

1 A bill to be entitled

2 An act relating to regulating the consolidation and
3 recordation of lands; providing for assembly and
4 readjustment of certain land plats; revising provisions
5 relating to recording land plats; amending s. 125.01,
6 F.S.; revising certain powers of county governments to
7 regulate lands; amending s. 127.01, F.S.; specifying
8 consolidation of certain property for certain purposes as
9 a public purpose; amending s. 163.3164, F.S.; revising the
10 definition of the term "land development regulations" and
11 defining the term "land assembly or adjustment"; amending
12 s. 163.3177, F.S.; revising requirements of future land
13 use plan elements of a required comprehensive plan to
14 address antiquated subdivisions and consolidation of
15 certain properties for certain purposes; providing a
16 deadline for addressing certain plan amendments; amending
17 s. 163.3202, F.S.; revising certain land development
18 regulation requirements to address consolidation of
19 certain properties for certain purposes; amending s.
20 163.340, F.S.; revising certain definitions to include
21 consolidation of certain properties and antiquated
22 subdivisions; amending s. 163.360, F.S.; including
23 antiquated subdivisions under certain community
24 redevelopment plan requirements; amending s. 166.411,
25 F.S.; including consolidation of certain properties for
26 certain purposes under municipal powers of eminent domain;
27 amending s. 177.011, F.S.; providing additional purposes
28 and scope relating to platting, replatting, and reassembly

29 | of lands; providing intent relating to regulation of land
30 | platting and land assembly or adjustment; amending s.
31 | 177.031, F.S.; defining the term "land assembly or
32 | adjustment"; amending s. 177.091, F.S.; requiring
33 | recordation of approved subdivision plats in certain
34 | public records; amending s. 177.101, F.S.; authorizing
35 | local governing bodies to order the assembly or adjustment
36 | of all or portions of subdivisions for certain purposes;
37 | providing an exception; providing criteria and
38 | requirements; amending s. 177.111, F.S.; requiring
39 | submittal of certain approved plats to certain entities;
40 | amending s. 290.003, F.S.; declaring the revitalization of
41 | antiquated subdivisions to be a public purpose; amending
42 | s. 290.0058, F.S.; revising provisions for determining
43 | general distress of certain areas to include antiquated
44 | subdivisions and other criteria; amending s. 380.031,
45 | F.S.; revising the definition of the term "land
46 | development regulations" and defining the terms
47 | "antiquated subdivisions" and "land assembly or
48 | adjustment"; providing an effective date.

49 |
50 | WHEREAS, antiquated subdivisions or large volumes of vacant
51 | lots within platted and unplatted subdivisions are detrimental
52 | to the local and regional economies and environment, hinder
53 | appropriate planning, and lead to inefficient development
54 | patterns, and

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

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

61

62 Be It Enacted by the Legislature of the State of Florida:

63

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

66 125.01 Powers and duties.--

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

71 (g) Prepare and enforce comprehensive plans for the
 72 development of the county and the regulation of platted lands
 73 development, including platting, deplatting, and reassembly.

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

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

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

85 127.01 Counties delegated power of eminent domain;
 86 recreational purposes, issue of necessity of taking.--

87 (3) The consolidation of platted or subdivided lots to
 88 allow replatting for more appropriate development consistent
 89 with the public policies of the jurisdiction or for public use
 90 shall be considered a public purpose.

91 Section 3. Subsection (23) of section 163.3164, Florida
 92 Statutes, is amended, and subsection (32) is added to said
 93 section, to read:

94 163.3164 Local Government Comprehensive Planning and Land
 95 Development Regulation Act; definitions.--As used in this act:

96 (23) "Land development regulations" means ordinances
 97 enacted by governing bodies for the regulation of any aspect of
 98 development and includes any local government zoning, rezoning,
 99 subdivision, land assembly or adjustment of platted or
 100 subdivided lands, building construction, or sign regulations or
 101 any other regulations controlling the development of land,
 102 except that this definition shall not apply in s. 163.3213.

103 (32) "Land assembly or adjustment" means the consolidation
 104 of contiguous and noncontiguous platted or subdivided lots and
 105 the vacation or deplatting of all or a portion of such lots to
 106 allow replatting and reassembly for more appropriate development
 107 or use.

108 Section 4. Paragraph (a) of subsection (6) of section
 109 163.3177, Florida Statutes, is amended to read:

110 163.3177 Required and optional elements of comprehensive
 111 plan; studies and surveys.--

112 (6) In addition to the requirements of subsections (1)-
 113 (5), the comprehensive plan shall include the following
 114 elements:

115 (a) A future land use plan element designating proposed
 116 future general distribution, location, and extent of the uses of
 117 land for residential uses, commercial uses, industry,
 118 agriculture, recreation, conservation, education, public
 119 buildings and grounds, other public facilities, and other
 120 categories of the public and private uses of land. Each future
 121 land use category must be defined in terms of uses included, and
 122 must include standards to be followed in the control and
 123 distribution of population densities and building and structure
 124 intensities. The proposed distribution, location, and extent of
 125 the various categories of land use shall be shown on a land use
 126 map or map series which shall be supplemented by goals,
 127 policies, and measurable objectives. The future land use plan
 128 shall be based upon surveys, studies, and data regarding the
 129 area, including the amount of land required to accommodate
 130 anticipated growth; the projected population of the area; the
 131 character of undeveloped land, including an analysis of
 132 antiquated subdivisions; the availability of public services;
 133 the need for redevelopment and land reassembly, including the
 134 renewal of blighted areas and the elimination of nonconforming
 135 uses which are inconsistent with the character of the community;
 136 and, in rural communities, the need for job creation, capital
 137 investment, and economic development that will strengthen and

138 diversify the community's economy. The future land use plan may
139 designate areas for future planned development use involving
140 combinations of types of uses for which special regulations may
141 be necessary to ensure development in accord with the principles
142 and standards of the comprehensive plan and this act. The future
143 land use plan shall contain provisions to address antiquated
144 subdivisions that are underused to minimize the imbalance of
145 single land use buildout, lack of public services, and
146 environmental and water quality impacts. In addition, for rural
147 communities, the amount of land designated for future planned
148 industrial use shall be based upon surveys and studies that
149 reflect the need for job creation, capital investment, and the
150 necessity to strengthen and diversify the local economies, and
151 shall not be limited solely by the projected population of the
152 rural community. The future land use plan of a county may also
153 designate areas for possible future municipal incorporation. The
154 future land use plan element shall identify any area where the
155 local government seeks to consolidate platted or subdivided lots
156 and the vacation of all or a portion of such lots to allow
157 appropriate development, redevelopment, reassembly, or any other
158 use. The land use maps or map series shall generally identify
159 and depict historic district boundaries and shall designate
160 historically significant properties meriting protection. The
161 future land use element must clearly identify the land use
162 categories in which public schools are an allowable use. When
163 delineating the land use categories in which public schools are
164 an allowable use, a local government shall include in the
165 categories sufficient land proximate to residential development

166 to meet the projected needs for schools in coordination with
167 public school boards and may establish differing criteria for
168 schools of different type or size. Each local government shall
169 include lands contiguous to existing school sites, to the
170 maximum extent possible, within the land use categories in which
171 public schools are an allowable use. All comprehensive plans
172 must comply with the school siting requirements of this
173 paragraph no later than October 1, 1999. The failure by a local
174 government to comply with these school siting requirements by
175 October 1, 1999, will result in the prohibition of the local
176 government's ability to amend the local comprehensive plan,
177 except for plan amendments described in s. 163.3187(1)(b), until
178 the school siting requirements are met. Amendments proposed by a
179 local government for purposes of identifying the land use
180 categories in which public schools are an allowable use or for
181 adopting or amending the school-siting maps pursuant to s.
182 163.31776(3) are exempt from the limitation on the frequency of
183 plan amendments contained in s. 163.3187. The future land use
184 element shall include criteria that encourage the location of
185 schools proximate to urban residential areas to the extent
186 possible and shall require that the local government seek to
187 collocate public facilities, such as parks, libraries, and
188 community centers, with schools to the extent possible and to
189 encourage the use of elementary schools as focal points for
190 neighborhoods. For schools serving predominantly rural counties,
191 defined as a county with a population of 100,000 or fewer, an
192 agricultural land use category shall be eligible for the
193 location of public school facilities if the local comprehensive

194 plan contains school siting criteria and the location is
 195 consistent with such criteria. Plan amendments that are needed
 196 to address requirements related to land assembly or adjustment
 197 of platted or subdivided lands or antiquated subdivisions shall
 198 be addressed prior to local government action to exercise such
 199 land assembly options or no later than the first evaluation and
 200 appraisal report which is due to be submitted at least 3 years
 201 after July 1, 2004.

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

204 163.3202 Land development regulations.--

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

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

210 (3) This section shall be construed to encourage the use
 211 of innovative land development regulations which include
 212 provisions such as transfer of development rights, incentive and
 213 inclusionary zoning, planned-unit development, impact fees, ~~and~~
 214 performance zoning, and land assembly, reassembly, or
 215 adjustment, as described in chapter 177. These and all other
 216 such regulations shall be combined and compiled into a single
 217 land development code for the jurisdiction. A general zoning
 218 code shall not be required if a local government's adopted land
 219 development regulations meet the requirements of this section.

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

222 163.340 Definitions.--The following terms, wherever used
 223 or referred to in this part, have the following meanings:

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

240 (10) "Community redevelopment area" means a slum area, a
 241 blighted area, or an area in which there is a shortage of
 242 housing that is affordable to residents of low or moderate
 243 income, including the elderly, an antiquated subdivision, or a
 244 coastal and tourist area that is deteriorating and economically
 245 distressed due to outdated building density patterns, inadequate
 246 transportation and parking facilities, faulty lot layout or
 247 inadequate street layout, or a pattern of platted or subdivided
 248 lots in an area that makes the area unsuitable for economically
 249 viable development or use, or a combination thereof, which the

250 governing body designates as appropriate for community
 251 redevelopment.

252 Section 7. Paragraph (b) of subsection (8) of section
 253 163.360, Florida Statutes, is amended to read:

254 163.360 Community redevelopment plans.--

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

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

261 1. Such nonresidential uses are necessary and appropriate
 262 to facilitate the proper growth and development of the community
 263 in accordance with sound planning standards and local community
 264 objectives.

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

267 a. Defective, or unusual conditions of, title or diversity
 268 of ownership which prevents the free alienability of such land;

269 b. Tax delinquency;

270 c. Improper or antiquated subdivisions;

271 d. Outmoded street patterns;

272 e. Deterioration of site;

273 f. Economic disuse;

274 g. Unsuitable topography or faulty lot layouts;

275 h. Lack of correlation of the area with other areas of a
 276 county or municipality by streets and modern traffic
 277 requirements; or

278 i. Any combination of such factors or other conditions
 279 which retard development of the area.

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

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

285 166.411 Eminent domain; uses or purposes.--Municipalities
 286 are authorized to exercise the power of eminent domain for the
 287 following uses or purposes:

288 (12) The consolidation of platted or subdivided lots to
 289 allow replatting and reassembly for more appropriate development
 290 consistent with the public policies of the jurisdiction or for
 291 public use.

292 Section 9. Section 177.011, Florida Statutes, is amended
 293 to read:

294 177.011 Purpose and scope of part I.--This part shall be
 295 deemed to establish consistent minimum requirements, and to
 296 create such additional powers in local governing bodies, as
 297 herein provided to regulate and control the platting,
 298 replatting, and reassembly of lands. The public health, safety,
 299 comfort, economy, order, appearance, convenience, morals, and
 300 general welfare require the harmonious, orderly, and progressive
 301 development of land within this state and its counties and
 302 incorporated municipalities. In furtherance of this general
 303 purpose, counties and incorporated municipalities, individually
 304 or in combination, may adopt, amend, or revise and enforce
 305 measures relating to platting and land assembly or adjustment.

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

308 (a) Aid in the coordination of land development in
 309 counties and municipalities in accordance with orderly physical
 310 patterns.

311 (b) Discourage haphazard, premature, uneconomic, or
 312 scattered land development.

313 (c) Encourage development of economically stable and
 314 healthful communities.

315 (d) Ensure adequate utilities provision to all lands being
 316 developed.

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

319 (2) This part establishes minimum requirements and does
 320 not exclude additional provisions or regulations by local
 321 ordinance, laws, or regulations.

322 Section 10. Subsection (23) is added to section 177.031,
 323 Florida Statutes, to read:

324 177.031 Definitions.--As used in this part:

325 (23) "Land assembly or adjustment" means the consolidation
 326 of contiguous and noncontiguous platted or subdivided lots and
 327 the vacation or deplatting of all or a portion of such lots to
 328 allow replatting and reassembly for more appropriate development
 329 or use.

330 Section 11. Section 177.091, Florida Statutes, is amended
 331 to read:

332 177.091 Plats made for recording.--Every approved plat of
 333 a subdivision shall be recorded in the public records of each

334 county in which the property is situated and ~~offered for~~
335 ~~recording~~ shall conform to the following:

336 (1) It must be:

337 (a) An original drawing made with black permanent drawing
338 ink; or

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

342

343 Marginal lines, standard certificates and approval forms shall
344 be printed on the plat with a permanent black drawing ink. A
345 print or photographic copy of the original drawing must be
346 submitted with the original drawing.

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

353 (3) When more than one sheet must be used to accurately
354 portray the lands subdivided, an index or key map must be
355 included and each sheet must show the particular number of that
356 sheet and the total number of sheets included, as well as
357 clearly labeled matchlines to show where other sheets match or
358 adjoin.

359 (4) In all cases, the letter size and scale used shall be
360 of sufficient size to show all detail. The scale shall be both

361 | stated and graphically illustrated by a graphic scale drawn on
362 | every sheet showing any portion of the lands subdivided.

363 | (5) The name of the plat shall be shown in bold legible
364 | letters, as stated in s. 177.051. The name of the subdivision
365 | shall be shown on each sheet included. The name of the
366 | professional surveyor and mapper or legal entity, along with the
367 | street and mailing address, must be shown on each sheet
368 | included.

369 | (6) A prominent "north arrow" shall be drawn on every
370 | sheet included showing any portion of the lands subdivided. The
371 | bearing or azimuth reference shall be clearly stated on the face
372 | of the plat in the notes or legend, and, in all cases, the
373 | bearings used shall be referenced to some well established and
374 | monumented line.

375 | (7) Permanent reference monuments must be placed at each
376 | corner or change in direction on the boundary of the lands being
377 | platted and may not be more than 1,400 feet apart. Where such
378 | corners are in an inaccessible place, "P.R.M.s" shall be set on
379 | a nearby offset within the boundary of the plat and such offset
380 | shall be so noted on the plat. Where corners are found to
381 | coincide with a previously set "P.R.M.," the Florida
382 | registration number of the professional surveyor and mapper in
383 | responsible charge or the certificate of authorization number of
384 | the legal entity on the previously set "P.R.M." shall be shown
385 | on the new plat or, if unnumbered, shall so state. Permanent
386 | reference monuments shall be set before the recording of the
387 | plat. The "P.R.M.s" shall be shown on the plat by an appropriate
388 | symbol or designation.

389 (8) Permanent control points shall be set on the
390 centerline of the right-of-way at the intersection and terminus
391 of all streets, at each change of direction, and no more than
392 1,000 feet apart. Such "P.C.P.s" shall be shown on the plat by
393 an appropriate symbol or designation. In those counties or
394 municipalities that do not require subdivision improvements and
395 do not accept bonds or escrow accounts to construct
396 improvements, "P.C.P.s" may be set prior to the recording of the
397 plat and must be set within 1 year of the date the plat was
398 recorded. In the counties or municipalities that require
399 subdivision improvements and have the means of insuring the
400 construction of said improvements, such as bonding requirements,
401 "P.C.P.s" must be set prior to the expiration of the bond or
402 other surety. If the professional surveyor and mapper or legal
403 entity of record is no longer in practice or is not available
404 due to relocation, or when the contractual relationship between
405 the subdivider and professional surveyor and mapper or legal
406 entity has been terminated, the subdivider shall contract with a
407 professional surveyor and mapper or legal entity in good
408 standing to place the "P.C.P.s" within the time allotted.

409 (9) Monuments shall be set at all lot corners, points of
410 intersection, and changes of direction of lines within the
411 subdivision which do not require a "P.R.M." or a "P.C.P.";
412 however, a monument need not be set if a monument already exists
413 at such corner, point, or change of direction or when a monument
414 cannot be set due to a physical obstruction. In those counties
415 or municipalities that do not require subdivision improvements
416 and do not accept bonds or escrow accounts to construct

417 improvements, monuments may be set prior to the recording of the
418 plat and must be set at the lot corners before the transfer of
419 the lot. In those counties or municipalities that require
420 subdivision improvements and have the means of ensuring the
421 construction of those improvements, such as bonding
422 requirements, monuments shall be set prior to the expiration of
423 the bond or other surety. If the professional surveyor and
424 mapper or legal entity of record is no longer in practice or is
425 not available due to relocation, or when the contractual
426 relationship between the subdivider and professional surveyor
427 and mapper or legal entity has been terminated, the subdivider
428 shall contract with a professional surveyor and mapper or legal
429 entity in good standing who shall be allowed to place the
430 monuments within the time allotted.

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

435 (11) Each plat shall show a description of the lands
436 subdivided, and the description shall be the same in the title
437 certification. The description must be so complete that from it,
438 without reference to the plat, the starting point and boundary
439 can be determined.

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

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

445 (14) All section lines and quarter section lines occurring
446 within the subdivision shall be indicated by lines drawn upon
447 the map or plat, with appropriate words and figures. If the
448 description is by metes and bounds, all information called for,
449 such as the point of commencement, course bearings and
450 distances, and the point of beginning, shall be indicated. If
451 the platted lands are in a land grant or are not included in the
452 subdivision of government surveys, then the boundaries are to be
453 defined by metes and bounds and courses.

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

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

463 (17) All contiguous properties shall be identified by
464 subdivision title, plat book, and page, or, if unplatted, land
465 shall be so designated. If the subdivision platted is a part or
466 the whole of a previously recorded subdivision, sufficient ties
467 shall be shown to controlling lines appearing on the earlier
468 plat to permit an overlay to be made; the fact of its being a
469 replat shall be stated as a subtitle under the name of the plat
470 on each sheet included. The subtitle must state the name of the
471 subdivision being replatted and the appropriate recording
472 reference.

473 (18) All lots shall be numbered either by progressive
 474 numbers or, if in blocks, progressively numbered in each block,
 475 and the blocks progressively numbered or lettered, except that
 476 blocks in numbered additions bearing the same name may be
 477 numbered consecutively throughout the several additions.

478 (19) Sufficient survey data shall be shown to positively
 479 describe the bounds of every lot, block, street easement, and
 480 all other areas shown on the plat. When any lot or portion of
 481 the subdivision is bounded by an irregular line, the major
 482 portion of that lot or subdivision shall be enclosed by a
 483 witness line showing complete data, with distances along all
 484 lines extended beyond the enclosure to the irregular boundary
 485 shown with as much certainty as can be determined or as "more or
 486 less," if variable. Lot, block, street, and all other dimensions
 487 except to irregular boundaries, shall be shown to a minimum of
 488 hundredths of feet. All measurements shall refer to horizontal
 489 plane and in accordance with the definition of the U.S. Survey
 490 foot or meter adopted by the National Institute of Standards and
 491 Technology. All measurements shall use the $^{39.37}/_{12}=3.28083333333$
 492 equation for conversion from a U.S. foot to meters.

493 (20) Curvilinear lot lines shall show the radii, arc
 494 distances, and central angles. Radial lines will be so
 495 designated. Direction of nonradial lines shall be indicated.

496 (21) Sufficient angles, bearings, or azimuth to show
 497 direction of all lines shall be shown, and all bearings, angles,
 498 or azimuth shall be shown to the nearest second of arc.

499 (22) The centerlines of all streets shall be shown as
 500 follows: noncurved lines: distances together with either angles,

501 | bearings, or azimuths; curved lines: arc distances, central
502 | angles, and radii, together with chord and chord bearing or
503 | azimuths.

504 | (23) Park and recreation parcels as applicable shall be so
505 | designated.

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

509 | (25) The purpose of all areas dedicated must be clearly
510 | indicated or stated on the plat.

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

514 | (27) The plat shall include in a prominent place the
515 | following statements: "NOTICE: This plat, as recorded in its
516 | graphic form, is the official depiction of the subdivided lands
517 | described herein and will in no circumstances be supplanted in
518 | authority by any other graphic or digital form of the plat.
519 | There may be additional restrictions that are not recorded on
520 | this plat that may be found in the public records of this
521 | county."

522 | (28) All platted utility easements shall provide that such
523 | easements shall also be easements for the construction,
524 | installation, maintenance, and operation of cable television
525 | services; provided, however, no such construction, installation,
526 | maintenance, and operation of cable television services shall
527 | interfere with the facilities and services of an electric,
528 | telephone, gas, or other public utility. In the event a cable

529 television company damages the facilities of a public utility,
 530 it shall be solely responsible for the damages. This section
 531 shall not apply to those private easements granted to or
 532 obtained by a particular electric, telephone, gas, or other
 533 public utility. Such construction, installation, maintenance,
 534 and operation shall comply with the National Electrical Safety
 535 Code as adopted by the Florida Public Service Commission.

536 (29) A legend of all symbols and abbreviations shall be
 537 shown.

538 Section 12. Section 177.101, Florida Statutes, is amended
 539 to read:

540 177.101 Assembly, replat, vacation, and annulment of plats
 541 subdividing land.--

542 (1) Whenever it is discovered, after the plat has been
 543 recorded in the public records, that the developer has
 544 previously caused the lands embraced in the second plat to be
 545 differently subdivided under and by virtue of another plat of
 546 the same identical lands, and the first plat was also filed of
 547 public record at an earlier date, and no conveyances of lots by
 548 reference to the first plat so filed appears of record in such
 549 county, the governing body of the county is authorized and
 550 directed to and shall, by resolution, vacate and annul the first
 551 plat of such lands appearing of record upon the application of
 552 the developer of such lands under the first plat or upon
 553 application of the owners of all the lots shown and designated
 554 upon the second and subsequent plat of such lands, and the
 555 circuit court clerk of the county shall thereupon make proper

556 | notation of the annulment of such plat upon the face of such
557 | annulled plat.

558 | (2) Whenever it is discovered that after the filing of a
559 | plat subdividing a parcel of land located in the county, the
560 | developer of the lands therein and thereby subdivided did cause
561 | such lands embraced in said plat, or a part thereof, to be again
562 | and subsequently differently subdivided under another plat of
563 | the same and identical lands or a part thereof, which said
564 | second plat was also filed at a later date; and it is further
565 | made to appear to the governing body of the county that the
566 | filing and recording of the second plat would not materially
567 | affect the right of convenient access to lots previously
568 | conveyed under the first plat, the governing body of the county
569 | is authorized by resolution to vacate and annul so much of the
570 | first plat of such lands appearing of record as are included in
571 | the second plat, upon application of the owners and developer of
572 | such lands under the first plat or their successors, grantees,
573 | or assignees, and the circuit court clerk of the county shall
574 | thereupon make proper notation of the action of the governing
575 | body upon the face of the first plat. The approval of a replat
576 | by the governing body of a local government, which encompasses
577 | lands embraced in all or part of a prior plat filed of public
578 | record shall, upon recordation of the replat, automatically and
579 | simultaneously vacate and annul all of the prior plat
580 | encompassed by the replat.

581 | (3) The governing bodies of the counties of the state may
582 | adopt resolutions vacating plats in whole or in part of
583 | subdivisions in said counties, returning the property covered by

584 such plats either in whole or in part into acreage. Before such
585 resolution of vacating any plat either in whole or in part shall
586 be entered by the governing body of a county, it must be shown
587 that the persons making application for said vacation own the
588 fee simple title to the whole or that part of the tract covered
589 by the plat sought to be vacated, and it must be further shown
590 that the vacation by the governing body of the county will not
591 affect the ownership or right of convenient access of persons
592 owning other parts of the subdivision.

593 (4) Persons making application for vacations of plats
594 either in whole or in part shall give notice of their intention
595 to apply to the governing body of the county to vacate said plat
596 by publishing legal notice in a newspaper of general circulation
597 in the county in which the tract or parcel of land is located,
598 in not less than two weekly issues of said paper, and must
599 attach to the petition for vacation the proof of such
600 publication, together with certificates showing that all state
601 and county taxes have been paid. For the purpose of the tax
602 collector's certification that state, county, and municipal
603 taxes have been paid, the taxes shall be deemed to have been
604 paid if, in addition to any partial payment under s. 194.171,
605 the owner of the platted lands sought to be vacated shall post a
606 cash bond, approved by the tax collector of the county where the
607 land is located and by the Department of Revenue, conditioned to
608 pay the full amount of any judgment entered pursuant to s.
609 194.192 adverse to the person making partial payment, including
610 all costs, interest, and penalties. The circuit court shall fix
611 the amount of said bond by order, after considering the

612 reasonable timeframe for such litigation and all other relevant
 613 factors; and a certified copy of such approval, order, and cash
 614 bond shall be attached to the application. If such tract or
 615 parcel of land is within the corporate limits of any
 616 incorporated city or town, the governing body of the county
 617 shall be furnished with a certified copy of a resolution of the
 618 town council or city commission, as the case may be, showing
 619 that it has already by suitable resolution vacated such plat or
 620 subdivision or such part thereof sought to be vacated.

621 (5) Every such resolution by the governing body shall have
 622 the effect of vacating all streets and alleys which have not
 623 become highways necessary for use by the traveling public. Such
 624 vacation shall not become effective until a certified copy of
 625 such resolution has been filed in the offices of the circuit
 626 court clerk and duly recorded in the public records of said
 627 county.

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

632 (7)(a) The governing body of a county may order the
 633 assembly or adjustment of all or part of a subdivision within
 634 its jurisdiction to the provisions and objectives of the revised
 635 local comprehensive plan. It may order the assembly, replatting,
 636 or vacation of the acreage of the existing plat on any portion
 637 of the subdivision, including the vacation of streets, except
 638 any roads on the State Highway System, or other parcels of land
 639 dedicated for public purposes or any of such streets or other

640 parcels, when:

641 1. The plat of the subdivision was recorded as provided by
 642 law, or approved pursuant to law but not recorded, not less than
 643 25 years before the date of such action.

644 2. In the subdivision or a portion of the subdivision, not
 645 more than 20 percent of the total subdivision area has been
 646 built into the uses of the subdivision's zoned or land use
 647 purposes.

648 (b) Any persons or entities, other than the local
 649 governing body, pursuing reassembly of a parcel pursuant to this
 650 section must demonstrate that the persons or entities making
 651 application for such vacation own the fee simple title to at
 652 least 60 percent of the subdivision or portion of the tract
 653 covered by the plat sought to be vacated and must demonstrate
 654 that the vacation will not affect the ownership or right of
 655 convenient access of persons owning other parts of the
 656 subdivision.

657 (c) Such action shall be based on a finding by the
 658 governing body that the proposed assembly or adjustment, or
 659 vacation and reversion to acreage of subdivided land, conforms
 660 to the comprehensive plan of the area and that the public
 661 health, safety, economy, comfort, order, convenience, and
 662 welfare will be promoted.

663 Section 13. Section 177.111, Florida Statutes, is amended
 664 to read:

665 177.111 Instructions for filing plat.--After the approval
 666 by the appropriate governing body required by s. 177.071, the
 667 plat shall be submitted to ~~recorded by~~ the circuit court clerk

668 | or other recording officer for recording in the public records
 669 | of the county ~~upon submission thereto of such approved plat~~. The
 670 | circuit court clerk or other recording officer shall maintain in
 671 | his or her office a book of the proper size for such papers so
 672 | that they shall not be folded, to be kept in the vault. A print
 673 | or photographic copy must be filed in a similar book and kept in
 674 | his or her office for the use of the public. The clerk shall
 675 | make available to the public a full size copy of the record plat
 676 | at a reasonable fee.

677 | Section 14. Section 290.003, Florida Statutes, is amended
 678 | to read:

679 | 290.003 Policy and purpose.--It is the policy of this
 680 | state to provide the necessary means to assist local
 681 | communities, their residents, and the private sector in creating
 682 | the proper economic and social environment to induce the
 683 | investment of private resources in productive business
 684 | enterprises located in severely distressed areas and to provide
 685 | jobs for residents of such areas. In achieving this objective,
 686 | the state will seek to provide appropriate investments, tax
 687 | benefits, and regulatory relief of sufficient importance to
 688 | encourage the business community to commit its financial
 689 | participation. The purpose of ss. 290.001-290.016 is to
 690 | establish a process that clearly identifies such severely
 691 | distressed areas and provides incentives by both the state and
 692 | local government to induce private investment in such areas. The
 693 | Legislature, therefore, declares the revitalization of
 694 | enterprise zones and antiquated subdivisions, through the

695 concerted efforts of government and the private sector, to be a
 696 public purpose.

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

699 290.0058 Determination of pervasive poverty, unemployment,
 700 and general distress.--

701 (4) General distress shall be evidenced by describing
 702 adverse conditions within the nominated area, including
 703 antiquated subdivisions, other than those of pervasive poverty
 704 and unemployment. A high incidence of crime, abandoned
 705 structures, and deteriorated infrastructure; ~~or~~ substantial
 706 population change; a high percentage of tax delinquent parcels;
 707 or inappropriate lot sizes to ensure a balance of land uses
 708 ~~decline~~ are examples of appropriate indicators of general
 709 distress.

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

713 380.031 Definitions.--As used in this chapter:

714 (8) "Land development regulations" include local zoning,
 715 subdivision, assembly, reassembly, or adjustment of platted or
 716 subdivided lands, building, and other regulations controlling
 717 the development of land.

718 (21) "Land assembly or adjustment" means the consolidation
 719 of contiguous and noncontiguous platted or subdivided lots and
 720 the vacation or deplatting of all or a portion of these lots to
 721 allow replatting and reassembly for more appropriate development
 722 or use.

723 (22) "Antiquated subdivisions" means subdivisions or large
724 numbers of lots within platted and unplatted subdivisions that
725 were recorded prior to 1980 in which the continued buildout of
726 the subdivision would provide an imbalance of land uses and
727 would be detrimental to the local and regional economies and
728 environment, hinder current planning practices, and lead to
729 inefficient development patterns.

730 Section 17. This act shall take effect upon becoming a
731 law.