

Amendment No. ____ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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5 ORIGINAL STAMP BELOW
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11 Representative(s) Rubio and Cantens offered the following:

12
13 **Amendment to Amendment (413501) (with title**
14 **amendment)**
15 On page 1, between lines 16 and 17,
16 insert:
17 Section 1. Paragraphs (c) and (i) of subsection (1) of
18 section 163.3187, Florida Statutes, are amended, and
19 paragraph
20 (k) is added to said subsection, to read:
21 163.3187 Amendment of adopted comprehensive
22 plan.--
23 (1) Amendments to comprehensive plans adopted
24 pursuant
25 to this part may be made not more than two times during
26 any
27 calendar year, except:
28 (c) Any local government comprehensive plan
29 amendments
30 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

31 or fewer and:

1

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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
10 pursuant
11 to s. 163.3180(5), or regional activity centers and urban
12 central business districts approved pursuant to s.
13 380.06(2)(e); however, amendments under this paragraph
14 may be
15 applied to no more than 60 acres annually of property
16 outside
17 the designated areas listed in this sub-sub-subparagraph.
18 Amendments adopted pursuant to paragraph (k) shall
19 not be
20 counted toward the acreage limitations for small
21 scale
22 amendments under this paragraph.

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

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

28 b. The proposed amendment does not involve the
29 same
30 property granted a change within the prior 12 months.

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

 d. The proposed amendment does not involve a text
change to the goals, policies, and objectives of the local
government's comprehensive plan, but only proposes a land
use
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
5 amendment 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
14 become 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
19 sub-sub-subparagraph

20 a.(I) that are designated in the local comprehensive plan for
21 urban infill, urban redevelopment, or downtown
22 revitalization
23 as defined in s. 163.3164, urban infill and redevelopment
24 areas designated under s. 163.2517, transportation
25 concurrency
26 exception areas approved pursuant to s. 163.3180(5), or
27 regional activity centers and urban central business districts
28 approved pursuant to s. 380.06(2)(e).

29 2.a. A local government that proposes to consider a
30 plan amendment pursuant to this paragraph is not required
31 to
32 comply with the procedures and public notice requirements
33 of
34 s. 163.3184(15)(c) for such plan amendments if the local
35 government complies with the provisions in s. 125.66(4)(a)
36 for
37 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 (i) A comprehensive plan amendment for the purpose
of
17 designating an urban infill and redevelopment area under s.
18 163.2517 or a Rural Heritage Area or Rural Activity
Center

19 under the Florida Rural Heritage and Economic
Stimulus Act may

20 be approved without regard to the statutory limits on the
21 frequency of amendments to the comprehensive plan.

22 (k) A local comprehensive plan amendment
directly
23 related to providing transportation improvements to
enhance
24 life safety on Controlled Access Major Arterial
Highways
25 identified in the Florida Intrastate Highway System,
in

26 counties as defined in s. 125.011, where such
roadways have a

27 high incidence of traffic accidents resulting in
serious

28 injury or death. Any such amendment shall not include
any

29 amendment modifying the designation on a
comprehensive

30 development plan land use map nor any amendment
modifying the

31 allowable densities or intensities of any land. An
amendment

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1 proposed pursuant to this paragraph shall be subject to
the
2 review process for small scale amendments described
in
3 paragraph (c).

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6 ===== T I T L E A M E N D M E N T
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7 And the title is amended as follows:
8 On page 52, line 1, after the semicolon
9
10 insert:
11 amending s. 163.3187, F.S.; providing for plan
12 amendment relating to certain roadways in
13 specified counties under certain conditions;

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