

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Rossin

316-2101-99

1 A bill to be entitled
2 An act relating to local government
3 comprehensive planning; amending s. 163.3187,
4 F.S.; providing that a limitation on amendments
5 to a local government's comprehensive plan does
6 not apply to amendments necessary to establish
7 public school concurrency; requiring all local
8 government public school facilities elements
9 within a county to be prepared and adopted on a
10 similar time schedule; amending s. 163.3177,
11 F.S.; revising requirements relating to
12 inclusion of school siting elements in
13 comprehensive plans; providing an effective
14 date.

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

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18 Section 1. Paragraph (h) is added to subsection (1) of
19 section 163.3187, Florida Statutes, 1998 Supplement, to read:

20 163.3187 Amendment of adopted comprehensive plan.--

21 (1) Amendments to comprehensive plans adopted pursuant
22 to this part may be made not more than two times during any
23 calendar year, except:

24 (h) Any comprehensive plan amendment to establish
25 public school concurrency pursuant to s. 163.3180(12),
26 including, but not limited to, adoption of a public school
27 facilities element and adoption of amendments to the capital
28 improvements element and intergovernmental coordination
29 element. In order to ensure the consistency of local
30 government public school facilities elements within a county,

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1 such elements shall be prepared and adopted on a similar time
2 schedule.

3 Section 2. Paragraph (a) of subsection (6) of section
4 163.3177, Florida Statutes, 1998 Supplement, is amended to
5 read:

6 163.3177 Required and optional elements of
7 comprehensive plan; studies and surveys.--

8 (6) In addition to the requirements of subsections
9 (1)-(5), the comprehensive plan shall include the following
10 elements:

11 (a) A future land use plan element designating
12 proposed future general distribution, location, and extent of
13 the uses of land for residential uses, commercial uses,
14 industry, agriculture, recreation, conservation, education,
15 public buildings and grounds, other public facilities, and
16 other categories of the public and private uses of land. The
17 future land use plan shall include standards to be followed in
18 the control and distribution of population densities and
19 building and structure intensities. The proposed
20 distribution, location, and extent of the various categories
21 of land use shall be shown on a land use map or map series
22 which shall be supplemented by goals, policies, and measurable
23 objectives. Each land use category shall be defined in terms
24 of the types of uses included and specific standards for the
25 density or intensity of use. The future land use plan shall
26 be based upon surveys, studies, and data regarding the area,
27 including the amount of land required to accommodate
28 anticipated growth; the projected population of the area; the
29 character of undeveloped land; the availability of public
30 services; and the need for redevelopment, including the
31 renewal of blighted areas and the elimination of nonconforming

1 uses which are inconsistent with the character of the
2 community. The future land use plan may designate areas for
3 future planned development use involving combinations of types
4 of uses for which special regulations may be necessary to
5 ensure development in accord with the principles and standards
6 of the comprehensive plan and this act. The future land use
7 plan of a county may also designate areas for possible future
8 municipal incorporation. The land use maps or map series
9 shall generally identify and depict historic district
10 boundaries and shall designate historically significant
11 properties meriting protection. The future land use element
12 must clearly identify the land use categories in which public
13 schools are an allowable use. When delineating the land use
14 categories in which public schools are an allowable use, a
15 local government shall include in the categories sufficient
16 land proximate to residential development to meet the
17 projected needs for schools in coordination with public school
18 boards and may establish differing criteria for schools of
19 different type or size. Each local government shall include
20 lands contiguous to existing school sites, to the maximum
21 extent possible, within the land use categories in which
22 public schools are an allowable use. All comprehensive plans
23 must comply with the school siting requirements of this
24 paragraph no later than October 1, 1999, ~~or the deadline for~~
25 ~~the local government evaluation and appraisal report,~~
26 ~~whichever occurs first.~~ The failure by a local government to
27 comply with these school siting requirements by October 1,
28 1999, ~~this requirement~~ will result in the prohibition of the
29 local government's ability to amend the local comprehensive
30 plan, except for plan amendments described in paragraph
31 163.3187(1)(b), until the school siting requirements are met

1 ~~as provided by s. 163.3187(6)~~. An amendment proposed by a
2 local government for purposes of identifying the land use
3 categories in which public schools are an allowable use is
4 exempt from the limitation on the frequency of plan amendments
5 contained in s. 163.3187. The future land use element shall
6 include criteria which encourage the location of schools
7 proximate to urban residential areas to the extent possible
8 and shall require that the local government seek to collocate
9 public facilities, such as parks, libraries, and community
10 centers, with schools to the extent possible.

11 Section 3. This act shall take effect upon becoming a
12 law.

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14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
15 COMMITTEE SUBSTITUTE FOR
16 Senate Bill 2380

17 Clarifies the requirement that local government comprehensive
18 plans comply with school siting requirements of October 1,
19 1999, and that if this deadline is not met, that the local
20 government will not be able to amend its comprehensive plan
21 until the school siting requirements are met, with the
22 exception of amendments related to a development of regional
23 impact.
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