

1 A bill to be entitled
2 An act relating to regulating the consolidation
3 and recordation of lands; providing for
4 assembly and readjustment of certain land
5 plats; revising provisions relating to
6 recording land plats; amending s. 125.01, F.S.;
7 revising certain powers of county governments
8 to regulate lands; amending s. 127.01, F.S.;
9 specifying consolidation of certain property
10 for certain purposes as a public purpose;
11 amending s. 163.3164, F.S.; revising the
12 definition of the term "land development
13 regulations" and defining the term "land
14 assembly or adjustment"; amending s. 163.3177,
15 F.S.; revising requirements of future land use
16 plan elements of a required comprehensive plan
17 to address antiquated subdivisions and
18 consolidation of certain properties for certain
19 purposes; providing a deadline for addressing
20 certain plan amendments; amending s. 163.3202,
21 F.S.; revising certain land development
22 regulation requirements to address
23 consolidation of certain properties for certain
24 purposes; amending s. 163.340, F.S.; revising
25 certain definitions to include consolidation of
26 certain properties and antiquated subdivisions;
27 amending s. 163.360, F.S.; including antiquated
28 subdivisions under certain community
29 redevelopment plan requirements; amending s.
30 166.411, F.S.; including consolidation of
31 certain properties for certain purposes under

1 municipal powers of eminent domain; amending s.
2 177.011, F.S.; providing additional purposes
3 and scope relating to platting, replatting, and
4 reassembly of lands; providing intent relating
5 to regulation of land platting and land
6 assembly or adjustment; amending s. 177.031,
7 F.S.; defining the term "land assembly or
8 adjustment"; amending s. 177.091, F.S.;
9 requiring recordation of approved subdivision
10 plats in certain public records; amending s.
11 177.101, F.S.; authorizing local governing
12 bodies to order the assembly or adjustment of
13 all or portions of subdivisions for certain
14 purposes; providing an exception; providing
15 criteria and requirements; amending s. 177.111,
16 F.S.; requiring submittal of certain approved
17 plats to certain entities; amending s. 290.003,
18 F.S.; declaring the revitalization of
19 antiquated subdivisions to be a public purpose;
20 amending s. 290.0058, F.S.; revising provisions
21 for determining general distress of certain
22 areas to include antiquated subdivisions and
23 other criteria; amending s. 380.031, F.S.;
24 revising the definition of the term "land
25 development regulations" and defining the terms
26 "antiquated subdivisions" and "land assembly or
27 adjustment"; providing an effective date.

28
29 WHEREAS, antiquated subdivisions or large volumes of
30 vacant lots within platted and unplatted subdivisions are
31 detrimental to the local and regional economies and

1 environment, hinder appropriate planning, and lead to
2 inefficient development patterns, and

3 WHEREAS, large-scale land reassembly of subdivided lots
4 is expensive to both the property owner and the local
5 governing body and is administratively complicated and time
6 consuming, and

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

10
11 Be It Enacted by the Legislature of the State of Florida:

12
13 Section 1. Paragraphs (g), (h), and (j) of subsection
14 (1) of section 125.01, Florida Statutes, are amended to read:

15 125.01 Powers and duties.--

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

20 (g) Prepare and enforce comprehensive plans for the
21 development of the county and the regulation of platted lands
22 development, including platting, deplatting, and reassembly.

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

26 (j) Establish and administer programs of housing, slum
27 clearance, community redevelopment, conservation, flood and
28 beach erosion control, air pollution control, platted lands
29 assembly or adjustment, and navigation and drainage and
30 cooperate with governmental agencies and private enterprises
31 in the development and operation of such programs.

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

3 127.01 Counties delegated power of eminent domain;
4 recreational purposes, issue of necessity of taking.--

5 (3) The consolidation of platted or subdivided lots to
6 allow replatting for more appropriate development consistent
7 with the public policies of the jurisdiction or for public use
8 shall be considered a public purpose.

9 Section 3. Subsection (23) of section 163.3164,
10 Florida Statutes, is amended, and subsection (32) is added to
11 that section, to read:

12 163.3164 Local Government Comprehensive Planning and
13 Land Development Regulation Act; definitions.--As used in this
14 act:

15 (23) "Land development regulations" means ordinances
16 enacted by governing bodies for the regulation of any aspect
17 of development and includes any local government zoning,
18 rezoning, subdivision, land assembly or adjustment of platted
19 or subdivided lands, building construction, or sign
20 regulations or any other regulations controlling the
21 development of land, except that this definition shall not
22 apply in s. 163.3213.

23 (32) "Land assembly or adjustment" means the
24 consolidation of contiguous and noncontiguous platted or
25 subdivided lots and the vacation or deplatting of all or a
26 portion of such lots to allow replatting and reassembly for
27 more appropriate development or use.

28 Section 4. Paragraph (a) of subsection (6) of section
29 163.3177, Florida Statutes, is amended to read:

30 163.3177 Required and optional elements of
31 comprehensive plan; studies and surveys.--

1 (6) In addition to the requirements of subsections
2 (1)-(5), the comprehensive plan shall include the following
3 elements:

4 (a) A future land use plan element designating
5 proposed future general distribution, location, and extent of
6 the uses of land for residential uses, commercial uses,
7 industry, agriculture, recreation, conservation, education,
8 public buildings and grounds, other public facilities, and
9 other categories of the public and private uses of land. Each
10 future land use category must be defined in terms of uses
11 included, and must include standards to be followed in the
12 control and distribution of population densities and building
13 and structure intensities. The proposed distribution,
14 location, and extent of the various categories of land use
15 shall be shown on a land use map or map series which shall be
16 supplemented by goals, policies, and measurable objectives.
17 The future land use plan shall be based upon surveys, studies,
18 and data regarding the area, including the amount of land
19 required to accommodate anticipated growth; the projected
20 population of the area; the character of undeveloped land,
21 including an analysis of antiquated subdivisions; the
22 availability of public services; the need for redevelopment
23 and land reassembly, including the renewal of blighted areas
24 and the elimination of nonconforming uses which are
25 inconsistent with the character of the community; and, in
26 rural communities, the need for job creation, capital
27 investment, and economic development that will strengthen and
28 diversify the community's economy. The future land use plan
29 may designate areas for future planned development use
30 involving combinations of types of uses for which special
31 regulations may be necessary to ensure development in accord

1 with the principles and standards of the comprehensive plan
2 and this act. The future land use plan shall contain
3 provisions to address antiquated subdivisions that are
4 underused to minimize the imbalance of single land use
5 buildout, lack of public services, and environmental and water
6 quality impacts. In addition, for rural communities, the
7 amount of land designated for future planned industrial use
8 shall be based upon surveys and studies that reflect the need
9 for job creation, capital investment, and the necessity to
10 strengthen and diversify the local economies, and shall not be
11 limited solely by the projected population of the rural
12 community. The future land use plan of a county may also
13 designate areas for possible future municipal incorporation.
14 The future land use plan element shall identify any area where
15 the local government seeks to consolidate platted or
16 subdivided lots and the vacation of all or a portion of such
17 lots to allow appropriate development, redevelopment,
18 reassembly, or any other use. The land use maps or map series
19 shall generally identify and depict historic district
20 boundaries and shall designate historically significant
21 properties meriting protection. The future land use element
22 must clearly identify the land use categories in which public
23 schools are an allowable use. When delineating the land use
24 categories in which public schools are an allowable use, a
25 local government shall include in the categories sufficient
26 land proximate to residential development to meet the
27 projected needs for schools in coordination with public school
28 boards and may establish differing criteria for schools of
29 different type or size. Each local government shall include
30 lands contiguous to existing school sites, to the maximum
31 extent possible, within the land use categories in which

1 public schools are an allowable use. All comprehensive plans
2 must comply with the school siting requirements of this
3 paragraph no later than October 1, 1999. The failure by a
4 local government to comply with these school siting
5 requirements by October 1, 1999, will result in the
6 prohibition of the local government's ability to amend the
7 local comprehensive plan, except for plan amendments described
8 in s. 163.3187(1)(b), until the school siting requirements are
9 met. Amendments proposed by a local government for purposes of
10 identifying the land use categories in which public schools
11 are an allowable use or for adopting or amending the
12 school-siting maps pursuant to s. 163.31776(3) are exempt from
13 the limitation on the frequency of plan amendments contained
14 in s. 163.3187. The future land use element shall include
15 criteria that encourage the location of schools proximate to
16 urban residential areas to the extent possible and shall
17 require that the local government seek to collocate public
18 facilities, such as parks, libraries, and community centers,
19 with schools to the extent possible and to encourage the use
20 of elementary schools as focal points for neighborhoods. For
21 schools serving predominantly rural counties, defined as a
22 county with a population of 100,000 or fewer, an agricultural
23 land use category shall be eligible for the location of public
24 school facilities if the local comprehensive plan contains
25 school siting criteria and the location is consistent with
26 such criteria. Plan amendments that are needed to address
27 requirements related to land assembly or adjustment of platted
28 or subdivided lands or antiquated subdivisions shall be
29 addressed prior to local government action to exercise such
30 land assembly options or no later than the first evaluation

31

1 and appraisal report which is due to be submitted at least 3
2 years after July 1, 2004.

3 Section 5. Subsections (2) and (3) of section
4 163.3202, Florida Statutes, are amended to read:

5 163.3202 Land development regulations.--

6 (2) Local land development regulations shall contain
7 specific and detailed provisions necessary or desirable to
8 implement the adopted comprehensive plan and shall as a
9 minimum:

10 (a) Regulate the subdivision, assembly, reassembly, or
11 adjustment of land, as defined in ss. 163.3164(32) and
12 177.101;

13 (b) Regulate the use of land and water for those land
14 use categories included in the land use element and ensure the
15 compatibility of adjacent uses and provide for open space;

16 (c) Provide for protection of potable water
17 wellfields;

18 (d) Regulate areas subject to seasonal and periodic
19 flooding and provide for drainage and stormwater management;

20 (e) Ensure the protection of environmentally sensitive
21 lands designated in the comprehensive plan;

22 (f) Regulate signage;

23 (g) Provide that public facilities and services meet
24 or exceed the standards established in the capital
25 improvements element required by s. 163.3177 and are available
26 when needed for the development, or that development orders
27 and permits are conditioned on the availability of these
28 public facilities and services necessary to serve the proposed
29 development. Not later than 1 year after its due date
30 established by the state land planning agency's rule for
31 submission of local comprehensive plans pursuant to s.

1 163.3167(2), a local government shall not issue a development
 2 order or permit which results in a reduction in the level of
 3 services for the affected public facilities below the level of
 4 services provided in the comprehensive plan of the local
 5 government.

6 (h) Ensure safe and convenient onsite traffic flow,
 7 considering needed vehicle parking.

8 (3) This section shall be construed to encourage the
 9 use of innovative land development regulations which include
 10 provisions such as transfer of development rights, incentive
 11 and inclusionary zoning, planned-unit development, impact
 12 fees, ~~and performance zoning, and land assembly, reassembly,~~
 13 or adjustment, as described in chapter 177. These and all
 14 other such regulations shall be combined and compiled into a
 15 single land development code for the jurisdiction. A general
 16 zoning code shall not be required if a local government's
 17 adopted land development regulations meet the requirements of
 18 this section.

19 Section 6. Subsections (9) and (10) of section
 20 163.340, Florida Statutes, are amended to read:

21 163.340 Definitions.--The following terms, wherever
 22 used or referred to in this part, have the following meanings:

23 (9) "Community redevelopment" or "redevelopment" means
 24 undertakings, activities, or projects of a county,
 25 municipality, or community redevelopment agency in a community
 26 redevelopment area for the elimination and prevention of the
 27 development or spread of slums and blight, or for the
 28 reduction or prevention of crime, or for the provision of
 29 affordable housing, whether for rent or for sale, to residents
 30 of low or moderate income, including the elderly, and may
 31 include slum clearance and redevelopment in a community

1 redevelopment area or rehabilitation and revitalization of
 2 coastal resort and tourist areas that are deteriorating and
 3 economically distressed, ~~or~~ rehabilitation or conservation in
 4 a community redevelopment area, or the reassembly, platting,
 5 or replatting of lands, or any combination or part thereof, in
 6 accordance with a community redevelopment plan and may include
 7 the preparation of such a plan.

8 (10) "Community redevelopment area" means a slum area,
 9 a blighted area, or an area in which there is a shortage of
 10 housing that is affordable to residents of low or moderate
 11 income, including the elderly, an antiquated subdivision, or a
 12 coastal and tourist area that is deteriorating and
 13 economically distressed due to outdated building density
 14 patterns, inadequate transportation and parking facilities,
 15 faulty lot layout or inadequate street layout, or a pattern of
 16 platted or subdivided lots in an area that makes the area
 17 unsuitable for economically viable development or use, or a
 18 combination thereof, which the governing body designates as
 19 appropriate for community redevelopment.

20 Section 7. Paragraph (b) of subsection (8) of section
 21 163.360, Florida Statutes, is amended to read:

22 163.360 Community redevelopment plans.--

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

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

29 1. Such nonresidential uses are necessary and
 30 appropriate to facilitate the proper growth and development of
 31

1 the community in accordance with sound planning standards and
2 local community objectives.

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

5 a. Defective, or unusual conditions of, title or
6 diversity of ownership which prevents the free alienability of
7 such land;

8 b. Tax delinquency;

9 c. Improper or antiquated subdivisions;

10 d. Outmoded street patterns;

11 e. Deterioration of site;

12 f. Economic disuse;

13 g. Unsuitable topography or faulty lot layouts;

14 h. Lack of correlation of the area with other areas of
15 a county or municipality by streets and modern traffic
16 requirements; or

17 i. Any combination of such factors or other conditions
18 which retard development of the area.

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

22 Section 8. Subsection (12) is added to section
23 166.411, Florida Statutes, to read:

24 166.411 Eminent domain; uses or
25 purposes.--Municipalities are authorized to exercise the power
26 of eminent domain for the following uses or purposes:

27 (12) The consolidation of platted or subdivided lots
28 to allow replatting and reassembly for more appropriate
29 development consistent with the public policies of the
30 jurisdiction or for public use.

31

1 Section 9. Section 177.011, Florida Statutes, is
2 amended to read:

3 177.011 Purpose and scope of part I.--This part shall
4 be deemed to establish consistent minimum requirements, and to
5 create such additional powers in local governing bodies, as
6 herein provided to regulate and control the platting,
7 replatting, and reassembly of lands. The public health,
8 safety, comfort, economy, order, appearance, convenience,
9 morals, and general welfare require the harmonious, orderly,
10 and progressive development of land within this state and its
11 counties and incorporated municipalities. In furtherance of
12 this general purpose, counties and incorporated
13 municipalities, individually or in combination, may adopt,
14 amend, or revise and enforce measures relating to platting and
15 land assembly or adjustment.

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

18 (a) Aid in the coordination of land development in
19 counties and municipalities in accordance with orderly
20 physical patterns.

21 (b) Discourage haphazard, premature, uneconomic, or
22 scattered land development.

23 (c) Encourage development of economically stable and
24 healthful communities.

25 (d) Ensure adequate utilities provision to all lands
26 being developed.

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

29 (2) This part establishes minimum requirements and
30 does not exclude additional provisions or regulations by local
31 ordinance, laws, or regulations.

1 Section 10. Subsection (23) is added to section
2 177.031, Florida Statutes, to read:

3 177.031 Definitions.--As used in this part:

4 (23) "Land assembly or adjustment" means the
5 consolidation of contiguous and noncontiguous platted or
6 subdivided lots and the vacation or deplatting of all or a
7 portion of such lots to allow replatting and reassembly for
8 more appropriate development or use.

9 Section 11. Section 177.091, Florida Statutes, is
10 amended to read:

11 177.091 Plats made for recording.--Every approved plat
12 of a subdivision shall be recorded in the public records of
13 each county in which the property is situated and ~~offered for~~
14 recording shall conform to the following:

15 (1) It must be:

16 (a) An original drawing made with black permanent
17 drawing ink; or

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

21
22 Marginal lines, standard certificates and approval forms shall
23 be printed on the plat with a permanent black drawing ink. A
24 print or photographic copy of the original drawing must be
25 submitted with the original drawing.

26 (2) The size of each sheet shall be determined by the
27 local governing body and shall be drawn with a marginal line,
28 or printed when permitted by local ordinance, completely
29 around each sheet and placed so as to leave at least a
30 1/2-inch margin on each of three sides and a 3-inch margin on
31 the left side of the plat for binding purposes.

1 (3) When more than one sheet must be used to
2 accurately portray the lands subdivided, an index or key map
3 must be included and each sheet must show the particular
4 number of that sheet and the total number of sheets included,
5 as well as clearly labeled matchlines to show where other
6 sheets match or adjoin.

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

12 (5) The name of the plat shall be shown in bold
13 legible letters, as stated in s. 177.051. The name of the
14 subdivision shall be shown on each sheet included. The name of
15 the professional surveyor and mapper or legal entity, along
16 with the street and mailing address, must be shown on each
17 sheet included.

18 (6) A prominent "north arrow" shall be drawn on every
19 sheet included showing any portion of the lands subdivided.
20 The bearing or azimuth reference shall be clearly stated on
21 the face of the plat in the notes or legend, and, in all
22 cases, the bearings used shall be referenced to some well
23 established and monumented line.

24 (7) Permanent reference monuments must be placed at
25 each corner or change in direction on the boundary of the
26 lands being platted and may not be more than 1,400 feet apart.
27 Where such corners are in an inaccessible place, "P.R.M.s"
28 shall be set on a nearby offset within the boundary of the
29 plat and such offset shall be so noted on the plat. Where
30 corners are found to coincide with a previously set "P.R.M.,"
31 the Florida registration number of the professional surveyor

1 and mapper in responsible charge or the certificate of
2 authorization number of the legal entity on the previously set
3 "P.R.M." shall be shown on the new plat or, if unnumbered,
4 shall so state. Permanent reference monuments shall be set
5 before the recording of the plat. The "P.R.M.s" shall be shown
6 on the plat by an appropriate symbol or designation.

7 (8) Permanent control points shall be set on the
8 centerline of the right-of-way at the intersection and
9 terminus of all streets, at each change of direction, and no
10 more than 1,000 feet apart. Such "P.C.P.s" shall be shown on
11 the plat by an appropriate symbol or designation. In those
12 counties or municipalities that do not require subdivision
13 improvements and do not accept bonds or escrow accounts to
14 construct improvements, "P.C.P.s" may be set prior to the
15 recording of the plat and must be set within 1 year of the
16 date the plat was recorded. In the counties or municipalities
17 that require subdivision improvements and have the means of
18 insuring the construction of said improvements, such as
19 bonding requirements, "P.C.P.s" must be set prior to the
20 expiration of the bond or other surety. If the professional
21 surveyor and mapper or legal entity of record is no longer in
22 practice or is not available due to relocation, or when the
23 contractual relationship between the subdivider and
24 professional surveyor and mapper or legal entity has been
25 terminated, the subdivider shall contract with a professional
26 surveyor and mapper or legal entity in good standing to place
27 the "P.C.P.s" within the time allotted.

28 (9) Monuments shall be set at all lot corners, points
29 of intersection, and changes of direction of lines within the
30 subdivision which do not require a "P.R.M." or a "P.C.P.";
31 however, a monument need not be set if a monument already

1 exists at such corner, point, or change of direction or when a
2 monument cannot be set due to a physical obstruction. In those
3 counties or municipalities that do not require subdivision
4 improvements and do not accept bonds or escrow accounts to
5 construct improvements, monuments may be set prior to the
6 recording of the plat and must be set at the lot corners
7 before the transfer of the lot. In those counties or
8 municipalities that require subdivision improvements and have
9 the means of ensuring the construction of those improvements,
10 such as bonding requirements, monuments shall be set prior to
11 the expiration of the bond or other surety. If the
12 professional surveyor and mapper or legal entity of record is
13 no longer in practice or is not available due to relocation,
14 or when the contractual relationship between the subdivider
15 and professional surveyor and mapper or legal entity has been
16 terminated, the subdivider shall contract with a professional
17 surveyor and mapper or legal entity in good standing who shall
18 be allowed to place the monuments within the time allotted.

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

23 (11) Each plat shall show a description of the lands
24 subdivided, and the description shall be the same in the title
25 certification. The description must be so complete that from
26 it, without reference to the plat, the starting point and
27 boundary can be determined.

28 (12) The dedications and approvals required by ss.
29 177.071 and 177.081 must be shown.

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31

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

4 (14) All section lines and quarter section lines
5 occurring within the subdivision shall be indicated by lines
6 drawn upon the map or plat, with appropriate words and
7 figures. If the description is by metes and bounds, all
8 information called for, such as the point of commencement,
9 course bearings and distances, and the point of beginning,
10 shall be indicated. If the platted lands are in a land grant
11 or are not included in the subdivision of government surveys,
12 then the boundaries are to be defined by metes and bounds and
13 courses.

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

17 (16) Location and width of proposed easements and
18 existing easements identified in the title opinion or
19 certification required by s. 177.041(2) shall be shown on the
20 plat or in the notes or legend, and their intended use shall
21 be clearly stated. Where easements are not coincident with
22 property lines, they must be labeled with bearings and
23 distances and tied to the principal lot, tract, or
24 right-of-way.

25 (17) All contiguous properties shall be identified by
26 subdivision title, plat book, and page, or, if unplatted, land
27 shall be so designated. If the subdivision platted is a part
28 or the whole of a previously recorded subdivision, sufficient
29 ties shall be shown to controlling lines appearing on the
30 earlier plat to permit an overlay to be made; the fact of its
31 being a replat shall be stated as a subtitle under the name of

1 the plat on each sheet included. The subtitle must state the
2 name of the subdivision being replatted and the appropriate
3 recording reference.

4 (18) All lots shall be numbered either by progressive
5 numbers or, if in blocks, progressively numbered in each
6 block, and the blocks progressively numbered or lettered,
7 except that blocks in numbered additions bearing the same name
8 may be numbered consecutively throughout the several
9 additions.

10 (19) Sufficient survey data shall be shown to
11 positively describe the bounds of every lot, block, street
12 easement, and all other areas shown on the plat. When any lot
13 or portion of the subdivision is bounded by an irregular line,
14 the major portion of that lot or subdivision shall be enclosed
15 by a witness line showing complete data, with distances along
16 all lines extended beyond the enclosure to the irregular
17 boundary shown with as much certainty as can be determined or
18 as "more or less," if variable. Lot, block, street, and all
19 other dimensions except to irregular boundaries, shall be
20 shown to a minimum of hundredths of feet. All measurements
21 shall refer to horizontal plane and in accordance with the
22 definition of the U.S. Survey foot or meter adopted by the
23 National Institute of Standards and Technology. All
24 measurements shall use the $39.37/12=3.280833333333$ equation for
25 conversion from a U.S. foot to meters.

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

29 (21) Sufficient angles, bearings, or azimuth to show
30 direction of all lines shall be shown, and all bearings,
31

1 angles, or azimuth shall be shown to the nearest second of
2 arc.

3 (22) The centerlines of all streets shall be shown as
4 follows: noncurved lines: distances together with either
5 angles, bearings, or azimuths; curved lines: arc distances,
6 central angles, and radii, together with chord and chord
7 bearing or azimuths.

8 (23) Park and recreation parcels as applicable shall
9 be so designated.

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

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

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

18 (27) The plat shall include in a prominent place the
19 following statements: "NOTICE: This plat, as recorded in its
20 graphic form, is the official depiction of the subdivided
21 lands described herein and will in no circumstances be
22 supplanted in authority by any other graphic or digital form
23 of the plat. There may be additional restrictions that are not
24 recorded on this plat that may be found in the public records
25 of this county."

26 (28) All platted utility easements shall provide that
27 such easements shall also be easements for the construction,
28 installation, maintenance, and operation of cable television
29 services; provided, however, no such construction,
30 installation, maintenance, and operation of cable television
31 services shall interfere with the facilities and services of

1 an electric, telephone, gas, or other public utility. In the
2 event a cable television company damages the facilities of a
3 public utility, it shall be solely responsible for the
4 damages. This section shall not apply to those private
5 easements granted to or obtained by a particular electric,
6 telephone, gas, or other public utility. Such construction,
7 installation, maintenance, and operation shall comply with the
8 National Electrical Safety Code as adopted by the Florida
9 Public Service Commission.

10 (29) A legend of all symbols and abbreviations shall
11 be shown.

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

14 177.101 Assembly, replat, vacation, and annulment of
15 plats subdividing land.--

16 (1) Whenever it is discovered, after the plat has been
17 recorded in the public records, that the developer has
18 previously caused the lands embraced in the second plat to be
19 differently subdivided under and by virtue of another plat of
20 the same identical lands, and the first plat was also filed of
21 public record at an earlier date, and no conveyances of lots
22 by reference to the first plat so filed appears of record in
23 such county, the governing body of the county is authorized
24 and directed to and shall, by resolution, vacate and annul the
25 first plat of such lands appearing of record upon the
26 application of the developer of such lands under the first
27 plat or upon application of the owners of all the lots shown
28 and designated upon the second and subsequent plat of such
29 lands, and the circuit court clerk of the county shall
30 thereupon make proper notation of the annulment of such plat
31 upon the face of such annulled plat.

1 (2) Whenever it is discovered that after the filing of
2 a plat subdividing a parcel of land located in the county, the
3 developer of the lands therein and thereby subdivided did
4 cause such lands embraced in said plat, or a part thereof, to
5 be again and subsequently differently subdivided under another
6 plat of the same and identical lands or a part thereof, which
7 said second plat was also filed at a later date; and it is
8 further made to appear to the governing body of the county
9 that the filing and recording of the second plat would not
10 materially affect the right of convenient access to lots
11 previously conveyed under the first plat, the governing body
12 of the county is authorized by resolution to vacate and annul
13 so much of the first plat of such lands appearing of record as
14 are included in the second plat, upon application of the
15 owners and developer of such lands under the first plat or
16 their successors, grantees, or assignees, and the circuit
17 court clerk of the county shall thereupon make proper notation
18 of the action of the governing body upon the face of the first
19 plat. The approval of a replat by the governing body of a
20 local government, which encompasses lands embraced in all or
21 part of a prior plat filed of public record shall, upon
22 recordation of the replat, automatically and simultaneously
23 vacate and annul all of the prior plat encompassed by the
24 replat.

25 (3) The governing bodies of the counties of the state
26 may adopt resolutions vacating plats in whole or in part of
27 subdivisions in said counties, returning the property covered
28 by such plats either in whole or in part into acreage. Before
29 such resolution of vacating any plat either in whole or in
30 part shall be entered by the governing body of a county, it
31 must be shown that the persons making application for said

1 vacation own the fee simple title to the whole or that part of
2 the tract covered by the plat sought to be vacated, and it
3 must be further shown that the vacation by the governing body
4 of the county will not affect the ownership or right of
5 convenient access of persons owning other parts of the
6 subdivision.

7 (4) Persons making application for vacations of plats
8 either in whole or in part shall give notice of their
9 intention to apply to the governing body of the county to
10 vacate said plat by publishing legal notice in a newspaper of
11 general circulation in the county in which the tract or parcel
12 of land is located, in not less than two weekly issues of said
13 paper, and must attach to the petition for vacation the proof
14 of such publication, together with certificates showing that
15 all state and county taxes have been paid. For the purpose of
16 the tax collector's certification that state, county, and
17 municipal taxes have been paid, the taxes shall be deemed to
18 have been paid if, in addition to any partial payment under s.
19 194.171, the owner of the platted lands sought to be vacated
20 shall post a cash bond, approved by the tax collector of the
21 county where the land is located and by the Department of
22 Revenue, conditioned to pay the full amount of any judgment
23 entered pursuant to s. 194.192 adverse to the person making
24 partial payment, including all costs, interest, and penalties.
25 The circuit court shall fix the amount of said bond by order,
26 after considering the reasonable timeframe for such litigation
27 and all other relevant factors; and a certified copy of such
28 approval, order, and cash bond shall be attached to the
29 application. If such tract or parcel of land is within the
30 corporate limits of any incorporated city or town, the
31 governing body of the county shall be furnished with a

1 certified copy of a resolution of the town council or city
2 commission, as the case may be, showing that it has already by
3 suitable resolution vacated such plat or subdivision or such
4 part thereof sought to be vacated.

5 (5) Every such resolution by the governing body shall
6 have the effect of vacating all streets and alleys which have
7 not become highways necessary for use by the traveling public.
8 Such vacation shall not become effective until a certified
9 copy of such resolution has been filed in the offices of the
10 circuit court clerk and duly recorded in the public records of
11 said county.

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

17 (7)(a) The governing body of a county may order the
18 assembly or adjustment of all or part of a subdivision within
19 its jurisdiction to the provisions and objectives of the
20 revised local comprehensive plan. It may order the assembly,
21 replatting, or vacation of the acreage of the existing plat on
22 any portion of the subdivision, including the vacation of
23 streets, except any roads on the State Highway System, or
24 other parcels of land dedicated for public purposes or any of
25 such streets or other parcels, when:

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

29 2. In the subdivision or a portion of the subdivision,
30 not more than 20 percent of the total subdivision area has
31

1 been built into the uses of the subdivision's zoned or land
2 use purposes.

3 (b) Any persons or entities, other than the local
4 governing body, pursuing reassembly of a parcel pursuant to
5 this section must demonstrate that the persons or entities
6 making application for such vacation own the fee simple title
7 to at least 60 percent of the subdivision or portion of the
8 tract covered by the plat sought to be vacated and must
9 demonstrate that the vacation will not affect the ownership or
10 right of convenient access of persons owning other parts of
11 the subdivision.

12 (c) Such action shall be based on a finding by the
13 governing body that the proposed assembly or adjustment, or
14 vacation and reversion to acreage of subdivided land, conforms
15 to the comprehensive plan of the area and that the public
16 health, safety, economy, comfort, order, convenience, and
17 welfare will be promoted.

18 Section 13. Section 177.111, Florida Statutes, is
19 amended to read:

20 177.111 Instructions for filing plat.--After the
21 approval by the appropriate governing body required by s.
22 177.071, the plat shall be submitted to ~~recorded by~~ the
23 circuit court clerk or other recording officer for recording
24 in the public records of the county ~~upon submission thereto of~~
25 ~~such approved plat~~. The circuit court clerk or other recording
26 officer shall maintain in his or her office a book of the
27 proper size for such papers so that they shall not be folded,
28 to be kept in the vault. A print or photographic copy must be
29 filed in a similar book and kept in his or her office for the
30 use of the public. The clerk shall make available to the
31

1 public a full size copy of the record plat at a reasonable
2 fee.

3 Section 14. Section 290.003, Florida Statutes, is
4 amended to read:

5 290.003 Policy and purpose.--It is the policy of this
6 state to provide the necessary means to assist local
7 communities, their residents, and the private sector in
8 creating the proper economic and social environment to induce
9 the investment of private resources in productive business
10 enterprises located in severely distressed areas and to
11 provide jobs for residents of such areas. In achieving this
12 objective, the state will seek to provide appropriate
13 investments, tax benefits, and regulatory relief of sufficient
14 importance to encourage the business community to commit its
15 financial participation. The purpose of ss. 290.001-290.016 is
16 to establish a process that clearly identifies such severely
17 distressed areas and provides incentives by both the state and
18 local government to induce private investment in such areas.
19 The Legislature, therefore, declares the revitalization of
20 enterprise zones and antiquated subdivisions, through the
21 concerted efforts of government and the private sector, to be
22 a public purpose.

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

25 290.0058 Determination of pervasive poverty,
26 unemployment, and general distress.--

27 (4) General distress shall be evidenced by describing
28 adverse conditions within the nominated area, including
29 antiquated subdivisions, other than those of pervasive poverty
30 and unemployment. A high incidence of crime, abandoned
31 structures, and deteriorated infrastructure; ~~or~~ substantial

1 population change; a high percentage of tax delinquent
2 parcels; or inappropriate lot sizes to ensure a balance of
3 land uses ~~decline~~ are examples of appropriate indicators of
4 general distress.

5 Section 16. Subsection (8) of section 380.031, Florida
6 Statutes, is amended, and subsections (21) and (22) are added
7 to that section, to read:

8 380.031 Definitions.--As used in this chapter:

9 (8) "Land development regulations" include local
10 zoning, subdivision, assembly, reassembly, or adjustment of
11 platted or subdivided lands, building, and other regulations
12 controlling the development of land.

13 (21) "Land assembly or adjustment" means the
14 consolidation of contiguous and noncontiguous platted or
15 subdivided lots and the vacation or deplatting of all or a
16 portion of these lots to allow replatting and reassembly for
17 more appropriate development or use.

18 (22) "Antiquated subdivisions" means subdivisions or
19 large numbers of lots within platted and unplatted
20 subdivisions that were recorded prior to 1980 in which the
21 continued buildout of the subdivision would provide an
22 imbalance of land uses and would be detrimental to the local
23 and regional economies and environment, hinder current
24 planning practices, and lead to inefficient development
25 patterns.

26 Section 17. This act shall take effect upon becoming a
27 law.