



404670

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/9/2008	.	
	.	
	.	

1 The Committee on Community Affairs (Haridopolos and Geller)
2 recommended the following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Delete line(s) 1403-1426
6 and insert:

7
8 (11) LIMITATION OF LIABILITY.--In order to limit the
9 liability of local governments, a local government shall ~~may~~
10 allow a landowner to proceed with development of a specific
11 parcel of land notwithstanding a failure of the development to
12 satisfy transportation concurrency, if ~~when~~ all the following
13 factors ~~are shown to~~ exist:

14 (a) The local government that has ~~with~~ jurisdiction over
15 the property has adopted a local comprehensive plan that is in
16 compliance.



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17 (b) The proposed development is ~~would be~~ consistent with
18 the future land use designation for the specific property and
19 with pertinent portions of the adopted local plan, as determined
20 by the local government.

21 ~~(c) The local plan includes a financially feasible capital~~
22 ~~improvements element that provides for transportation facilities~~
23 ~~adequate to serve the proposed development, and the local~~
24 ~~government has not implemented that element.~~

25 (c) ~~(d)~~ The local government has provided a means for
26 assessing ~~by which~~ the landowner for ~~will be~~ assessed a fair
27 share of the cost of providing the transportation facilities
28 necessary to serve the proposed development.

29 (d) ~~(e)~~ The landowner has made a binding commitment to the
30 local government to pay the fair share of the cost of providing
31 the transportation facilities to serve the proposed development.

32
33

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

35 And the title is amended as follows:

36 On line 52, after the semicolon,
37 insert:

38 requiring local governments to approve development
39 notwithstanding a failure to satisfy transportation
40 concurrency if certain conditions are met;