwise approved by the Planning Commission.

**§ 160-33.Intersections.**

- A. Streets shall be laid out so as to intersect as nearly as possible at right angles. A proposed intersection of two streets at an angle of less than 75 degrees shall not be acceptable. An oblique street should be approximately at right angles for at least 100 feet therefrom. Not more than two streets shall intersect at any one point unless specifically approved by the Planning Commission.

- B. Proposed new intersections along one side of an existing street shall, wherever practicable, coincide with an existing intersection on the opposite side of such street. In the case of local streets, such jogs with center-line offsets of less than 150 feet shall not be permitted except where the intersected street has separated, dual drives, without median breaks at either such intersection. Where local streets intersect with major streets, their alignment shall be continuous. Intersections of major streets shall be a minimum of 800 feet apart.

**§ 160-34. Access easements.**

All access easements shall be a minimum width of 60 feet. A sixty-foot easement can serve up to five dwelling units. Any additional dwelling units will require the approval of the Planning Commission.

**§ 160-35. Required number of access points.**

All subdivisions consisting of 25 lots or more shall provide at least two points of access, unless this requirement is waived by the Planning Commission

**§ 160-36. Lots.**

- A. The minimum building setbacks required are those stipulated in Ch. 195, Zoning, for the pertinent district.
- B. Lots shall have a minimum width as stipulated in Ch. 195, Zoning, for the pertinent district.
- C. Corner lots shall have dimensions sufficient to permit the establishment of front building lines on each side of the lots having street frontage.
- D. The arrangement and design shall be such that all lots will provide satisfactory and desirable building sites, properly related to topography and the character of the surrounding development.
- E. Restrictions requiring building to be set back to such building lines shall be shown on the plat.
- F. All side lines of lots shall be at right angles to straight street lines and radial to curved street lines, except where a variation to this rule will provide a better street and lot layout. Such variations must be approved by the Planning Commission.
- G. When the specification of this section conflicts with the zone requirements of the regulations and restrictions stipulated in Ch. 195, Zoning, the more restrictive shall prevail.
- H. The size and dimensions of lots for industrial or commercial uses will vary and shall be consistent with the requirements stipulated in Ch. 195, Zoning, for that particular use. For industrial subdivisions a minimum lot size of two acres will be required unless varied by the Town Council.

**§ 160-37. Easements along streams or canals.**

Wherever any street or important surface drainage course is located in any area being developed, the developer shall provide an easement, whose width will be determined by the Planning

Commission, along the stream for the purpose of widening, deepening, improving or for drainage use.

ARTICLE VII  
**Prior Construction**

**§ 160-38.Applicability of provisions.**

This chapter shall not apply to projects constructed, or under construction prior to the effective date of this chapter. Previously platted roads, which have not been constructed are subject to the requirements of this chapter.

ARTICLE VIII  
**Variances**

**§ 160-39.Hardship.**

Where the Planning Commission finds that extraordinary hardship will result from strict compliance with the provisions of these regulations, the Commission may vary the regulations. Such variation will not be granted if it would detrimentally affect the public interest or would have the effect of nullifying the intent and purpose of these regulations. In no case, however, shall the Planning Commission waive the installation or standards specified for required improvements contained in §§ 160-15 and 160-16 of Article IV and Article V of these regulations.

**§ 160-40.Conditions may be required.**

In the granting of variances, the Planning Commission on shall weigh the benefits of hardship against the general standards and objectives of these regulations and may require such conditions that will, in its judgment, secure substantially the objectives of the standards or requirements.

**§ 160-41.Town Council.**

The Town Council shall act upon all appeals as they may arise in the administration of these regulations. The Council shall hear and decide appeals and review any order, requirement, decision, or determination made in the enforcement of these regulations.

ARTICLE IX  
**Enforcement and Penalties**

**§ 160-42.Penalties for offenses.**

Any person, agent, firm, corporation or other group violating the provisions of these regulations is guilty of a misdemeanor, punishable by not more than 60 days in jail and by a fine not to exceed \$500. Each day the violation continues shall be deemed a separate offense.

**§ 160-43.Unlawful sale of property.**

Any purchaser of property sold in violation of these regulations may bring action to void the sale and to sue the seller for damages suffered as a result of the seller's unlawful act.



**§ 160-44.Code Enforcement.**

The Town may enforce the terms of this chapter under the procedures contained in the Callahan Code Enforcement Ordinance, including a civil penalty of \$150 per day.

**ARTICLE X  
Amendments**

**§ 160-45.Procedure.**

These regulations may be amended by the Callahan Town Council, but no amendment shall become effective unless the Planning Commission has proposed or reviewed the amendment. The consideration by the Planning Commission of proposed amendments shall be at a public hearing with due notice in the newspaper of general circulation in the Town of Callahan.

**ARTICLE XI  
Fees**

**§ 160-46.(Reserved) <sup>5</sup>**

**§ 160-47.Processing and review fees.**

In addition, a fee may be instituted to defray the costs incurred by the Town of Callahan in reviewing and processing preliminary and final plats. The fee schedule shall be adopted by resolution of the Town Council of Callahan.

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5. Editor's Note: Former § 160-46, Filing fees, was repealed 2-16-2010 by Ord. No. 2010-03.