

By Senator Aronberg

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1 A bill to be entitled
2 An act relating to local government comprehensive
3 plans; amending s. 163.3177, F.S.; exempting certain
4 municipalities from certain capital improvements
5 element and schedule update requirements and certain
6 comprehensive plan amendment prohibitions under
7 certain circumstances; specifying exemption criteria;
8 exempting certain municipalities from certain water
9 supply element requirements for future land use
10 principles and guidelines; amending s. 163.3191, F.S.;
11 exempting certain municipalities from certain
12 comprehensive plan evaluation and appraisal
13 requirements; specifying exemption criteria; amending
14 s. 218.39, F.S.; revising a municipal revenue
15 criterion relating to annual financial audit
16 requirements; providing an effective date.

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

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20 Section 1. Paragraph (g) is added to subsection (3) of
21 section 163.3177, Florida Statutes, and paragraph (c) of
22 subsection (6) of that section is amended, to read:

23 163.3177 Required and optional elements of comprehensive
24 plan; studies and surveys.—

25 (3)

26 (g) Update requirements to the existing capital
27 improvements element and schedule under paragraph (b) are deemed
28 met, and the municipality is not subject to the comprehensive
29 plan amendment prohibition and provisions of subparagraph (b)2.

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30 and paragraph (c), if a municipality annually adopts a
31 resolution stating that:

32 1. The municipality has:

33 a. Annual fiscal revenues and expenditures of less than
34 \$250,000.

35 b. Vacant property, if any, that does not exceed 20 percent
36 of the total land area of the municipality or a total of 25
37 acres.

38 c. No annexation activity.

39 d. No new development that has occurred in the jurisdiction
40 since the last update of the capital improvements element and
41 schedule.

42 2. The municipality has no scheduled capital improvements.

43 3. The municipality recognizes that any future amendments
44 to the comprehensive plan will require determination of any
45 needed capital improvements.

46 (6) In addition to the requirements of subsections (1)-(5)
47 and (12), the comprehensive plan shall include the following
48 elements:

49 (c) A general sanitary sewer, solid waste, drainage,
50 potable water, and natural groundwater aquifer recharge element
51 correlated to principles and guidelines for future land use,
52 indicating ways to provide for future potable water, drainage,
53 sanitary sewer, solid waste, and aquifer recharge protection
54 requirements for the area. The element may be a detailed
55 engineering plan including a topographic map depicting areas of
56 prime groundwater recharge. The element shall describe the
57 problems and needs and the general facilities that will be
58 required for solution of the problems and needs. The element

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59 shall also include a topographic map depicting any areas adopted
60 by a regional water management district as prime groundwater
61 recharge areas for the Floridan or Biscayne aquifers. These
62 areas shall be given special consideration when the local
63 government is engaged in zoning or considering future land use
64 for said designated areas. For areas served by septic tanks,
65 soil surveys shall be provided which indicate the suitability of
66 soils for septic tanks. Within 18 months after the governing
67 board approves an updated regional water supply plan, the
68 element must incorporate the alternative water supply project or
69 projects selected by the local government from those identified
70 in the regional water supply plan pursuant to s. 373.0361(2)(a)
71 or proposed by the local government under s. 373.0361(8)(b). If
72 a local government is located within two water management
73 districts, the local government shall adopt its comprehensive
74 plan amendment within 18 months after the later updated regional
75 water supply plan. The element must identify such alternative
76 water supply projects and traditional water supply projects and
77 conservation and reuse necessary to meet the water needs
78 identified in s. 373.0361(2)(a) within the local government's
79 jurisdiction and include a work plan, covering at least a 10
80 year planning period, for building public, private, and regional
81 water supply facilities, including development of alternative
82 water supplies, which are identified in the element as necessary
83 to serve existing and new development. The work plan shall be
84 updated, at a minimum, every 5 years within 18 months after the
85 governing board of a water management district approves an
86 updated regional water supply plan. Amendments to incorporate
87 the work plan do not count toward the limitation on the

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88 frequency of adoption of amendments to the comprehensive plan.
89 Local governments, public and private utilities, regional water
90 supply authorities, special districts, and water management
91 districts are encouraged to cooperatively plan for the
92 development of multijurisdictional water supply facilities that
93 are sufficient to meet projected demands for established
94 planning periods, including the development of alternative water
95 sources to supplement traditional sources of groundwater and
96 surface water supplies. A municipality is exempt from the
97 requirements of this paragraph applicable to amendments to
98 update the regional water supply plan if the municipality adopts
99 a resolution stating that the municipality meets all of the
100 following criteria for having no significant impact:

101 1. The municipality has:

102 a. Annual fiscal revenues and expenditures of less than
103 \$250,000.

104 b. Vacant property, if any, that does not exceed 20 percent
105 of the total land area of the municipality or a total of 25
106 acres.

107 c. No annexation activity.

108 d. No new development that has occurred in the jurisdiction
109 since the last update of the capital improvements element and
110 schedule.

111 2. The municipality recognizes that any future amendments
112 to the comprehensive plan will require determination of any
113 impacts to water supply availability and may require amendments
114 to this element as well.

115 Section 2. Subsection (15) is added to section 163.3191,
116 Florida Statutes, to read:

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117 163.3191 Evaluation and appraisal of comprehensive plan.—

118 (15) A municipality is not subject to this section if a
119 scoping meeting as provided by subsection (3) is held and the
120 municipality adopts a resolution stating that:

121 (a) The municipality has:

122 1. Annual fiscal revenues and expenditures of less than
123 \$250,000.

124 2. Vacant property, if any, that does not exceed 20 percent
125 of the total land area of the municipality or a total of 25
126 acres.

127 3. No annexation activity.

128 4. No new development that has occurred in the jurisdiction
129 since the last update of the capital improvements element and
130 schedule.

131 (b) The municipality recognizes that any future amendments
132 to the comprehensive plan will require a comprehensive update of
133 the plan to reflect appropriate planning periods in the future.

134 Section 3. Paragraph (g) of subsection (1) of section
135 218.39, Florida Statutes, is amended to read:

136 218.39 Annual financial audit reports.—

137 (1) If, by the first day in any fiscal year, a local
138 governmental entity, district school board, charter school, or
139 charter technical career center has not been notified that a
140 financial audit for that fiscal year will be performed by the
141 Auditor General, each of the following entities shall have an
142 annual financial audit of its accounts and records completed
143 within 12 months after the end of its fiscal year by an
144 independent certified public accountant retained by it and paid
145 from its public funds:

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146 (g) Each municipality with revenues or ~~the~~ total of
147 expenditures and expenses of less than ~~between \$100,000 and~~
148 \$250,000 that has not been subject to a financial audit pursuant
149 to this subsection for the 4 ~~2~~ preceding fiscal years.

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