

By Senator Bogdanoff

25-01581-11

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1 A bill to be entitled

2 An act relating to public educational facilities;
3 amending s. 1013.33, F.S.; revising provisions
4 relating to the planning and construction of
5 educational facilities; prohibiting a local governing
6 body from denying a site applicant on the basis of a
7 public school's capacity or its proposed capacity;
8 providing an effective date.

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

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12 Section 1. Subsection (13) of section 1013.33, Florida
13 Statutes, is amended to read:

14 1013.33 Coordination of planning with local governing
15 bodies.-

16 (13) Notwithstanding any other provision of law, a local
17 governing body may not deny the site applicant based on the
18 adequacy of the site plan as it relates ~~solely~~ to the needs of
19 the public school, including the school's capacity or the
20 school's proposed capacity. If the site is consistent with the
21 comprehensive plan's land use policies and categories in which
22 public schools are identified as allowable uses, the local
23 government may not deny the application but it may impose
24 reasonable development standards and conditions in accordance
25 with s. 1013.51(1) and consider the site plan and its adequacy
26 as it relates to environmental concerns, health, safety and
27 welfare, and effects on adjacent property. Standards and
28 conditions may not be imposed which conflict with those
29 established in this chapter or the Florida Building Code, unless

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30 mutually agreed and consistent with the interlocal agreement
31 required by subsections (2)-(8).

32 Section 2. This act shall take effect July 1, 2011.