

CHAMBER ACTION

1 The Committee on Judiciary recommends the following:

2
3 **Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to regulating the consolidation and
7 recordation of lands; providing for assembly and
8 readjustment of certain land plats; revising provisions
9 relating to recording land plats; amending s. 125.01,
10 F.S.; revising certain powers of county governments to
11 regulate lands; amending s. 127.01, F.S.; specifying
12 consolidation of certain property for certain purposes as
13 a public purpose; amending s. 163.3164, F.S.; revising the
14 definition of the term "land development regulations" and
15 defining the term "land assembly or adjustment"; amending
16 s. 163.3177, F.S.; revising requirements of future land
17 use plan elements of a required comprehensive plan to
18 address antiquated subdivisions and consolidation of
19 certain properties for certain purposes; providing a
20 deadline for addressing certain plan amendments; amending
21 s. 163.3202, F.S.; revising certain land development
22 regulation requirements to address consolidation of
23 certain properties for certain purposes; amending s.

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24 | 163.340, F.S.; revising certain definitions to include
25 | consolidation of certain properties and antiquated
26 | subdivisions; amending s. 163.360, F.S.; including
27 | antiquated subdivisions under certain community
28 | redevelopment plan requirements; amending s. 166.411,
29 | F.S.; including consolidation of certain properties for
30 | certain purposes under municipal powers of eminent domain;
31 | amending s. 177.011, F.S.; providing additional purposes
32 | and scope relating to platting, replatting, and reassembly
33 | of lands; providing intent relating to regulation of land
34 | platting and land assembly or adjustment; amending s.
35 | 177.031, F.S.; revising the definition of the term
36 | "subdivision" and defining the term "land assembly or
37 | adjustment"; amending s. 177.091, F.S.; requiring
38 | recordation of approved subdivision plats in certain
39 | public records; amending s. 177.101, F.S.; authorizing
40 | local governing bodies to order the assembly or adjustment
41 | of all or portions of subdivisions for certain purposes;
42 | providing an exception; providing criteria and
43 | requirements; amending s. 177.111, F.S.; requiring
44 | submittal of certain approved plats to certain entities;
45 | amending s. 290.003, F.S.; declaring the revitalization of
46 | antiquated subdivisions to be a public purpose; amending
47 | s. 290.0058, F.S.; revising provisions for determining
48 | general distress of certain areas to include antiquated
49 | subdivisions and other criteria; amending s. 380.031,
50 | F.S.; revising the definition of the term "land
51 | development regulations" and defining the terms

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52 "antiquated subdivisions" and "land assembly or
53 adjustment"; providing an effective date.

54
55 WHEREAS, antiquated subdivisions or large volumes of vacant
56 lots within platted and unplatted subdivisions are detrimental
57 to the local and regional economies and environment, hinder
58 appropriate planning, and lead to inefficient development
59 patterns, and

60 WHEREAS, large-scale land reassembly of subdivided lots is
61 expensive to both the property owner and the local governing
62 body and is administratively complicated and time consuming, and

63 WHEREAS, local governments could foster the reassembly of
64 subdivided lots into parcels that would incorporate current
65 planning practices for efficient development, NOW, THEREFORE,

66
67 Be It Enacted by the Legislature of the State of Florida:

68
69 Section 1. Paragraphs (g), (h), and (j) of subsection (1)
70 of section 125.01, Florida Statutes, are amended to read:

71 125.01 Powers and duties.--

72 (1) The legislative and governing body of a county shall
73 have the power to carry on county government. To the extent not
74 inconsistent with general or special law, this power includes,
75 but is not restricted to, the power to:

76 (g) Prepare and enforce comprehensive plans for the
77 development of the county and the regulation of platted lands
78 development, including platting, deplatting, and reassembly.

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79 (h) Establish, coordinate, and enforce zoning and such
80 business regulations as are necessary for the protection of the
81 community and environmental welfare ~~public~~.

82 (j) Establish and administer programs of housing, slum
83 clearance, community redevelopment, conservation, flood and
84 beach erosion control, air pollution control, platted lands
85 assembly or adjustment, and navigation and drainage and
86 cooperate with governmental agencies and private enterprises in
87 the development and operation of such programs.

88 Section 2. Subsection (3) is added to section 127.01,
89 Florida Statutes, to read:

90 127.01 Counties delegated power of eminent domain;
91 recreational purposes, issue of necessity of taking.--

92 (3) The consolidation of platted or subdivided lots to
93 allow replatting for more appropriate development consistent
94 with the public policies of the jurisdiction or for public use
95 shall be considered a public purpose.

96 Section 3. Subsection (23) of section 163.3164, Florida
97 Statutes, is amended, and subsection (32) is added to said
98 section, to read:

99 163.3164 Local Government Comprehensive Planning and Land
100 Development Regulation Act; definitions.--As used in this act:

101 (23) "Land development regulations" means ordinances
102 enacted by governing bodies for the regulation of any aspect of
103 development and includes any local government zoning, rezoning,
104 subdivision, land assembly or adjustment of platted or
105 subdivided lands, building construction, or sign regulations or

106 any other regulations controlling the development of land,
107 except that this definition shall not apply in s. 163.3213.

108 (32) "Land assembly or adjustment" means the consolidation
109 of contiguous and noncontiguous platted or subdivided lots and
110 the vacation or deplatting of all or a portion of such lots to
111 allow replatting and reassembly for more appropriate development
112 or use.

113 Section 4. Paragraph (a) of subsection (6) of section
114 163.3177, Florida Statutes, is amended to read:

115 163.3177 Required and optional elements of comprehensive
116 plan; studies and surveys.--

117 (6) In addition to the requirements of subsections (1)-
118 (5), the comprehensive plan shall include the following
119 elements:

120 (a) A future land use plan element designating proposed
121 future general distribution, location, and extent of the uses of
122 land for residential uses, commercial uses, industry,
123 agriculture, recreation, conservation, education, public
124 buildings and grounds, other public facilities, and other
125 categories of the public and private uses of land. Each future
126 land use category must be defined in terms of uses included, and
127 must include standards to be followed in the control and
128 distribution of population densities and building and structure
129 intensities. The proposed distribution, location, and extent of
130 the various categories of land use shall be shown on a land use
131 map or map series which shall be supplemented by goals,
132 policies, and measurable objectives. The future land use plan
133 shall be based upon surveys, studies, and data regarding the

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134 area, including the amount of land required to accommodate
135 anticipated growth; the projected population of the area; the
136 character of undeveloped land, including an analysis of
137 antiquated subdivisions; the availability of public services;
138 the need for redevelopment and land reassembly, including the
139 renewal of blighted areas and the elimination of nonconforming
140 uses which are inconsistent with the character of the community;
141 and, in rural communities, the need for job creation, capital
142 investment, and economic development that will strengthen and
143 diversify the community's economy. The future land use plan may
144 designate areas for future planned development use involving
145 combinations of types of uses for which special regulations may
146 be necessary to ensure development in accord with the principles
147 and standards of the comprehensive plan and this act. The future
148 land use plan shall contain provisions to address antiquated
149 subdivisions that are underused to minimize the imbalance of
150 single land use buildout, lack of public services, and
151 environmental and water quality impacts. In addition, for rural
152 communities, the amount of land designated for future planned
153 industrial use shall be based upon surveys and studies that
154 reflect the need for job creation, capital investment, and the
155 necessity to strengthen and diversify the local economies, and
156 shall not be limited solely by the projected population of the
157 rural community. The future land use plan of a county may also
158 designate areas for possible future municipal incorporation. The
159 future land use plan element shall identify any area where the
160 local government seeks to consolidate platted or subdivided lots
161 and the vacation of all or a portion of such lots to allow

162 appropriate development, redevelopment, reassembly, or any other
163 use. The land use maps or map series shall generally identify
164 and depict historic district boundaries and shall designate
165 historically significant properties meriting protection. The
166 future land use element must clearly identify the land use
167 categories in which public schools are an allowable use. When
168 delineating the land use categories in which public schools are
169 an allowable use, a local government shall include in the
170 categories sufficient land proximate to residential development
171 to meet the projected needs for schools in coordination with
172 public school boards and may establish differing criteria for
173 schools of different type or size. Each local government shall
174 include lands contiguous to existing school sites, to the
175 maximum extent possible, within the land use categories in which
176 public schools are an allowable use. All comprehensive plans
177 must comply with the school siting requirements of this
178 paragraph no later than October 1, 1999. The failure by a local
179 government to comply with these school siting requirements by
180 October 1, 1999, will result in the prohibition of the local
181 government's ability to amend the local comprehensive plan,
182 except for plan amendments described in s. 163.3187(1)(b), until
183 the school siting requirements are met. Amendments proposed by a
184 local government for purposes of identifying the land use
185 categories in which public schools are an allowable use or for
186 adopting or amending the school-siting maps pursuant to s.
187 163.31776(3) are exempt from the limitation on the frequency of
188 plan amendments contained in s. 163.3187. The future land use
189 element shall include criteria that encourage the location of

190 schools proximate to urban residential areas to the extent
 191 possible and shall require that the local government seek to
 192 collocate public facilities, such as parks, libraries, and
 193 community centers, with schools to the extent possible and to
 194 encourage the use of elementary schools as focal points for
 195 neighborhoods. For schools serving predominantly rural counties,
 196 defined as a county with a population of 100,000 or fewer, an
 197 agricultural land use category shall be eligible for the
 198 location of public school facilities if the local comprehensive
 199 plan contains school siting criteria and the location is
 200 consistent with such criteria. Plan amendments that are needed
 201 to address requirements related to land assembly or adjustment
 202 of platted or subdivided lands or antiquated subdivisions shall
 203 be addressed prior to local government action to exercise such
 204 land assembly options or no later than the first evaluation and
 205 appraisal report which is due to be submitted at least 3 years
 206 after July 1, 2004.

207 Section 5. Paragraph (a) of subsection (2) and subsection
 208 (3) of section 163.3202, Florida Statutes, are amended to read:

209 163.3202 Land development regulations.--

210 (2) Local land development regulations shall contain
 211 specific and detailed provisions necessary or desirable to
 212 implement the adopted comprehensive plan and shall as a minimum:

213 (a) Regulate the subdivision, assembly, reassembly, or
 214 adjustment of land, as defined in ss. 163.3164(32) and 177.101;

215 (3) This section shall be construed to encourage the use
 216 of innovative land development regulations which include
 217 provisions such as transfer of development rights, incentive and

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218 inclusionary zoning, planned-unit development, impact fees, ~~and~~
 219 performance zoning, and land assembly, reassembly, or
 220 adjustment, as described in chapter 177. These and all other
 221 such regulations shall be combined and compiled into a single
 222 land development code for the jurisdiction. A general zoning
 223 code shall not be required if a local government's adopted land
 224 development regulations meet the requirements of this section.

225 Section 6. Subsections (9) and (10) of section 163.340,
 226 Florida Statutes, are amended to read:

227 163.340 Definitions.--The following terms, wherever used
 228 or referred to in this part, have the following meanings:

229 (9) "Community redevelopment" or "redevelopment" means
 230 undertakings, activities, or projects of a county, municipality,
 231 or community redevelopment agency in a community redevelopment
 232 area for the elimination and prevention of the development or
 233 spread of slums and blight, or for the reduction or prevention
 234 of crime, or for the provision of affordable housing, whether
 235 for rent or for sale, to residents of low or moderate income,
 236 including the elderly, and may include slum clearance and
 237 redevelopment in a community redevelopment area or
 238 rehabilitation and revitalization of coastal resort and tourist
 239 areas that are deteriorating and economically distressed, ~~or~~
 240 rehabilitation or conservation in a community redevelopment
 241 area, or the reassembly, platting, or replatting of lands, or
 242 any combination or part thereof, in accordance with a community
 243 redevelopment plan and may include the preparation of such a
 244 plan.

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245 (10) "Community redevelopment area" means a slum area, a
 246 blighted area, or an area in which there is a shortage of
 247 housing that is affordable to residents of low or moderate
 248 income, including the elderly, an antiquated subdivision, or a
 249 coastal and tourist area that is deteriorating and economically
 250 distressed due to outdated building density patterns, inadequate
 251 transportation and parking facilities, faulty lot layout or
 252 inadequate street layout, or a pattern of platted or subdivided
 253 lots in an area that makes the area unsuitable for economically
 254 viable development or use, or a combination thereof, which the
 255 governing body designates as appropriate for community
 256 redevelopment.

257 Section 7. Paragraph (b) of subsection (8) of section
 258 163.360, Florida Statutes, is amended to read:

259 163.360 Community redevelopment plans.--

260 (8) If the community redevelopment area consists of an
 261 area of open land to be acquired by the county or the
 262 municipality, such area may not be so acquired unless:

263 (b) In the event the area is to be developed in whole or
 264 in part for nonresidential uses, the governing body determines
 265 that:

266 1. Such nonresidential uses are necessary and appropriate
 267 to facilitate the proper growth and development of the community
 268 in accordance with sound planning standards and local community
 269 objectives.

270 2. Acquisition may require the exercise of governmental
 271 action, as provided in this part, because of:

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- 272 a. Defective, or unusual conditions of, title or diversity
 273 of ownership which prevents the free alienability of such land;
 274 b. Tax delinquency;
 275 c. Improper or antiquated subdivisions;
 276 d. Outmoded street patterns;
 277 e. Deterioration of site;
 278 f. Economic disuse;
 279 g. Unsuitable topography or faulty lot layouts;
 280 h. Lack of correlation of the area with other areas of a
 281 county or municipality by streets and modern traffic
 282 requirements; or
 283 i. Any combination of such factors or other conditions
 284 which retard development of the area.

285 3. Conditions of blight in the area contribute to an
 286 increase in and spread of disease and crime or constitute a
 287 menace to public health, safety, morals, or welfare.

288 Section 8. Subsection (12) is added to section 166.411,
 289 Florida Statutes, to read:

290 166.411 Eminent domain; uses or purposes.--Municipalities
 291 are authorized to exercise the power of eminent domain for the
 292 following uses or purposes:

293 (12) The consolidation of platted or subdivided lots to
 294 allow replatting and reassembly for more appropriate development
 295 consistent with the public policies of the jurisdiction or for
 296 public use.

297 Section 9. Section 177.011, Florida Statutes, is amended
 298 to read:

299 177.011 Purpose and scope of part I.--This part shall be
 300 deemed to establish consistent minimum requirements, and to
 301 create such additional powers in local governing bodies, as
 302 herein provided to regulate and control the platting,
 303 replatting, and reassembly of lands. The public health, safety,
 304 comfort, economy, order, appearance, convenience, morals, and
 305 general welfare require the harmonious, orderly, and progressive
 306 development of land within this state and its counties and
 307 incorporated municipalities. In furtherance of this general
 308 purpose, counties and incorporated municipalities, individually
 309 or in combination, may adopt, amend, or revise and enforce
 310 measures relating to platting and land assembly or adjustment.

311 (1) The regulation of platting and land assembly or
 312 adjustment is intended to:

313 (a) Aid in the coordination of land development in
 314 counties and municipalities in accordance with orderly physical
 315 patterns.

316 (b) Discourage haphazard, premature, uneconomic, or
 317 scattered land development.

318 (c) Encourage development of economically stable and
 319 healthful communities.

320 (d) Ensure adequate utilities provision to all lands being
 321 developed.

322 (e) Serve as one of the several instruments of the local
 323 comprehensive plan authorized by s. 163.3161.

324 (2) This part establishes minimum requirements and does
 325 not exclude additional provisions or regulations by local
 326 ordinance, laws, or regulations.

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327 Section 10. Subsection (18) of section 177.031, Florida
328 Statutes, is amended, and subsection (23) is added to said
329 section, to read:

330 177.031 Definitions.--As used in this part:

331 (18) "Subdivision" means the division of land into two
332 ~~three~~ or more lots, parcels, tracts, tiers, blocks, sites,
333 units, or any other division of land; and includes establishment
334 of new streets and alleys, additions, and resubdivisions; and,
335 when appropriate to the context, relates to the process of
336 subdividing or to the lands or area subdivided.

337 (23) "Land assembly or adjustment" means the consolidation
338 of contiguous and noncontiguous platted or subdivided lots and
339 the vacation or deplatting of all or a portion of such lots to
340 allow replatting and reassembly for more appropriate development
341 or use.

342 Section 11. Section 177.091, Florida Statutes, is amended
343 to read:

344 177.091 Plats made for recording.--Every approved plat of
345 a subdivision shall be recorded in the public records of each
346 county in which the property is situated and ~~offered for~~
347 ~~recording~~ shall conform to the following:

348 (1) It must be:

349 (a) An original drawing made with black permanent drawing
350 ink; or

351 (b) A nonadhered scaled print on a stable base film made
352 by photographic processes from a film scribing tested for
353 residual hypo testing solution to assure permanency.

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355 Marginal lines, standard certificates and approval forms shall
356 be printed on the plat with a permanent black drawing ink. A
357 print or photographic copy of the original drawing must be
358 submitted with the original drawing.

359 (2) The size of each sheet shall be determined by the
360 local governing body and shall be drawn with a marginal line, or
361 printed when permitted by local ordinance, completely around
362 each sheet and placed so as to leave at least a $\frac{1}{2}$ -inch margin
363 on each of three sides and a 3-inch margin on the left side of
364 the plat for binding purposes.

365 (3) When more than one sheet must be used to accurately
366 portray the lands subdivided, an index or key map must be
367 included and each sheet must show the particular number of that
368 sheet and the total number of sheets included, as well as
369 clearly labeled matchlines to show where other sheets match or
370 adjoin.

371 (4) In all cases, the letter size and scale used shall be
372 of sufficient size to show all detail. The scale shall be both
373 stated and graphically illustrated by a graphic scale drawn on
374 every sheet showing any portion of the lands subdivided.

375 (5) The name of the plat shall be shown in bold legible
376 letters, as stated in s. 177.051. The name of the subdivision
377 shall be shown on each sheet included. The name of the
378 professional surveyor and mapper or legal entity, along with the
379 street and mailing address, must be shown on each sheet
380 included.

381 (6) A prominent "north arrow" shall be drawn on every
382 sheet included showing any portion of the lands subdivided. The

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383 bearing or azimuth reference shall be clearly stated on the face
384 of the plat in the notes or legend, and, in all cases, the
385 bearings used shall be referenced to some well established and
386 monumented line.

387 (7) Permanent reference monuments must be placed at each
388 corner or change in direction on the boundary of the lands being
389 platted and may not be more than 1,400 feet apart. Where such
390 corners are in an inaccessible place, "P.R.M.s" shall be set on
391 a nearby offset within the boundary of the plat and such offset
392 shall be so noted on the plat. Where corners are found to
393 coincide with a previously set "P.R.M.," the Florida
394 registration number of the professional surveyor and mapper in
395 responsible charge or the certificate of authorization number of
396 the legal entity on the previously set "P.R.M." shall be shown
397 on the new plat or, if unnumbered, shall so state. Permanent
398 reference monuments shall be set before the recording of the
399 plat. The "P.R.M.s" shall be shown on the plat by an appropriate
400 symbol or designation.

401 (8) Permanent control points shall be set on the
402 centerline of the right-of-way at the intersection and terminus
403 of all streets, at each change of direction, and no more than
404 1,000 feet apart. Such "P.C.P.s" shall be shown on the plat by
405 an appropriate symbol or designation. In those counties or
406 municipalities that do not require subdivision improvements and
407 do not accept bonds or escrow accounts to construct
408 improvements, "P.C.P.s" may be set prior to the recording of the
409 plat and must be set within 1 year of the date the plat was
410 recorded. In the counties or municipalities that require

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411 subdivision improvements and have the means of insuring the
412 construction of said improvements, such as bonding requirements,
413 "P.C.P.s" must be set prior to the expiration of the bond or
414 other surety. If the professional surveyor and mapper or legal
415 entity of record is no longer in practice or is not available
416 due to relocation, or when the contractual relationship between
417 the subdivider and professional surveyor and mapper or legal
418 entity has been terminated, the subdivider shall contract with a
419 professional surveyor and mapper or legal entity in good
420 standing to place the "P.C.P.s" within the time allotted.

421 (9) Monuments shall be set at all lot corners, points of
422 intersection, and changes of direction of lines within the
423 subdivision which do not require a "P.R.M." or a "P.C.P.";
424 however, a monument need not be set if a monument already exists
425 at such corner, point, or change of direction or when a monument
426 cannot be set due to a physical obstruction. In those counties
427 or municipalities that do not require subdivision improvements
428 and do not accept bonds or escrow accounts to construct
429 improvements, monuments may be set prior to the recording of the
430 plat and must be set at the lot corners before the transfer of
431 the lot. In those counties or municipalities that require
432 subdivision improvements and have the means of ensuring the
433 construction of those improvements, such as bonding
434 requirements, monuments shall be set prior to the expiration of
435 the bond or other surety. If the professional surveyor and
436 mapper or legal entity of record is no longer in practice or is
437 not available due to relocation, or when the contractual
438 relationship between the subdivider and professional surveyor

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439 and mapper or legal entity has been terminated, the subdivider
440 shall contract with a professional surveyor and mapper or legal
441 entity in good standing who shall be allowed to place the
442 monuments within the time allotted.

443 (10) The section, township, and range shall appear
444 immediately under the name of the plat on each sheet included,
445 along with the name of the city, town, village, county, and
446 state in which the land being platted is situated.

447 (11) Each plat shall show a description of the lands
448 subdivided, and the description shall be the same in the title
449 certification. The description must be so complete that from it,
450 without reference to the plat, the starting point and boundary
451 can be determined.

452 (12) The dedications and approvals required by ss. 177.071
453 and 177.081 must be shown.

454 (13) The circuit court clerk's certificate and the
455 professional surveyor and mapper's seal and statement required
456 by s. 177.061 shall be shown.

457 (14) All section lines and quarter section lines occurring
458 within the subdivision shall be indicated by lines drawn upon
459 the map or plat, with appropriate words and figures. If the
460 description is by metes and bounds, all information called for,
461 such as the point of commencement, course bearings and
462 distances, and the point of beginning, shall be indicated. If
463 the platted lands are in a land grant or are not included in the
464 subdivision of government surveys, then the boundaries are to be
465 defined by metes and bounds and courses.

466 (15) Location, width, and names of all streets, waterways,
467 or other rights-of-way shall be shown, as applicable.

468 (16) Location and width of proposed easements and existing
469 easements identified in the title opinion or certification
470 required by s. 177.041(2) shall be shown on the plat or in the
471 notes or legend, and their intended use shall be clearly stated.
472 Where easements are not coincident with property lines, they
473 must be labeled with bearings and distances and tied to the
474 principal lot, tract, or right-of-way.

475 (17) All contiguous properties shall be identified by
476 subdivision title, plat book, and page, or, if unplatted, land
477 shall be so designated. If the subdivision platted is a part or
478 the whole of a previously recorded subdivision, sufficient ties
479 shall be shown to controlling lines appearing on the earlier
480 plat to permit an overlay to be made; the fact of its being a
481 replat shall be stated as a subtitle under the name of the plat
482 on each sheet included. The subtitle must state the name of the
483 subdivision being replatted and the appropriate recording
484 reference.

485 (18) All lots shall be numbered either by progressive
486 numbers or, if in blocks, progressively numbered in each block,
487 and the blocks progressively numbered or lettered, except that
488 blocks in numbered additions bearing the same name may be
489 numbered consecutively throughout the several additions.

490 (19) Sufficient survey data shall be shown to positively
491 describe the bounds of every lot, block, street easement, and
492 all other areas shown on the plat. When any lot or portion of
493 the subdivision is bounded by an irregular line, the major

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494 | portion of that lot or subdivision shall be enclosed by a
495 | witness line showing complete data, with distances along all
496 | lines extended beyond the enclosure to the irregular boundary
497 | shown with as much certainty as can be determined or as "more or
498 | less," if variable. Lot, block, street, and all other dimensions
499 | except to irregular boundaries, shall be shown to a minimum of
500 | hundredths of feet. All measurements shall refer to horizontal
501 | plane and in accordance with the definition of the U.S. Survey
502 | foot or meter adopted by the National Institute of Standards and
503 | Technology. All measurements shall use the ^{39.37}/₁₂=3.28083333333
504 | equation for conversion from a U.S. foot to meters.

505 | (20) Curvilinear lot lines shall show the radii, arc
506 | distances, and central angles. Radial lines will be so
507 | designated. Direction of nonradial lines shall be indicated.

508 | (21) Sufficient angles, bearings, or azimuth to show
509 | direction of all lines shall be shown, and all bearings, angles,
510 | or azimuth shall be shown to the nearest second of arc.

511 | (22) The centerlines of all streets shall be shown as
512 | follows: noncurved lines: distances together with either angles,
513 | bearings, or azimuths; curved lines: arc distances, central
514 | angles, and radii, together with chord and chord bearing or
515 | azimuths.

516 | (23) Park and recreation parcels as applicable shall be so
517 | designated.

518 | (24) All interior excepted parcels as described in the
519 | description of the lands being subdivided shall be clearly
520 | indicated and labeled "Not a part of this plat."

521 (25) The purpose of all areas dedicated must be clearly
522 indicated or stated on the plat.

523 (26) When it is not possible to show line or curve data
524 information on the map, a tabular form may be used. The tabular
525 data must appear on the sheet to which it applies.

526 (27) The plat shall include in a prominent place the
527 following statements: "NOTICE: This plat, as recorded in its
528 graphic form, is the official depiction of the subdivided lands
529 described herein and will in no circumstances be supplanted in
530 authority by any other graphic or digital form of the plat.
531 There may be additional restrictions that are not recorded on
532 this plat that may be found in the public records of this
533 county."

534 (28) All platted utility easements shall provide that such
535 easements shall also be easements for the construction,
536 installation, maintenance, and operation of cable television
537 services; provided, however, no such construction, installation,
538 maintenance, and operation of cable television services shall
539 interfere with the facilities and services of an electric,
540 telephone, gas, or other public utility. In the event a cable
541 television company damages the facilities of a public utility,
542 it shall be solely responsible for the damages. This section
543 shall not apply to those private easements granted to or
544 obtained by a particular electric, telephone, gas, or other
545 public utility. Such construction, installation, maintenance,
546 and operation shall comply with the National Electrical Safety
547 Code as adopted by the Florida Public Service Commission.

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548 (29) A legend of all symbols and abbreviations shall be
549 shown.

550 Section 12. Section 177.101, Florida Statutes, is amended
551 to read:

552 177.101 Assembly, replat, vacation, and annulment of plats
553 subdividing land.--

554 (1) Whenever it is discovered, after the plat has been
555 recorded in the public records, that the developer has
556 previously caused the lands embraced in the second plat to be
557 differently subdivided under and by virtue of another plat of
558 the same identical lands, and the first plat was also filed of
559 public record at an earlier date, and no conveyances of lots by
560 reference to the first plat so filed appears of record in such
561 county, the governing body of the county is authorized and
562 directed to and shall, by resolution, vacate and annul the first
563 plat of such lands appearing of record upon the application of
564 the developer of such lands under the first plat or upon
565 application of the owners of all the lots shown and designated
566 upon the second and subsequent plat of such lands, and the
567 circuit court clerk of the county shall thereupon make proper
568 notation of the annulment of such plat upon the face of such
569 annulled plat.

570 (2) Whenever it is discovered that after the filing of a
571 plat subdividing a parcel of land located in the county, the
572 developer of the lands therein and thereby subdivided did cause
573 such lands embraced in said plat, or a part thereof, to be again
574 and subsequently differently subdivided under another plat of
575 the same and identical lands or a part thereof, which said

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576 second plat was also filed at a later date; and it is further
577 made to appear to the governing body of the county that the
578 filing and recording of the second plat would not materially
579 affect the right of convenient access to lots previously
580 conveyed under the first plat, the governing body of the county
581 is authorized by resolution to vacate and annul so much of the
582 first plat of such lands appearing of record as are included in
583 the second plat, upon application of the owners and developer of
584 such lands under the first plat or their successors, grantees,
585 or assignees, and the circuit court clerk of the county shall
586 thereupon make proper notation of the action of the governing
587 body upon the face of the first plat. The approval of a replat
588 by the governing body of a local government, which encompasses
589 lands embraced in all or part of a prior plat filed of public
590 record shall, upon recordation of the replat, automatically and
591 simultaneously vacate and annul all of the prior plat
592 encompassed by the replat.

593 (3) The governing bodies of the counties of the state may
594 adopt resolutions vacating plats in whole or in part of
595 subdivisions in said counties, returning the property covered by
596 such plats either in whole or in part into acreage. Before such
597 resolution of vacating any plat either in whole or in part shall
598 be entered by the governing body of a county, it must be shown
599 that the persons making application for said vacation own the
600 fee simple title to the whole or that part of the tract covered
601 by the plat sought to be vacated, and it must be further shown
602 that the vacation by the governing body of the county will not

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603 affect the ownership or right of convenient access of persons
604 owning other parts of the subdivision.

605 (4) Persons making application for vacations of plats
606 either in whole or in part shall give notice of their intention
607 to apply to the governing body of the county to vacate said plat
608 by publishing legal notice in a newspaper of general circulation
609 in the county in which the tract or parcel of land is located,
610 in not less than two weekly issues of said paper, and must
611 attach to the petition for vacation the proof of such
612 publication, together with certificates showing that all state
613 and county taxes have been paid. For the purpose of the tax
614 collector's certification that state, county, and municipal
615 taxes have been paid, the taxes shall be deemed to have been
616 paid if, in addition to any partial payment under s. 194.171,
617 the owner of the platted lands sought to be vacated shall post a
618 cash bond, approved by the tax collector of the county where the
619 land is located and by the Department of Revenue, conditioned to
620 pay the full amount of any judgment entered pursuant to s.
621 194.192 adverse to the person making partial payment, including
622 all costs, interest, and penalties. The circuit court shall fix
623 the amount of said bond by order, after considering the
624 reasonable timeframe for such litigation and all other relevant
625 factors; and a certified copy of such approval, order, and cash
626 bond shall be attached to the application. If such tract or
627 parcel of land is within the corporate limits of any
628 incorporated city or town, the governing body of the county
629 shall be furnished with a certified copy of a resolution of the
630 town council or city commission, as the case may be, showing

631 that it has already by suitable resolution vacated such plat or
632 subdivision or such part thereof sought to be vacated.

633 (5) Every such resolution by the governing body shall have
634 the effect of vacating all streets and alleys which have not
635 become highways necessary for use by the traveling public. Such
636 vacation shall not become effective until a certified copy of
637 such resolution has been filed in the offices of the circuit
638 court clerk and duly recorded in the public records of said
639 county.

640 (6) All resolutions vacating plats by the governing body
641 of a county prior to September 1, 1971, are hereby validated,
642 ratified, and confirmed. Such resolutions shall have the same
643 effect as if the plat had been vacated after September 1, 1971.

644 (7)(a) The governing body of a county may order the
645 assembly or adjustment of all or part of a subdivision within
646 its jurisdiction to the provisions and objectives of the revised
647 local comprehensive plan. It may order the assembly, replatting,
648 or vacation of the acreage of the existing plat on any portion
649 of the subdivision, including the vacation of streets, except
650 any roads on the State Highway System, or other parcels of land
651 dedicated for public purposes or any of such streets or other
652 parcels, when:

653 1. The plat of the subdivision was recorded as provided by
654 law, or approved pursuant to law but not recorded, not less than
655 25 years before the date of such action.

656 2. In the subdivision or a portion of the subdivision, not
657 more than 20 percent of the total subdivision area has been

658 built into the uses of the subdivision's zoned or land use
 659 purposes.

660 (b) Any persons or entities, other than the local
 661 governing body, pursuing reassembly of a parcel pursuant to this
 662 section must demonstrate that the persons or entities making
 663 application for such vacation own the fee simple title to at
 664 least 60 percent of the subdivision or portion of the tract
 665 covered by the plat sought to be vacated and must demonstrate
 666 that the vacation will not affect the ownership or right of
 667 convenient access of persons owning other parts of the
 668 subdivision.

669 (c) Such action shall be based on a finding by the
 670 governing body that the proposed assembly or adjustment, or
 671 vacation and reversion to acreage of subdivided land, conforms
 672 to the comprehensive plan of the area and that the public
 673 health, safety, economy, comfort, order, convenience, and
 674 welfare will be promoted.

675 Section 13. Section 177.111, Florida Statutes, is amended
 676 to read:

677 177.111 Instructions for filing plat.--After the approval
 678 by the appropriate governing body required by s. 177.071, the
 679 plat shall be submitted to ~~recorded by~~ the circuit court clerk
 680 or other recording officer for recording in the public records
 681 of the county upon submission thereto of such approved plat. The
 682 circuit court clerk or other recording officer shall maintain in
 683 his or her office a book of the proper size for such papers so
 684 that they shall not be folded, to be kept in the vault. A print
 685 or photographic copy must be filed in a similar book and kept in

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686 his or her office for the use of the public. The clerk shall
687 make available to the public a full size copy of the record plat
688 at a reasonable fee.

689 Section 14. Section 290.003, Florida Statutes, is amended
690 to read:

691 290.003 Policy and purpose.--It is the policy of this
692 state to provide the necessary means to assist local
693 communities, their residents, and the private sector in creating
694 the proper economic and social environment to induce the
695 investment of private resources in productive business
696 enterprises located in severely distressed areas and to provide
697 jobs for residents of such areas. In achieving this objective,
698 the state will seek to provide appropriate investments, tax
699 benefits, and regulatory relief of sufficient importance to
700 encourage the business community to commit its financial
701 participation. The purpose of ss. 290.001-290.016 is to
702 establish a process that clearly identifies such severely
703 distressed areas and provides incentives by both the state and
704 local government to induce private investment in such areas. The
705 Legislature, therefore, declares the revitalization of
706 enterprise zones and antiquated subdivisions, through the
707 concerted efforts of government and the private sector, to be a
708 public purpose.

709 Section 15. Subsection (4) of section 290.0058, Florida
710 Statutes, is amended to read:

711 290.0058 Determination of pervasive poverty, unemployment,
712 and general distress.--

713 (4) General distress shall be evidenced by describing
 714 adverse conditions within the nominated area, including
 715 antiquated subdivisions, other than those of pervasive poverty
 716 and unemployment. A high incidence of crime, abandoned
 717 structures, and deteriorated infrastructure; ~~or~~ substantial
 718 population change; a high percentage of tax delinquent parcels;
 719 or inappropriate lot sizes to ensure a balance of land uses
 720 ~~decline~~ are examples of appropriate indicators of general
 721 distress.

722 Section 16. Subsection (8) of section 380.031, Florida
 723 Statutes, is amended, and subsections (21) and (22) are added to
 724 said section, to read:

725 380.031 Definitions.--As used in this chapter:

726 (8) "Land development regulations" include local zoning,
 727 subdivision, assembly, reassembly, or adjustment of platted or
 728 subdivided lands, building, and other regulations controlling
 729 the development of land.

730 (21) "Land assembly or adjustment" means the consolidation
 731 of contiguous and noncontiguous platted or subdivided lots and
 732 the vacation or deplatting of all or a portion of these lots to
 733 allow replatting and reassembly for more appropriate development
 734 or use.

735 (22) "Antiquated subdivisions" means subdivisions or large
 736 numbers of lots within platted and unplatted subdivisions that
 737 were recorded prior to 1980 in which the continued buildout of
 738 the subdivision would provide an imbalance of land uses and
 739 would be detrimental to the local and regional economies and

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740 | environment, hinder current planning practices, and lead to
741 | inefficient development patterns.

742 | Section 17. This act shall take effect upon becoming a
743 | law.