

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) 196 and 197, insert:

Section 3. 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 (a) If a joint planning entity is in existence on the
53 effective date of this act which authorizes the governing bodies
54 to adopt and enforce a land use plan effective throughout the
55 joint planning area, that entity shall be the agency for those

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56 local governments until such time as the authority of the joint
57 planning entity is modified by law.

58 (b) In the case of chartered counties, the planning
59 responsibility between the county and the several municipalities
60 therein shall be as stipulated in the charter.

61 (c) The Legislature recognizes that many larger
62 municipalities within charter counties have the technical
63 planning staff to effectively implement and enforce a
64 comprehensive plan and develop and achieve a community vision
65 within their boundaries. Notwithstanding paragraph (b) or any
66 other provision of law to the contrary, each municipality with a
67 population greater than 10,000, located in a charter county not
68 operating under a home rule charter adopted pursuant to ss. 10,
69 11, and 24, Art. VIII of the Constitution of 1885, as preserved
70 by s. 6(e), Art. VIII of the Constitution of 1968 with a
71 population greater than 1,500,000 and more than 25
72 municipalities, shall have exclusive planning authority,
73 including,, but not limited to, development order approval and
74 zoning and comprehensive planning for the area under its
75 municipal jurisdiction. However, a municipality located in such
76 a county may delegate planning authority for the area under its
77 municipal jurisdiction to the county if the governing body of
78 the municipality adopts a resolution approving the delegation to
79 the county. A charter county, as described in this paragraph,
80 may provide written comments on a proposed land use change
81 within a municipality's jurisdiction and provide planning
82 assistance if requested by the municipality.

83
84 ===== T I T L E A M E N D M E N T =====

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85 Remove line(s) 14, and insert:
86 strategy"; amending s. 163.3174, F.S.; providing local
87 planning authority for certain municipalities in certain
88 charter counties; amending s. 163.3177, F.S.; providing an