

Bill No. HB 955, 1st Eng.

Barcode 514354

CHAMBER ACTION

Senate

House

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2	05/04/2005 07:21 PM	.	05/05/2005 10:50:33
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11 Senator Clary moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 Between lines 926 and 927,

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16 insert:

17 Section 17. Subsections (10), (11), and (12) of  
18 section 163.3246, Florida Statutes, are renumbered as  
19 subsections (12), (13), and (14), respectively, and new  
20 subsections (10) and (11) are added to said section to read:

21 163.3246 Local government comprehensive planning  
22 certification program.--

23 (10) Notwithstanding subsections (2), (4), (5), (6),  
24 and (7), any municipality designated as a rural area of  
25 critical economic concern pursuant to s. 288.0656 which is  
26 located within a county eligible to levy the Small County  
27 Surtax under s. 212.055(3) shall be considered certified  
28 during the effectiveness of the designation of rural area of  
29 critical economic concern. The state land planning agency  
30 shall provide a written notice of certification to the local  
31 government of the certified area, which shall be considered

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1 final agency action subject to challenge under s. 120.569. The  
2 notice of certification shall include the following  
3 components:

4 (a) The boundary of the certification area.

5 (b) A requirement that the local government submit  
6 either an annual or biennial monitoring report to the state  
7 land planning agency according to the schedule provided in the  
8 written notice. The monitoring report shall, at a minimum,  
9 include the number of amendments to the comprehensive plan  
10 adopted by the local government, the number of plan amendments  
11 challenged by an affected person, and the disposition of those  
12 challenges.

13 (11) If the local government of an area described in  
14 subsection (10) does not request that the state land planning  
15 agency review the developments of regional impact that are  
16 proposed within the certified area, an application for  
17 approval of a development order within the certified area  
18 shall be exempt from review under s. 380.06, subject to the  
19 following:

20 (a) Concurrent with filing an application for  
21 development approval with the local government, a developer  
22 proposing a project that would have been subject to review  
23 pursuant to s. 380.06 shall notify in writing the regional  
24 planning council with jurisdiction.

25 (b) The regional planning council shall coordinate  
26 with the developer and the local government to ensure that all  
27 concurrency requirements as well as federal, state, and local  
28 environmental permit requirements are met.

29  
30 (Redesignate subsequent sections.)

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

2 And the title is amended as follows:

3            On line 96, after the semicolon,

4

5 insert:

6            amending s. 163.3246, F.S.; revising provisions  
7            for the local government comprehensive planning  
8            certification program; providing for certain  
9            municipalities to be considered certified;  
10            requiring the state land planning agency to  
11            provide a written notice of certification;  
12            specifying components of such notice; requiring  
13            local governments to submit monitoring reports  
14            to the state land planning agency; providing  
15            exemptions from certain  
16            development-of-regional-impact reviews;

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