

RESOLUTION NO. 2025-19

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, PROVIDING FOR LEGISLATIVE FINDINGS; SETTING FORTH ADMINISTRATIVE DESIGNATIONS CONSISTENT WITH THE REQUIREMENTS OF SECTION 177.071, FLORIDA STATUTES (2025); PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE; AND PROVIDING FOR SUNSET.

WHEREAS, s. 177.071, *Florida Statutes*, as amended by SB 784 (the “Act”), which took effect on July 1, 2025, requires that a plat or replat submitted under the Act be administratively approved if the plat or replat complies with the requirements of s. 177.091, *Florida Statutes*; and

WHEREAS, the Act requires the Town of Eatonville to designate, by ordinance or resolution, an administrative authority to receive, review, and process a plat or replat submittal, which designation shall include designation of an administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat; and

WHEREAS, the Town Council of the Town of Eatonville acknowledges the requirements of the Act, its obligation to comply with the Act’s requirements, and the preemption of the Town’s authority to prescribe the plat approval process as currently set forth within the Town’s Land Development Code; and

WHEREAS, the Town Council of the Town of Eatonville acknowledges that it is necessary for the Town to amend its Land Development Code in order to ensure consistency with the requirements of the Act; and

WHEREAS, accordingly, the Town Council of the Town of Eatonville has determined that it is necessary, via resolution, to designate an administrative authority to receive, review, and process a plat or replat submittal and an administrative official to approve, approve with conditions or deny applications for same, until such time as the Town’s Land Development Code can be amended to ensure consistency and comply with the requirements of the Act; and

WHEREAS, the Town Council of the Town of Eatonville has determined that the administrative designations set forth herein are in the best interests of the Town and the health, safety, and welfare of its citizens.

NOW THEREFORE, BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, FLORIDA, AS FOLLOWS:

SECTION 1. LEGISLATIVE FINDINGS. The foregoing recitals are hereby adopted as the legislative findings of the Town Council of the Town of Eatonville, Florida.

SECTION 2. ADMINISTRATIVE DESIGNATIONS. Given the preemption regarding

plat processing and approval authority set forth in the Act, and notwithstanding any conflicting provision(s) set forth within the Town's Land Development Code:

- 1) the Town's Planning And Permitting Department is hereby designated as the administrative authority to receive, review, and process plat or replat submittals; and
- 2) the Town Administrator, or his or her designee, is hereby designated as the administrative official responsible for approving, approving with conditions, or denying a proposed plat or replat.

SECTION 3. SEVERABILITY. If any section, sentence, clause, or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then all remaining provisions and portions of this Resolution shall remain in full force and effect.

SECTION 4. CONFLICTS. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. EFFECTIVE DATE. This Resolution shall take effect immediately upon its passage.

SECTION 6. SUNSET. This Resolution shall remain effective until such time as it is repealed and/superseded by subsequent resolution and/or until such time as the Town amends its Land Development Code to address the requirements of the Act, at which time this Resolution and the designations set forth herein shall sunset and no longer remain in effect.

PASSED AND ADOPTED this 19th day of August, 2025.

**TOWN COUNCIL OF THE TOWN OF
EATONVILLE, FLORIDA**

Angie Gardner, Mayor

Attest:

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney