

RESOLUTION NO. 2025-081

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA, DESIGNATING AN ADMINISTRATIVE AUTHORITY FOR THE REVIEW AND APPROVAL OF PLATS AND REPLATS; ESTABLISHING ADMINISTRATIVE PROCEDURES FOR PLAT REVIEW; PROVIDING FOR THE ADMINISTRATIVE ACCEPTANCE OF DEDICATIONS; PROVIDING FOR PREVIOUS PLATS; PROVIDING FOR CONFLICTING AUTHORITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature passed Senate Bill 784, which was codified as Chapter 2025-164, Laws of Florida (the "Act"); and

WHEREAS, the Act amends Section 177.071, Florida Statutes, to require that all plat and replat applications that comply with the requirements of Florida Statutes and the County's applicable land development regulations must be administratively approved; and

WHEREAS, the Act removes the requirement for public hearings and approval by the Board of County Commissioners, making plat approval an administrative function, to be performed by county staff; and

WHEREAS, Section 177.071(1)(a), Florida Statutes, now requires the Board of County Commissioners to designate an "administrative authority" to receive, review, process, and render final decisions on all plat and replat submittals ; and

WHEREAS, the Act establishes a mandatory, time-sensitive review process, including a requirement to provide written notice of receipt and of any missing documents or information to an applicant within seven (7) business days of a submittal; and

WHEREAS, the Board of County Commissioners finds it necessary and in the public interest to formally adopt procedures and designate authority to ensure the County's full compliance with the mandates of state law.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF POLK COUNTY, FLORIDA THAT:

Section 1. Designation of Administrative Authority. Pursuant to Section 177.071(1)(a), Florida Statutes, the Board of County Commissioners hereby designates the Land Development Division as the Administrative Authority for responsible for receiving, reviewing, and processing all plat and replat submittals within the unincorporated areas of the County.

Section 2. Designation of Final Approval Official. Pursuant to Section 177.071(1)(b), Florida Statutes, the Board of County Commissioners hereby designates the Land Development Division Director as the Administrative Official responsible for issuing the final administrative decision for any proposed plat or replat.

Section 3. Adoption of Administrative Plat Review Procedures. The following procedures are hereby adopted for all plat and replat applications submitted within the unincorporated areas of the County: (a) Application Submittal. All plat and replat applications shall be submitted to the designated Administrative Authority. (b) Initial Written Notice. Within seven (7) business days of receiving a submittal, the Administrative Authority shall provide the applicant with a written notice of receipt and of any missing documents or information in accordance with the Statute. (c) Final Decision. The Administrative Authority shall render a final written decision regarding the submittal within the timeframe established in the initial written notice.

Section 4. Acceptance of Dedications. The administrative approval and subsequent recording of a plat shall be deemed the acceptance of all dedications of rights-of-way, easements, or other lands for public use as shown on the plat, in accordance with the Statute.

Section 5. Pending Plats. Any Plat or replat application that was submitted before the date this Resolution, and is pending a final decision, shall be processed and finalized in accordance with the administrative procedures established by this Resolution, notwithstanding any provision of the Land Development Code to the contrary.

Section 6. Conflicting Authority. Until such time that the Land Development Code is updated to reflect changes necessitated by the Act and this Resolution, the provisions of the Act and this Resolution shall govern and supersede any conflicting requirements of the Land Development Code.

Section 7. Severability. If any section, subsection, sentence, clause, or provision of this Resolution is held invalid, the remainder of this Resolution shall not be affected by such invalidity.

Section 8. Effective Date. This Resolution shall take effect immediately upon its adoption by the Board of County Commissioners.

ATTEST:

STACY M. BUTTERFIELD
CLERK OF THE BOARD

By: Alison Brown
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
POLK COUNTY, FLORIDA

By: T.R. Rick
Rick Wilson, Chair

(SEAL)

