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LEGISLATIVE ACTION

Senate	.	House
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	.	
Floor: WD	.	
05/03/2011 09:11 AM	.	
	.	

Senator Bennett moved the following:

Senate Amendment (with title amendment)

Between lines 2683 and 2684
insert:

Section 77. Present subsections (3), (4), (5), and (6) of section 163.3194, Florida Statutes, are renumbered as subsections (4), (5), (6), and (7), respectively, and a new subsection (3) is added to that section, to read:

163.3194 Legal status of comprehensive plan.—

(3) A governing body may not issue a development order or permit to erect, operate, use, or maintain a sign requiring a permit by s. 479.07 unless the sign is located on a parcel designated for commercial or industrial use, or located in an



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14 unzoned commercial or industrial area, or located on an unzoned
15 commercial or industrial parcel.

16 (a) As used in this subsection, the term:

17 1. "Designated for commercial or industrial use" means a
18 parcel of land designated predominately for commercial or
19 industrial uses under both the future land use map approved by
20 the state land planning agency and the land development
21 regulations adopted pursuant to this chapter.

22 2. "In an unzoned commercial or industrial area or on an
23 unzoned commercial or industrial parcel" means an area or parcel
24 that is not specifically designated for commercial or industrial
25 uses under the land development regulations and is located in an
26 area designated by the future land use map of a plan approved by
27 the state land planning agency for multiple uses that include
28 commercial or industrial uses within which three or more
29 separate and distinct conforming industrial or commercial
30 activities are located within the area as provided in s.
31 479.01(26) (a) .

32 (b) If a parcel is located in an area designated for
33 multiple uses on the future land use map of the comprehensive
34 plan and the zoning category of the land development regulations
35 does not clearly designate that parcel for a specific use, the
36 parcel will be considered an unzoned commercial or industrial
37 parcel if it meets the criteria of s. 479.01(26) .

38 Notwithstanding the provisions of s. 479.02(7), only the
39 activities listed under s. 479.01(26) (b) may not be recognized
40 as commercial or industrial activities for purposes of this
41 subsection.

42 (c) A development order or permit to erect, operate, use,



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43 or maintain a sign issued pursuant to a plan approved by the
44 state land planning agency on a parcel designated for commercial
45 or industrial use, or located in an area or on a parcel which
46 qualifies as an unzoned commercial or industrial area is under
47 the effective control of the state and in compliance with s.
48 479.07 and s. 479.111(2) and the Department of Transportation
49 shall rely upon such determination by the local permitting
50 agency for the purposes of such sections and any determinations
51 required by s. 479.02(3) and (7).

52 (d) Permitting action by a governing body for the erection,
53 operation, use or maintenance of a sign requiring a permit by s.
54 479.07, which is inconsistent with the provisions of this
55 subsection and implemented primarily to permit such a sign, is
56 not authorized by this subsection.

57 (e) The provisions under this subsection may not be
58 implemented if the US Secretary of Transportation provides
59 written notification to the department that implementation will
60 adversely affect the allocation of federal funds to the
61 department.

62
63 ===== T I T L E A M E N D M E N T =====

64 And the title is amended as follows:

65 Delete line 213

66 and insert:

67 child restraint devices in motor vehicles; amending s.
68 163.3194, F.S.; regulating development orders for
69 signs authorized by s. 479.07, F.S.; providing