

## ORDINANCE 1354-15

**AN ORDINANCE OF THE CITY OF LAKE ALFRED, FLORIDA AMENDING SECTION 3.02.03 OF THE CITY OF LAKE ALFRED UNIFIED LAND DEVELOPMENT CODE, RELATING TO PAVEMENT WIDTHS AND ROAD RIGHT-OF-WAY REQUIREMENTS FOR ROADS WITHIN THE GREEN SWAMP AREA OF CRITICAL STATE CONCERN WITHIN THE CITY OF LAKE ALFRED, FLORIDA; PROVIDING FOR THE CORRECTION OF SCRIVENERS ERRORS, CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lake Alfred City Commission approved the Unified Land Development Code in 1993, and prescribed regulations relating to street design and rights-of-way; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has adopted certain amendments to the Unified Land Development Code of the City of Lake Alfred, Florida, as related to development design standards in order to promote efficient use of land and minimize impacts of stormwater runoff and related infrastructure and

**WHEREAS**, the Green Swamp is designated by the State of Florida as an Area of Critical State Concern for its valuable hydrologic functions , where the Floridan Aquifer reaches its highest elevation maintaining groundwater pressures for springs and rivers, serving as the headwaters for four major rivers in Central Florida, and wetlands retain seasonal flood waters and increases aquifer recharge; and

**WHEREAS**, the City Commission of the City of Lake Alfred, Florida, has determined that the Unified Land Development Code of the City of Lake Alfred, Florida, and the regulations governing pavement widths and road rights-of-way for roads within the Green Swamp Area of Critical State Concern within the City of Lake Alfred, Florida must be amended in order to provide efficient use of land within the Green Swamp; and

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Lake Alfred, Florida that this Ordinance is hereby passed for the protection and welfare of the citizens of Lake Alfred, and that:

**SECTION 1. UNIFIED LAND DEVELOPMENT CODE.** Section 3.02.03 of the Unified Land Development Code of the City of Lake Alfred is hereby amended as identified in Exhibit "A."

**SECTION 2. CONFLICTS.** All ordinances in conflict herewith are hereby repealed to the extent necessary to give this Ordinance full force and effect, provided however, that nothing herein shall be interpreted so as to repeal any existing ordinance or resolution relating to means of securing compliance with the City's Code of Ordinances, unless such repeal is explicitly set forth herein.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The City of Lake Alfred, Florida, hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 4. CODE OF ORDINANCES.** It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Lake Alfred; and that sections of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the Code of Ordinances of the City of Lake Alfred is accomplished, sections of this Ordinance may be renumbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the City Manager or his or her designee, without need of public hearing, by filing corrected or re-codified copy of same with the City Clerk.

**SECTION 5. EFFECTIVE DATE.** The effective date of this Ordinance shall be immediately upon final adoption at Second Reading.

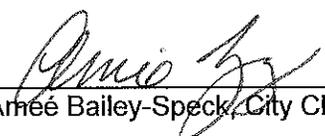
**INTRODUCED AND PASSED** on first reading at a regular meeting of the Lake Alfred City Commission held this 6<sup>th</sup> day of July, 2015.

**PASSED AND ENACTED ON SECOND READING**, with a quorum present and voting, at the regular Lake Alfred City Commission meeting this 20<sup>th</sup> day of July, 2015.

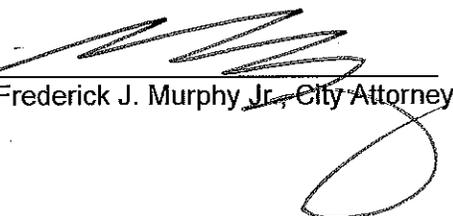
**CITY OF LAKE ALFRED  
CITY COMMISSION**

By:   
Charles O. Lake, Mayor

ATTEST:

By:   
Arnee Bailey-Speck, City Clerk

APPROVED AS TO FORM:

By:   
Frederick J. Murphy Jr., City Attorney

**Ordinance 1354-15**  
**Exhibit "A"**

Language stricken is shown in ~~strike through~~ format; language added is shown as underlined format.

**3.02.03 Street Design Standards**

(A) General Design Standards

- (1) All streets in a new development shall be designed and constructed pursuant to all engineering design standards adopted by the City of Lake Alfred. Streets shall be dedicated to the City upon completion, inspection, and acceptance by the City.
- (2) The street system of the proposed development shall, to the extent practicable, conform to the natural topography of the site, preserving existing hydrological and vegetative patterns, and minimizing erosion potential, runoff, and the need for site alteration. Particular effort should be directed toward securing the flattest possible grade near intersections.
- (3) Streets shall be laid out to avoid environmentally sensitive areas.
- (4) No public street shall be dedicated within 40 feet of the high water elevation of any lake, except where public access to the lake is to be provided.
- (5) Private streets may be allowed within any development, provided they are designed and constructed pursuant to all engineering standards applicable to public roads of the same functional classification.
- (6) Private ownership of streets may be permitted with approval by the City Commission and are particularly encouraged within multifamily complexes, RV campgrounds or RV or mobile home parks or mobile home subdivisions, if the developer, in writing, assures the City that these private improvements shall be kept in a satisfactory state of repair and maintenance by the developer or by legally established homeowners association, which shall be clearly stated on the face of the final plat.
- (7) The street layout in all new development shall be coordinated with and interconnected to the street system of the surrounding area.
- (8) Streets in proposed subdivisions shall be connected to rights-of-way in adjacent areas to allow for proper inter-neighborhood traffic flow. If adjacent lands are unplatted, stub-outs in the new development shall be provided for future connection to the adjacent unplatted land.
- (9) When a new subdivision adjoins unsubdivided land susceptible to being subdivided, then the new streets shall be carried to the boundaries of the tract proposed to be

subdivided.

- (10) Street jogs with center line off-sets of less than one hundred and twenty-five feet (125') shall be avoided.
- (11) Residential streets shall be arranged to discourage through traffic, but not eliminate it.
- (12) Streets shall intersect as nearly as possible at right angles and in no case shall be less than 75 degrees.
- (13) Where a tract is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow the opening of future streets and logical further resubdivision.
- (14) Reserve strips controlling access to streets shall be prohibited, except under conditions approved by the City Commission.
- (15) In general provisions should be made for through streets at intervals not exceeding four blocks.

(B) Pavement Widths.

- (1) Pavement widths for each street classification shall be as provided in the following table:

Type of Street	Driving Surface	Curbs
Principal Arterial	58 feet	18-24 inches
Minor Arterial	48 feet	18-24 inches
Collector	30 feet	18-24 inches
Local Road	24 feet with 4' sidewalk on at least one side	18-24 inches
1	Driving surface may include an 18" ribbon curb on each side, but no other type curbs may be used to meet the driving surface width requirement.	
2	When ribbon curb is used, vegetated swales must be used to treat stormwater and/or road runoff.	

- (2) Within the Green Swamp Area of Critical State Concern, a reduction in local road driving surface requirements to 22 feet may be sought pursuant to this section.

a. Applicability Requirements:

- 1. The road is functionally classified as a local road.
- 2. The 20-year projected ADT is less than 750 vehicles per day and the design year projected peak hourly volume is 100 vehicles per hour or less. Note: The design year may be any time within a range of the present to 20 years in the future, depending on the nature of the improvement.

3. The road has no foreseeable probability of changing to a higher functional classification through changes in land use, extensions to serve new developing land areas, or any other use which would generate daily or hourly traffic volumes greater than those listed above.
4. Design speed 40 mph or less
5. Intersection capacity not adversely affected
6. Truck volume 10% or less
7. If on-street parking is allowed, such parking shall be limited to one side of the road and shall be regulated through deed restrictions and/or other binding mechanisms.

b. Procedure for Reviewing a Reduction in the Driving Surface Requirement Request

The following process shall be followed when a reduction in the driving surface requirement is sought.

1. *Preliminary Assessment.* The purpose of the preliminary assessment is to determine the validity of the reduction request based upon applicability requirements. A preliminary assessment meeting with Public Works, City Engineer, or other City staff may be required to ensure that the applicant understands the reduction request process, and to ensure that City staff understand the nature of the requested reduction.
2. *Application:* After any required preliminary assessment as determined by City staff has been completed, an application for a driving surface reduction may be submitted for review with the applicable fee. Supporting materials must demonstrate consistency with requirements. City staff will review the application for completeness. If additional information is needed from the applicant, the City staff shall request the information in writing within 14 days of application and fee submittal. Additional materials may be requested of the applicant, including written information to address issues of concern that may be related to the request. The application for a driving surface reduction may be considered in conjunction with preliminary subdivision plats and/or site development plans.
3. Review and Decision:

- a. Staff Review
- b. Planning Board Action: At its regular monthly or a noticed meeting, the Planning Board shall review exhibits, City staff reports, and comments by reviewing agencies and individuals and shall recommend, recommend with conditions, or not recommend approval to the City Commission of the reduction in driving surface requirement request.
- c. City Commission Action: The City Commission shall review the recommendations of City staff and the Planning Board and take action to approve, approve with conditions, or disapprove the reduction in driving surface requirement request. Approval of the preliminary plat authorizes the developer to prepare construction plans for public infrastructure improvements. The City Commission may assign conditions to ensure the continued safe and efficient operation of the road system if the request for a reduction is granted.

c. Effect of Approval

Applications shall be properly submitted and approved by the City Commission prior to incorporation of design features into final project plans and/or related documents. Any required conditions of approval and mitigation shall be incorporated into final project plans and related documents. Approved local road driving surface reductions shall remain valid if a building permit for construction of the road is obtained within two years after final approval or as long as the associated subdivision plat and/or site development plan remains valid.

(C) Right-of-Way Widths.

The minimum right-of-way width for each street classification shall be as provided in the following table:

<u>Type of Street</u>	<u>Right-of-Way Width</u>
<u>Principal Arterial</u>	<u>As specified by FDOT</u>
<u>Minor Arterial</u>	<u>150 feet</u>
<u>Major Collector</u>	<u>100 feet</u>
<u>Minor Collector</u>	<u>80 feet</u>
<u>Local</u>	<u>60 feet</u>
<u>Alley</u>	<u>24 feet</u>

(H) Private Streets.

Private Streets shall have a minimum driving surface width applicable to public roads of the same functional class, but no less than a driving surface width according to the local road construction. One-way streets must have a minimum paved surface width of twelve (12) feet plus ribbon curbs. The clear area must be a minimum of sixteen (16) feet.