

Bill No. CS for SB 2688

Amendment No. ____ Barcode 432884

CHAMBER ACTION

Senate

House

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Senator Pruitt moved the following amendment:

Senate Amendment (with title amendment)

On page 1, line 25, delete that line

and insert:

Section 1. 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 which the agency considers comprehensive plan amendments and rezonings that would, if

Bill No. CS for SB 2688

Amendment No. ____ Barcode 432884

1 approved, increase residential density on the property that is
2 the subject of the application. However, this subsection does
3 not prevent the governing body of the local government from
4 granting voting status to the school board member. The
5 governing body may designate itself as the local planning
6 agency pursuant to this subsection with the addition of a
7 nonvoting school board representative. The governing body
8 shall notify the state land planning agency of the
9 establishment of its local planning agency. All local planning
10 agencies shall provide opportunities for involvement by
11 applicable community college boards, which may be accomplished
12 by formal representation, membership on technical advisory
13 committees, or other appropriate means. The local planning
14 agency shall prepare the comprehensive plan or plan amendment
15 after hearings to be held after public notice and shall make
16 recommendations to the governing body regarding the adoption
17 or amendment of the plan. The agency may be a local planning
18 commission, the planning department of the local government,
19 or other instrumentality, including a countywide planning
20 entity established by special act or a council of local
21 government officials created pursuant to s. 163.02, provided
22 the composition of the council is fairly representative of all
23 the governing bodies in the county or planning area; however:

24 (c) The Legislature recognizes that many large
25 municipalities within charter counties have the technical
26 planning staff to effectively implement and enforce a
27 comprehensive plan and develop and achieve a community vision
28 within their boundaries. Notwithstanding any law to the
29 contrary, each municipality with a population greater than
30 20,000, located in a charter county not operating under a home
31 rule charter adopted pursuant to ss. 10, 11, and 24, Art. VIII

Bill No. CS for SB 2688

Amendment No. ____ Barcode 432884

1 of the Constitution of 1885, as preserved by s. 6(e), Art.
 2 VIII of the Constitution of 1968 with a population greater
 3 than 1,500,000 and more than 25 municipalities, shall have
 4 exclusive planning authority, including, but not limited to,
 5 development order approval and zoning and comprehensive
 6 planning for the area under its municipal jurisdiction.
 7 However, a municipality located in such a county may delegate
 8 planning authority for the area under its municipal
 9 jurisdiction to the county if the governing body of the
 10 municipality adopts a resolution approving the delegation to
 11 the county. A charter county, as described in this paragraph,
 12 may provide written comments on a proposed land use change
 13 within a municipality's jurisdiction and provide planning
 14 assistance if requested by the municipality.

15 Section 2. Popular name.--Sections 2-8 of this act may
 16 be cited as the

17
 18 (Redesignate subsequent sections.)

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

22 And the title is amended as follows:

23 On page 1, lines 2 and 3, delete those lines

24
 25 and insert:

26 An act relating to local government planning;
 27 amending s. 163.3174, F.S.; providing that
 28 certain municipalities in certain charter
 29 counties have exclusive planning authority for
 30 the area under their respective municipal
 31 jurisdictions; allowing such municipalities to

Bill No. CS for SB 2688

Amendment No. ____ Barcode 432884

1 delegate such planning authority to the county;
2 allowing such charter counties to comment on
3 proposed municipal land use changes and provide
4 planning assistance to municipalities;
5 providing a popular name; amending
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