

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

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Cantens and Rubio offered the following:

Substitute Amendment for Amendment (345351) (with title amendment)

On page 21, lines 6-17,
remove: all of said lines

and insert:

Section 2. Paragraphs (c) and (i) of subsection (1) of section 163.3187, Florida Statutes, are amended, and paragraph (k) is added to said 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:

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- 1 1. The proposed amendment involves a use of 10 acres
2 or fewer and:
- 3 a. The cumulative annual effect of the acreage for all
4 small scale development amendments adopted by the local
5 government shall not exceed:
- 6 (I) A maximum of 120 acres in a local government that
7 contains areas specifically designated in the local
8 comprehensive plan for urban infill, urban redevelopment, or
9 downtown revitalization as defined in s. 163.3164, urban
10 infill and redevelopment areas designated under s. 163.2517,
11 transportation concurrency exception areas approved pursuant
12 to s. 163.3180(5), or regional activity centers and urban
13 central business districts approved pursuant to s.
14 380.06(2)(e); however, amendments under this paragraph may be
15 applied to no more than 60 acres annually of property outside
16 the designated areas listed in this sub-sub-subparagraph.
17 Amendments adopted pursuant to paragraph (k) shall not be
18 counted toward the acreage limitations for small scale
19 amendments under this paragraph.
- 20 (II) A maximum of 80 acres in a local government that
21 does not contain any of the designated areas set forth in
22 sub-sub-subparagraph (I).
- 23 (III) A maximum of 120 acres in a county established
24 pursuant to s. 9, Art. VIII of the State Constitution.
- 25 b. The proposed amendment does not involve the same
26 property granted a change within the prior 12 months.
- 27 c. The proposed amendment does not involve the same
28 owner's property within 200 feet of property granted a change
29 within the prior 12 months.
- 30 d. The proposed amendment does not involve a text
31 change to the goals, policies, and objectives of the local

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

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

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

28 2.a. A local government that proposes to consider a
29 plan amendment pursuant to this paragraph is not required to
30 comply with the procedures and public notice requirements of
31 s. 163.3184(15)(c) for such plan amendments if the local

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

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

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

18 (i) A comprehensive plan amendment for the purpose of
19 designating an urban infill and redevelopment area under s.
20 163.2517 or a Rural Heritage Area or Rural Activity Center
21 under the Florida Rural Heritage and Economic Stimulus Act may
22 be approved without regard to the statutory limits on the
23 frequency of amendments to the comprehensive plan.

24 (k) A local comprehensive plan amendment directly
25 related to providing transportation improvements to enhance
26 life safety on Controlled Access Major Arterial Highways
27 identified in the Florida Intrastate Highway System, in
28 counties as defined in s. 125.011, where such roadways have a
29 high incidence of traffic accidents resulting in serious
30 injury or death. Any such amendment shall not include any
31 amendment modifying the designation on a comprehensive

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1 development plan land use map nor any amendment modifying the
2 allowable densities or intensities of any land.

3 Section 3. Whopper Way designated; Department of
4 Transportation to erect suitable markers.--

5 (1) That portion of N.W. 57 Avenue from N.W. 7 Street
6 to State Highway 836 in Miami-Dade County is hereby designated
7 as "Whopper Way."

8 (2) The Department of Transportation is directed to
9 erect suitable markers designating Whopper Way as described in
10 subsection (1).

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

14 And the title is amended as follows:

15 On page 2, line 2, after "Centers;"

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insert:

18 providing for plan amendment relating to
19 certain roadways in specified counties under
20 certain conditions; designating Whopper Way in
21 Miami-Dade County and directing the Department
22 of Transportation to erect suitable markers;

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