

Bill No. CS for CS for SB 132

Barcode 442532

1 small scale development amendments adopted by the local
2 government shall not exceed:

3 (I) A maximum of 120 acres in a local government that
4 contains areas specifically designated in the local
5 comprehensive plan for urban infill, urban redevelopment, or
6 downtown revitalization as defined in s. 163.3164, urban
7 infill and redevelopment areas designated under s. 163.2517,
8 transportation concurrency exception areas approved pursuant
9 to s. 163.3180(5), or regional activity centers and urban
10 central business districts approved pursuant to s.
11 380.06(2)(e); however, amendments under this paragraph may be
12 applied to no more than 60 acres annually of property outside
13 the designated areas listed in this sub-sub-subparagraph.
14 Amendments adopted pursuant to paragraph (k) shall not be
15 counted toward the acreage limitations for small scale
16 amendments under this paragraph.

17 (II) A maximum of 80 acres in a local government that
18 does not contain any of the designated areas set forth in
19 sub-sub-subparagraph (I).

20 (III) A maximum of 120 acres in a county established
21 pursuant to s. 9, Art. VIII of the State Constitution.

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

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

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

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1 e. The property that is the subject of the proposed
 2 amendment is not located within an area of critical state
 3 concern, unless the project subject to the proposed amendment
 4 involves the construction of affordable housing units meeting
 5 the criteria of s. 420.0004(3), and is located within an area
 6 of critical state concern designated by s. 380.0552 or by the
 7 Administration Commission pursuant to s. 380.05(1). Such
 8 amendment is not subject to the density limitations of
 9 sub-subparagraph f., and shall be reviewed by the state land
 10 planning agency for consistency with the principles for
 11 guiding development applicable to the area of critical state
 12 concern where the amendment is located and shall not become
 13 effective until a final order is issued under s. 380.05(6).

14 f. If the proposed amendment involves a residential
 15 land use, the residential land use has a density of 10 units
 16 or less per acre or the proposed future land use category
 17 allows a maximum residential density of the same or less than
 18 the maximum residential density allowable under the existing
 19 future land use category, except that this limitation does not
 20 apply to small scale amendments involving the construction of
 21 affordable housing units meeting the criteria of s.
 22 420.0004(3) on property which will be the subject of a land
 23 use restriction agreement ~~or extended use agreement recorded~~
 24 ~~in conjunction with the issuance of tax exempt bond financing~~
 25 ~~or an allocation of federal tax credits issued through the~~
 26 ~~Florida Housing Finance Corporation or a local housing finance~~
 27 ~~authority authorized by the Division of Bond Finance of the~~
 28 ~~State Board of Administration~~, or small scale amendments
 29 described in sub-sub-subparagraph a.(I) that are designated in
 30 the local comprehensive plan for urban infill, urban
 31 redevelopment, or downtown revitalization as defined in s.

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1 163.3164, urban infill and redevelopment areas designated
 2 under s. 163.2517, transportation concurrency exception areas
 3 approved pursuant to s. 163.3180(5), or regional activity
 4 centers and urban central business districts approved pursuant
 5 to s. 380.06(2)(e).

6 2.a. A local government that proposes to consider a
 7 plan amendment pursuant to this paragraph is not required to
 8 comply with the procedures and public notice requirements of
 9 s. 163.3184(15)(c) for such plan amendments if the local
 10 government complies with the provisions in s. 125.66(4)(a) for
 11 a county or in s. 166.041(3)(c) for a municipality. If a
 12 request for a plan amendment under this paragraph is initiated
 13 by other than the local government, public notice is required.

14 b. The local government shall send copies of the
 15 notice and amendment to the state land planning agency, the
 16 regional planning council, and any other person or entity
 17 requesting a copy. This information shall also include a
 18 statement identifying any property subject to the amendment
 19 that is located within a coastal high-hazard area as
 20 identified in the local comprehensive plan.

21 3. Small scale development amendments adopted pursuant
 22 to this paragraph require only one public hearing before the
 23 governing board, which shall be an adoption hearing as
 24 described in s. 163.3184(7), and are not subject to the
 25 requirements of s. 163.3184(3)-(6) unless the local government
 26 elects to have them subject to those requirements.

27 4. If the small scale development amendment involves a
 28 site within an area that is designated by the Governor as a
 29 rural area of critical economic concern under s. 288.0656(7)
 30 for the duration of such designation, the 10-acre limit listed
 31 in subparagraph 1. shall be increased by 100 percent to 20

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1 acres. The local government approving the small scale plan
 2 amendment shall certify to the Office of Tourism, Trade, and
 3 Economic Development that the plan amendment furthers the
 4 economic objectives set forth in the executive order issued
 5 under s. 288.0656(7), and the property subject to the plan
 6 amendment shall undergo public review to ensure that all
 7 concurrency requirements and federal, state, and local
 8 environmental permit requirements are met.

9
 10 (Redesignate subsequent sections.)

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 12

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

14 And the title is amended as follows:

15 On page 1, line 24, after the semicolon,

16

17 insert:

18 amending s. 163.3187, F.S.; revising a
 19 limitation relating to small scale
 20 comprehensive plan amendments involving the
 21 construction of affordable housing units;

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