

By Senator Bennett

21-913-07

1 A bill to be entitled
2 An act relating to growth management; amending
3 s. 163.3184, F.S.; providing for a referendum
4 on a local government comprehensive plan or
5 plan amendment in certain circumstances;
6 providing for notice concerning such a
7 referendum; providing exceptions; amending ss.
8 288.975 and 1013.30, F.S., relating to military
9 base reuse plans and university campus draft
10 master plans; conforming provisions to changes
11 made by the act; providing an effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Paragraph (f) is added to subsection (15)
16 of section 163.3184, Florida Statutes, to read:

17 163.3184 Process for adoption of comprehensive plan or
18 plan amendment.--

19 (15) PUBLIC HEARINGS.--

20 (f)1. If, within 60 days after transmittal or adoption
21 of a proposed plan or amendment, the governing body of a local
22 government is presented with a petition signed by 25 percent
23 or more of the local government's registered voters requesting
24 a referendum on whether the proposed plan or amendment should
25 become effective, the local government shall conduct a
26 referendum on the question. However, a small-scale amendment
27 that takes effect pursuant to s. 163.3187(3) or an amendment
28 adopted as part of the evaluation and appraisal report process
29 under s. 163.3191 may not be the subject of such a referendum.

30 2. Notwithstanding any other law, a proposed plan or
31 amendment that is the subject of such a referendum takes

1 effect only upon the approval of a majority of the local
2 government's registered voters. The referendum shall be held
3 no later than 60 days after receipt of the petition by the
4 governing body. Notice of the referendum shall be provided in
5 accordance with s. 100.342.

6 3. This paragraph does not restrict the authority of a
7 local government to hold a referendum on a comprehensive plan
8 or plan amendment which is not requested by petition under
9 subparagraph 1.

10 Section 2. Subsection (10) of section 288.975, Florida
11 Statutes, is amended to read:

12 288.975 Military base reuse plans.--

13 (10) Within 60 days after receipt of a proposed
14 military base reuse plan, these entities shall review and
15 provide comments to the host local government. The
16 commencement of this review period shall be advertised in
17 newspapers of general circulation within the host local
18 government and any affected local government to allow for
19 public comment. No later than 180 days after receipt and
20 consideration of all comments, and the holding of at least two
21 public hearings, the host local government shall adopt the
22 military base reuse plan. The host local government shall
23 comply with the requirement for a public hearing and
24 associated notice requirements set forth in s. 163.3184(15) to
25 ensure full public participation in this planning process.

26 Section 3. Subsection (6) of section 1013.30, Florida
27 Statutes, is amended to read:

28 1013.30 University campus master plans and campus
29 development agreements.--

30 (6) Before a campus master plan is adopted, a copy of
31 the draft master plan must be sent for review or made

1 available electronically to the host and any affected local
2 governments, the state land planning agency, the Department of
3 Environmental Protection, the Department of Transportation,
4 the Department of State, the Fish and Wildlife Conservation
5 Commission, and the applicable water management district and
6 regional planning council. At the request of a governmental
7 entity, a hard copy of the draft master plan shall be
8 submitted within 7 business days of an electronic copy being
9 made available. These agencies must be given 90 days after
10 receipt of the campus master plans in which to conduct their
11 review and provide comments to the university board of
12 trustees. The commencement of this review period must be
13 advertised in newspapers of general circulation within the
14 host local government and any affected local government to
15 allow for public comment. Following receipt and consideration
16 of all comments and the holding of an informal information
17 session and at least two public hearings within the host
18 jurisdiction, the university board of trustees shall adopt the
19 campus master plan. It is the intent of the Legislature that
20 the university board of trustees comply with the requirement
21 for a public hearing and associated notice requirements set
22 forth in s. 163.3184(15) to ensure full public participation
23 in this planning process. The informal public information
24 session must be held before the first public hearing. The
25 first public hearing shall be held before the draft master
26 plan is sent to the agencies specified in this subsection. The
27 second public hearing shall be held in conjunction with the
28 adoption of the draft master plan by the university board of
29 trustees. Campus master plans developed under this section are
30 not rules and are not subject to chapter 120 except as
31 otherwise provided in this section.

1 Section 4. This act shall take effect upon becoming a
2 law.

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5 SENATE SUMMARY

6 Provides for a referendum on a comprehensive plan or plan
7 amendment in certain circumstances. Provides for notice
8 concerning such a referendum. Provides exceptions.
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