

Bill No. CS for CS for CS for SB 2548

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senator Laurent moved the following amendment:		
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13	Senate Amendment (with title amendment)		
14	On page 159, between lines 5 and 6,		
15			
16	insert:		
17	Section 75. Paragraph (a) of subsection (6) and		
18	subsection (11) of section 163.3177, Florida Statutes, are		
19	amended, to read:		
20	163.3177 Required and optional elements of		
21	comprehensive plan; studies and surveys.--		
22	(6) In addition to the requirements of subsections		
23	(1)-(5), the comprehensive plan shall include the following		
24	elements:		
25	(a) A future land use plan element designating		
26	proposed future general distribution, location, and extent of		
27	the uses of land for residential uses, commercial uses,		
28	industry, agriculture, recreation, conservation, education,		
29	public buildings and grounds, other public facilities, and		
30	other categories of the public and private uses of land. The		
31	future land use plan shall include standards to be followed in		

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1 the control and distribution of population densities and
2 building and structure intensities. The proposed
3 distribution, location, and extent of the various categories
4 of land use shall be shown on a land use map or map series
5 which shall be supplemented by goals, policies, and measurable
6 objectives. Each land use category shall be defined in terms
7 of the types of uses included and specific standards for the
8 density or intensity of use. The future land use plan shall
9 be based upon surveys, studies, and data regarding the area,
10 including the amount of land required to accommodate
11 anticipated growth; the projected population of the area; the
12 character of undeveloped land; the availability of public
13 services; the need for redevelopment, including the renewal of
14 blighted areas and the elimination of nonconforming uses which
15 are inconsistent with the character of the community; and, in
16 rural communities, the need for job creation, capital
17 investment, and economic development that will strengthen and
18 diversify the community's economy. The future land use plan
19 may designate areas for future planned development use
20 involving combinations of types of uses for which special
21 regulations may be necessary to ensure development in accord
22 with the principles and standards of the comprehensive plan
23 and this act. In addition, for rural communities, the amount
24 of land designated for future planned industrial use shall be
25 based upon surveys and studies that reflect the need for job
26 creation, capital investment, and the necessity to strengthen
27 and diversify the local economies, and shall not be limited
28 solely by the projected population of the rural community. The
29 future land use plan of a county may also designate areas for
30 possible future municipal incorporation. The land use maps or
31 map series shall generally identify and depict historic

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1 district boundaries and shall designate historically
2 significant properties meriting protection. The future land
3 use element must clearly identify the land use categories in
4 which public schools are an allowable use. When delineating
5 the land use categories in which public schools are an
6 allowable use, a local government shall include in the
7 categories sufficient land proximate to residential
8 development to meet the projected needs for schools in
9 coordination with public school boards and may establish
10 differing criteria for schools of different type or size. Each
11 local government shall include lands contiguous to existing
12 school sites, to the maximum extent possible, within the land
13 use categories in which public schools are an allowable use.
14 All comprehensive plans must comply with the school siting
15 requirements of this paragraph no later than October 1, 1999.
16 The failure by a local government to comply with these school
17 siting requirements by October 1, 1999, will result in the
18 prohibition of the local government's ability to amend the
19 local comprehensive plan, except for plan amendments described
20 in s. 163.3187(1)(b), until the school siting requirements are
21 met. An amendment proposed by a local government for purposes
22 of identifying the land use categories in which public schools
23 are an allowable use is exempt from the limitation on the
24 frequency of plan amendments contained in s. 163.3187. The
25 future land use element shall include criteria which encourage
26 the location of schools proximate to urban residential areas
27 to the extent possible and shall require that the local
28 government seek to collocate public facilities, such as parks,
29 libraries, and community centers, with schools to the extent
30 possible. For schools serving predominantly rural areas, an
31 agricultural land use category may be eligible by plan

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1 amendment for the location of public school facilities,
2 provided the local comprehensive plan contains school siting
3 criteria or the applicable land use category will be amended
4 through a comprehensive plan amendment.

5 (11)(a) The Legislature recognizes the need for
6 innovative planning and development strategies which will
7 address the anticipated demands of continued urbanization of
8 Florida's coastal and other environmentally sensitive areas,
9 and which will accommodate the development of less populated
10 regions of the state which seek economic development and which
11 have suitable land and water resources to accommodate growth
12 in an environmentally acceptable manner. The Legislature
13 further recognizes the substantial advantages of innovative
14 approaches to development which may better serve to protect
15 environmentally sensitive areas, maintain the economic
16 viability of agricultural and other predominantly rural land
17 uses, and provide for the cost-efficient delivery of public
18 facilities and services.

19 (b) It is the intent of the Legislature that the local
20 government comprehensive plans and plan amendments adopted
21 pursuant to the provisions of this part provide for a planning
22 process which allows for land use efficiencies within existing
23 urban areas and which also allows for the conversion of rural
24 lands to other uses, where appropriate and consistent with the
25 other provisions of this part and the affected local
26 comprehensive plans, through the application of innovative and
27 flexible planning and development strategies and creative land
28 use planning techniques, which may include, but not be limited
29 to, urban villages, new towns, satellite communities,
30 area-based allocations, clustering and open space provisions,
31 mixed-use development, and sector planning.

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1 (c) Lands classified in the future land use plan
2 element as agricultural, rural, open, open/rural, or a
3 substantively equivalent land use shall also be deemed
4 appropriate for innovative planning and development strategies
5 described in paragraphs (a) and (b) which the department
6 recognizes as methods for discouraging urban sprawl consistent
7 with the provisions of the state comprehensive plan, regional
8 policy plans, and this part.

9 (d) The Department of Community Affairs, in
10 conjunction with the Department of Agriculture and Consumer
11 Services, shall, by no later than December 15, 2000, prepare
12 and submit to the Governor, the Speaker of the House of
13 Representatives, and the President of the Senate a report on a
14 program of planning incentives, economic incentives, and other
15 measures as may be necessary to facilitate the timely
16 implementation of innovative planning and development
17 strategies described in paragraphs (a), (b), and (c) while
18 protecting environmentally sensitive areas, maintaining the
19 economic viability of agriculture and other predominantly
20 rural land uses, and providing for the cost-efficient delivery
21 of public facilities and services. Such incentives and other
22 measures shall address the following:

23 1. "Smart growth" strategies within rural areas which
24 proactively address both the pressures of population growth
25 and the substantial need for rural economic development.

26 2. The importance of maintaining rural land values as
27 the cornerstone of maintaining a viable rural economy.

28 3. Expression of the contents of paragraphs (a), (b),
29 and (c) in the form of practical and easily understood
30 planning guidelines.

31 4. A rural lands stewardship program under which the

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1 owners of rural property are encouraged to convey development
2 rights in exchange for smart growth development credits which
3 are transferable within rural areas in which innovative
4 development and strategies are applied as part of a pattern of
5 land use which protects environmentally sensitive areas,
6 maintains the economic viability of agriculture and other
7 predominantly rural land uses, and provides for the
8 cost-efficient delivery of public facilities and services.

9 5. Strategies and incentives to reward best management
10 practices for agricultural activities consistent with the
11 conservation and protection of environmentally sensitive areas
12 and sound water management practices.

13 6. The coordination of state transportation
14 facilities, including roadways, railways, and port and airport
15 facilities, to provide for the transportation of agricultural
16 products and supplies.

17
18 The Department of Community Affairs shall also submit a copy
19 of such report to the Grow Smart Florida Study Commission by
20 December 15, 2000. The Department of Community Affairs and the
21 Department of Agriculture and Consumer Services shall
22 regularly report their progress on these issues to the
23 commission, cooperate and lend assistance to the commission,
24 and coordinate their final reporting to the Legislature to the
25 greatest extent possible.

26 (e)(c) It is the further intent of the Legislature
27 that local government comprehensive plans and implementing
28 land development regulations shall provide strategies which
29 maximize the use of existing facilities and services through
30 redevelopment, urban infill development, and other strategies
31 for urban revitalization.

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1 (f)~~(d)~~ The implementation of this subsection shall be
2 subject to the provisions of this chapter, chapters 186 and
3 187, and applicable agency rules.

4 (g)~~(e)~~ The department shall implement the provisions
5 of this subsection by rule.

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7 (Redesignate subsequent sections.)

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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 14, line 1, after the semicolon,

13
14 insert:

15 amending s. 163.3177, F.S.; providing that an
16 agricultural land use category may be eligible
17 for the location of public schools in a local
18 government comprehensive plan under certain
19 conditions; specifying lands that are
20 appropriate for innovative planning and
21 development strategies; requiring a report on a
22 program for implementing such strategies;
23 providing for coordination with the Grow Smart
24 Florida Study Commission;

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