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LEGISLATIVE ACTION

Senate	.	House
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Senator Bennett moved the following:

1 **Senate Amendment to Amendment (302038) (with title**
2 **amendment)**

3
4 Between lines 3612 and 3613
5 insert:

6 Section 115. Present subsections (3), (4), (5), and (6) of
7 section 163.3194, Florida Statutes, are renumbered as
8 subsections (4), (5), (6), and (7), respectively, and a new
9 subsection (3) is added to that section, to read:

10 163.3194 Legal status of comprehensive plan.—

11 (3) A governing body may not issue a development order or
12 permit to erect, operate, use, or maintain a sign requiring a
13 permit by s. 479.07 unless the sign is located on a parcel



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14 designated for commercial or industrial use, or located in an
15 unzoned commercial or industrial area, or located on an unzoned
16 commercial or industrial parcel.

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

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

23 2. "In an unzoned commercial or industrial area or on an
24 unzoned commercial or industrial parcel" means an area or parcel
25 that is not specifically designated for commercial or industrial
26 uses under the land development regulations and is located in an
27 area designated by the future land use map of a plan approved by
28 the state land planning agency for multiple uses that include
29 commercial or industrial uses within which three or more
30 separate and distinct conforming industrial or commercial
31 activities are located within the area as provided in s.
32 479.01(26) (a).

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

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



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

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

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

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

65 And the title is amended as follows:

66 Delete line 3970

67 and insert:

68 Transportation to erect suitable markers; amending s.
69 163.3194, F.S.; regulating development orders for
70 signs authorized by s. 479.07, F.S.; providing an