

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Date: February 18, 1998

Revised: _____

Subject: Land Platting

	<u>Analyst</u>	<u>Staff Director</u>	<u>Reference</u>	<u>Action</u>
1.	<u>Masterton</u>	<u>Guthrie</u>	<u>RI</u>	<u>Favorable/CS</u>
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This bill amends part I of chapter 177, F.S., relating to land platting, to: redefine the types, minimum size, and placement requirements for monuments; to require local governments to use a licensed professional surveyor to review plats for conformity to ch. 177, F.S., prior to local government approval; and to make technical changes.

This bill substantially amends, creates, or repeals the following sections of the Florida Statutes: 177.031, 177.041, 177.051, 177.071, 177.081, 177.091, 177.101, 177.141, and 177.151.

II. Present Situation:

Ch. 177, F.S., contains laws relating to land boundaries. Part I of the chapter regulates platting subdivisions and setting monuments incident to platting. Section 177.021, F.S., provides that properly recorded plats serve to establish the identity of all lands shown as part of the plat, and that such lands may be conveyed by reference to the plat. "Platting" means the formal drawing, to scale, of the location and boundaries of a piece of land. "Monuments" are physical markers that allow a person on the ground to see the boundaries established by a plat. Section 177.061, F.S., requires that all subdivision of lands must be made under the responsible direction and supervision of a professional surveyor and mapper licensed under ch. 472, F.S. The professional surveyor and mapper must certify on the plat that it is a correct representation of the lands surveyed and that the survey meets the requirements of chapter 177, F.S.

Ch. 472, F.S., provides for the regulation of professional surveyors and mappers by the Board of Professional Surveyors and Mappers within the Department of Business and Professional Regulation. Section 472.005, F.S., defines the practice of surveying and mapping to include the

act of measuring, locating, establishing, or reestablishing lines, angles, elevations, and natural or manmade features for the purpose of determining the size, shape and location of real property.

Section 472.027, F.S., authorizes the board to adopt minimum technical standards of practice for surveyors and mappers. Chapter 61G17-6, F.A.C., sets forth the minimum technical standards adopted by the board.

III. Effect of Proposed Changes:

The bill amends part I of chapter 177, F.S., relating to land platting to: redefine the types, minimum size, and placement requirements for monuments; to require local governments to use licensed professional surveyors and mappers to review plats for conformity to ch. 177, F.S.; and to make technical changes.

Section 1. Substitutes the word “part” for the word “chapter.”

Section 2. Amends s. 177.031, to:

- redefine “developer” to mean the owner of record of a subdivision who applies for the approval of a plat;
- redefine “improvements” to include monuments;
- redefine “P.C.P.” (permanent control point) and “P.R.M.” (permanent reference marker) to reflect the use of modern materials and to make the definitions consistent with the minimum technical standards for surveying and mapping;
- define “legal entity,” to mean an entity that holds a certificate of authorization under ch. 472, F.S.; and
- define “monument” to mean a survey marker meeting specified technical standards.

Section 3. Amends s. 177.041, F.S., to require a boundary survey and title certification for every plat or replat submitted to a local government for approval and to require that the survey be done by a professional surveyor and mapper.

Section 4. Amends s. 177.051, F.S., to require that all subdivisions be given a “primary name,” to prescribe the proper naming of further divisions of a subdivision, and to require that any change in a plat be called a replat.

Section 5. Amends s. 177.061, F.S., to require that every plat offered for recording be prepared by a professional surveyor and mapper.

Section 6. Amends s. 177.071, F.S., to require that a plat must show that it was approved by a local governing body to be recorded.

Section 7. Amends s. 177.081, F.S., to require a local governing body to employ or contract with a professional surveyor and mapper to review a plat for conformity with ch. 177, F.S., before it can be approved by the governing body. The costs of this review are to be paid by the legal entity (surveying and mapping business entity under ch. 472, F.S.) offering the plat for recordation.

Section 8. Amends s. 177.091, F.S., to revise the technical standards for placing monuments, including requiring that monuments be set at all lot corners, points of intersection, and changes of direction lines within a subdivision that do not require a P.R.M. or a P.C.P.

Section 9. Amends s. 177.101, F.S., to provide that approval of a replat by a governing body automatically and simultaneously vacates and annuls all prior plats encompassed by the replat.

Sections 10- 16. Amend ss. 177.121, 177.131, 177.132, 177.141, 177.151, 177.27, and 177.38, F.S., to conform to current technical standards for surveying practice.

Section 17. Provides an effective date of July 1, 1998.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Developers may incur additional costs to comply with the revised requirements relating to the placement of monuments and with the requirement that plats be reviewed by a licensed

professional surveyor and mapper employed by or contracting with a local governing body before they can be approved. Ultimately, these costs may be passed on to purchasers of subdivision lots.

C. Government Sector Impact:

Because the bill allows local governments to pass the costs of using licensed professional surveyors and mappers to review plats on to developers, they should incur no additional costs as a result of this bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.