

Bill No. CS for SB's 1906 & 550, 1st Eng.

Amendment No.      Barcode 532974

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators Silver, Villalobos and Garcia moved the following		
12	amendment to Senate amendment (144778) to House amendment		
13	(154855):		
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15	<b>Senate Amendment (with title amendment)</b>		
16	On page 34, line 24, through page 37, line 24, delete		
17	those lines		
18			
19	and insert:		
20	Section 8. Paragraph (c) of subsection (1) of section		
21	163.3187, Florida Statutes, is amended, and paragraphs (k) and		
22	(l) are added to that subsection, to read:		
23	163.3187 Amendment of adopted comprehensive plan.--		
24	(1) Amendments to comprehensive plans adopted pursuant		
25	to this part may be made not more than two times during any		
26	calendar year, except:		
27	(c) Any local government comprehensive plan amendments		
28	directly related to proposed small scale development		
29	activities may be approved without regard to statutory limits		
30	on the frequency of consideration of amendments to the local		
31	comprehensive plan. A small scale development amendment may be		

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1 adopted only under the following conditions:

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

4 a. The cumulative annual effect of the acreage for all  
5 small scale development amendments adopted by the local  
6 government shall not exceed:

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

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

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

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

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

31 d. The proposed amendment does not involve a text

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1 change to the goals, policies, and objectives of the local  
2 government's comprehensive plan, but only proposes a land use  
3 change to the future land use map for a site-specific small  
4 scale development activity.

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

18 f. If the proposed amendment involves a residential  
19 land use, the residential land use has a density of 10 units  
20 or less per acre, except that this limitation does not apply  
21 to small scale amendments described in sub-sub-subparagraph  
22 a.(I) that are designated in the local comprehensive plan for  
23 urban infill, urban redevelopment, or downtown revitalization  
24 as defined in s. 163.3164, urban infill and redevelopment  
25 areas designated under s. 163.2517, transportation 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 to  
31 comply with the procedures and public notice requirements of

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1 s. 163.3184(15)(c) for such plan amendments if the local  
2 government complies with the provisions in s. 125.66(4)(a) for  
3 a county or in s. 166.041(3)(c) for a municipality. If a  
4 request for a plan amendment under this paragraph is initiated  
5 by other than the local government, public notice is required.

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

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

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

29 (l) A comprehensive plan amendment to adopt a public  
30 educational facilities element pursuant to s. 163.31776 and  
31 future land-use-map amendments for school siting may be

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1 approved notwithstanding statutory limits on the frequency of  
2 adopting plan amendments.

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

6 And the title is amended as follows:

7 On page 149, line 5, after the semicolon,

8

9 insert:

10 providing for plan amendment relating to  
11 certain roadways in specified counties under  
12 certain conditions;

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