

By Senator Bennett

21-589-07

1 A bill to be entitled

2 An act relating to siting of emergency service

3 facilities; creating s. 163.3206, F.S.;

4 providing legislative findings and intent;

5 defining the term "emergency service facility";

6 requiring that an emergency service facility be

7 permitted in specified land use categories;

8 specifying the types of land development

9 regulations concerning such facilities which a

10 local government may adopt or enforce;

11 providing for application of criteria

12 concerning a buffer or setback requirements

13 under certain circumstances; specifying the

14 compatibility with surrounding land uses which

15 an emergency service facility should achieve;

16 providing an exception; providing an effective

17 date.

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

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21 Section 1. Section 163.3206, Florida Statutes, is

22 created to read:

23 163.3206 Approval of emergency service facilities.--

24 (1) The provision of necessary emergency service

25 facilities is essential for the protection and welfare of

26 state residents. Lives and property may be harmed if emergency

27 service facilities are not properly sited and built to

28 facilitate the timely provision of emergency services. Proper

29 citing and construction of such facilities also facilitates

30 access to homeowners' insurance. The Legislature intends to

31 authorize the development of appropriately scaled emergency

1 service facilities in various local governmental jurisdictions
2 where necessary to effectively meet the needs of residents for
3 emergency services.

4 (2) As used in this section, the term "emergency
5 service facility" means a facility for providing sheriff,
6 fire, and emergency medical services and which:

7 (a) Is owned and operated by a governmental entity,
8 which is smaller than 12,000 square feet, and which is scaled
9 to meet the needs of the neighborhood where it is located for
10 emergency services;

11 (b) Is located on a road that is classified as an
12 arterial or collector road in the transportation element of
13 the future land use map or located on a road that leads to and
14 is within 1,000 yards of such an arterial or collector road;
15 and

16 (c) Has only that amount of office or meeting space
17 which is necessary to serve its own needs.

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19 The term excludes a facility that has an outdoor training
20 tower.

21 (3) New emergency service facilities shall be a
22 permitted use in all land use categories in the applicable
23 comprehensive plan and zoning districts of the local
24 government except in those categories that are designated as
25 preservation, conservation, or historic preservation on the
26 future land use map or duly adopted ordinance.

27 (4) A local government may adopt and enforce
28 reasonable land development regulations for new emergency
29 service facilities which address only setback, landscaping,
30 buffering, screening, lighting, and other aesthetic or
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1 compatibility-based standards. Such a regulation may not
2 require:

3 (a) A vegetated buffer or screen to be more than 6
4 feet in height or to include a tree that will have a mature
5 height of more than 14 feet; or

6 (b) A setback of more than 25 feet between the
7 emergency service facility and the property line of the
8 applicant.

9 (5) If a local government has not adopted reasonable
10 standards pursuant to subsection (4), an emergency service
11 facility must meet any criteria for a setback area and a
12 landscaped buffer area which apply to other uses in the land
13 use category or zoning district which are similar to an
14 emergency service facility.

15 (6) Each emergency service facility should be
16 constructed, to the maximum extent practicable, to achieve
17 compatibility with the surrounding land use.

18 (7) This section does not apply to the siting and
19 construction of emergency service facilities within a land use
20 category or zoning district if the applicable local government
21 approves requirements for the siting and construction of these
22 facilities within such category or zoning district which are
23 less stringent than those established by this section.

24 Section 2. This act shall take effect July 1, 2007.
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SENATE SUMMARY

Facilitates the siting of emergency services facilities under the Local Government Comprehensive Planning Act. Requires that such a facility be permitted in specified land use categories. Specifies the types of land development regulations concerning such facilities which a local government may adopt or enforce. Provides for application of criteria concerning a buffer or setback requirements under certain circumstances. Specifies the compatibility with surrounding land uses which an emergency service facility should achieve. Provides an exception.