

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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Representative Llorente offered the following:

Amendment (with title amendment)

Between line(s) 75 &76, and insert:

Section 2. Paragraph (c) is added to subsection (1) of section 163.3174, Florida Statutes, to read:

163.3174 Local planning agency.--

(1) The governing body of each local government, individually or in combination as provided in s. 163.3171, shall designate and by ordinance establish a "local planning agency," unless the agency is otherwise established by law.

Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member of the local planning agency or equivalent agency to attend those meetings at

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28 which the agency considers comprehensive plan amendments and
29 rezonings that would, if approved, increase residential density
30 on the property that is the subject of the application. However,
31 this subsection does not prevent the governing body of the local
32 government from granting voting status to the school board
33 member. The governing body may designate itself as the local
34 planning agency pursuant to this subsection with the addition of
35 a nonvoting school board representative. The governing body
36 shall notify the state land planning agency of the establishment
37 of its local planning agency. All local planning agencies shall
38 provide opportunities for involvement by applicable community
39 college boards, which may be accomplished by formal
40 representation, membership on technical advisory committees, or
41 other appropriate means. The local planning agency shall prepare
42 the comprehensive plan or plan amendment after hearings to be
43 held after public notice and shall make recommendations to the
44 governing body regarding the adoption or amendment of the plan.
45 The agency may be a local planning commission, the planning
46 department of the local government, or other instrumentality,
47 including a countywide planning entity established by special
48 act or a council of local government officials created pursuant
49 to s. 163.02, provided the composition of the council is fairly
50 representative of all the governing bodies in the county or
51 planning area; however:

52 (c) The Legislature recognizes that many larger
53 municipalities within charter counties have the technical
54 planning staff to effectively implement and enforce a
55 comprehensive plan and develop and achieve a community vision
56 within their boundaries. Notwithstanding any law to the

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57 contrary, each municipality with a population greater than
58 10,000, located in a charter county not operating under a home
59 rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII
60 of the State Constitution of 1885, as preserved by s. 6(e), Art.
61 VIII of the State Constitution of 1968 with a population greater
62 than 1,500,000 and more than 25 municipalities, shall have
63 exclusive planning authority, including, but not limited to,
64 development order approval and zoning and comprehensive planning
65 for the area under its municipal jurisdiction. However, a
66 municipality located in such a county may delegate planning
67 authority for the area under its municipal jurisdiction to the
68 county if the governing body of the municipality adopts a
69 resolution approving the delegation to the county. A charter
70 county, as described in this paragraph, may provide written
71 comments on a proposed land use change within a municipality's
72 jurisdiction and provide planning assistance if requested by the
73 municipality.

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

77 Remove line(s) 25, and insert:
78 county; amending s. 163.3174, F.S.; providing that certain
79 municipalities shall have exclusive planning authority for
80 the area under its municipal jurisdiction; providing that
81 such a municipality may delegate planning authority to the
82 county in which located if the governing body of the
83 municipality adopts a resolution approving the delegation
84 to the county; providing that the county may provide
85 written comments on a proposed land use change within a

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86 | municipality's jurisdiction and provide planning
87 | assistance if requested by the municipality; providing for
88 | delegation of such authority; providing an effective date.