

Bill No. HB 1737

Amendment No. Barcode 973780

1 establish reasonable standards for setbacks, buffering, and
2 landscaping and other such site conditions which ensure
3 consistency with the local comprehensive plan for a substation
4 that will be constructed or operated by an electric utility.
5 Compliance with any such adopted standards creates a
6 presumption that the substation is compatible with adjacent
7 land uses and consistent with the local comprehensive plan.

8 (c) If an electric utility demonstrates by competent
9 substantial evidence that it meets all criteria for approval
10 of an application for a development permit for the location,
11 construction, and operation of a substation, the local
12 government may not deny the application unless the
13 preponderance of the evidence applying a strict scrutiny
14 standard of review demonstrates the application does not meet
15 the requirements of the comprehensive plan or applicable land
16 development regulations.

17 Section 4. Paragraph (b) of subsection (3) of section
18 380.04, Florida Statutes, is amended to read:

19 380.04 Definition of development.--

20 (3) The following operations or uses shall not be
21 taken for the purpose of this chapter to involve "development"
22 as defined in this section:

23 (b) Work by any utility and other persons engaged in
24 the distribution or transmission of gas, electricity, or
25 water, for the purpose of inspecting, repairing, renewing, or
26 constructing on established rights-of-way any sewers, mains,
27 pipes, cables, utility tunnels, power lines, towers, poles,
28 tracks, or the like.

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30 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3 On page 1, line 14, after "reference;"

4

5 and insert:

6 amending s. 163.3202, F.S.; providing for the

7 siting of substations; amending s. 380.04,

8 F.S.; revising the definition of development;

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