

LAND DEVELOPMENT CODE AMENDMENT

PETITION

PL20250007882

ORIGIN

Growth Management
Community Department
(GMCD)

SUMMARY OF AMENDMENT

This amendment updates and allows the administrative review and approval of plat and replat submittals through a designated authority (County Manager or designee) in accordance with F.S. 177.071 Approval of Plat by Governing Bodies. LDC amendments are reviewed by the Board of County Commissioners (Board), Collier County Planning Commission (CCPC), Development Services Advisory Committee (DSAC), and the Land Development Review Subcommittee of the DSAC (DSAC-LDR).

HEARING DATES

Board	12/09/25
CCPC	10/16/25
DSAC	9/04/25
DSAC-LDR	8/19/25

LDC SECTION TO BE AMENDED

1.08.02	Definitions
4.03.02	Applicability
10.02.04	Requirements for Subdivision Plats
10.02.05	Construction, Approval, and Acceptance of Required Improvements
Appendix A	STANDARD PERFORMANCE SECURITY DOCUMENTS FOR REQUIRED IMPROVEMENTS
Appendix C	FINAL SUBDIVISION PLAT, REQUIRE CERTIFICATIONS AND SUGGESTED TEXT AND FORMATS FOR OTHER REQUIRED INFORMATION

ADVISORY BOARD RECOMMENDATIONS

DSAC-LDR
Approval

DSAC
Approval with change

CCPC
Approval

BACKGROUND

F.S. 177.071 was amended, approved by the Governor on June 20, 2025 and became effective law on July 1, 2025 (See Exhibit B). It requires local governments to review and approve plat and replat submittals administratively through a “designated authority” and provides parameters on the administrative review process. The term “*administrative authority*” is defined as “...a department, division, or other agency of the county or municipality. For the purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, ..., a deputy county administrator or manager, ..., an assistance county administrator or manager, ... or other high ranking county department or, ...or, division director with direct or indirect oversight responsibility for the county’s or municipality’s land development, housing, utilities, or public works programs.”

On July 8, 2025, the Board of County Commissioners (Board) adopted Resolution No. 2025-131 designating the Development Review Division within the Growth Management Community Development Department as the “Administrative Authority” to review and process plat or replat submittals pursuant to F.S.177.01 (1) (a) (See Exhibit C). On behalf of the Board, on or after July 1, 2025, as an “*Administrative Official*”, the County Manager, Deputy County Manager, Community Development Department Head, Development Review Director and/or Zoning Division Director are each delegated authority to administratively approve, approve with conditions, or deny subdivision plats or replats and to execute the plat/replat and the Construction and Maintenance Agreement.

The proposed LDC sections, have been identified and submitted by staff to state the “*Administrative Official*” shall be the authorized authority to sign plats and/replats, and Construction and Maintenance Agreements. To comply with F.S. 177, this amendment implements updates to the LDC.

Under the law, the designated authority must provide written notice in response to a submittal within seven days acknowledging receipt, identifying missing documents or information required to process the plat or replat submittal, and provide information regarding the approval process including requirements and timeframes. Unless an applicant requests an extension, the designated authority must approve, approve with conditions, or deny the submittal within the timeframe in the initial written notice. Pursuant to the legislation, the designated authority may not request or require an extension of time. A denial must provide an explanation of why the submittal was denied, specifically citing any unmet requirements.

Plats or replats submittals filed prior to June 30, 2025 will be approved by the Board and, for submittals, thereafter, approved by the Administrative Official.

A companion administrative code amendment is required to update Chapter 5-Subdivision Procedures related to the decision maker for plats, replats, construction and maintenance agreements. (See Exhibit A).

DSAC-LDR Subcommittee Recommendation: On August 19, 2025, the DSAC-LDR Subcommittee recommended unanimous approval of the LDC amendment without conditions.

DSAC Recommendation: On September 04, 2025, DSAC recommended unanimous approval with text changes requested by the CAO. The changes have been incorporated.

CCPC Recommendation: On October 16, 2025, the CCPC recommended unanimous approval of the LDC amendment without conditions.

FISCAL & OPERATIONAL IMPACTS

There are no fiscal impacts to the County associated with this amendment other than the cost of recording fees that are at the expense of an applicant/developer.

GMP CONSISTENCY

The proposed LDC amendment has been reviewed by the Comprehensive Planning staff and may be deemed consistent with the GMP.

EXHIBITS: A) Administrative Code Amendments B) F.S.Chapter 2025-164 C) Resolution 2025-131

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Text underlined is new text to be added
~~Text strikethrough is current text to be deleted~~

Amend the LDC as follows:

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2 **1.08.02 – Definitions**

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6 *Adjacent:* To share a common property line or boundary, or to be separated by a public right-of-
7 way, easement, or water body.
8

9 Administrative Official: The person delegated authority to approve, approve with conditions, or
10 deny subdivisions plans or replats on behalf of the Board of County Commissioners, including
11 the County Manager, Deputy County Manager, Growth Management Community Development
12 Department Head, Development Review Director and/or Zoning Director, as authorized in
13 Resolution 2025-131.
14

15 *Adult day care center:* A facility that provides temporary care on a daily basis for adults, whether
16 for compensation or not, and without overnight accommodations.
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21 **4.03.02 - Applicability**

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23 It shall be unlawful for any person to transfer, sell, or otherwise convey, to sell any land by
24 reference to, exhibition of, or other use of, a plat of a subdivision of such land without having
25 submitted a final subdivision plat of such land for approval to the ~~BCC~~ Administrative Official
26 required by this section and without having recorded the approved final subdivision plat as
27 required by this section. Any division of land meeting the definition of subdivision which is not
28 otherwise exempt by this section shall require the filing of a subdivision plat in accordance with
29 the requirements of LDC section 10.02.04 ~~of this Code.~~
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33 **10.02.04 - Requirements for Subdivision Plats**

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35 This section shall be read in conjunction with subdivision design standards, in particular, LDC
36 Chapters 3, 4, and 6.
37

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40 B. *Construction Plans and Final Subdivision Plats (PPLs).* Construction plans and final
41 subdivision plats are commonly referred to as "plans and plat."
42

43 1. *Generally.* Final subdivision plat approval by the ~~Board of County Commissioners~~
44 Administrative Official is required before a final subdivision plat can be recorded.
45

46 a. No final subdivision plat shall be approved by the ~~Board~~ Administrative
47 Official until the construction plans have been reviewed and accepted by
48 the County Manager or designee, except for a minor final subdivision plat
49 pursuant to LDC section 10.02.04 D.

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- b. The review and approval of construction plans does not authorize the construction of required improvements which are inconsistent with existing easement(s) of record.
- c. The required improvements shall be completed prior to recordation of the final subdivision plat unless the applicant files a subdivision performance security as identified in LDC section 10.02.04 F with the County.
- d. Where approval of construction plans and final subdivision plats will lead to the level of service for any public facility being reduced below the level established by the growth management plan for Collier County, the County shall deny approval to proceed with development until the requirements of LDC section 10.02.07 have been met.

* * * * *

3. *County Manager review of construction plans and final subdivision plats.*

- a. The County Manager or designee shall preliminarily review and evaluate the construction plans and final subdivision plat in conformance with the LDC, in particular sections 10.02.04 B and 10.02.04 C, and F.S. ch. 177. The County Manager or designee shall review and evaluate the construction plans and final subdivision plat in light of the requirements established in the LDC and Administrative Code and provide written notice to the applicant acknowledging receipt. Based on the review and evaluation, the County Manager or designee shall approve, approve with conditions, or deny the construction plans and final subdivision plat. ~~If the construction plans and final subdivision plat is denied, then the final subdivision plat shall not be submitted to the Board until the construction plans and final subdivision plat have been approved or approved with conditions by the County Manager or designee. The approval of the County Manager or designee is subject to Board approval, noted below.~~
- b. ~~If the constructions plans and final subdivision plat are approved or approved with conditions by the County Manager or designee, the County Manager or designee shall recommend that the Board approve, approve with conditions, or deny the final subdivision plat.~~ If the County Manager or designee denies or places conditions on the construction plans or recommends denial or conditions on the final subdivision plat, he shall state reasons and cite the applicable code or regulatory basis for the decision.
- c. Once the construction plans and final subdivision plats are submitted by the applicant for review by the County Manager or designee, they will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the applicant, or until the time frames specified in F.S. 125.022. If a waiver of time limits is submitted and a response is not received within this time, the application for construction plans and final subdivision plat review will be considered withdrawn and cancelled. If there

is no waiver of time limits submitted, and the applicant exceeds the time limits specified in F.S. 125.022, the application will be considered denied.
Further review of the project will require a new application and the appropriate fees paid by the applicant.

* * * * *

4. ~~Board~~ Administrative approval of the final subdivision plat.

a. Following preliminary approval or approval with conditions by the County Manager or designee, ~~the County Manager or designee shall place the final subdivision plat on the consent agenda for its next available regularly scheduled Board hearing. The Board~~ Administrative Official shall consider approval of the final subdivision plat together with the approval of standard form, Construction Maintenance Agreement, and approval of the amount of performance security for the required improvements based on the estimate of probable cost.

~~b. If all members of the Board consent to the recommendation of the County Manager or designee, then the recommendation of the County Manager or designee on the final subdivision plat shall remain on the consent agenda and the final subdivision plat shall be approved. If any member of the Board objects to the recommendation of the County Manager or designee or otherwise requests discussion on the recommendation, then the recommendation shall be taken off the consent agenda and may be discussed or scheduled for a subsequent hearing date. After due notice of the hearing to the applicant, the Board shall hold a hearing on the final subdivision plat. At the hearing, the Board shall consider the County Manager or designee's recommendation and shall take evidence and testimony in regard to the final subdivision plat requirements identified in LDC sections 10.02.04 B and 10.02.04 C, and other provisions of the LDC. The Board shall approve, approve with conditions, or deny the final subdivision plat. If the Board denies or places conditions on the final subdivision plat, it shall state reasons for such denial or conditions.~~

~~b.~~ Approval of the final subdivision plat shall not constitute acceptance of public dedicated facilities. Acceptance of any such dedicated public facilities and responsibility for their maintenance shall be by separate resolution of the Board of County Commissioners. See LDC section 10.02.05 C.3.

~~d.c.~~ After ~~Board~~ administrative approval of the final subdivision plat by the Administrative Official, building permits may be issued for a percentage of planned homes in accordance with the Florida Building Code and pursuant to F.S. 177.073. Subdivision performance security shall be in accordance with LDC section 10.02.04 F 2.b.i., and the construction and maintenance agreement shall be in accordance with LDC section 10.02.04.F.3.e when utilizing F.S. 177.073.

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5. *Insubstantial changes and amendments to construction plans and final subdivision plats.*

- a. Insubstantial Changes to Construction Plans (ICP). Following approval by the County Manager or designee of the construction plans, the applicant may request insubstantial changes to the construction plans.
- i. Application. The Administrative Code shall establish the process and the submittal requirements for an insubstantial change to the construction plans. Construction plans shall be prepared pursuant to LDC section 10.02.04 B.
- b. Following approval by the ~~Beard~~ Administrative Official of the final subdivision plat, but prior to recordation, the County Manager or designee may approve minor insubstantial changes to the final subdivision plat. Insubstantial changes are insignificant to the project, such as a correction or change on the cover sheet.
- c. Following approval by the ~~Beard~~ Administrative Official of the final subdivision plat, but prior to recordation, the ~~Beard~~ Administrative Official may approve amendments to the final subdivision plat. This is commonly referred to as a "PPLA".
 - i. Application. The Administrative Code shall establish the process and the submittal requirements for the final subdivision plat amendment. The final subdivision plat shall be prepared pursuant to LDC section 10.02.04 B.

* * * * *

7. *Timing of recording and development.*

- a. *Recording.* Within 18 months of the date of approval of the final subdivision plat by the ~~Beard~~ Administrative Official, the applicant shall submit the final subdivision plat to the County Manager or designee for recording.
- b. *Required improvements to be completed.* The improvements required for the final subdivision plat shall be completed within 18 months from the date of approval by the ~~Beard~~ Administrative Official unless a written extension request is approved by the County Manager or designee.
- c. *Integrated phased development.* Each subsequent phase of the project shall be submitted within ~~2~~ two years following the date of written approval of the most recently approved final subdivision plat in accordance with LDC section 10.02.04 A.6.

* * * * *

F. *Recordation of the Final Subdivision Plat.*

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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

- 1 1. Generally. No building permits for habitable structures shall be issued prior to
- 2 approval by the ~~Board of County Commissioners~~ Administrative Official and
- 3 recordation of the final subdivision plat, except as provided in LDC section 5.04.04,
- 4 LDC section 10.02.04 B.6., and LDC section 10.02.04 B.4.~~d-c.~~, as applicable.
- 5
- 6 2. Posting of subdivision performance security at the time of recording, or at ~~Board~~
- 7 Administrative Official approval when utilizing F.S. 177.073.
- 8
- 9 a. The final subdivision plat shall not be recorded until a subdivision
- 10 performance security for the construction of the required improvements,
- 11 both on-site and off-site, has been posted by the applicant and approved
- 12 and accepted by the County Manager or designee on behalf of the Board.
- 13
- 14 b. The applicant's professional engineer shall prepare an opinion of the
- 15 probable construction cost or the actual contractor's bid price, which
- 16 includes the cost of all required improvements, to determine the amount of
- 17 the subdivision performance security.
- 18
- 19 i. If no construction of the required improvements has begun at the
- 20 time of posting of the subdivision performance security, the security
- 21 shall be an amount equal to 110 percent of the sum of construction
- 22 costs for all on-site and off-site required improvements based on
- 23 the applicant's professional engineer's opinion of the probable
- 24 construction costs or contract bid price.
- 25
- 26 ii. If construction of the required improvements has begun at the time
- 27 of posting the subdivision performance security, the security shall
- 28 be in an amount equal to 10 percent of the applicant's professional
- 29 engineer's opinion of the probable construction cost or contract bid
- 30 price, plus 100 percent of the required improvements to be
- 31 completed, such as the final lift of asphalt and uncompleted
- 32 sidewalks.
- 33
- 34 iii. If construction of all required improvements has been completed
- 35 and accepted by the Board at the time of recording, only a
- 36 performance maintenance guarantee at an amount equal to 10
- 37 percent of the applicant's professional engineer's opinion of the
- 38 probable construction cost or contract bid price shall be provided.
- 39
- 40 iv. No subdivision performance security shall be required where
- 41 improvements are to be constructed by a general-purpose
- 42 government such as a county or municipality, a local school district,
- 43 or state agency. A subdivision performance security shall be
- 44 required of an independent special-purpose government such as a
- 45 community development district (CDD).
- 46
- 47 c. The subdivision performance security shall be prepared pursuant to
- 48 Appendix A of the LDC and shall be one of the following forms:
- 49
- 50 i. Construction, maintenance, and escrow agreement, or

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ii. Construction Maintenance Agreement and one of the following:

- a) Cash deposit agreement with the County, or
- b) Irrevocable standby letter of credit, or
- c) Surety bond.

d. Once the form of a subdivision performance security has been approved and accepted by the Board, alternate securities, in a format approved by the County Attorney, may be approved by the County Manager or designee, on behalf of the Board.

3. Recordation Procedure. After approval of the final subdivision plat by the ~~Board~~ Administrative Official prior to the recording of the final subdivision plat with the clerk of the circuit court, the following shall occur:

* * * * *

e. Construction and Maintenance Agreement. The applicant shall enter into a construction and maintenance agreement with the County, in a form acceptable to the County Attorney, which establishes the terms and conditions for the construction and maintenance of the improvements required during the 18-month construction period or a time frame established in an approved extension request by the County Manager or designee. This agreement shall be submitted with the final subdivision plat for review and approval and shall be executed by all parties at the time of ~~Board~~ Administrative Official approval, if building permits are issued when utilizing F.S. 177.073, or at the time of recording the final plat.

* * * * *

g. Supporting "gap" title information. Within 60 days of recordation of the final subdivision plat in the official records of Collier County, Florida, the applicant, at no expense to the County, shall submit to the County Manager or designee final supporting "gap" title information. The final supporting title information must meet all of the requirements of LDC section 10.02.04 F.3.c, except as to the effective date. Receipt and approval of the "gap" title information is a condition precedent to preliminary acceptance of subdivision improvements by the ~~Board~~ Administrative Official.

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10.02.05 - Construction, Approval, and Acceptance of Required Improvements

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- C. Final Acceptance of the Required Subdivision Improvements by the Board of County Commissioners.
 - 1. Generally. The Board may provide final acceptance, by resolution, of the improvements subject to the following:
 - a. Following the ~~4~~ one-year minimum maintenance period as required by preliminary acceptance by the County Engineer or designee; and
 - b. Following satisfactory completion of the preliminary acceptance inspections by the County Engineer or designee; and
 - c. At the request of the applicant, after a final inspection by the County Engineer or designee.
 - 2. Timing. All of the required improvements shall receive final acceptance by the Board within 36 months from the date of the original ~~Board~~ administrative approval of the final subdivision plat, unless extended by the County Manager or designee, the Board, or general law.
 - a. The developer may request two-year extensions for completion and acceptance of the required improvements. A maximum of ~~2~~ two extensions may be granted by the County Manager or designee. Each request should provide written justification for the extension.

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APPENDIX A
STANDARD PERFORMANCE SECURITY DOCUMENTS FOR REQUIRED IMPROVEMENTS

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Appendix A consists of the following specimen forms:

A.1 Subdivision Improvements

* * * * *

- c. The Construction, Maintenance and Escrow Agreement for Subdivision Improvements shall be substantially as follows:

CONSTRUCTION, MAINTENANCE AND ESCROW AGREEMENT FOR SUBDIVISION IMPROVEMENTS

THIS AGREEMENT entered into this ___ day of _____, 20__ by (description of entity) (hereinafter "Developer"), THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, (hereinafter "The Board") and _____ (hereinafter "Lender").

RECITALS:

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- A. Developer has, simultaneously with the delivery of this Agreement, applied for the approval by the Board of a certain plat of a subdivision to be known as: _____.
- B. The subdivision will include certain improvements which are required by Collier County ordinances, as set forth in a site construction cost estimate ("Estimate") prepared by _____, a copy of which is attached hereto and incorporated herein as Exhibit 1. For purposes of this Agreement, the "Required Improvements" are limited to those described in the Estimate.
- C. Sections 10.02.05 C. and 10.02.04 of the Collier County Subdivision Code Division of the Unified Land Development Code requires the Developer to provide appropriate guarantees for the construction and maintenance of the Required Improvements.
- D. Lender has entered into a construction loan agreement with Developer dated _____, Account No. _____ (the "Construction Loan") to fund the cost of the Required Improvements.
- E. Developer and the Board have acknowledged that the amount Developer is required to guarantee pursuant to this Agreement is \$ _____, and this amount represents 110% of the Developer's engineer's estimate of the construction costs for the Required Improvements.

NOW, THEREFORE, in consideration of the foregoing premises and mutual covenants hereinafter set forth, Developer, the Board and the Lender do hereby covenant and agree as follows:

- 1. Developer will cause the water, sewer, roads, drainage and like facilities, the Required Improvements, to be constructed pursuant to specifications that have been approved by the County Manager or his designee within _____ months from the date of approval of said subdivision plat.
- 2. Developer hereby authorizes Lender to hold \$ _____ from the Construction Loan, in escrow, pursuant to the terms of this Agreement.
- 3. Lender agrees to hold in escrow \$ _____ from the Construction Loan, to be disbursed only pursuant to this Agreement. Lender acknowledges that this Agreement shall not constitute a draw against the Construction Loan fund, but that only such funds as are actually disbursed, whether pursuant to this Agreement or a provision of the Construction Loan, shall accrue interest.
- 4. The escrowed funds shall be released to the Developer only upon written approval of the County Manager or his designee who shall approve the release of the funds on deposit not more than once a month to the Developer, in amounts due for work done to date based on the percentage completion of the work multiplied by the respective work costs less ten percent (10%); and further, that upon completion of the work, the County Manager or his designee shall approve the release of any remainder of escrowed funds except to the extent of \$ _____ which shall remain

1 in escrow as a Developer guaranty of maintenance of the Required Improvements
2 for a minimum period of one (1) year pursuant to Paragraph 10 of the Agreement.
3

4 However, in the event that Developer shall fail to comply with the requirements of this
5 Agreement, then the Lender agrees to pay to the County immediately upon demand the
6 balance of the funds held in escrow by the Lender, as of the date of the demand, provided
7 that upon payment of such balance to the County, the County will have executed and
8 delivered to the Lender in exchange for such funds a statement to be signed by the County
9 Manager or his designee to the effect that:

- 10 (a) Developer for more than sixty (60) days after written notification of such
- 11 failure has failed to comply with the requirements of this agreement;
- 12 (b) The County, or its authorized agent, will complete the work called for under
- 13 the terms of the above-mentioned contract or will complete such portion of
- 14 such work as the County, in its sole discretion shall deem necessary in the
- 15 public interest to the extent of the funds then held in escrow;
- 16 (c) The escrow funds drawn down by the County shall be used for construction
- 17 of the Required Improvements, engineering, legal and contingent costs and
- 18 expenses, and to offset any damages, either direct or consequential, which
- 19 the County may sustain on account of the failure of the Developer to carry
- 20 out and execute the above-mentioned development work; and
- 21 (d) The County will promptly repay to the Lender any portion of the funds drawn
- 22 down and not expended in completion of the said development work.

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27 5. Written notice to the Lender by the County specifying what amounts are to be paid
28 to the Developer shall constitute authorization by the County to the Lender for
29 release of only those specified funds to the Developer. Payment by the Lender to
30 the Developer of the amounts specified in a letter of authorization by the County
31 to the Lender shall constitute a release by the County and Developer of the Lender
32 for the specified funds disbursed in accordance with the letter of authorization from
33 the County.
34

35 6. The Required Improvements shall not be considered for preliminary approval until
36 a statement of substantial completion by Developer's engineer along with the final
37 project records have been furnished to be reviewed and approved by the County
38 Manager or his designee for compliance with the Collier County Subdivision
39 Regulations.
40

41 7. The County Manager or his designee shall, within sixty (60) days of receipt of the
42 statement of substantial completion, either: a) notify the Developer in writing of his
43 preliminary approval of the improvements; or b) notify the Developer in writing of
44 his refusal to approve the improvements, therewith specifying those conditions
45 which the Developer must fulfill in order to obtain the Director's approval of the
46 Required Improvements. However, in no event shall the County Manager or his
47 designee refuse preliminary approval of the improvements if they are in fact
48 constructed and submitted for approval in accordance with the requirements of this
49 Agreement.
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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

- 1 8. Should the funds held in escrow be insufficient to complete the Required
- 2 Improvements, the Board, after duly considering the public interest, may at its
- 3 option complete the Required Improvements and resort to any and all legal
- 4 remedies against the Developer.
- 5
- 6 9. Nothing in this Agreement shall make the Lender liable for any funds other than
- 7 those placed in deposit by the Developer in accordance with the foregoing
- 8 provisions; provided, that the Lender does not release any monies to the
- 9 Developer or to any other person except as stated in this Escrow Agreement to
- 10 include closing the account, or disbursing any funds from the account without first
- 11 requesting and receiving written approval from the County.
- 12
- 13 10. The Developer shall maintain all Required Improvement for one year after
- 14 preliminary approval by the County Manager or his designee. After the one year
- 15 maintenance period by the Developer and upon submission of a written request
- 16 for inspection, the County Manager or his designee shall inspect the Required
- 17 Improvements and, if found to be still in compliance with the Code as reflected by
- 18 final approval by the Board, the Lender's responsibility to the Board under this
- 19 Agreement is terminated. The Developer's responsibility for maintenance of the
- 20 Required Improvements shall continue unless or until the Board accepts
- 21 maintenance responsibility for and by the County.
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- 23 11. All of the terms, covenants and conditions herein contained are and shall be
- 24 binding upon the respective successors and assigns of the Developer and the
- 25 Lender.
- 26

IN WITNESS WHEREOF, the Board and the Developer and Lender have caused this Agreement to be executed by their duly authorized representatives this ___ day of _____, 20__.

SIGNED IN THE PRESENCE OF:	(Name of entity) (Developer)
_____	By: _____
Printed Name	Print Name/Title (President, VP, or CEO) (Provide Proper Evidence of Authority)

Printed Name	

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Text underlined is new text to be added
~~Text strikethrough is current text to be deleted~~

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SIGNED IN THE PRESENCE OF:	(Name of entity) (Lender)
_____	By: _____
Printed Name	Print Name/Title (President, VP, or CEO) (Provide Proper Evidence of Authority)

Printed Name	

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ATTEST:

(Name of Clerk), CLERK	BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA
By: _____	By: _____
_____ Deputy Clerk	<u>Name of Chairman Administrative Official)</u> <u>ADMINISTRATIVE OFFICIAL PER</u> <u>RESOLUTION 2025-131</u>
Approved as to form and legality:	

Assistant County Attorney	

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(Ord. No. 15-44, § 3.N; Ord. No. 20-16, § 3.M)

d. The Construction and Maintenance Agreement for Subdivision Improvements shall be substantially as follows:

CONSTRUCTION AND MAINTENANCE AGREEMENT FOR SUBDIVISION IMPROVEMENTS

THIS CONSTRUCTION AND MAINTENANCE AGREEMENT FOR SUBDIVISION IMPROVEMENTS entered into this ___ day of _____, 20 ___ between _____ hereinafter referred to as "Developer," and the Board of County Commissioners of Collier County, Florida, hereinafter referred to as the "Board".

RECITALS:

- A. Developer has, simultaneously with the delivery of this Agreement, applied for the approval by the Board of a certain plat of a subdivision to be known as:
- B. Chapters 4 and 10 of the Collier County Land Development Code requires the Developer to post appropriate guarantees for the construction of the improvements required by said subdivision regulations, said guarantees to be incorporated in a bonded agreement for the construction of the required improvements.

NOW, THEREFORE, in consideration of the foregoing premises and mutual covenants hereinafter set forth, Developer and the Board do hereby covenant and agree as follows:

1. Developer will cause to be constructed: within _____ months from the date of approval of said subdivision plat, said improvements hereinafter referred to as the required improvements.
2. Developer herewith tenders its subdivision performance security (attached hereto as Exhibit "A" and by reference made a part hereof) in the amount of \$_____ which amount represents 10% of the total contract cost to complete construction plus 100% of the estimate cost of to complete the required improvements at the date of this Agreement.
3. In the event of default by the Developer or failure of the Developer to complete such improvements within the time required by the Land Development Code, Collier County, may call upon the subdivision performance security to insure satisfactory completion of the required improvements.
4. The required improvements shall not be considered complete until a statement of substantial completion by Developer's engineer along with the final project records have been furnished to be reviewed and approved by the County Manager or designee for compliance with the Collier County Land Development Code.
5. The County Manager or designee shall, within sixty (60) days of receipt of the statement of substantial completion, either: a) notify the Developer in writing of his preliminary approval of the improvements; or b) notify the Developer in writing of his refusal to approve improvements, therewith specifying those conditions which the Developer must fulfill in order to obtain the County Manager's approval of the

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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

1 improvements. However, in no event shall the County Manager or designee refuse
2 preliminary approval of the improvements if they are in fact constructed and
3 submitted for approval in accordance with the requirements of this Agreement.
4

5 .6. The Developer shall maintain all required improvements for a minimum period of
6 one year after preliminary approval by the County Manager or designee. After the
7 one year maintenance period by the Developer has terminated, the Developer
8 shall petition the County Manager or designee to inspect the required
9 improvements. The County Manager or designee shall inspect the improvements
10 and, if found to be still in compliance with the Collier County Land Development
11 Code as reflected by final approval by the Board, the Board shall release the
12 remaining 10% of the subdivision performance security. The Developer's
13 responsibility for maintenance of the required improvements shall continue unless
14 or until the Board accepts maintenance responsibility for and by the County.
15

16 7. Six (6) months after the execution of this Agreement and once within every six (6)
17 months thereafter the Developer may request the County Manager or designee to
18 reduce the dollar amount of the subdivision performance security on the basis of
19 work complete. Each request for a reduction in the dollar amount of the subdivision
20 performance security shall be accompanied by a statement of substantial
21 completion by the Developer's engineer together with the project records
22 necessary for review by the County Manager or designee. The County Manager
23 or designee may grant the request for a reduction in the amount of the subdivision
24 performance security for the improvements completed as of the date of the
25 request.
26

27 8. In the event the Developer shall fail or neglect to fulfill its obligations under this
28 Agreement, upon certification of such failure, the County Manager or designee
29 may call upon the subdivision performance security to secure satisfactory
30 completion, repair and maintenance of the required improvements. The Board
31 shall have the right to construct and maintain, or cause to be constructed or
32 maintained, pursuant to public advertisement and receipt and acceptance of bids,
33 the improvements required herein. The Developer, as principal under the
34 subdivision performance security, shall be liable to pay and to indemnify the Board,
35 upon completion of such construction, the final total cost to the Board thereof,
36 including, but not limited to, engineering, legal and contingent costs, together with
37 any damages, either direct or consequential, which the Board may sustain on
38 account of the failure of the Developer to fulfill all of the provisions of this
39 Agreement.
40

41 9. All of the terms, covenants and conditions herein contained are and shall be
42 binding upon the Developer and the respective successors and assigns of the
43 Developer.
44

45 IN WITNESS WHEREOF, the Board and the Developer have caused this Agreement to be
46 executed by their duly authorized representatives this ___ day of _____, 20__.

SIGNED IN THE PRESENCE OF:	(Name of Entity)
----------------------------	------------------

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~~Text strikethrough is current text to be deleted~~

_____	By: _____
Printed Name	Print Name/Title (President, VP, or CEO) (Provide Proper Evidence of Authority)

Printed Name	
ATTEST:	
(Name of Clerk), CLERK	BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA
By: _____	By: _____
— Deputy Clerk	<u>(Name of Chairman Administrative Official)</u> <u>ADMINISTRATIVE OFFICIAL PER</u> <u>RESOLUTION 2025-131</u>
Approved as to form and legality:	

Assistant County Attorney	

1
2 (Ord. No. 15-44, § 3.N; Ord. No. 20-16, § 3.M) Ord. No. 25-XXX, § XX
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4 * * * * *
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~~Text strikethrough is current text to be deleted~~

1 APPENDIX C
2 FINAL SUBDIVISION PLAT, REQUIRED CERTIFICATIONS AND SUGGESTED TEXT
3 AND FORMATS FOR OTHER REQUIRED INFORMATION
4

5 **(SEE LDC section 10.02.04 for applicable, specific provisions)**
6

7 The following text and format are intended as a guide for preparation of those platting materials
8 required to be submitted to reviewing authorities, including the Project Review Services
9 Department, Utilities Division, County Health Department, County Attorney and the Board of
10 County Commissioners. Adherence to this format and text will substantially expedite review.
11 Substantial deviation in substance or form from the suggested text and format may result in
12 delay or disapproval of the submitted plat.
13

14 SURVEYOR'S CERTIFICATE
15

16 I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM A BOUNDARY SURVEY OF
17 THE PROPERTY PERFORMED BY ME, OR UNDER MY SUPERVISION, AS PROVIDED IN
18 CHAPTER 177.041 FLORIDA STATUTES AND THAT THIS PLAT COMPLIES WITH ALL THE
19 REQUIREMENTS OF CHAPTER 177, PART 1, AS AMENDED, FLORIDA STATUTES. IT IS
20 FURTHER CERTIFIED THAT ALL PERMANENT REFERENCE MONUMENTS WILL BE SET
21 PRIOR TO THE RECORDING OF THIS PLAT AND THAT THE PERMANENT CONTROL
22 POINTS AND LOT CORNERS WILL BE SET PRIOR TO FINAL ACCEPTANCE OF THE
23 REQUIRED IMPROVEMENTS.
24

(signature) (TYPED OR PRINTED NAME HERE)	DATE
Include Florida Professional Land Surveyor No.	

25 ~~COUNTY COMMISSION~~ ADMINISTRATIVE OFFICIAL APPROVAL
26
27

28 STATE OF FLORIDA
29 COUNTY OF COLLIER
30

31 THIS PLAT APPROVED FOR RECORDING ~~IN A REGULAR OPEN MEETING BY THE~~
32 ~~BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA~~, THIS _____
33 DAY OF _____, 20____, PROVIDED THAT THE PLAT IS FILED IN THE OFFICE OF THE
34 CLERK OF THE CIRCUIT COURT OF COLLIER COUNTY, FLORIDA.
35

(Name of Clerk)	<u>(Name of Chairman Administrative Official);</u> <u>CHAIRMAN (Title of Administrative Official)</u> <u>ADMINISTRATIVE OFFICIAL PER</u> <u>RESOLUTION 2025-131</u>
CLERK OF CIRCUIT COURT IN AND FOR COLLIER COUNTY	BOARD OF COUNTY COMMISSIONERS COUNTY, FLORIDA

36
37 FILING RECORD
38

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Text underlined is new text to be added

~~Text strikethrough is current text to be deleted~~

1 I HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED BY ME AND THAT IT
2 COMPLIES IN FORM WITH THE REQUIREMENTS, OF CHAPTER 177, FLORIDA
3 STATUTES. I FURTHER CERTIFY THAT SAID PLAT WAS FILED FOR RECORD AT _____
4 (a.m. or p.m.) THIS _____ DAY OF _____, 20 ____, AND DULY RECORDED IN PLAT
5 BOOK _____ PAGE(S) _____, INCLUSIVE, OF THE PUBLIC RECORDS OF COLLIER
6 COUNTY, FLORIDA.

7
8 (Name of Clerk)
9 CLERK OF CIRCUIT COURT
10 IN AND FOR COLLIER COUNTY

11
12 ENGINEERING SERVICES

13
14 THIS PLAT APPROVED BY THE ENGINEERING SERVICES DEPARTMENT OF THE
15 COMMUNITY DEVELOPMENT DIVISION OF COLLIER COUNTY, FLORIDA THIS _____
16 DAY OF _____, 20__.

17
18 (TYPED NAME)

19
20 ENGINEERING SERVICES DIRECTOR/COUNTY ENGINEER
21 COLLIER COUNTY, FLORIDA

22
23 COUNTY ATTORNEY

24
25 THIS PLAT APPROVED BY THE COLLIER COUNTY ATTORNEY THIS _____ DAY OF
26 _____, 20__.

27
28 (TYPED NAME)

29 ASSISTANT COUNTY ATTORNEY

30
31 DEDICATIONS

32
33 STATE OF FLORIDA
34 COUNTY OF COLLIER

35
36 KNOW ALL MEN BY THESE PRESENTS THAT (OWNER(S)), THE OWNER(S) OF THE
37 LANDS DESCRIBED HEREON, HAVE CAUSED THIS PLAT ENTITLED (NAME OF
38 SUBDIVISION) TO BE MADE AND DO HEREBY:

39
40 A. DEDICATE TO THE (insert homeowners' association or legal entity):

41
42 1. Private road rights-of-way, as follows:

43
44 TRACT "R" AS A PRIVATE ROAD RIGHT-OF-WAY (R.O.W.) (insert street
45 name) SUBJECT TO THE EASEMENTS DEPICTED HEREON (insert
46 easements; i.e., R.O.W., C.U.E., P.U.E., D.E., etc.) WITH RESPONSIBILITY
47 FOR MAINTENANCE.

48
49 2. Drainage or stormwater management easements as follows:

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ALL DRAINAGE EASEMENTS (D.E.) FOR STORMWATER MANAGEMENT PURPOSES WITH RESPONSIBILITY FOR MAINTENANCE.

- 3. Landscape buffer easements as follows:

ALL LANDSCAPE BUFFER EASEMENTS (L.B.E.) WITH RESPONSIBILITY FOR MAINTENANCE.

- 4. Lake maintenance easements as follows:

ALL LAKE MAINTENANCE EASEMENTS WITH RESPONSIBILITY FOR MAINTENANCE.

- 5. Access easements as follows:

ALL ACCESS EASEMENTS WITH RESPONSIBILITY FOR MAINTENANCE,

- 6, Or any other similar easement or tract intended to be dedicated for a set purpose, or purposes.

- 7. All conservation/preserve areas/easements as follows:

ALL (CONSERVATION or PRESERVE) (TRACTS or EASEMENTS) ARE DEDICATED AS COMMON AREAS WITH PERPETUAL RESPONSIBILITY FOR MAINTENANCE. THE (CONSERVATION or PRESERVE) (TRACTS or EASEMENTS) MAY IN NO WAY BE ALTERED FROM THEIR NATURAL OR PERMITTED STATE. ACTIVITIES PROHIBITED WITHIN THE (CONSERVATION or PRESERVE) AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

Such tracts, or easements must be dedicated to a homeowners' association, or to any other lawfully existing entity which has, or would have at the time of final plat recording, the power or authority to perform the obligation to maintain, along with the responsibility for such maintenance.

* * * * *

(Ord. No. 20-16, § 3.N; Ord. No. 24-11, § 3.HH, Ord. No. 25-XXX, § XX)

#

Exhibit A– Administrative Code Amendments

1 Chapter 5 | Subdivision Procedures
 2 Collier County Land Development Code | *Administrative Procedures Manual*

4 D. Construction Plan and Final Subdivision Plat (PPL)

6 D.1. Construction Plans and Final Subdivision Plat – Standard

7
 Reference LDC sections 10.02.04 B and 10.02.04 C, [Resolution No. 2025-131](#), and other provisions of the LDC.

8 * * * * *

Completeness and Processing of Application ⇔ See Chapter 1 D.5 for the acceptance and processing of an application. [The County Manager or designee shall send written notice in response to the application submittal within seven days, acknowledging receipt, identifying missing documents or information required to process the application for final subdivision plat or replat including the timeframes for reviewing and approving the plat.](#)

Notice ~~No notice is required.~~

Public Hearing ~~The BCC shall hold at least 1 advertised public hearing.~~ [None.](#)

Decision Maker The ~~BCC.~~ [Administrative Official per Resolution 2025-131.](#)

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with LDC sections 10.02.04 B and 10.02.04 C and other provisions of the LDC.

Once submitted for review, the construction plans and final subdivision plat application will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

The ~~County Manager or designee~~ [Administrative Official](#) will ~~provide a recommendation to the Board of County Commissioners to~~ approve, approve with conditions, or deny the final subdivision plat.

For **applicants** requesting building permits before plat recording, the county will stamp the final plat as "Preliminary Plat for Building Permit Issuance" after ~~Board~~ [administrative](#) approval of the plat and receipt of the fully executed construction and maintenance agreement and performance security after County Attorney approval.

*

9 * * * * *

10 Updated [Res. 2025-XXX](#)

11
 12 # # # # # # # # # # # # # # #

13

Exhibit A– Administrative Code Amendments

1 D.2. Construction Plans and Final Subdivision Plat Amendment (PPLA)

2

Reference LDC sections [10.02.04 B](#) and [Resolution No. 2025-131](#), and other provisions of the LDC.

3

* * * * *

Application Contents and Requirements for Construction Plans and Final Subdivision Plat Amendments A Construction Plans and Final Subdivision Plat Amendment application must include the following, in addition to the Application Contents and Requirements for Construction Plans and Final Subdivision Plat, as applicable. ⇔ *See Chapter 5 D.1 of the Administrative Code.*

The application must include the following:

1. **Applicant contact information.**
2. **Addressing checklist.**
3. Name of development.
4. Amendment to PPL Number (original PPL number).
5. Cover letter describing the proposed changes.

Completeness and Processing of Application ⇔ [See Chapter 1 D.5 for the acceptance and processing of an application. The County Manager or designee shall send written notice in response to the application submittal within seven days, acknowledging receipt, identifying missing documents or information required to process the application for final subdivision plat amendment including the timeframes for reviewing and approving the plat.](#)

Public Hearing ~~The BCC shall hold at least 1 advertised public hearing.~~ [None.](#)

Decision Maker The ~~BCC.~~ [Administrative Official per Resolution 2025-131.](#)

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with LDC sections [10.02.04 B](#) and [10.02.04 C](#) and other provisions of the LDC.

Once submitted for review, the construction plans and final subdivision plat amendment application will remain under review so long as a resubmittal in response to a county reviewer's comments is received within ~~270~~ [120](#) days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

The ~~County Manager or designee~~ [Administrative Official](#) will ~~provide a recommendation to the Board of County Commissioners to~~ approve, approve with conditions, or deny the final subdivision plat.

4

* * * * *

5

Updated [Res. 2025-XXX](#)

6

7

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8

Exhibit A– Administrative Code Amendments

D.3 Final Subdivision Plat – For Townhouse Fee Simple Development

Reference LDC sections 10.02.04 B and 10.02.04 C, [Resolution No. 2025-131](#), and other provisions of the LDC.

* * * * *

Completeness and Processing of Application ⇔ See Chapter 1 D.5 for the acceptance and processing of an application. [The County Manager or designee shall send written notice in response to the application submittal within seven days. acknowledging receipt, identifying missing documents or information required to process the application for final subdivision plat including the timeframes for reviewing and approving the plat.](#)

Notice No notice is required.

Public Hearing ~~The BCC shall hold at least 1 advertised public hearing.~~ [None.](#)

Decision Maker The ~~BCC.~~ [Administrative Official per Resolution 2025-131.](#)

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with LDC sections 10.02.04 B and 10.02.04 C and other provisions of the LDC.

Once submitted for review, the townhouse construction plans and final subdivision plat application will remain under review so long as a resubmittal in response to a county reviewer's comments is received within 270 days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application review will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

The ~~County Manager or designee~~ [Administrative Official](#) will ~~provide a recommendation to the Board of County Commissioners to~~ approve, approve with conditions, or deny the final subdivision plat.

* * * * *

Updated [Res. 2025-XXXX](#)

#

F. Minor Final Subdivision Plat (FP)

Reference LDC section 10.02.04 D and [Resolution No. 2025-131](#).

* * * * *

Completeness and Processing of Application ⇔ See Chapter 1 D.5 for the acceptance and processing of an application. [The County Manager or designee shall send written notice in response to the application submittal within seven days. acknowledging receipt, identifying missing documents or information required to process the application for minor final subdivision plat including the timeframes for reviewing and approving the plat.](#)

Notice No notice is required.

Exhibit A– Administrative Code Amendments

Public Hearing ~~The BCC shall hold 1 public hearing~~ None.

Decision Maker ~~BCC with an approval from~~ The Administrative Official per Resolution 2025-131 ~~County Manager or designee.~~

Review Process The Development Review Division will review the application, identify whether additional materials are needed and review the application for compliance with and shall approve, approve with conditions, or deny the minor final subdivision plat.

Once submitted for review, the minor final subdivision plat application will remain under review so long as a resubmittal in response to a county reviewer’s comments is received within 270 days of the date on which the comments were sent to the **applicant**. If a response is not received within this time, the application for review will be considered withdrawn and cancelled. Further review of the project will require a new application together with appropriate fees.

The ~~County Manager or designee~~ Administrative Official will ~~provide a recommendation to the BCC to~~ approve, approve with conditions, or deny the minor final subdivision plat.

1	*	*	*	*	*	*	*	*	*	*	*	*	*
2			Updated	Res. 2025-XXX									
3	#	#	#	#	#	#	#	#	#	#	#	#	#

Exhibit B– F.S. Chapter 2025-164

CHAPTER 2025-164

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 784

An act relating to platting; amending s. 177.071, F.S.; requiring that certain plat or replat submittals be administratively approved with no further action by certain entities under certain circumstances; requiring the governing body of such county or municipality to designate an administrative authority to receive, review, and process plat or replat submittals; providing requirements for such designation; defining the term “administrative authority”; requiring the administrative authority to submit a certain notice to an applicant; providing requirements for such notice; requiring the administrative authority to approve, approve with conditions, or deny a plat or replat submittal in accordance with the timeframe in the initial written notice to the applicant; requiring the administrative authority to notify the applicant in writing if it declines to approve a plat or replat submittal; requiring that the written notification contain the reasons for denial and other information; prohibiting the administrative authority or other official, employee, agent, or designee from requesting or requiring that the applicant request an extension of time; amending s. 177.111, F.S.; conforming provisions to changes made by the act; providing an effective date.

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

Section 1. Section 177.071, Florida Statutes, is amended to read:

177.071 Administrative approval of plats ~~plat~~ by designated county or municipal official governing bodies.—

(1)(a) A plat or replat submitted under this part must be administratively approved and no further action or approval by the governing body of a county or municipality is required if the plat or replat complies with the requirements of s. 177.091. The governing body of the county or municipality shall designate, by ordinance or resolution, an administrative authority to receive, review, and process the plat or replat submittal, including designating an administrative official responsible for approving, approving with conditions, or denying the proposed plat or replat.

(b) As used in this section, the term “administrative authority” means a department, division, or other agency of the county or municipality. For purposes of issuing a final administrative approval of a plat or replat submittal, the term also includes an administrative officer or employee designated by the governing body of a county or municipality, including but not limited to, a county administrator or manager, a city manager, a deputy county administrator or manager, a deputy city manager, an assistant county administrator or manager, an assistant city manager, or other high-ranking county or city department or division director with direct or indirect

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Exhibit B– F.S. Chapter 2025-164

Ch. 2025-164

LAWS OF FLORIDA

Ch. 2025-164

oversight responsibility for the county's or municipality's land development, housing, utilities, or public works programs.

(2) Within 7 business days after receipt of a plat or replat submittal, the administrative authority shall provide written notice to the applicant acknowledging receipt of the plat or replat submittal and identifying any missing documents or information necessary to process the plat or replat submittal for compliance with s. 177.091. The written notice must also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.

(3) Unless the applicant requests an extension of time, the administrative authority shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe identified in the written notice provided to the applicant under subsection (2). If the administrative authority does not approve the plat or replat, it must notify the applicant in writing of the reasons for declining to approve the submittal. The written notice must identify all areas of noncompliance and include specific citations to each requirement the plat or replat submittal fails to meet. The administrative authority, or an official, an employee, an agent, or a designee of the governing body, may not request or require the applicant to file a written extension of time.

(4)(1) Before a plat or replat is offered for recording, it must be administratively approved as required by this section by the appropriate governing body, and evidence of such approval must be placed on the plat or replat. If not approved, the governing body must return the plat or replat to the professional surveyor and mapper or the legal entity offering the plat or replat for recordation. For the purposes of this part:

(a) When the plat or replat to be submitted for approval is located wholly within the boundaries of a municipality, the governing body of the municipality has exclusive jurisdiction to approve the plat or replat.

(b) When a plat or replat lies wholly within the unincorporated areas of a county, the governing body of the county has exclusive jurisdiction to approve the plat or replat.

(c) When a plat or replat lies within the boundaries of more than one county, municipality, or both governing body, two plats or replats must be prepared and each county or municipality governing body has exclusive jurisdiction to approve the plat or replat within its boundaries, unless each county or municipality with jurisdiction over the plat or replat agrees the governing bodies having said jurisdiction agree that one plat is mutually acceptable.

(5)(2) Any provision in a county charter, or in an ordinance of any charter county or consolidated government chartered under s. 6(e), Art. VIII of the

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CODING: Words stricken are deletions; words underlined are additions.

Exhibit B— F.S. Chapter 2025-164

Ch. 2025-164

LAWS OF FLORIDA

Ch. 2025-164

State Constitution, which provision is inconsistent with anything contained in this section shall prevail in such charter county or consolidated government to the extent of any such inconsistency.

Section 2. Section 177.111, Florida Statutes, is amended to read:

177.111 Instructions for filing ~~plats~~ plat.—After the approval by the appropriate administrative authority governing body required by s. 177.071, the plat ~~or replat must shall~~ be recorded by the circuit court clerk or other recording officer upon submission thereto of such approved ~~plat or replat~~. The circuit court clerk or other recording officer shall maintain in his or her office a book of the proper size for such papers so that they will shall not be folded, to be kept in the vault. A print or photographic copy must be filed in a similar book and kept in his or her office for the use of the public. The clerk shall make available to the public a full size copy of the record ~~plat or replat~~ at a reasonable fee.

Section 3. This act shall take effect July 1, 2025.

Approved by the Governor June 20, 2025.

Filed in Office Secretary of State June 20, 2025.

Exhibit C– Resolution 2025-131

RESOLUTION NO. 2025- 131

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA DESIGNATING THE DEVELOPMENT REVIEW DIVISION WITHIN THE GROWTH MANAGEMENT COMMUNITY DEVELOPMENT DEPARTMENT AS THE ADMINISTRATIVE AUTHORITY TO REVIEW AND PROCESS PLAT OR REPLAT SUBMITTALS, AND DESIGNATE THE COUNTY MANAGER, DEPUTY COUNTY MANAGER, COMMUNITY DEVELOPMENT DEPARTMENT HEAD, DEVELOPMENT REVIEW DIRECTOR AND/OR ZONING DIVISION DIRECTOR AS THE ADMINISTRATIVE AUTHORITY TO ADMINISTRATIVELY APPROVE, APPROVE WITH CONDITIONS, OR DENY PROPOSED SUBDIVISION PLATS OR REPLATS AND SIGN THE PLAT/REPLAT AND CONSTRUCTION AND MAINTENANCE AGREEMENT IN ACCORDANCE WITH FLORIDA STATUTE SECTION 177.071(1)(a), ON BEHALF OF THE BOARD OF COUNTY COMMISSIONERS.

WHEREAS, the Development Review Division within the Growth Management Community Development Department as the County Manager’s designee under Land Development Code (LDC) Section 10.02.04.B.3 is currently responsible for the review of the subdivision plat and replat process, including, but not limited to, engineering review, planning review, environmental review, and the County Surveyor review; and

WHEREAS, the LDC requires the Board of County Commissioners to consider approval of a subdivision plat, along with the approval of the Construction Maintenance Agreement, and approve the amount of the performance security for the required improvements, based on the estimate of probable cost; and

WHEREAS, during the 2025 Legislative session, Senate Bill 784 was approved, which updated Section 177.071(1)(a) of the Florida Statutes to require administrative approval, approval with conditions, or denial of a proposed plat or replat.

WHEREAS, the Board desires to comply with the statute by designating the reviewing division and those persons authorized to administratively approve, approve with conditions, or deny subdivision plats or replats pursuant to Florida Statutes Section 177.071(1)(a).

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF COLLIER COUNTY, FLORIDA, that:

1. The Development Review Division within the Growth Management Community Development Department is designated as the Administrative Authority to review and

[25-LDS-00372/1955695/1]4
7/1/25

1 of 2

Exhibit C– Resolution 2025-131

process the plat or replat submittal pursuant to Florida Statutes Section 177.071(1)(a) after the Client Services team of the Growth Management Community Development Department receives the application and deems the it complete.

2. The County Manager, Deputy County Manager, Community Development Department Head, Development Review Director and/or Zoning Division Director are each delegated authority to administratively approve, approve with conditions, or deny subdivision plats or replats pursuant to Florida Statutes Section 177.071(1)(a), and to execute the plat/replat and the Construction and Maintenance Agreement, on behalf of the Board.

This Resolution adopted after motion, second and majority vote favoring same, this 8th day of July, 2025.

ATTEST:
CRYSTAL K. KINZEL, CLERK

By: 
Attest as to Chairman's signature only Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA

By: 
Burt L. Saunders, Chairman

Approved as to form and legality:


Heidi Ashton-Cicko 7-1-25
Managing Assistant County Attorney