

## SECTION 7 PLATS

### 7.1 GENERAL

All plats of property within the boundaries of the District are subject to review and approval by the District. The District's review shall include a determination of the requirements of the District for easement and/or right-of-way dedication to insure that the property being platted and the District's water management system will function and conform with the District Public Facility Report.

### 7.2 APPLICATION FOR PLAT APPROVAL

All applications for plat approval shall be made on the District's application for permit (see **Exhibit 2, Application for Permit**) and submitted to the District Director, accompanied by the District's plat review fee, two (2) copies of the preliminary plat, agent authorization, proof of ownership, homeowner association documents if applicable and conceptual paving and drainage plan which indicate the proposed method of meeting the District's requirements for the water management system of the property being platted and the District's water management system. A copy of the plat **only** shall be submitted to the District Board of Supervisors President.

The conceptual paving and drainage plans should be based on the proposed layout of the project so that a determination of easements and rights-of-way dedications required by the District may be determined. If a layout of the project is not available, the District may accept a written conceptual drainage report that provides at a minimum the following:

- (A) The allowable land use of the property.
- (B) A statement as to how drainage will be handled for the site.
- (C) A designation of whether drainage easements will be provided or why they are not needed.
- (D) A description of all property for which drainage must be provided through the property being platted.

The applicant shall not assume that approval of a plat with conceptual paving and drainage plans or

a written conceptual drainage report is approval of said plans or report.

### 7.3 LAKE, EASEMENT AND RIGHT-OF-WAY DEDICATIONS

All lakes, canals, drainage easements, lake maintenance easements, boat ramp easements, lake access easements, flowage/storage easements and other easements or rights-of-way required by the District to implement the development's primary drainage system and District's water management system shall be dedicated to the District by the plat.

If the plat is a perimeter plat only, at a minimum, easements and rights-of-way to provide for drainage of adjacent property through the platted property must be dedicated to the District by the plat or by separate instrument prior to plat recordation. In this event, upon review and approval of the development's paving and drainage plans, these easements and/or rights-of-way may be relocated or modified to be compatible with the development's proposed primary drainage system as long as an easement and/or right-of-way corridor is provided at all times for drainage of the adjacent property through the platted property.

The foregoing requirement for dedication of lakes, canals, easements or rights-of-way to the District will not preclude the requirement of additional drainage easements, maintenance easements, canal and/or lake areas or other easements or rights-of-way being dedicated to the District after the District Engineer has reviewed the development plans for the property being platted. The Engineer of Record should coordinate this requirement with the District Engineer, Director and/or Attorney either before submitting design drawings for approval or during the design drawing review process.

The area to be dedicated to the District for lakes shall be in fee simple and shall be for that area of the lake which is defined by the water elevation at the control elevation of the project or basin control elevation, whichever elevation is higher. The lake maintenance easement shall be landward of the lake area property as defined herein.

The area to be dedicated to the District for primary or secondary canals shall be by canal right-of-way or easement and shall be at a minimum the area between the top of bank of each side of the canal. A canal maintenance easement shall extend landward of the canal top of bank and

shall be a minimum of 25 feet in width for primary canals and 20 feet in width for secondary canals. The District may require a canal maintenance easement on both sides of any canal that the District determines is necessary; and if not necessary, a minimum of 10 feet for primary canals and 5 feet for secondary canals shall be dedicated to the District as additional canal right-of-way or easement. At the option of the property owner, the canal maintenance easement property can be added to and included in the canal right-of-way or canal easement dedication.

#### 7.4 APPROVAL PROVISION ON PLAT

The District's approval paragraph on all plats shall state as follows:

This plat is approved and accepted for record by the South Broward Drainage District.

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Supervisor

By: \_\_\_\_\_ Date: \_\_\_\_\_  
District Director

#### 7.5 APPROVAL PROCEDURE

- (A) After the preliminary plat has been reviewed by the District, the applicant will be provided with a list of additional requirements, if any, that must be complied with prior to the District providing the first approval signature. In the alternative, if the plat conforms with the requirements of the District or the revisions or information necessary to conform with the District's requirements are minor, one of the District Supervisors will be contacted to provide the first approval signature for the plat.
- (B) The second and final approval signature of the District will not be provided until all revisions and comments initially provided to the applicant are complied with to the satisfaction of the District. A written response to the District's initial comment letter must be provided along with all documents and an updated copy of the plat to the District Director, Engineer and Attorney at least two (2) weeks prior to the time that the applicant

**requires final approval of the plat.** If the District Director is unavailable or if requested by the District Director, the District's Attorney or a second District Supervisor are authorized to provide the second approval signature on behalf of the District Director.

- (C) If there have been any substantial revisions or changes to the proposed plat as originally reviewed by the District which affect drainage, the plat shall be considered as a resubmittal; and a new preliminary review will be required. Substantial revisions shall include any revisions to the plat area or additions, deletions or restrictions of any dedications to the District on the plat.
- (D) Prior to submitting the completed plat for final approval, the applicant shall certify in writing that all governmental approvals have been obtained and that all requested modifications to the plat have been made.

#### 7.6 EASEMENTS FOR DRAINAGE OF ADJACENT PROPERTY

The design for each development and project within the District shall provide for drainage of property lying adjacent to said development or project which does not have a direct outfall or drainage system which connects to one of the District's primary canals. The owner of the property being platted must dedicate to the District either by plat or by separate instrument a drainage easement or canal right-of-way of sufficient width to allow the adjacent property owners a location for providing drainage of their respective property. This will require an easement or easements which will connect to the applicant's internal drainage system which must have a connection to the District's primary canal for the drainage basin in which the project is located. To assist the District Engineer and/or Attorney in confirming that sufficient easements are provided to allow for drainage of adjacent property, the applicant shall furnish the District with a map or drawing depicting the property being platted or developed and the property owned by all landowners adjacent to the subject property. Notwithstanding this provision, if the applicant is able to provide sufficient data to the District which confirms that the adjacent property will not need any easements through the property being platted, this provision may be waived by the District Director. The easement(s) to be dedicated shall be of a width necessary to accommodate a culvert which will pass the stormwater discharged from the adjacent property's drainage area for

the basin wherein it is located. If the drainage is proposed to flow through a lake/canal system on the property being developed, the property owner shall dedicate a maintenance easement to the District. The maintenance easement shall be a minimum of 20 feet wide measured from the basin control elevation landward and shall be kept clear of all improvements.

#### 7.7 OBJECTIONS TO COMMENTS

If the applicant has any objection to the District's comments following preliminary plat review, the applicant may submit objections in writing to the District Director for review. If, following the review by the District Director, the applicant still objects to the comments or proposed resolution of the objections, the applicant may request that these objections be submitted to the District Board of Supervisors for review and consideration. In this event, a statement of the objections and any necessary backup to support the applicant's objections shall be submitted to the District Director at least seven (7) days prior to the District Board of Supervisors regular monthly meeting to have objections considered by the District Board of Supervisors.

#### 7.8 ADDITIONAL DEDICATIONS AND RESTRICTIONS

All plats shall contain the following notes:

(A) "Prior to development of this property, owner shall contact the South Broward Drainage District for determination of additional drainage/maintenance/storage/flowage/lake/canal easements and/or other dedications which may be required by the South Broward Drainage District for drainage purposes."

(B) "No improvements, trees or encroachments including utilities (except for overhead power, cable or telephone lines with a minimum 25 foot clearance) or landscaping are allowed within easements dedicated to the South Broward Drainage District without the approval of and a permit from the South Broward Drainage District. It is the intent of this provision that all utilities (except for overhead power, cable or telephone lines with a minimum 25 foot clearance) proposed to be constructed within utility easements that cross or coincide with easements dedicated to the South Broward Drainage District must be reviewed and permitted by South Broward Drainage

District."

#### 7.9 PLAT PERMIT EXPIRATION

All permits issued for plats submitted for approval by the District shall expire eighteen (18) months following the issuance of the permit for said plat. If the plat has not been recorded prior to the expiration of eighteen (18) months, the applicant shall be required to apply for a new permit for plat approval accompanied by the appropriate application fee. Timely requests for extension of this requirement for a maximum of six (6) months may be granted by the District Director.

#### 7.10 COPY OF THE RECORDED PLAT

Within ten (10) days of the recording of the plat, the applicant shall provide the District with a paper copy and an AutoCad compact disc or 3 ½ inch disc and such other copies of the recorded plat as may be requested by the District.