
Application Z25-000015

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| Staff Contact: | Chris Dawson |
| Staff Phone Number: | 352-374-5249 |
| BoCC Hearing Date: | June 24, 2025 |
| Requested Action | A County-initiated amendment to Section 402.53 of the Unified Land Development Code related to platting. |
| Staff Recommendation: | Staff recommends that the BoCC convene as the Land Development Regulation Commission and find the amendment consistent with the Alachua County Comprehensive Plan, and reconvene as the BoCC to adopt the Ordinance. |

Background and Analysis

During the 2025 State Legislative Session, Senate Bill 784 was passed by both the House and Senate. The Governor signed the bill on June ##, 2025. The Bill alters the approver of a plat from a government body to an administrative reviewer and sets the standard for a plat as those contained in Florida Statute, without reference to compliance with local land development regulations.

Prior to adoption of Senate Bill 784, Section 177.071 of the Florida Statutes required that a governing body of a local government approve plats, and provided no additional information about the requirements for plats. In Alachua County, the approving body for plats is, ultimately, the Board of County Commissioners. It is the Board that authorizes the Chair to sign a plat and accept any dedication to the public. Further, Alachua County requires that any approved plat be consistent with the Comprehensive Plan, Unified Land Development Code and other development orders, such as a final development plan.

As passed, Senate Bill 784 removes the Board of County Commissioners from the approval process for a plat and, instead, makes it a purely administrative act. This would require the Board to give authority to accept dedications to the County to an employee of the County. Further, the Bill requires that plats only be consistent with the requirements of Florida Statute. The Bill requires the administrative approval of plats that are consistent with the Statute. As such, the County could potentially be approving plats that are inconsistent with other local ordinances and accepting public roads for which there are no designs.

The Bill left in tact the allowance for charter counties to adopt ordinances in conflict with the Statute, and that the ordinance would prevail (F.S. Ch 177.071(5)). The proposed amendment to the ULDC would make clear that Alachua County, a charter county of the State of Florida, would be utilizing this provision. The amendment does not alter the County's current plat review or adoption process.

Proposed Amendment (deletions in strikethrough, additions in underline)

CHAPTER 402. DEVELOPMENT APPLICATION REVIEW PROCEDURES

Article XII. Platting

Sec. 402.53. Applicability and general provisions.

- (a) *Applicability.* Platting and subdivision of land, including final plats, re-plats, plat vacation, plat abandonment, plat revocation and plat modification or suspension, shall comply with the requirements of this Article and Section 20, Chapter 85-55, Laws of Florida, regarding vacation of plats. All proposed plats shall comply with F.S. Ch. 177, and any other applicable statutes and Chapter 407; Article 8, Subdivision Regulations, regarding the platting of land. For the purposes of this Article, the term plat or platting shall include subdivision of land, re-platting of land, and vacation or abandonment of all or a portion of an approved plat. Alachua County, as a Charter County of the State of Florida, utilizes the provisions in F.S. Ch. 177.071(5) providing that an ordinance adopted by the County shall prevail when in conflict with the remainder of the F.S. Ch. 177.071.
- (b) *Consistency with Comprehensive Plan.* All proposed plats shall be consistent with the Comprehensive Plan and shall comply with all applicable standards and requirements of this ULDC.
- (c) *Consistency with development approval.*
 - (1) *Compliance with development approvals.* Plats shall comply with all development approvals, including any conditions, restrictions or other limitations included in such approval, that are granted by the BOCC, the DRC, or any other board, body, officer or County employee possessing authority to approve a development application.
 - (2) *Preliminary plat approval required.* No development order, development permit, building permit, tree clearing permit or construction permit or other similar permit may be issued until a preliminary plat has been approved by the DRC.
 - (3) *Final plat approval required.* No certificate of occupancy may be issued for any structure in a development where a preliminary plat has been approved until a final plat is approved by the Board of County Commissioners and it is recorded in the Public Records of Alachua County.

Staff Recommendation

Staff recommends that the BoCC convene as the Land Development Regulation Commission and find the proposed amendment consistent with the Comprehensive Plan, then reconvene as the County Commission and adopt the ordinance implement amendment proposed in Z25-000015.

