

Bill No. CS for SB 1464

Amendment No. Barcode 635660

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| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Silver moved the following amendment:

Senate Amendment (with title amendment)

On page 11, between lines 9 and 10,

insert:

Section 3. Paragraph (c) of subsection (1) of section 163.3187, Florida Statutes, is amended, and paragraph (k) is added to that subsection, to read:

163.3187 Amendment of adopted comprehensive plan.--

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

(c) Any local government comprehensive plan amendments directly related to proposed small scale development activities may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan. A small scale development amendment may be adopted only under the following conditions:

1. The proposed amendment involves a use of 10 acres or fewer and:

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1 a. The cumulative annual effect of the acreage for all
2 small scale development amendments adopted by the local
3 government shall not exceed:

4 (I) A maximum of 120 acres in a local government that
5 contains areas specifically designated in the local
6 comprehensive plan for urban infill, urban redevelopment, or
7 downtown revitalization as defined in s. 163.3164, urban
8 infill and redevelopment areas designated under s. 163.2517,
9 transportation concurrency exception areas approved pursuant
10 to s. 163.3180(5), or regional activity centers and urban
11 central business districts approved pursuant to s.
12 380.06(2)(e); however, amendments under this paragraph may be
13 applied to no more than 60 acres annually of property outside
14 the designated areas listed in this sub-sub-subparagraph.
15 Amendments adopted pursuant to paragraph (k) shall not be
16 counted toward the acreage limitations for small scale
17 amendments under this paragraph.

18 (II) A maximum of 80 acres in a local government that
19 does not contain any of the designated areas set forth in
20 sub-sub-subparagraph (I).

21 (III) A maximum of 120 acres in a county established
22 pursuant to s. 9, Art. VIII of the State Constitution.

23 b. The proposed amendment does not involve the same
24 property granted a change within the prior 12 months.

25 c. The proposed amendment does not involve the same
26 owner's property within 200 feet of property granted a change
27 within the prior 12 months.

28 d. The proposed amendment does not involve a text
29 change to the goals, policies, and objectives of the local
30 government's comprehensive plan, but only proposes a land use
31 change to the future land use map for a site-specific small

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1 scale development activity.

2 e. The property that is the subject of the proposed
3 amendment is not located within an area of critical state
4 concern, unless the project subject to the proposed amendment
5 involves the construction of affordable housing units meeting
6 the criteria of s. 420.0004(3), and is located within an area
7 of critical state concern designated by s. 380.0552 or by the
8 Administration Commission pursuant to s. 380.05(1). Such
9 amendment is not subject to the density limitations of
10 sub-subparagraph f., and shall be reviewed by the state land
11 planning agency for consistency with the principles for
12 guiding development applicable to the area of critical state
13 concern where the amendment is located and shall not become
14 effective until a final order is issued under s. 380.05(6).

15 f. If the proposed amendment involves a residential
16 land use, the residential land use has a density of 10 units
17 or less per acre, except that this limitation does not apply
18 to small scale amendments described in sub-sub-subparagraph
19 a.(I) that are designated in the local comprehensive plan for
20 urban infill, urban redevelopment, or downtown revitalization
21 as defined in s. 163.3164, urban infill and redevelopment
22 areas designated under s. 163.2517, transportation concurrency
23 exception areas approved pursuant to s. 163.3180(5), or
24 regional activity centers and urban central business districts
25 approved pursuant to s. 380.06(2)(e).

26 2.a. A local government that proposes to consider a
27 plan amendment pursuant to this paragraph is not required to
28 comply with the procedures and public notice requirements of
29 s. 163.3184(15)(c) for such plan amendments if the local
30 government complies with the provisions in s. 125.66(4)(a) for
31 a county or in s. 166.041(3)(c) for a municipality. If a

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1 request for a plan amendment under this paragraph is initiated
2 by other than the local government, public notice is required.

3 b. The local government shall send copies of the
4 notice and amendment to the state land planning agency, the
5 regional planning council, and any other person or entity
6 requesting a copy. This information shall also include a
7 statement identifying any property subject to the amendment
8 that is located within a coastal high hazard area as
9 identified in the local comprehensive plan.

10 3. Small scale development amendments adopted pursuant
11 to this paragraph require only one public hearing before the
12 governing board, which shall be an adoption hearing as
13 described in s. 163.3184(7), and are not subject to the
14 requirements of s. 163.3184(3)-(6) unless the local government
15 elects to have them subject to those requirements.

16 (k) A local comprehensive plan amendment directly
17 related to providing transportation improvements to enhance
18 life safety on Controlled Access Major Arterial Highways
19 identified in the Florida Intrastate Highway System, in
20 counties as defined in s. 125.011, where such roadways have a
21 high incidence of traffic accidents resulting in serious
22 injury or death. Any such amendment shall not include any
23 amendment modifying the designation on a comprehensive
24 development plan land use map nor any amendment modifying the
25 allowable densities or intensities of any land. An amendment
26 proposed pursuant to this paragraph shall be subject to the
27 review process for small scale amendments described in
28 paragraph (c).

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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 2, line 1, after the semicolon,

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5 insert:

6 amending s. 163.3187, F.S.; providing for plan
7 amendment relating to certain roadways in
8 specified counties under certain conditions;

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