

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Rules

BILL: CS/CS/SB 784

INTRODUCER: Judiciary Committee; Community Affairs Committee and Senator Ingoglia

SUBJECT: Platting

DATE: April 7, 2025

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Hackett</u>	<u>Fleming</u>	<u>CA</u>	Fav/CS
2. <u>Collazo</u>	<u>Cibula</u>	<u>JU</u>	Fav/CS
3. <u>Hackett</u>	<u>Yeatman</u>	<u>RC</u>	Pre-meeting

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 784 amends state law in connection with how local governments review and approve plats. The bill requires local governments to review and approve plat and replat submittals administratively, using one or more designees and within certain timeframes specified in the bill.

The bill takes effect July 1, 2025.

II. Present Situation:

Platting

In Florida law, a “plat” is a map or delineated representation of the subdivision of lands. It is a complete and exact representation of the subdivision and other information, in compliance with state law and any local ordinances.¹ Generally, platting is required whenever a developer wishes to subdivide a large piece of property into smaller parcels and tracts. These smaller areas become the residential lots, streets, and parks of a new residential subdivision.²

¹ Section 177.031(14), F.S.

² Harry W. Carls, Florida Condo & HOA Law Blog, *Why is a Plat so Important?* (May 17, 2018), <https://www.floridacondofoalawblog.com/2018/05/17/why-is-a-plat-so-important/>.

State law establishes consistent minimum requirements for the platting of lands but also authorizes local governments to regulate and control platting.³ Prior to local government approval, the plat must be reviewed for conformity with state and local law and sealed by a professional surveyor and mapper employed by the local government.⁴

Before recording a plat, it must be approved by the appropriate local government, and evidence of the approval must be placed on the plat. If the plat is not approved, the local government must return the plat to the professional surveyor and mapper or the legal entity offering the plat for recordation.⁵

Jurisdiction over plat review and approval is as follows:

- When the plat to be submitted for approval is located entirely within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat.
- When the plat lies entirely within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat.
- When the plat lies within the boundaries of more than one governing body, two plats must be prepared and each governing body has exclusive jurisdiction to approve the plat within its own boundaries, unless both governing bodies having jurisdiction agree that one plat is acceptable.⁶

To be recorded, every subdivision plat must include, in addition to other information required by statute, the following information:

- The name of the plat in bold legible letters. Each sheet of the plat must show the name of the subdivision, the professional surveyor and mapper or legal entity, and street and mailing address information.⁷
- The section, township, and range immediately under the name of the plat on each sheet included, along with the name of the city, town, village, county, and state in which the land being platted is situated.⁸
- The dedications and approvals prepared by the surveyor and mapper and the local government, as well as the circuit court clerk's certificate and the professional surveyor and mapper's seal and statement.⁹
- All section lines and quarter section lines occurring within the subdivision. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings and distances, and the point of beginning. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries must be defined by metes and bounds and courses.¹⁰
- The location, width, and names of all streets, waterways, or other rights-of-way.¹¹

³ Section 177.011, F.S.

⁴ Section 177.081(1), F.S.

⁵ Section 177.071(1) F.S.

⁶ *Id.*

⁷ Section 177.091(5), F.S.

⁸ Section 177.091(10), F.S.

⁹ Section 177.091(12)-(13), F.S.

¹⁰ Section 177.091(14), F.S.

¹¹ Section 177.091(15), F.S.

- The location and width of proposed easements and existing easements identified in the title opinion or property information report. All easements and their intended uses must be shown on the face of the plat or indicated in the notes or legend.¹²
- All lots numbered either by progressive numbers or, if in blocks, progressively numbered in each block. Blocks must also be progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.¹³
- The survey data needed to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat.¹⁴
- All designated park and recreation parcels.¹⁵
- All interior parcels excepted from the plat, clearly indicated and labeled as “Not a part of this plat.”¹⁶
- The purpose of all dedicated areas, clearly indicated or stated on the plat.¹⁷
- All platted utility easements, which must provide that such easements are also easements for the construction, installation, maintenance, and operation of cable television services; however, the construction, installation, maintenance, and operation of cable television services may not interfere with the facilities and services of an electric, telephone, gas, or other public utility.¹⁸

III. Effect of Proposed Changes:

The bill amends state law in connection with how local governments review and approve plats.

Specifically, the bill amends s. 177.071, F.S., to require local governments to review and approve plats or replat submittals administratively, using one or more designees, and within 15 days after receipt of the submittal.

Under the bill, the designee or designees must review the plat or replat submittal for compliance with the minimum platting requirements in state law.¹⁹ If the submittal fails to comply with state law, the designee or designees must then provide written comments specifying the areas of noncompliance to the applicant within the 15-day review period.

Ultimately, the submittal must be approved, approved with conditions, or denied within 30 working days after submittal, unless the applicant requests a written extension of this timeframe, and the request is approved by the local government. The local government may not request or require the applicant to file a written extension of time.

The bill takes effect July 1, 2025.

¹² Section 177.091(16), F.S.

¹³ Section 177.091(18), F.S.

¹⁴ Section 177.091(19), F.S.

¹⁵ Section 177.091(23), F.S.

¹⁶ Section 177.091(24), F.S.

¹⁷ Section 177.091(25), F.S.

¹⁸ Section 177.091(28), F.S.

¹⁹ See generally s. 177.091, F.S. (providing minimum platting requirements).

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill may reduce carrying costs for those relying on a local governments to process applications relating to real property development before a parcel can be sold.

C. Government Sector Impact:

Local governments that are not currently reviewing and approving plats within the timeframes in the bill may incur additional costs to expedite their activities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill amends section 177.071 of the Florida Statutes.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS/CS by Judiciary on April 1, 2025:

The committee substitute eliminates the section of the bill authorizing applicants to engage a private provider of street and mailing address and individual parcel identification number information, if that information is not issued within 2 weeks by the local government. The section also would have prohibited the governing body of the local government from collecting an addressing fee if it had failed to issue addresses and parcel identification numbers within the required timeframes.

CS by Community Affairs on March 17, 2025:

The committee substitute:

- Provides that, as opposed to reduction in fees, the failure to issue street and mailing addresses and parcel identification numbers will entitle the applicant to engage a private provider to create the required information.
- Requires plat and replat submittals be approved administratively and provides associated timeframes for which local governments must approve or deny such submissions, or specify non-compliance.

- B. **Amendments:**

None.