

ORDINANCE NO. 2026-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, AMENDING SECTION 18-102. “DEFINITIONS”; AMENDING SECTION 18-103.4 “PRELIMINARY PLAT REVIEW”; SECTION 18-103.5 “CONSTRUCTION DRAWINGS REVIEW”; SECTION 18-103.6 “FINAL PLAT REVIEW”; SECTION 18-104.3 “FINAL PLAT APPLICATION”; SECTION 18-106 “SUBDIVISION IMPROVEMENTS”; SECTION 18-107.1 “GENERAL REQUIREMENTS”; SECTION 18-107.2 “COMPLETION AND INSTALLATION OF IMPROVEMENTS”; SECTION 18-107.3 “PERFORMANCE SECURITY”; SECTION 18-108.1 “GENERAL REQUIREMENTS”; SECTION 18-108.4 “WAIVERS FOR MACRO SUBDIVISION PLATTING REQUIREMENTS”; SECTION 18-109.1 “CERTIFICATE FORMS FOR CONSTRUCTION DRAWINGS”; SECTION 18-109.2. “CERTIFICATION FORMS FOR FINAL PLATS”; SECTION 18-109.3 “PERFORMANCE SECURITY FORMS”; SECTION 18-1509.7 “CRITERIA FOR PLATTING SUBSTANDARD SIZE LOTS”; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (LDC-0725-00014, CITY OF PINELLAS PARK)

WHEREAS, the State of Florida has adopted amended legislation in F.S. § 177.071 requiring that subdivision plats be processed administratively; and

WHEREAS, on August 12, 2025, City Council for the City of Pinellas Park adopted Resolution No. 2025-08, designating the City of Pinellas Park’s Community Development Department as the Administrative Authority to receive, review, and process plat or replat submissions made to the City and designating the Community Development Administrator as the administrative officer responsible for the receipt, review, processing, approval, approval with conditions, or denial of plats or replats in the City; and

WHEREAS, Section CC-401 of the City Charter provides that the City Manager shall direct and supervise the administration of all departments, offices, and agencies of the City, except as otherwise provided by the Charter or by law; and

WHEREAS, while the City’s Community Development Department shall remain responsible for the receipt, review, processing, approval, approval with conditions, or denial of plats or replats in the City, the City Council of Pinellas Park desires to specifically designate the City Manager as the City’s official signatory on City Plats, and on any final orders denying or approving plats or replats in the City; and

WHEREAS, the City of Pinellas Park requests to amend sections of the Land Development Code to remove requirements that plats be reviewed and approved by the City Council in accordance with state statutes; and

WHEREAS, the City of Pinellas Park requests to amend sections of the Land Development Code to adopt language identifying the City Manager as the designated administrative signatory of new subdivision plats in the City of Pinellas Park, and formalizing the City's Community Development Department as the administrative division responsible for the receipt, review, processing, approval, approval with conditions, or denial of plats or replats in the City; and

WHEREAS, City Staff has recommended the City add a requirement that unplatted lands go through the subdivision plat process when undergoing development; and

WHEREAS, the Planning and Zoning Commission, sitting as the Local Planning Agency, and the City Council for the City of Pinellas Park, Florida have reviewed and held public hearings on said proposed ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PINELLAS PARK, FLORIDA:

SECTION 1: That Section 18-102. – “DEFINITIONS”, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to remove the following identified definitions, without otherwise altering any definitions not specifically identified below:

~~MACRO-PLAT. A map on approved linen of a commercial and/or industrial subdivision in excess of one hundred (100) acres prepared and certified to be accurate by a registered land surveyor, and meeting the regulations of this Article of the Land Development Code and the applicable portions of F.S. ch. 177.~~

~~MACRO-SUBDIVISION. The division of a parcel of land in excess of one hundred (100) acres, into two (2) or more lots or parcels for commercial and/or industrial use and meeting the requirements and procedures of this Article.~~

SECTION 2: That Section 18-103.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-103.4. PRELIMINARY PLAT REVIEW

(A) SUBMISSION. The preliminary plat shall be submitted to the Community Development Department with the application and the required fee as outlined in the City of Pinellas Park Administrative Fee Schedule, as may be from time to time amended and adopted by the City Council by Resolution as established by the City Council. A preliminary plat cannot be submitted for review until the property has conforming zoning and land use designations which are appropriate for the proposed development

The Community Development Department shall distribute the preliminary plat to all appropriate reviewing agencies.

(B) ADMINISTRATIVE STAFF REVIEW. Within a reasonable period of time, the administrative staff shall review the preliminary plat for compliance with:

1. The Comprehensive Plan of the City of Pinellas Park;
2. The Code of Ordinances of the City of Pinellas Park;
3. The application requirements;

4. The subdivision design standards; and
5. The standards for subdivision improvements.

The administrative staff shall either approve, approve with conditions, or deny the preliminary plat and may recommend any necessary revisions. The decision shall be presented in writing to the applicant.

~~(C) EFFECT OF ADMINISTRATIVE STAFF'S DECISION. If the administrative staff approves the preliminary plat or approves the preliminary plat with conditions, then:~~

- ~~1. If the preliminary plat contains ten (10) or fewer lots, and no waivers or variances are required, the preliminary plat shall be submitted to the City Manager, or designee, for review. In determining whether to approve the preliminary plat, the City Manager, or designee, shall use the criteria contained in Section 18-103.4(D) of the Land Development Code. The City Manager, or designee, may deny, approve, or approve with conditions the preliminary plat. The City Manager's, or designee's, decision may be appealed to City Council within thirty (30) days from the date thereof by filing a written notice with the City Clerk.~~
- ~~2. All other preliminary plats shall be submitted to City Council for review in accordance with Section 18-103.4(D), "City Council Review".~~

If the administrative staff denies the preliminary plat, the applicant must resubmit a revised preliminary plat for administrative staff review as outlined in Section 18-103.3. The revised plan shall incorporate all required revisions as outlined in the staff decision.

If the City approves the preliminary plat with conditions, the applicant is authorized to proceed to the Construction Drawings Review, and shall incorporate all recommended revisions into the construction drawings and final plat and provide any requested items including, but not limited to, Letters of No Objection, as required.

~~(D) CITY COUNCIL REVIEW. The City Council shall review the preliminary plat for compliance with the following items:~~

- ~~1. The Comprehensive Plan of the City of Pinellas Park;~~
- ~~2. The Code of Ordinances of the City of Pinellas Park;~~
- ~~3. The application requirements;~~
- ~~4. The subdivision design standards; and~~
- ~~5. The standards for subdivision improvements.~~

~~The City Council shall then approve, approve with conditions or deny the preliminary plat. Approval of a preliminary plat shall constitute authorization and direction by the City Council that the Mayor shall approve the final plat by signature thereon if it is determined, during administrative staff review, that there are no material or substantial deviations from the approved preliminary plat. If the City Council approves the preliminary plat, the applicant is authorized to proceed to the Construction Drawings Review.~~

~~If the City Council approves the preliminary plat with conditions, the applicant is authorized to proceed to the Construction Drawings Review, and shall incorporate all recommended revisions into the construction drawings and final plat, as required.~~

~~If the City Council denies the preliminary plat, the applicant must submit a revised preliminary plat for administrative staff review, as outlined in Section 18-103.3. The revised preliminary plat shall incorporate all revisions as recommended by City Council and administrative staff.~~

~~(E)(C) EFFECTIVE PERIOD FOR PRELIMINARY PLAT APPROVAL. The construction drawings and final plat shall be submitted within one (1) year of the date of City Council approval of the preliminary plat or the preliminary plat approval will expire. If the~~

preliminary plat approval expires, resubmittal of the preliminary plat and payment of applicable fee will be required.

SECTION 3: That Section 18-103.5, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-103.5. CONSTRUCTION DRAWINGS REVIEW.

(A) SUBMISSION. The construction drawings shall be submitted to the Community Development Department with the application and the required fee as outlined in the City of Pinellas Park Administrative Fee Schedule, as may be from time to time amended and adopted by the City Council by Resolution ~~as established by the City Council.~~ The developer may apply for concurrent review of construction drawings and the preliminary plat. The applicant shall also submit an estimate of the cost of public improvements to be installed in conjunction with this subdivision, certified by a civil engineer registered in the State of Florida.

The Community Development Department shall distribute the construction drawings to all appropriate reviewing agencies.

(B) ADMINISTRATIVE STAFF REVIEW. Within a reasonable period of time, the administrative staff shall review the construction drawings for compliance with:

1. The Comprehensive Plan of the City of Pinellas Park;
2. The Code of Ordinances of the City of Pinellas Park;
3. The application requirements;
4. The subdivision design standards; and
5. The standards for subdivision improvements.

The administrative staff shall either approve or deny the construction drawings, and may recommend any necessary revisions. The administrative staff's decision shall be presented to the applicant in writing. In addition, the Public Works Administrator or designee shall verify in writing the estimated cost of public improvements, which may or may not be in agreement with the applicant's estimate.

(C) EFFECT OF THE ADMINISTRATIVE STAFF DECISION. If the administrative staff approves the construction drawings, the applicant is authorized to prepare the final plat.

If the administrative staff denies the construction drawings, the applicant shall resubmit the construction drawings, incorporating all required revisions as outlined in the administrative staff's decision.

(D) EXCEPTIONS WHEN CONSTRUCTION DRAWINGS NOT REQUIRED. Construction drawings are not required if all of the following conditions are met:

1. There are existing streets, improved to City standards, adjacent to and/or within the property which are adequate to serve the development; and therefore, the construction of new streets is not required.
2. There are existing rights-of-way adjacent to and/or within the property which meet the requirements for rights-of-way; as listed in the Traffic Circulation Element of the City's Comprehensive Plan; and therefore, the dedication of new or additional right-of-way is not required.
3. The existing public utilities and drainage are adequate to serve the development; and therefore, the extension of public utilities is not required.

Upon submittal of the preliminary plat, the administrative staff may determine, based on the above criteria, that construction drawings are not required. Since there are no public utilities

or streets to be developed, a performance security will not be required. The applicant shall then be released from submitting construction drawings and may apply for final plat review.

(E) EFFECTIVE PERIOD FOR CONSTRUCTION DRAWING APPROVAL. The final plat shall be submitted within six (6) months of the date of the City's approval of the construction drawings; provided, that in no case shall the final plat be submitted more than one (1) year from the date of ~~City Council~~ approval of the preliminary plat. If the construction drawings expire, resubmittal of the preliminary plat and payment of applicable fee will be required.

SECTION 4: That Section 18-103.6, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-103.6. FINAL PLAT REVIEW.

(A) SUBMISSION. The final plat shall be submitted to the Community Development Department with application and required fee as outlined in the City of Pinellas Park Administrative Fee Schedule, as may be from time to time amended and adopted by the City Council by Resolution ~~as established by City Council~~. The Community Development Department shall distribute the final plat to all appropriate reviewing agencies including, but not limited to, neighboring municipalities, utility providers, Pinellas County and the State of Florida. The developer must have an approved preliminary plat prior to applying for final plat review; however, when construction drawings are not necessary, an applicant may submit both the preliminary and final plat at the same time. The developer may apply for concurrent review of the construction drawings and final plat; however, the final plat will not be reviewed for compliance by the administrative staff until the construction drawings, cost estimate of public improvements and performance security have been approved. ~~The final plat shall be reviewed for compliance by the administrative staff and, if it is found that there are no material or substantial deviations from the approved preliminary plat, the plat will be presented to the Mayor for approval by signature no later than six (6) months from the date that the application for final plat was submitted.~~

(B) ADMINISTRATIVE STAFF REVIEW. Within a reasonable period of time, the administrative staff shall review the plat for compliance with:

1. The Comprehensive Plan of the City of Pinellas Park;
2. The Code of Ordinances of the City of Pinellas Park;
3. The application requirements;
4. The subdivision design standards; and
5. Approved preliminary plat.

In a written report, the administrative staff shall comment as to the final plat's compliance with:

1. The Comprehensive Plan of the City of Pinellas Park;
2. The Code of Ordinances of the City of Pinellas Park;
3. The application requirements;
4. The subdivision design standards; and
5. Approved preliminary plat.

The final plat shall be in its final complete form at the time of the staff's review. However, there may be certain minor errors which may have been made such as a misspelled word, or an error in the legal description which does not alter the size or general location of the project. These minor revisions may be corrected if they will not alter the ownership of the property, the subdivision design, the dedication and the reservations of property, or the installation of required improvements. Any deviations from the approved preliminary plat which are of a major nature

and/or which will not comply with the minimum requirements regarding the subdivision design, dedication and reservations of property, or the installation of required improvements will constitute a denial of the final plat.

Within seven (7) business days after receipt of a final plat application, the Community Development Department shall provide written notice to the applicant acknowledging receipt of the final plat and identifying any missing documents or information necessary to process the final plat for compliance with Florida Statute § 177.091. The written notice must also provide information regarding the final plat approval process, including requirements regarding the completeness of the process and the applicable timeframes for reviewing, approving, and otherwise processing the final plat. Unless the applicant requests an extension of time, administrative staff shall approve, approve with conditions, or deny the final plat within the timeframe identified in the written notice provided to the applicant. If the final plat is not approved, administrative staff must notify the applicant, in writing, of the reasons for declining to approve the submittal and identify all areas of noncompliance and include citations to each requirement the submittal fails to meet.

~~(C) EFFECT OF ADMINISTRATIVE STAFF'S DECISION; APPROVAL BY SIGNATURE OF CITY MANAGER MAYOR.~~ If the administrative staff approves the final plat, and it is found that there are no material or substantial deviations from the approved preliminary plat, then the City Manager Mayor is authorized and directed, by virtue of City Council's direction given upon approval of the preliminary plat, to approve such final plat by signature thereon.

~~If the administrative staff denies the final plat based upon the findings that there are material or substantial deviations from the approved preliminary plat, the applicant shall have the right to appeal such finding to the City Council within thirty (30) days from the date thereof by filing a written notice with the City Clerk.~~

~~(D) EFFECT OF APPROVAL BY SIGNATURE OF CITY MANAGER MAYOR.~~ If the administrative staff approves the final plat, and it is found that there are no material or substantial deviations from the approved preliminary plat, then the City Manager is authorized to sign the final plat. Approval by signature of the City Manager Mayor shall authorize the recording of the subdivision plat. The approval of the final plat shall also constitute acceptance of all rights-of-way and publicly dedicated easements shown on the final plat, except those areas which are specifically reserved or those areas which are specifically refused by the ~~City Council~~ at the time of approval of the preliminary plat. The required improvements will be accepted by the City when the improvements have been constructed in accordance with the approved construction drawings and the site permits have been closed and the defect security has been approved by the City Attorney.

~~(E) RECORDING OF THE FINAL PLAT.~~ Upon approval of the final plat by signature of the City Manager Mayor, the City shall transmit the plat to the Clerk of the Circuit Court for recording. The owner shall timely provide to the City all documents and recording fee required by County and State law to accomplish the recording within the timeframe required hereby. The final plat must be recorded no later than ~~six (6)~~ one (1) months after final approval by signature of the City Manager Mayor thereon. Should the final plat not be recorded within this ~~six~~ one (1) month time period, the same will lapse and be invalid.

SECTION 5: That Section 18-104.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-104.3. FINAL PLAT APPLICATION.

(A) PREPARATION. A final plat shall be prepared under responsible direction and supervision of a certified land surveyor. The final plat shall be prepared with black India permanent ink and shall comply with the material requirements of F.S. ch. 177. The size of each sheet shall not be larger than twenty-two (22) inches by twenty-eight (28) inches which shall include a one (1) inch margin on each of three (3) sides, and a three (3)-inch margin on the left side for binding purposes.

(B) REQUIRED GENERAL INFORMATION.

1. Name of subdivision shall be shown on the plat and also on the dedication where it shall coincide exactly with the subdivision's name.

2. Location.

(a) Section, Township, and Range in which the subdivision is located.

(b) The name of the City, County and State in which the land is located.

(c) Legal description, which shall be exactly the same as in the title certification.

(d) All Section lines and Quarter Section lines within the plat shall be shown. Also, the initial point in the description shall be tied to the nearest governmental corner or other established corner.

3. Name and address of property owner and surveyor.

4. All adjacent property shall be identified by subdivision title, Plat Book and Page, or if unplatted, the property shall be so designated.

5. Permanent Reference Monuments.

6. Permanent Control Points.

7. Documents containing restrictive covenants, if applicable.

(NOTE: Deed restrictions are neither reviewed nor enforced by the City. Therefore, the proposed restrictive covenants do not include deed restrictions.)

(C) SUBDIVISION DESIGN.

1. Numeric designation, location and width of all street rights-of-way. If any existing right(s)-of-way or alley(s) are to be vacated by this plat, appropriate language and indications acceptable to the City of those portions to be vacated shall be included on the plat.

2. Location, width and intended use of all easements. If any existing recorded City easement(s) are to be vacated by this plat, appropriate language and indications acceptable to the City of those portions to be vacated shall be included on the plat. Easements not held by the City must be vacated through private process and recording.

3. Lot and block numbers.

4. Survey data:

(a) Sufficient survey data shall be shown to positively describe the bounds of every lot, block, street, alley, and other areas shown on the plat.

(D) CERTIFICATIONS. All of the following certifications shall conform exactly to the forms established in Section 18-109 of this Article.

1. Title Certification. A title opinion from an attorney licensed to practice in Florida or a certification by an abstractor or title company shall state that apparent record title to the land described and shown on the plat is the name of the person(s) or corporation who are executing the dedication. The title certification shall also show all mortgages not released. The title certification shall be dated within thirty (30) days of the date the plat is recorded.

2. Certificate of Ownership and Dedication. The owner(s) of the property shall state that they dedicate all rights-of-way, public areas, utilities and easements to the public.

In addition, all mortgagees shall execute the dedication contained on the plat or a separate document joining in and ratifying the plat and all dedications and reservations. (As applicable, the following shall be added to the dedication). Existing right(s)-of-way, alley(s), and/or easement(s) within the boundaries of this plat is/are hereby vacated to the extent indicated on this plat.

4. Reservation of Easements.

5. Surveyor's Certification, Registration Number and Seal.

6. Certificate of ~~Approval of the City Engineer~~ Conformity by Surveyor.

~~7. Certificate of Approval of the City Surveyor.~~

~~87. Certificate of Approval of the City Manager ~~City Council~~ of the City of Pinellas Park.~~

~~98. Certificate of Acceptance by the Clerk of the Circuit Court of Pinellas County.~~

SECTION 6: That Section 18-106, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

SECTION 18-106. SUBDIVISION IMPROVEMENTS

The subdivision improvements listed below shall be installed in every subdivision, according to the standards listed below. The installation of improvements shall be guaranteed according to the provisions of Section 18-107 of this Article. It shall be presumed that the platting of any subdivision will necessitate the improvements listed in Sections 18-106.1—18-106.7 but said presumption may be rebutted by the subdivider/developer. In the event the subdivider/developer wishes to rebut said presumption and install less than the improvements required herein then the subdivider/developer shall at the time of preliminary plat submittal make written application for a waiver of one (1) or more of the improvements required herein. The subdivider/developer shall be afforded the opportunity to be heard on his waiver application at the time ~~the City Council~~ considers the preliminary plat. ~~The City Council~~ shall grant or deny the application based on the following factor:

1. The impact that the proposed subdivision would have on the existing and proposed public utilities (potable water supply system, sanitary sewer system, reclaimed water system and stormwater management).

In granting any such waivers, the ~~City Council~~ shall find that such waiver will not be contrary to the public interest and may prescribe appropriate conditions and safeguards. A violation of such conditions and safeguards shall be deemed a violation of this Article.

Sec. 18-106.1. POTABLE WATER SUPPLY SYSTEM.

Every subdivision shall have a potable water supply system capable of serving the proposed development and which meets the standards set forth by the City. The proposed system shall be coordinated with the existing system and, where applicable, with the standards set forth in the most current Master Planning Report of Potable Water and Wastewater Facilities.

Sec. 18-106.2. SANITARY SEWER SYSTEM.

Every subdivision shall have a sanitary sewer system capable of serving the proposed development and which meets the standards set forth by the City. The proposed system shall be coordinated with the existing system and, where applicable, with the standards set forth in the most

current Master Planning Report of Potable Water and Wastewater Facilities. The proposed sanitary sewer system shall also meet the requirements of Chapter 10 of the Code of Ordinances, Water, Reclaimed Water, Sewers and Other Utilities. The sanitary sewer system shall be constructed in accordance with the current City standards

Sec. 18-106.3. STORMWATER MANAGEMENT.

Storm drainage systems shall be provided in all subdivisions as required by Chapter 18, Article 2 of the Land Development Code, Drainage, and shall be designed to the standards contained in the drainage manual, as established by the Public Works Administrator. Where applicable, storm drainage systems shall be reviewed by the Pinellas Park Water Management District, Pinellas County, Southwest Florida Water Management District, Florida Department of Transportation or the Florida Department of Environmental Protection for compliance with the regulation of those agencies.

Sec. 18-106.4. FIRE PROTECTION.

Fire hydrants shall be installed in all subdivisions in order to provide adequate fire protection. The placement of the hydrants shall be regulated by Chapter 18, Article 11 of the Land Development Code, Fire Prevention, of which the relevant sections are hereby cited as follows. Chapter 18, Article 11 of the Land Development Code shall be the final authority in any dispute, and any amendments to Article 11 shall be in effect in this Article.

The placement of fire hydrants around or near all structures within the City of Pinellas Park and the Pinellas Park Fire District shall be determined by the Fire Chief or the Fire Marshal using the following criteria:

RESIDENTIAL: (One-family, two-family, three-family, and four-family residences, including such residence in platted and unplatted subdivisions.) Fire hydrants shall be placed at each street intersection with intermediate hydrants between intersections so located that spacing does not exceed five hundred (500) feet (one hundred fifty-three and eight-tenths (153.8) meters) as the roadway runs between hydrants.

COMMERCIAL: Includes all structures not listed above under residential. Commercial structures shall be constructed so that no portion of the building is greater than three hundred (300) feet (ninety-two and three-tenths (92.3) meters) from the fire hydrant, or hydrants capable of delivering the minimum fire flow as designated by Insurance Services Office fire flow chart.

GENERAL: Should the placement of a fire hydrant cause or require the Fire Department to lay a hose line(s) across any street, roadway or railroad right-of-way, which in the opinion of the Fire Chief or Fire Marshal of the City of Pinellas Park, has such a volume of traffic as to delay or impair fire fighting operations, the Fire Chief or Fire Marshal may require additional fire hydrants to be located on the same side of the street, roadway, or railroad right-of-way as the structures prior to issuance of a certificate of occupancy.

Sec. 18-106.5. STREET LIGHTING.

Street lights shall be installed in all subdivisions utilizing guidelines established in the City Standards and Specifications in accordance with the Florida Department of Transportation "Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways". A street lighting plan, approved by the Public Works Administrator, is required prior to installation of any facilities.

Sec. 18-106.6. PERMANENT REFERENCE MONUMENTS AND PERMANENT CONTROL POINTS.

All Permanent Reference Monuments and Permanent Control Points shall be constructed and installed in accordance with the requirements of F.S. ch. 177, as the same may from time to time be amended.

Sec. 18-106.7. RIGHT-OF-WAY IMPROVEMENT.

Every subdivision shall have rights-of-way improved to meet City standards and shall be designed and constructed in accordance with the provisions of Section 18-105 of this Article, Design Standards. Moreover, the improvement of rights-of-way to standard shall include any and all rights-of-way abutting the proposed subdivision.

Sec. 18-106.8. RECLAIMED WATER SYSTEM.

Every subdivision shall have a reclaimed water supply system capable of serving the proposed development and which meets the standards set forth by the City. The proposed system shall be coordinated with the existing system and, where applicable, with the standards set forth in the most current Master Planning Report of the Reclaimed Water System. The proposed reclaimed water system shall also meet the requirements of Chapter 10 of the Code of Ordinances, Water, Reclaimed Water, Sewers and Other Utilities. The reclaimed water system shall be constructed in accordance with current City standards, and shall be tested and capable of operation at or before completion of the subdivision or upon the availability of reclaimed water, whichever first occurs.

SECTION 7: That Section 18-107.1, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-107.1. GENERAL REQUIREMENTS.

The developer shall install all improvements which are required by Section 18-106 (Subdivision Improvements) of this Article, at his sole expense. The improvements for new development or redevelopment shall be installed, and approved by the Public Works Administrator, after the final plat has been approved by ~~the City Council~~ and recorded with Pinellas County; however, the developer may request permission for actual installation of required improvements during plat review prior to recording the final plat. When the developer decides to record the final plat prior to installation of the improvements, the developer shall provide to the City a performance security which is acceptable to the City Attorney and which shall guarantee the installation of the subdivision improvements.

The improvements shall be constructed in accordance with the approved construction drawings for the project. Any revisions to the construction drawings must be approved in writing by the Public Works Administrator. No grading, drainage or any other construction activities shall commence until after final plat approval, and after all appropriate permits are obtained. Brush removal may be allowed; however, brush removal shall not include the removal of or damage to any trees on the site. In all cases, the requirements of Article 4, Environmental Habitat Preservation and Enhancement, shall apply.

SECTION 8: That Section 18-107.2, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-107.2. COMPLETION AND INSTALLATION OF IMPROVEMENTS.

(A) TIME PERIOD. The developer shall install the improvements within one (1) year of City Council approval of the final plat. The City Council may extend the time period for a maximum period of one (1) additional year, provided that the developer can demonstrate just cause for delay. The developer shall also provide a defect security/maintenance bond in accordance with Section 18-107.4 of this Article.

(B) INSPECTIONS. The construction of the improvements shall be subject at all times to inspection by City officials. The full responsibility for correct installation of improvements lies with the developer. At any time during the construction of the improvements, the Public Works Administrator may determine that the construction or material does not conform to City standards. At that time, the City Engineer Public Works Administrator may require that such construction or material shall be replaced, rebuilt or an additional defect security may be required.

(C) ACCEPTANCE OF IMPROVEMENTS.

1. CONDITIONAL ACCEPTANCE OF IMPROVEMENTS. The Developer may request that any such subdivision improvements be placed into service prior to final acceptance or approval thereof by the City. Placement into service of any such subdivision improvements on this basis constitutes the developer's acknowledgement that he will indemnify and save harmless the City of and from any and all damages/or injuries of any kind whatsoever including reasonable attorney's fees arising out of the placement thereof into service until final acceptance thereof by the City.

Placement of the subject subdivision improvements does not constitute final acceptance thereof. Final acceptance of these subdivision improvements will not be deemed to have occurred until such time as all requirements of the City Code and/or contract documents have been fully complied with.

The Developer shall be fully responsible for payment for all repairs and maintenance to the above described subdivision improvements, until the same have been finally accepted by the City as stated above. Unless the City gives prior written permission, all such repairs and maintenance shall be performed by the City at the Developer's sole expense.

Prior to placing any such subdivision improvements into service pursuant to this Section, the developer shall execute an approved form acknowledging that he is familiar with the requirements hereof and that he accepts the same.

2. FINAL ACCEPTANCE. The City shall issue a Certificate of Subdivision Approval when the developer has complied with all of the following items:

- (a) All final inspections have been completed to the satisfaction of the City.
- (b) The project engineer shall submit a Certificate of Completion of Subdivision Improvements. The project engineer shall also submit as-built drawings including both public and private utilities, and including any revisions to the construction drawings which were authorized by the Public Works Administrator.

(D) EFFECT OF THE CERTIFICATE OF SUBDIVISION APPROVAL. The Certificate of Subdivision Approval shall authorize the release of the performance security. Upon the issuance of the Certificate of Subdivision Approval, the City shall accept responsibility for maintenance of

all improvements which are located on land owned by the City or for improvements which the City has accepted an offer of dedication.

(E) DEFAULT. If the required improvements have not been installed according to the construction drawings within the required time period, the Public Works Administrator may declare the developer to be in default of the terms of the performance security. The Public Works Administrator shall provide written notice to the parties of the performance security of its intent to exercise its rights under the document and shall specify the reasons for declaring the developer in default. The Public Works Administrator shall notify ~~the City Council~~ Staff Council when a developer is declared in default. ~~The City Council~~ shall receive payment in full if the improvements are not complete or an extension for the completion of construction has not been granted prior to the expiration of the performance security.

SECTION 9: That Section 18-107.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-107.3. PERFORMANCE SECURITY.

(A) SUBMITTAL AND AMOUNT. The performance security shall be submitted to the City prior to release for recording of the Final Plat Application and shall be in a form acceptable to the City Attorney. The amount of the performance security shall equal one hundred ten (110) percent of the total cost of the improvements, as defined in Section 18-106 of this article, based on the cost estimate approved by the Public Works Administrator. The cost estimate shall include the cost of administering the construction of the improvements, if the developer defaults.

(B) METHODS OF GUARANTEEING IMPROVEMENTS. The performance security shall comply with all statutory requirements and shall comply with the forms established in Section 18-109 of this Article or shall be in a form acceptable to the City Attorney. The improvements shall be guaranteed by one (1) of the following methods:

1. Escrow Account. The developer shall deposit a certified check, cashier's check or cash in the City's escrow account.
2. Surety Bond. The developer shall submit a surety bond executed by a surety company authorized to operate in the State of Florida.
3. Letter of Credit. A financial institution authorized to operate in the State of Florida shall issue a letter of credit in the City's favor.
4. Other. Such other form that is acceptable to the City ~~Council~~ and the City Attorney.

(C) EFFECTIVE PERIOD, EXTENSIONS, SUBSTITUTIONS. The effective period of the performance security shall not exceed one (1) year from the date of City ~~Council~~ approval of the final plat. If the City ~~Council~~ authorizes an extension of the time period to install the improvements, the City ~~Council~~ may also extend the performance security for a maximum period of one (1) additional year. In conjunction with the extension request, the City ~~Council~~ may require renegotiation of the amount of the performance security. The City ~~Council~~ may accept a substitution of the principal, sureties, or other parties at any time during the effective period of the performance security, subject to the approval of the City Attorney as to legal sufficiency.

SECTION 10: That Section 18-108.1, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-108.1. GENERAL REQUIREMENTS.

(A) Where topographical, technical, preservation or other conditions peculiar to this site exist; and where strict adherence to this code would cause unnecessary hardship, or where the City wishes to encourage a different development pattern or subdivision design, the City Council may authorize a variance or modification as part of a Planned Unit Development (PUD).

The City Council may not grant a variance to the Subdivision Code which would also create a variance to density (residential dwelling units, transient units, or residential equivalent beds).

(B) Any request for a variance to the provisions of this Section shall be submitted in writing to the Community Development Department.

(C) In determining whether variances should be wholly or partially granted, City Council shall consider the following criteria: character of the immediately surrounding development; size of the parent parcel; configuration and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; and nature of the proposed development.

(D) Where the property owner proposes a flag lot the following criteria shall apply:

1. Where lots of unusual depth contain sufficient area to permit, by subdivision, the creation of more than one (1) lot, one (1) flag lot may be created.
2. A flag lot shall have a minimum of thirty (30) feet of frontage on a public or approved private street. No portion of the flag lot shall measure less than thirty (30) feet between the buildable area and the street property line.
3. The minimum lot area of a flag lot shall not be less than one and one-half (1.5) times the minimum lot area of the applicable district.
4. The lot width for a flag lot shall not be less than the minimum lot width of the applicable district and shall be measured at the point of the required setback from the portion of the "flag" closest to the public street.
5. The subdivision shall provide joint access to the "flag" lot and lot under the flag. An easement and a maintenance agreement running with the land for the joint access shall be required.
6. The lot to be created is an isolated example and will not exist as a repetitive pattern in the area.

(E) A variance or modification specifically granted in a PUD Master Plan previously approved by City Council may also be waived in the subdivision plat.

(F) The arrangement, construction and design requirements for rights-of-way, intersections, dead-end streets and cul-de-sacs or sidewalk widths may be waived or reduced.

It shall be presumed that the platting of any subdivision will necessitate the improvements listed in Section 18-105.5(B), (C) and (D) and Section 18-105.7(B), but said presumption may be rebutted by the subdivider/developer.

In the event the subdivider/developer wishes to rebut said presumption and install other than the improvements required herein, then the subdivider/developer shall at the time of preliminary plat submittal make written application for a waiver of one (1) or more of the improvements required herein. The subdivider/developer shall be afforded the opportunity to be heard on the waiver application at the time the City Council considers the preliminary plat. The City Council shall approve, approve with conditions, or deny the application for a waiver based on the following factors:

1. The impact that the proposed subdivision would have on the existing and proposed right-of-way, intersection, cul-de-sac or sidewalks.
2. The waiver is not contrary to the public interest.
3. The City wishes to encourage a different development pattern.

SECTION 11: That Section 18-108.4, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-108.4. WAIVERS FOR MACRO-SUBDIVISION PLATTING REQUIREMENTS RESERVED.

~~(A) The City Council may authorize waivers of all or part of the requirements of the following provisions of this Article for the platting of Macro Subdivisions:~~

- ~~— 1. Section 18-104.1(B) Required General Information.~~
- ~~— 2. Section 18-104.1(C) Existing Conditions.~~
- ~~— 3. Section 18-104.1(D) Subdivision Design.~~
- ~~— 4. Section 18-104.1(E) Subdivision Improvements.~~
- ~~— 5. Section 18-105.3 Lots.~~
- ~~— 6. Section 18-105.4 Blocks.~~
- ~~— 7. Section 18-105.5 Streets.~~
- ~~— 8. Section 18-105.7 Sidewalks.~~
- ~~— 9. Section 18-106.4 Fire Protection.~~
- ~~— 10. Section 18-107.1 General Requirements.~~
- ~~— 11. Section 18-107.2 Completion and Installation of Improvements.~~

~~(B) The requested waivers shall be specially designated on the Preliminary Macro Plat or in a separate form approved by the City and submitted contemporaneously with the Preliminary Macro Plat. Any waivers not so requested shall not be considered by City Council.~~

~~(C) In determining whether such requirements should be wholly or partially waived, the City Council shall consider the following criteria: character of the immediately surrounding development; size of the parent parcel; configuration and natural features of the land to be developed; adequacy of off-site improvements; traffic impacts; nature of the proposed development; development schedule; whether on-site infrastructure improvements funded pursuant to finding provisions that adequately insure their completion; and such other matters as the City Council shall deem relevant.~~

~~(D) Except as may be waived by City Council pursuant to this Section, all other requirements of this Article shall be complied with.~~

SECTION 12: That Section 18-109.1, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-109.1. CERTIFICATE FORMS FOR CONSTRUCTION DRAWINGS.

(A) PROJECT ENGINEER'S COST ESTIMATE OF SUBDIVISION IMPROVEMENTS.

I, _____, A REGISTERED FLORIDA ENGINEER, LICENSE NO. _____, DO HEREBY ESTIMATE THAT THE COST OF IMPROVEMENTS ITEMIZED IN THE ATTACHED EXHIBIT A FOR _____ SUBDIVISION IS \$ _____.

SIGNATURE

DATE

SEAL

1. According to Section 18-107 of this Article, Installation of Improvements, the Surety Bond shall not be effective for more than one year from the date of City-Council approval of the Final Plat. The Public Works Administrator shall determine if the effective period proposed is of adequate length to install the improvements, but shall not be longer than 1 year in any case.

(B) PUBLIC WORKS ADMINISTRATOR'S CERTIFICATION OF COST ESTIMATE OF SUBDIVISION IMPROVEMENTS.

1. If Public Works Administrator concurs with Project Engineer's estimate:

I, _____, PUBLIC WORKS ADMINISTRATOR OF THE CITY OF PINELLAS PARK, DO HEREBY CONCUR WITH THE COST ESTIMATE OF SUBDIVISION IMPROVEMENTS FOR _____ SUBDIVISION OF \$ _____, WHICH WAS CERTIFIED BY (NAME OF PROJECT ENGINEER), ON _____, 20 ____.

SIGNATURE

DATE

2. If Public Works Administrator proposes an estimate different from the Project Engineer's Estimate:

I, _____, PUBLIC WORKS ADMINISTRATOR OF THE CITY OF PINELLAS PARK, DO HEREBY STATE THAT THE COST ESTIMATE OF THE IMPROVEMENTS FOR _____ SUBDIVISION OF \$ _____, WHICH WAS CERTIFIED BY (NAME OF PROJECT ENGINEER), ON _____, 20 __, IS NOT A TRUE AND ACCURATE ESTIMATE.

I DO HEREBY ESTIMATE THAT THE COST FOR IMPROVEMENTS FOR _____ SUBDIVISION IS \$ _____ FOR THE FOLLOWING REASONS:

PUBLIC WORKS ADMINISTRATOR

DATE

(C) PROJECT ENGINEER'S CERTIFICATION OF COMPLETION OF SUBDIVISION IMPROVEMENTS.

1. If the improvements were built exactly as shown on the construction drawings:

I, _____, HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED IN CONNECTION WITH _____ SUBDIVISION HAVE BEEN INSPECTED AND WERE FOUND TO BE COMPLETED IN ACCORDANCE WITH APPROVED CONSTRUCTION DRAWINGS AND SPECIFICATIONS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SIGNATURE

Florida Registration No. _____

DATE

SEAL

2. If the Public Works Administrator has authorized revisions to the construction drawings:

I, _____, HEREBY CERTIFY THAT ALL IMPROVEMENTS IN CONNECTION WITH _____ SUBDIVISION HAVE BEEN INSPECTED AND WERE FOUND TO BE COMPLETED IN ACCORDANCE WITH THE REVISIONS AUTHORIZED BY THE PUBLIC WORKS ADMINISTRATOR AND SHOWN ON THE ATTACHED AS-BUILT CONSTRUCTION DRAWINGS.

SIGNATURE

(D)PUBLIC WORKS ADMINISTRATOR'S CERTIFICATE OF SUBDIVISION APPROVAL.

I, _____, HEREBY CERTIFY THAT ALL IMPROVEMENTS IN CONNECTION WITH _____ SUBDIVISION HAVE BEEN INSPECTED BY THE CITY OF PINELLAS PARK AND HAVE BEEN CONSTRUCTED ACCORDING TO THE APPROVED CONSTRUCTION DRAWINGS AND SPECIFICATIONS. A DEFECT SECURITY IN THE AMOUNT OF \$ _____ HAS BEEN SUBMITTED TO THE CITY OF PINELLAS PARK BY (Name of Owner) AND HAS BEEN FOUND TO MEET ALL REQUIREMENTS OF ARTICLE 1 OF THE LAND DEVELOPMENT CODE, SUBDIVISION CODE. THEREFORE, I HEREBY APPROVE THE COMPLETION OF THE SUBDIVISION IMPROVEMENTS AND ACCEPT FOR OWNERSHIP AND MAINTENANCE THE PUBLIC SUBDIVISION IMPROVEMENTS AS PART OF THE CITY OF PINELLAS PARK'S STREET AND UTILITY SYSTEMS.

SIGNATURE

SECTION 13: That Section 18-109.2, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-109.2. CERTIFICATION FORMS FOR FINAL PLATS.

(A) MORTGAGEE'S CONSENT TO PLATTING OF LAND AND PARTIAL RELEASE OF MORTGAGE.

(I) (WE) the undersigned, as mortgagee(s) under a certain mortgage dated _____ A.D. 20 __, recorded in O.R. Book _____, Page _____, Public Records of Pinellas County covering the following described real property located in said county, to-wit:

do hereby consent to the platting of said lands, or so much thereof as is contained in the proposed plat, as a subdivision to be known as _____ and hereby join in the dedication of such lands as such subdivision and release from the lien of such mortgage all streets, and all other areas shown by said plat to be dedicated to public use, and agree that in the event of foreclosure of this mortgage all easements shall survive and be enforceable.

Witness _____ (s) and seal (s) this _____ day of _____, A.D., 20 ____.

WITNESSES:

_____ (SEAL)

_____ (SEAL)

Mortgagee(s)

STATE OF FLORIDA

COUNTY OF PINELLAS

Before me, the undersigned authority, personally appeared _____, who being first duly sworn, deposed and said that _____ executed the foregoing instrument for the purposes therein set forth.

Notary Public, State of Florida

My Commission Expires:

This instrument was prepared by:

Name _____

Address _____

(B) SURVEYOR'S CERTIFICATE.

I, THE UNDERSIGNED REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT ON _____, 20 __, THIS PROPERTY WAS SURVEYED AND THIS PLAT IS A TRUE REPRESENTATION OF THE LANDS DESCRIBED AND SHOWN, AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS INDICATED HEREON IN ACCORDANCE WITH THE STATUTES OF THE STATE OF FLORIDA THEREUNTO APPERTAINING.

SIGNATURE

REGISTERED LAND SURVEYOR

FLORIDA CERTIFICATE NO. _____

SEAL

2. If original subdivision plat is drawn on mylar:

I, THE UNDERSIGNED REGISTERED LAND SURVEYOR, HEREBY CERTIFY THAT ON _____, 20 __, THIS PROPERTY WAS SURVEYED AND THIS PLAT IS A TRUE REPRESENTATION OF THE LANDS DESCRIBED AND SHOWN, AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS INDICATED HEREON IN

ACCORDANCE WITH THE STATUTES OF THE STATE OF FLORIDA THEREUNTO APPERTAINING AND THAT THIS PLAT COMPLIES WITH SECTION 177.091 OF CHAPTER 177 OF THE LAWS OF THE STATE OF FLORIDA PERTAINING TO MATERIALS AND COMPOSITION.

SIGNATURE
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NO. _____
SEAL

(C) CERTIFICATE OF APPROVAL OF THE CITY MANAGER.

APPROVED BY THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA,
THIS _____ DAY OF _____, 20 ____.

City Manager SIGNATURE

~~(D) CERTIFICATE OF APPROVAL OF THE CITY COUNCIL.~~

~~APPROVED BY THE CITY COUNCIL OF PINELLAS PARK, PINELLAS COUNTY,
FLORIDA, THIS _____ DAY OF _____, 20 ____.~~

~~Mayor~~

~~SIGNATURE
SEAL~~

~~(E) CERTIFICATE OF APPROVAL OF THE SURVEYOR.~~

~~APPROVED BY THE SURVEYOR OF FOR THE CITY OF PINELLAS PARK,
PINELLAS COUNTY, FLORIDA, THIS _____ DAY OF _____, 20 ____.~~

~~Surveyor SIGNATURE
SEAL~~

~~(F)(D) CERTIFICATE OF ACCEPTANCE BY THE CLERK OF THE CIRCUIT COURT.~~

STATE OF FLORIDA
COUNTY OF PINELLAS

I, _____ CLERK OF THE CIRCUIT COURT OF PINELLAS COUNTY, FLORIDA, HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE STATUTES OF FLORIDA PERTAINING TO MAPS AND PLATS, AND THAT THIS PLAT HAS BEEN FILED FOR

RECORD IN PLAT BOOK _____, PAGE _____, PUBLIC RECORDS OF PINELLAS COUNTY, FLORIDA, THIS _____ DAY OF _____, 20 ____.

_____, CLERK

PINELLAS COUNTY, FLORIDA Deputy Clerk

~~(G)~~(E) LETTER OF NO LIEN FROM THE CITY OF PINELLAS PARK.

Clerk of Circuit Court
315 Court Street
Clearwater, FL 33516

Dear _____:

Please be advised that the City of Pinellas Park has no liens outstanding on property described as:

Sincerely, Finance Administrator

Sworn to and subscribed before me this ____ day of _____ 20____.

Notary Public

My Commission Expires: _____

~~(H)~~(F) CERTIFICATE OF CONFORMITY BY SURVEYOR.

I HEREBY CERTIFY THAT PURSUANT TO CHAPTER 177.081 (1), FLORIDA STATUTES, I HAVE REVIEWED THIS PLAT AND FIND IT COMPLIES WITH THE TECHNICAL REQUIREMENTS OF THAT CHAPTER; HOWEVER, MY REVIEW DOES NOT INCLUDE FIELD VERIFICATION OF ANY OF THE COORDINATES, POINTS OR MEASUREMENTS, NOR DOES IT VERIFY THE GEOMETRIC DATA FOR CLOSURE SHOWN ON THIS PLAT.

SIGNATURE _____ DATE

REGISTERED LAND SURVEYOR FLORIDA CERTIFICATE NO. _____

SEAL

SECTION 14: That Section 18-109.3, of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

Sec. 18-109.3. PERFORMANCE SECURITY FORMS.

(A) LETTER OF CREDIT.

Irrevocable Letter of Credit # _____

City of Pinellas Park

Pinellas Park, Florida 33565

Gentlemen:

We hereby issue this irrevocable letter of credit in your favor which is available by your drafts for any sum or sums not exceeding the aggregate amount of (\$ Cost Estimate of Improvements) for the account of (Name of Owner), when accompanied by:

A statement bearing the signature of an authorized representative of the City of Pinellas Park that (Name of Owner) has failed to complete the required (Specify Improvements) to be constructed for the proposed (Name of Subdivision) in accordance with the construction plans and specifications approved on (date of approval) by the City of Pinellas Park, on or before (Date).

(Name of Financial Institution) shall have no responsibility for determining the accuracy or veracity of said statements. All drafts must be presented for payment at our office no later than (Date [18 months from final plat approval]).

All drafts drawn under this credit must state "Drawn under (Name of Financial Institution) Irrevocable Letter of Credit Number _____," and all drawings must be endorsed on the reverse thereof by the party so negotiating. If any draft is not negotiated, this Credit and all documents as specified must accompany the draft.

We hereby agree with you that all drafts drawn under and in compliance with the terms of this credit shall be duly honored on due presentation to us.

Nothing herein contained shall be construed to extend the gross liability of (Name of Financial Institution) to an amount greater than the aforesaid (\$ Cost of Estimate of Improvements).

Sincerely,

(Name of Financial Institution) By: Authorized Agent

Title Attest:

Title

(B) SURETY BOND.

KNOW ALL MEN BY THESE PRESENTS:

That (Name of Owner), hereinafter called the Principal, and (Name of Surety Company), a surety company authorized to do business in the State of Florida, hereinafter called Surety, are held and firmly bound unto the City of Pinellas Park, a municipal corporation of the State of Florida, in the full and just sum of (Cost Estimate of Improvements), to which payment well and truly to be paid to the City of Pinellas Park, we bind ourselves,

our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

WHEREAS, the above bounden principal has as a condition precedent to the approval of the City of Pinellas Park of a certain subdivision plat to be known as (Name of Subdivision) to construct certain public improvements based upon the construction plans and specifications approved by the City of Pinellas Park on (date of approval), and

WHEREAS, it is a condition precedent to the recording of said subdivision that this bond be executed.

NOW THEREFORE, the conditions of these obligations are such that if the Principal, its successors and assigns shall, within a period of one year from (Date of City-Council Approval of Final Plat) perform the completion of all required improvements in accordance with the construction plans and specifications approved by the City of Pinellas Park, in the subdivision known as (Name of Subdivision), then this obligation shall be void, otherwise it shall remain in full force and effect.

The Surety unconditionally covenants and agrees that if the Principal fails to perform all or any part of the improvements required by the construction plans and specifications, within the time period specified, the Surety, upon 15 days written notice from the City of Pinellas Park, will forthwith perform and complete the aforesaid construction of improvements and shall pay the cost thereof, including but not limited to engineering, legal and contingent costs.

Should the Surety fail or refuse to construct the said improvements, the City of Pinellas Park, in view of the public interest, health, safety and welfare factors involved and the inducement in approving the said Subdivision Plat, shall have the right to resort to any and all legal remedies against the Principal and the Surety, or either, both at law and in equity including specifically specific performance, to which the Principal and Surety unconditionally agree.

The Principal and the Surety further jointly and severally agree that the City of Pinellas Park, at its option, shall have the right to construct or, pursuant to public advertisement and receipt of bids, cause to be constructed the aforesaid improvements in the case that the Principal or Surety should fail or refuse to do so.

(Name of Owner)

By:
(Authorized Agent)
(Title)

(Name of Surety Company)
By:
(Authorized Agent)

(Title)

NOTES:

1. According to Section 18-107 of this Article, Installation of Improvements, the Surety Bond shall not be effective for more than one year from the date of City-Council approval of the Final Plat. The Public Works Administrator shall determine if the effective period proposed is of adequate length to install the improvements, but shall not be longer than 1 year in any case.

SECTION 15: That Section 18-1509.7(B), of Chapter 18, of the Land Development Code of the City of Pinellas Park, Florida is hereby amended to read as follows:

(B) Under no circumstances shall these conditions be waived. In determining whether the platting of such substandard lots should be approved, ~~the City Council~~ shall consider the following criteria: character of the immediately surrounding development; size of the parent parcel; configuration; and natural features of the land to be developed; adequacy of the off-site public facilities; traffic impacts; and nature of the proposed development.

SECTION 16: This ordinance shall repeal any ordinance or resolution held to be in conflict herewith, only to the extent of such conflict. All other provisions of Chapter 18 of the Land Development Code of the City of Pinellas Park not hereby amended shall remain in full force and effect.

SECTION 17: The provisions of this Ordinance shall become and be made a part of the Land Development Code of the City of Pinellas Park, Florida, and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION 18: If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 19: This Ordinance shall be in full force and effect immediately after its passage and approval in the manner provided by law.

PUBLISHED THE _____ DAY OF _____, 2026.

FIRST READING THE _____ DAY OF _____, 2026.

PUBLIC HEARING THE _____ DAY OF _____, 2026.

PASSED THIS _____ DAY OF _____, 2026.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS _____, DAY OF _____, 2026.

Sandra L. Bradbury
MAYOR

ATTEST:

Jennifer R. Carfagno, MMC
CITY CLERK

Business Impact Estimate

This form must be included in the agenda packet for the item under which the proposed ordinance is to be considered and must be posted on the City’s website by the time notice of the proposed ordinance is published.

Proposed resolution’s title/reference: **Ordinance 2025-XX**

[AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PINELLAS PARK, PINELLAS COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 18, LAND DEVELOPMENT CODE, AMENDING SECTION 18-102. “DEFINITIONS”; AMENDING SECTION 18-103.4 “PRELIMINARY PLAT REVIEW”; SECTION 18-103.5 “CONSTRUCTION DRAWINGS REVIEW”; SECTION 18-103.6 “FINAL PLAT REVIEW”; SECTION 18-104.3 “FINAL PLAT APPLICATION”; SECTION 18-106 “SUBDIVISION IMPROVEMENTS”; SECTION 18-107.1 “GENERAL REQUIREMENTS”; SECTION 18-107.2 “COMPLETION AND INSTALLATION OF IMPROVEMENTS”; SECTION 18-107.3 “PERFORMANCE SECURITY”; SECTION 18-108.1 “GENERAL REQUIREMENTS”; SECTION 18-108.4 “WAIVERS FOR MACRO SUBDIVISION PLATTING REQUIREMENTS”; SECTION 18-109.1 “CERTIFICATE FORMS FOR CONSTRUCTION DRAWINGS”; SECTION 18-109.2. “CERTIFICATION FORMS FOR FINAL PLATS”; SECTION 18-109.3 “PERFORMANCE SECURITY FORMS”; SECTION 18-1509.7 “CRITERIA FOR PLATTING SUBSTANDARD SIZE LOTS”; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE CODE OF THE CITY OF PINELLAS PARK, FLORIDA; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith TO THE EXTENT OF SUCH CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.]

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes.

If one or more boxes are checked below, this means the City is of the view that a business impact estimate is *not* required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- The proposed ordinance is required for compliance with Federal or State law or regulation;
- The proposed ordinance relates to the issuance or refinancing of debt;
- The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;

¹ See Section 166.041(4)(c), Florida Statutes.

- The proposed ordinance is an emergency ordinance;
- The ordinance relates to procurement; or
- The proposed ordinance is enacted to implement the following:
 - a. Development orders and development permits, as those terms are defined in Florida Statutes § 163.3164, and development agreements, as authorized by the Florida Local Government Development Agreement Act under Florida Statutes § 163.3220-163.3243;
 - b. Comprehensive plan amendments and land development regulation amendments initiated by an application by a private party other than the City;
 - c. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - d. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - e. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals and welfare): This is an ordinance to bring the City Land Development Code regulations for the processing of subdivision plats in accordance with state statutes. The City Manager will sign subdivision plats on behalf of City Administration.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:

(a) An estimate of direct compliance costs that businesses may reasonably incur;
N/A

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible; and
N/A

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.
N/A

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: N/A

4. Additional information the governing body deems useful (if any): None.