

Bill No. CS for CS for CS for SB 360

Barcode 531744

CHAMBER ACTION

Senate

House

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Senator Haridopolos moved the following amendment:

Senate Amendment (with title amendment)

On page 54, after line 31,

insert:

Section 7. Paragraph (o) is added to subsection (1) of section 163.3187, Florida Statutes, 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:

(o)1. For municipalities that are more than 90 percent built-out, any municipality's comprehensive plan amendments may be approved without regard to statutory limits on the frequency of consideration of amendments to the local comprehensive plan only if the proposed amendment involves a use of 100 acres or fewer, and:

a. The cumulative annual effect of the acreage for all amendments adopted pursuant to this paragraph does not exceed 500 acres.

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1 b. The proposed amendment does not involve the same
2 property granted a change within the prior 12 months.

3 c. The proposed amendment does not involve the same
4 owner's property within 200 feet of property granted a change
5 within the prior 12 months.

6 d. The proposed amendment does not involve a text
7 change to the goals, policies, and objectives of the local
8 government's comprehensive plan but only proposes a land use
9 change to the future land use map for a site-specific small
10 scale development activity.

11 e. The property that is the subject of the proposed
12 amendment is not located within an area of critical state
13 concern.

14 2. For purposes of this paragraph, the term
15 "built-out" means 90 percent of the property within the
16 municipality's boundaries, excluding lands that are designated
17 as conservation, preservation, recreation, or public
18 facilities categories, have been developed, or are the subject
19 of an approved development order that has received a building
20 permit, and the municipality has an average density of 5 units
21 per acre for residential development.

22 3.a. A local government that proposes to consider a
23 plan amendment pursuant to this paragraph is not required to
24 comply with the procedures and public notice requirements of
25 s. 163.3184(15)(c) for such plan amendments if the local
26 government complies with the provisions of s. 166.041(3)(c).
27 If a request for a plan amendment under this paragraph is
28 initiated by other than the local government, public notice is
29 required.

30 b. The local government shall send copies of the
31 notice and amendment to the state land planning agency, the

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1 regional planning council, and any other person or entity
 2 requesting a copy. This information shall also include a
 3 statement identifying any property subject to the amendment
 4 that is located within a coastal high hazard area as
 5 identified in the local comprehensive plan.

6 4. Amendments adopted pursuant to this paragraph
 7 require only one public hearing before the governing board,
 8 which shall be an adoption hearing as described in s.
 9 163.3184(7), and are not subject to the requirements of s.
 10 163.3184(3)-(6) unless the local government elects to have
 11 them subject to those requirements.

12 5. This paragraph shall not apply if a municipality
 13 annexes unincorporated property that decreases the percentage
 14 of build-out to an amount below 90 percent.

15 6. A municipality shall notify the state land planning
 16 agency in writing of its built-out percentage prior to the
 17 submission of any comprehensive plan amendments under this
 18 subsection.

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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 3, line 5, after the semicolon,

24

25 insert:

26 amending s. 163.3187, F.S.; providing
 27 additional criteria for small scale amendments
 28 to adopted comprehensive plans; providing an
 29 additional exception to a limitation on
 30 amending an adopted comprehensive plan by
 31 certain municipalities; providing procedures

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and requirements; providing for notice and
public hearings; providing for nonapplication;