

Bill No. CS for CS for SB 1858

Barcode 305734

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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11 Senator Bennett moved the following amendment:

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

14 On page 3, line 28, through

15 page 17, line 16, delete those lines

16

17 and insert:

18 Section 3. Paragraph (c) of subsection (2), paragraph  
19 (f) of subsection (5), subsection (7), subsection (13), and  
20 paragraphs (a), (b), (c), (e), and (f) of subsection (16) of  
21 section 163.3180, Florida Statutes, are amended to read:

22 163.3180 Concurrency.--

23 (2)

24 (c) Consistent with the public welfare, and except as  
25 otherwise provided in this section, transportation facilities  
26 needed to serve new development shall be in place or under  
27 actual construction or programmed for construction to commence  
28 in the Department of Transportation's work program or the  
29 local government's schedule of capital improvements within 3  
30 years after the local government approves a building permit or  
31 its functional equivalent that results in traffic generation.

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(5)

(f) Prior to the designation of a concurrency exception area, the Department of Transportation shall be consulted by the local government to assess the impact that the proposed exception area is expected to have on the adopted level-of-service standards established for Strategic Intermodal System facilities, as defined in s. 339.64, and roadway facilities funded in accordance with s. 339.2819. Further, the local government shall, in cooperation with the Department of Transportation, develop a plan to mitigate ~~any~~ impacts to the Strategic Intermodal System, including, if appropriate, the development of a long-term concurrency management system pursuant to subsection (9) and s. 163.3177(3)(d). The exceptions may be available only within the specific geographic area of the jurisdiction designated in the plan. Pursuant to s. 163.3184, any affected person may challenge a plan amendment establishing these guidelines and the areas within which an exception could be granted. By October 1, 2006, the Department of Transportation, after publicly noticed workshops, shall publish and distribute to local governments a policy guideline containing criteria and options to assist local governments in planning to assess and mitigate the impacts of a proposed concurrency exception area as described in this paragraph.

(7) In order to promote infill development and

redevelopment, one or more transportation concurrency management areas may be designated in a local government comprehensive plan. A transportation concurrency management area must be a compact geographic area with an existing network of roads where multiple, viable alternative travel paths or modes are available for common trips. A local

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1 government may establish an areawide level-of-service standard  
2 for such a transportation concurrency management area based  
3 upon an analysis that provides for a justification for the  
4 areawide level of service, how urban infill development or  
5 redevelopment will be promoted, and how mobility will be  
6 accomplished within the transportation concurrency management  
7 area. Prior to the designation of a concurrency management  
8 area, the Department of Transportation shall be consulted by  
9 the local government to assess the impact that the proposed  
10 concurrency management area is expected to have on the adopted  
11 level-of-service standards established for Strategic  
12 Intermodal System facilities, as defined in s. 339.64, and  
13 roadway facilities funded in accordance with s. 339.2819.  
14 Further, the local government shall, in cooperation with the  
15 Department of Transportation, develop a plan to mitigate any  
16 impacts to the Strategic Intermodal System, including, if  
17 appropriate, the development of a long-term concurrency  
18 management system pursuant to subsection (9) and s.  
19 163.3177(3)(d). Transportation concurrency management areas  
20 existing prior to July 1, 2005, shall meet, at a minimum, the  
21 provisions of this section by July 1, 2006, or at the time of  
22 the comprehensive plan update pursuant to the evaluation and  
23 appraisal report, whichever occurs last. The state land  
24 planning agency shall amend chapter 9J-5, Florida  
25 Administrative Code, to be consistent with this subsection. By  
26 October 1, 2006, the Department of Transportation, after  
27 publicly noticed workshops, shall publish and distribute to  
28 local governments a policy guideline containing criteria and  
29 options to assist local governments in planning to assess and  
30 mitigate the impacts of a proposed concurrency management area  
31 as described in this paragraph.

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1           (13) School concurrency shall be established on a  
 2 districtwide basis and shall include all public schools in the  
 3 district and all portions of the district, whether located in  
 4 a municipality or an unincorporated area unless exempt from  
 5 the public school facilities element pursuant to s.  
 6 163.3177(12). The application of school concurrency to  
 7 development shall be based upon the adopted comprehensive  
 8 plan, as amended. All local governments within a county,  
 9 except as provided in paragraph (f), shall ~~adopt and~~ transmit  
 10 to the state land planning agency and adopt the necessary plan  
 11 amendments, along with the interlocal agreement, for a  
 12 compliance review pursuant to s. 163.3184(7) and (8). The  
 13 minimum requirements for school concurrency are the following:

14           (a) Public school facilities element.--A local  
 15 government shall ~~adopt and~~ transmit to the state land planning  
 16 agency and adopt a plan or plan amendment that ~~which~~ includes  
 17 a public school facilities element which is consistent with  
 18 the requirements of s. 163.3177(12) and which is determined to  
 19 be in compliance as defined in s. 163.3184(1)(b). All local  
 20 government public school facilities plan elements within a  
 21 county must be consistent with each other as well as the  
 22 requirements of this part.

23           (b) Level-of-service standards.--The Legislature  
 24 recognizes that an essential requirement for a concurrency  
 25 management system is the level of service at which a public  
 26 facility is expected to operate.

27           1. Local governments and school boards imposing school  
 28 concurrency shall exercise authority in conjunction with each  
 29 other to establish jointly adequate level-of-service  
 30 standards, as defined in chapter 9J-5, Florida Administrative  
 31 Code, necessary to implement the adopted local government

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1 comprehensive plan, based on data and analysis.

2           2. Public school level-of-service standards shall be  
3 included and adopted into the capital improvements element of  
4 the local comprehensive plan and shall apply districtwide to  
5 all schools of the same type. Types of schools may include  
6 elementary, middle, and high schools as well as special  
7 purpose facilities such as magnet schools.

8           3. Local governments and school boards shall have the  
9 option to utilize tiered level-of-service standards to allow  
10 time to achieve an adequate and desirable level of service as  
11 circumstances warrant.

12           (c) Service areas.--The Legislature recognizes that an  
13 essential requirement for a concurrency system is a  
14 designation of the area within which the level of service will  
15 be measured when an application for a residential development  
16 permit is reviewed for school concurrency purposes. This  
17 delineation is also important for purposes of determining  
18 whether the local government has a financially feasible public  
19 school capital facilities program that will provide schools  
20 which will achieve and maintain the adopted level-of-service  
21 standards.

22           1. In order to balance competing interests, preserve  
23 the constitutional concept of uniformity, and avoid disruption  
24 of existing educational and growth management processes, local  
25 governments are encouraged to initially apply school  
26 concurrency to development only on a districtwide basis so  
27 that a concurrency determination for a specific development  
28 will be based upon the availability of school capacity  
29 districtwide. To ensure that development is coordinated with  
30 schools having available capacity, within 5 years after  
31 adoption of school concurrency, local governments shall apply

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1 school concurrency on a less than districtwide basis, such as  
2 using school attendance zones or concurrency service areas, as  
3 provided in subparagraph 2.

4           2. For local governments applying school concurrency  
5 on a less than districtwide basis, such as utilizing school  
6 attendance zones or larger school concurrency service areas,  
7 local governments and school boards shall have the burden to  
8 demonstrate that the utilization of school capacity is  
9 maximized to the greatest extent possible in the comprehensive  
10 plan and amendment, taking into account transportation costs  
11 and court-approved desegregation plans, as well as other  
12 factors. In addition, in order to achieve concurrency within  
13 the service area boundaries selected by local governments and  
14 school boards, the service area boundaries, together with the  
15 standards for establishing those boundaries, shall be  
16 identified and included as supporting data and analysis for  
17 the comprehensive plan.

18           3. Where school capacity is available on a  
19 districtwide basis but school concurrency is applied on a less  
20 than districtwide basis in the form of concurrency service  
21 areas, if the adopted level-of-service standard cannot be met  
22 in a particular service area as applied to an application for  
23 a development permit and if the needed capacity for the  
24 particular service area is available in one or more contiguous  
25 service areas, as adopted by the local government, then the  
26 local government may not deny an application for site plan or  
27 final subdivision approval or the functional equivalent for a  
28 development or phase of a development on the basis of school  
29 concurrency, and if issued, development impacts shall be  
30 shifted to contiguous service areas with schools having  
31 available capacity.

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1 (d) Financial feasibility.--The Legislature recognizes  
 2 that financial feasibility is an important issue because the  
 3 premise of concurrency is that the public facilities will be  
 4 provided in order to achieve and maintain the adopted  
 5 level-of-service standard. This part and chapter 9J-5, Florida  
 6 Administrative Code, contain specific standards to determine  
 7 the financial feasibility of capital programs. These standards  
 8 were adopted to make concurrency more predictable and local  
 9 governments more accountable.

10 1. A comprehensive plan amendment seeking to impose  
 11 school concurrency shall contain appropriate amendments to the  
 12 capital improvements element of the comprehensive plan,  
 13 consistent with the requirements of s. 163.3177(3) and rule  
 14 9J-5.016, Florida Administrative Code. The capital  
 15 improvements element shall set forth a financially feasible  
 16 public school capital facilities program, established in  
 17 conjunction with the school board, that demonstrates that the  
 18 adopted level-of-service standards will be achieved and  
 19 maintained.

20 2. Such amendments shall demonstrate that the public  
 21 school capital facilities program meets all of the financial  
 22 feasibility standards of this part and chapter 9J-5, Florida  
 23 Administrative Code, that apply to capital programs which  
 24 provide the basis for mandatory concurrency on other public  
 25 facilities and services.

26 3. When the financial feasibility of a public school  
 27 capital facilities program is evaluated by the state land  
 28 planning agency for purposes of a compliance determination,  
 29 the evaluation shall be based upon the service areas selected  
 30 by the local governments and school board.

31 (e) Availability standard.--Consistent with the public

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1 welfare, a local government may not deny an application for  
2 site plan, final subdivision approval, or the functional  
3 equivalent for a development or phase of a development  
4 authorizing residential development for failure to achieve and  
5 maintain the level-of-service standard for public school  
6 capacity in a local school concurrency management system where  
7 adequate school facilities will be in place or under actual  
8 construction within 3 years after the issuance of final  
9 subdivision or site plan approval, or the functional  
10 equivalent. School concurrency shall be satisfied if the  
11 developer executes a legally binding commitment to provide  
12 proportionate fair-share mitigation proportionate to the  
13 demand for public school facilities to be created by actual  
14 development of the property, including, but not limited to,  
15 the options described in subparagraph 1. Options for  
16 proportionate fair-share ~~proportionate share~~ mitigation of  
17 impacts on public school facilities shall be established in  
18 the public school facilities element and the interlocal  
19 agreement pursuant to s. 163.31777.

20       1. Appropriate proportionate fair-share mitigation  
21 options include the contribution of land; the construction,  
22 expansion, or payment for land acquisition or construction of  
23 a public school facility; or the creation of mitigation  
24 banking based on the construction of a public school facility  
25 in exchange for the right to sell capacity credits. Such  
26 options must include execution by the applicant and the local  
27 government of a binding development agreement that constitutes  
28 a legally binding commitment to pay proportionate fair-share  
29 ~~proportionate share~~ mitigation for the additional residential  
30 units approved by the local government in a development order  
31 and actually developed on the property, taking into account



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1 residential density allowed on the property prior to the plan  
 2 amendment that increased overall residential density. The  
 3 district school board shall be a party to such an agreement.  
 4 As a condition of its entry into such a development agreement,  
 5 the local government may require the landowner to agree to  
 6 continuing renewal of the agreement upon its expiration.

7         2. If the education facilities plan and the public  
 8 educational facilities element authorize a contribution of  
 9 land; the construction, expansion, or payment for land  
 10 acquisition; or the construction or expansion of a public  
 11 school facility, or a portion thereof, as proportionate  
 12 fair-share ~~proportionate-share~~ mitigation, the local  
 13 government shall credit such a contribution, construction,  
 14 expansion, or payment toward any other impact fee or exaction  
 15 imposed by local ordinance for the same need, on a  
 16 dollar-for-dollar basis at fair market value.

17         3. Any proportionate fair-share ~~proportionate-share~~  
 18 mitigation must be directed by the school board toward a  
 19 school capacity improvement identified in a financially  
 20 feasible 5-year district work plan and which satisfies the  
 21 demands created by that development in accordance with a  
 22 binding developer's agreement.

23         4. This paragraph does not limit the authority of a  
 24 local government to deny a development permit or its  
 25 functional equivalent pursuant to its home rule regulatory  
 26 powers, except as provided in this part.

27         (f) Intergovernmental coordination.--

28         1. When establishing concurrency requirements for  
 29 public schools, a local government shall satisfy the  
 30 requirements for intergovernmental coordination set forth in  
 31 s. 163.3177(6)(h)1. and 2., except that a municipality is not

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1 required to be a signatory to the interlocal agreement  
 2 required by ss. 163.3177(6)(h)2. and 163.31777 ~~163.31777(6)~~,  
 3 as a prerequisite for imposition of school concurrency, and as  
 4 a nonsignatory, shall not participate in the adopted local  
 5 school concurrency system, if the municipality meets all of  
 6 the following criteria for having no significant impact on  
 7 school attendance:

8       a. The municipality has issued development orders for  
 9 fewer than 50 residential dwelling units during the preceding  
 10 5 years, or the municipality has generated fewer than 25  
 11 additional public school students during the preceding 5  
 12 years.

13       b. The municipality has not annexed new land during  
 14 the preceding 5 years in land use categories which permit  
 15 residential uses that will affect school attendance rates.

16       c. The municipality has no public schools located  
 17 within its boundaries.

18       d. At least 80 percent of the developable land within  
 19 the boundaries of the municipality has been built upon.

20       2. A municipality that ~~which~~ qualifies as having no  
 21 significant impact on school attendance pursuant to the  
 22 criteria of subparagraph 1. must review and determine at the  
 23 time of its evaluation and appraisal report pursuant to s.  
 24 163.3191 whether it continues to meet the criteria pursuant to  
 25 s. 163.31777(6). If the municipality determines that it no  
 26 longer meets the criteria, it must adopt appropriate school  
 27 concurrency goals, objectives, and policies in its plan  
 28 amendments based on the evaluation and appraisal report, and  
 29 enter into the existing interlocal agreement required by ss.  
 30 163.3177(6)(h)2. and 163.31777, in order to fully participate  
 31 in the school concurrency system. If such a municipality

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1 fails to do so, it will be subject to the enforcement  
2 provisions of s. 163.3191.

3 (g) Interlocal agreement for school concurrency.--When  
4 establishing concurrency requirements for public schools, a  
5 local government must enter into an interlocal agreement that  
6 satisfies the requirements in ss. 163.3177(6)(h)1. and 2. and  
7 163.31777 and the requirements of this subsection. The  
8 interlocal agreement shall acknowledge both the school board's  
9 constitutional and statutory obligations to provide a uniform  
10 system of free public schools on a countywide basis, and the  
11 land use authority of local governments, including their  
12 authority to approve or deny comprehensive plan amendments and  
13 development orders. The interlocal agreement shall be  
14 submitted to the state land planning agency by the local  
15 government as a part of the compliance review, along with the  
16 other necessary amendments to the comprehensive plan required  
17 by this part. In addition to the requirements of ss.  
18 163.3177(6)(h) and 163.31777, the interlocal agreement shall  
19 meet the following requirements:

20 1. Establish the mechanisms for coordinating the  
21 development, adoption, and amendment of each local  
22 government's public school facilities element with each other  
23 and the plans of the school board to ensure a uniform  
24 districtwide school concurrency system.

25 2. Establish a process for the development of siting  
26 criteria which encourages the location of public schools  
27 proximate to urban residential areas to the extent possible  
28 and seeks to collocate schools with other public facilities  
29 such as parks, libraries, and community centers to the extent  
30 possible.

31 3. Specify uniform, districtwide level-of-service

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1 standards for public schools of the same type and the process  
2 for modifying the adopted level-of-service standards.

3 4. Establish a process for the preparation, amendment,  
4 and joint approval by each local government and the school  
5 board of a public school capital facilities program which is  
6 financially feasible, and a process and schedule for  
7 incorporation of the public school capital facilities program  
8 into the local government comprehensive plans on an annual  
9 basis.

10 5. Define the geographic application of school  
11 concurrency. If school concurrency is to be applied on a less  
12 than districtwide basis in the form of concurrency service  
13 areas, the agreement shall establish criteria and standards  
14 for the establishment and modification of school concurrency  
15 service areas. The agreement shall also establish a process  
16 and schedule for the mandatory incorporation of the school  
17 concurrency service areas and the criteria and standards for  
18 establishment of the service areas into the local government  
19 comprehensive plans. The agreement shall ensure maximum  
20 utilization of school capacity, taking into account  
21 transportation costs and court-approved desegregation plans,  
22 as well as other factors. The agreement shall also ensure the  
23 achievement and maintenance of the adopted level-of-service  
24 standards for the geographic area of application throughout  
25 the 5 years covered by the public school capital facilities  
26 plan and thereafter by adding a new fifth year during the  
27 annual update.

28 6. Establish a uniform districtwide procedure for  
29 implementing school concurrency which provides for:

30 a. The evaluation of development applications for  
31 compliance with school concurrency requirements, including

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1 information provided by the school board on affected schools,  
2 impact on levels of service, and programmed improvements for  
3 affected schools and any options to provide sufficient  
4 capacity;

5         b. An opportunity for the school board to review and  
6 comment on the effect of comprehensive plan amendments and  
7 rezonings on the public school facilities plan; and

8         c. The monitoring and evaluation of the school  
9 concurrency system.

10         7. Include provisions relating to amendment of the  
11 agreement.

12         8. A process and uniform methodology for determining  
13 proportionate fair-share ~~proportionate-share~~ mitigation  
14 pursuant to subparagraph (e)1.

15         (h) Local government authority.--This subsection does  
16 not limit the authority of a local government to grant or deny  
17 a development permit or its functional equivalent prior to the  
18 implementation of school concurrency.

19         (16) It is the intent of the Legislature to provide a  
20 method by which the impacts of development on transportation  
21 facilities can be mitigated by the cooperative efforts of the  
22 public and private sectors. The methodology used to calculate  
23 proportionate fair-share mitigation under this section shall  
24 be as provided for in subsection (12).

25         (a) By December 1, 2006, each local government shall  
26 adopt by ordinance a methodology for assessing proportionate  
27 fair-share mitigation options. A local government that fails  
28 to adopt a methodology for assessing proportionate fair-share  
29 mitigation options by December 1, 2006, shall be subject to  
30 the sanctions described in s. 163.3184(11)(a) imposed by the  
31 Administration Commission. By December 1, 2005, the Department

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1 of Transportation shall develop a model transportation  
2 concurrency management ordinance with methodologies for  
3 assessing proportionate fair-share mitigation options.

4 (b)1. In its transportation concurrency management  
5 system, a local government shall, by December 1, 2006, include  
6 methodologies that will be applied to calculate proportionate  
7 fair-share mitigation. A local government that fails to  
8 include such methodologies by December 1, 2006, shall be  
9 subject to the sanctions described in s. 163.3184(11)(a)  
10 imposed by the Administration Commission. A developer may  
11 choose to satisfy all transportation concurrency requirements  
12 by contributing or paying proportionate fair-share mitigation  
13 if transportation facilities or facility segments identified  
14 as mitigation for traffic impacts are specifically identified  
15 for funding in the 5-year schedule of capital improvements in  
16 the capital improvements element of the local plan or the  
17 long-term concurrency management system or if such  
18 contributions or payments to such facilities or segments are  
19 reflected in the 5-year schedule of capital improvements in  
20 the next regularly scheduled update of the capital  
21 improvements element. Updates to the 5-year capital  
22 improvements element which reflect proportionate fair-share  
23 contributions may not be found not in compliance based on ss.  
24 163.3164(32) ~~163.164(32)~~ and 163.3177(3) if additional  
25 contributions, payments or funding sources are reasonably  
26 anticipated during a period not to exceed 10 years to fully  
27 mitigate impacts on the transportation facilities.

28 2. Proportionate fair-share mitigation shall be  
29 applied as a credit against impact fees to the extent that all  
30 or a portion of the proportionate fair-share mitigation is  
31 used to address the same capital infrastructure improvements

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1 contemplated by the local government's impact fee ordinance.

2 (c) Proportionate fair-share mitigation includes,  
 3 without limitation, separately or collectively, private funds,  
 4 contributions of land, and construction and contribution of  
 5 facilities and may include public funds as determined by the  
 6 local government. The fair market value of the proportionate  
 7 fair-share mitigation shall not differ based on the form of  
 8 mitigation. A local government may not require a development  
 9 to pay more than its proportionate fair-share mitigation  
 10 ~~contribution~~ regardless of the method of mitigation.

11 (e) Mitigation for development impacts to facilities  
 12 on the Strategic Intermodal System made pursuant to this  
 13 subsection requires the concurrence of the Department of  
 14 Transportation. The department has 60 days from the date of  
 15 submission by the applicable local government to concur or  
 16 withhold concurrence with the mitigation of development  
 17 impacts to facilities on the Strategic Intermodal System. If  
 18 the department does not respond within the 60-day period, the  
 19 department is deemed to have concurred with the mitigation.

20 (f) If ~~In the event~~ the funds in an adopted 5-year  
 21 capital improvements element are insufficient to fully fund  
 22 construction of a transportation improvement required by the  
 23 local government's concurrency management system, a local  
 24 government and a developer may still enter into a binding  
 25 proportionate fair-share mitigation ~~proportionate-share~~  
 26 agreement authorizing the developer to construct that amount  
 27 of development on which the proportionate fair-share  
 28 mitigation ~~share~~ is calculated if the proportionate fair-share  
 29 mitigation ~~proportionate-share~~ amount in such agreement is  
 30 sufficient to pay for one or more improvements that ~~which~~  
 31 will, in the opinion of the governmental entity or entities

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1 maintaining the transportation facilities, significantly  
 2 benefit the impacted transportation system. The improvement or  
 3 improvements funded by the proportionate fair-share mitigation  
 4 ~~proportionate share~~ component must be adopted into the 5-year  
 5 capital improvements schedule of the comprehensive plan at the  
 6 next annual capital improvements element update.

7 Section 4. Subsection (17) of section 163.3184,  
 8 Florida Statutes, is amended to read:

9 163.3184 Process for adoption of comprehensive plan or  
 10 plan amendment.--

11 (17) A local government that has adopted a community  
 12 vision and urban service boundary under s. 163.3177(13) ~~s.~~  
 13 ~~163.31773(13)~~ and (14) may adopt a plan amendment related to  
 14 map amendments solely to property within an urban service  
 15 boundary in the manner described in subsections (1), (2), (7),  
 16 (14), (15), and (16) and s. 163.3187(1)(c)1.d. and e., 2., and  
 17 3., such that state and regional agency review is eliminated.  
 18 The department may not issue an objections, recommendations,  
 19 and comments report on proposed plan amendments or a notice of  
 20 intent on adopted plan amendments; however, affected persons,  
 21 as defined by paragraph (1)(a), may file a petition for  
 22 administrative review pursuant to the requirements of s.  
 23 163.3187(3)(a) to challenge the compliance of an adopted plan  
 24 amendment. This subsection does not apply to any amendment  
 25 within an area of critical state concern, to any amendment  
 26 that increases residential densities allowable in high-hazard  
 27 coastal areas as defined in s. 163.3178(2)(h), or to a text  
 28 change to the goals, policies, or objectives of the local  
 29 government's comprehensive plan. Amendments submitted under  
 30 this subsection are exempt from the limitation on the  
 31 frequency of plan amendments in s. 163.3187.



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1 Section 5. Paragraph (a) of subsection (3) of section  
2 163.3247, Florida Statutes, is amended to read:

3 163.3247 Century Commission for a Sustainable  
4 Florida.--

5 (3) CENTURY COMMISSION FOR A SUSTAINABLE FLORIDA;  
6 CREATION; ORGANIZATION.--The Century Commission for a  
7 Sustainable Florida is created as a standing body to help the  
8 citizens of this state envision and plan their collective  
9 future with an eye towards both 25-year and 50-year horizons.

10 (a) The commission shall consist of 15 members, 5  
11 appointed by the Governor, 5 appointed by the President of the  
12 Senate, and 5 appointed by the Speaker of the House of  
13 Representatives. Appointments shall be made no later than  
14 October 1, 2005. The membership must represent local  
15 governments, school boards, developers and homebuilders, the  
16 business community, the agriculture community, the  
17 environmental community, and other appropriate stakeholders.

18 The membership shall reflect the demographic makeup of the  
19 state. One member shall be designated by the Governor as chair  
20 of the commission. Any vacancy that occurs on the commission  
21 must be filled in the same manner as the original appointment  
22 and shall be for the unexpired term of that commission seat.  
23 Members shall serve 4-year terms, except that, initially, to  
24 provide for staggered terms, the Governor, the President of  
25 the Senate, and the Speaker of the House of Representatives  
26 shall each appoint one member to serve a 2-year term, two  
27 members to serve 3-year terms, and two members to serve 4-year  
28 terms. All subsequent appointments shall be for 4-year terms.  
29 An appointee may not serve more than 6 years.

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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 page 1, lines 5 through 12, delete those lines

4

5 and insert:

6            cross-reference; amending s. 163.3180, F.S.;

7            clarifying that local governments may rely on

8            certain projects in the Department of

9            Transportation's work program for purposes of

10            transportation concurrency; requiring the

11            Department of Transportation to publish and

12            distribute certain policy guidelines;

13            authorizing sanctions against a local

14            government that does not adopt a methodology

15            for assessing proportionate fair-share

16            mitigation or include the methodology in the

17            local government's transportation concurrency

18            management system; providing a timeframe for

19            the Department of Transportation to concur or

20            withhold concurrence on the mitigation of

21            development impacts on certain transportation

22            facilities; correcting cross-references;

23            conforming terminology; amending s. 163.3184,

24            F.S.; correcting a cross-reference; amending s.

25            163.3247, F.S.; revising criteria for

26            appointments to the Century Commission for a

27            Sustainable Florida; amending s.

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