

Bill No. CS for CS for CS for SB 360, 1st Eng.

Barcode 051328

CHAMBER ACTION

Senate

House

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Senator Bennett moved the following amendment:

Senate Amendment (with title amendment)

On page 129, between lines 23 and 24,

insert:

Section 29. Paragraph (b) of subsection (1) of section 163.3174, Florida Statutes, is amended 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

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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 (b) In the case of chartered counties, the planning
 25 responsibility between the county and the several
 26 municipalities therein shall be as stipulated in the charter.
 27 A municipality, located in a county that adopts a charter form
 28 of government on or after July 1, 2005, shall have the option
 29 to exercise exclusive land use planning authority. The
 30 exercise of this option shall require the municipality to
 31 adopt a resolution approving the exercise of exclusive land

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1 use planning authority. Exclusive land use planning authority
 2 includes platting, zoning, the adoption of comprehensive plan
 3 amendments in accordance with this chapter, and the issuance
 4 of development orders for the area under municipal
 5 jurisdiction.

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 7 (Redesignate subsequent sections.)
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10 ===== T I T L E A M E N D M E N T =====

11 And the title is amended as follows:

12 On page 6, line 10, after the semicolon

13
 14 insert:

15 amending s. 163.3174, F.S.; allowing
 16 municipalities in charter counties the option
 17 to exercise exclusive land use planning
 18 authority under certain circumstances;

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