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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/28/2011	.	
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	.	
	.	

The Committee on Community Affairs (Richter) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (31) of section 163.3164, Florida
Statutes, is amended to read

163.3164 Local Government Comprehensive Planning and Land
Development Regulation Act; definitions.—As used in this act:

(31) "~~Optional~~ Sector plan" means the ~~an optional~~ process
authorized by s. 163.3245 in which one or more local governments
engage in long-term planning for a large area ~~by agreement with~~
~~the state land planning agency are allowed to~~ and address



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13 ~~regional development of regional impact issues within certain~~
14 ~~designated geographic areas identified in the local~~
15 ~~comprehensive plan~~ as a means of fostering innovative planning
16 and development strategies in s. 163.3177(11) (a) and (b),
17 furthering the purposes of this part and part I of chapter 380,
18 reducing overlapping data and analysis requirements, protecting
19 regionally significant resources and facilities, and addressing
20 extrajurisdictional impacts. "Sector plan" includes an optional
21 sector plan that was adopted pursuant to the Optional Sector
22 Plan pilot program.

23 Section 2. Paragraph (d) of subsection (15) of section
24 163.3177, Florida Statutes, is amended to read:

25 163.3177 Required and optional elements of comprehensive
26 plan; studies and surveys.—

27 (15)

28 (d) This subsection does not apply to a ~~an optional~~ sector
29 plan adopted pursuant to s. 163.3245, a rural land stewardship
30 area designated pursuant to subsection (11), or any
31 comprehensive plan amendment that includes an inland port
32 terminal or affiliated port development.

33 Section 3. Paragraph (a) of subsection (12) of section
34 163.3180, Florida Statutes, is amended to read:

35 163.3180 Concurrency.—

36 (12) (a) A development of regional impact may satisfy the
37 transportation concurrency requirements of the local
38 comprehensive plan, the local government's concurrency
39 management system, and s. 380.06 by payment of a proportionate-
40 share contribution for local and regionally significant traffic
41 impacts, if:



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42 1. The development of regional impact which, based on its
43 location or mix of land uses, is designed to encourage
44 pedestrian or other nonautomotive modes of transportation;

45 2. The proportionate-share contribution for local and
46 regionally significant traffic impacts is sufficient to pay for
47 one or more required mobility improvements that will benefit a
48 regionally significant transportation facility;

49 3. The owner and developer of the development of regional
50 impact pays or assures payment of the proportionate-share
51 contribution; and

52 4. If the regionally significant transportation facility to
53 be constructed or improved is under the maintenance authority of
54 a governmental entity, as defined by s. 334.03(12), other than
55 the local government with jurisdiction over the development of
56 regional impact, the developer is required to enter into a
57 binding and legally enforceable commitment to transfer funds to
58 the governmental entity having maintenance authority or to
59 otherwise assure construction or improvement of the facility.

60
61 The proportionate-share contribution may be applied to any
62 transportation facility to satisfy the provisions of this
63 subsection and the local comprehensive plan, but, for the
64 purposes of this subsection, the amount of the proportionate-
65 share contribution shall be calculated based upon the cumulative
66 number of trips from the proposed development expected to reach
67 roadways during the peak hour from the complete buildout of a
68 stage or phase being approved, divided by the change in the peak
69 hour maximum service volume of roadways resulting from
70 construction of an improvement necessary to maintain the adopted



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71 level of service, multiplied by the construction cost, at the
72 time of developer payment, of the improvement necessary to
73 maintain the adopted level of service. For purposes of this
74 subsection, "construction cost" includes all associated costs of
75 the improvement. Proportionate-share mitigation shall be limited
76 to ensure that a development of regional impact meeting the
77 requirements of this subsection mitigates its impact on the
78 transportation system but is not responsible for the additional
79 cost of reducing or eliminating backlogs. This subsection also
80 applies to Florida Quality Developments pursuant to s. 380.061
81 and to detailed specific area plans implementing ~~optional~~ sector
82 plans pursuant to s. 163.3245.

83 Section 4. Section 163.3245, Florida Statutes, is amended
84 to read:

85 163.3245 ~~Optional~~ sector plans.—

86 (1) In recognition of the benefits of ~~conceptual~~ long-range
87 planning for ~~the buildout of an area, and detailed planning for~~
88 ~~specific areas, as a demonstration project, the requirements of~~
89 ~~s. 380.06 may be addressed as identified by this section for up~~
90 ~~to five~~ local governments or combinations of local governments
91 ~~which may~~ adopt into their the comprehensive plans a plan an
92 ~~optional~~ sector plan in accordance with this section. This
93 section is intended to promote and encourage long-term planning
94 for conservation, development, and agriculture on a landscape
95 scale; to further the intent of s. 163.3177(11), which supports
96 innovative and flexible planning and development strategies, and
97 the purposes of this part, ~~and part I of chapter 380,~~ to
98 facilitate protection of regionally significant resources,
99 including but not limited to regionally significant water



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100 courses and wildlife corridors; and to avoid duplication of
101 effort in terms of the level of data and analysis required for a
102 development of regional impact, while ensuring the adequate
103 mitigation of impacts to applicable regional resources and
104 facilities, including those within the jurisdiction of other
105 local governments, as would otherwise be provided. ~~Optional~~
106 Sector plans are intended for substantial geographic areas that
107 include ~~including~~ at least 15,000 ~~5,000~~ acres of one or more
108 local governmental jurisdictions and are to emphasize urban form
109 and protection of regionally significant resources and public
110 facilities. ~~The state land planning agency may approve optional~~
111 ~~sector plans of less than 5,000 acres based on local~~
112 ~~circumstances if it is determined that the plan would further~~
113 ~~the purposes of this part and part I of chapter 380. Preparation~~
114 ~~of an optional sector plan is authorized by agreement between~~
115 ~~the state land planning agency and the applicable local~~
116 ~~governments under s. 163.3171(4). An optional sector plan may be~~
117 ~~adopted through one or more comprehensive plan amendments under~~
118 ~~s. 163.3184. However, an optional~~ A sector plan may not be
119 adopted ~~authorized~~ in an area of critical state concern.

120 (2) ~~The state land planning agency may enter into an~~
121 ~~agreement to authorize preparation of an optional sector plan~~
122 ~~upon the request of one or more local governments based on~~
123 ~~consideration of problems and opportunities presented by~~
124 ~~existing development trends; the effectiveness of current~~
125 ~~comprehensive plan provisions; the potential to further the~~
126 ~~state comprehensive plan, applicable strategic regional policy~~
127 ~~plans, this part, and part I of chapter 380; and those factors~~
128 ~~identified by s. 163.3177(10)(i).~~ Upon the request of a local



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129 government with jurisdiction, the applicable regional planning
130 council shall conduct a scoping meeting with affected local
131 governments and those agencies identified in s. 163.3184(4)
132 before preparation of the sector plan ~~execution of the agreement~~
133 ~~authorized by this section.~~ The purpose of this meeting is to
134 assist the state land planning agency and the local government
135 in the identification of the relevant planning issues to be
136 addressed and the data and resources available to assist in the
137 preparation of the sector plan. In the event that a scoping
138 meeting is conducted, ~~subsequent plan amendments.~~ the regional
139 planning council shall make written recommendations to the state
140 land planning agency and affected local governments, on the
141 issues requested by the local government. The scoping meeting
142 shall be noticed and open to the public. In the event that the
143 entire planning area proposed for the sector plan is within the
144 jurisdiction of two or more local governments, some or all of
145 them may enter into a joint planning agreement pursuant to s.
146 163.3171 with respect to ~~including whether a sustainable sector~~
147 ~~plan would be appropriate.~~ The agreement must define the
148 geographic area to be subject to the sector plan, the planning
149 issues that will be emphasized, procedures ~~requirements~~ for
150 intergovernmental coordination to address extrajurisdictional
151 impacts, supporting application materials including data and
152 analysis, ~~and~~ procedures for public participation, or other
153 issues. ~~An agreement may address previously adopted sector plans~~
154 ~~that are consistent with the standards in this section. Before~~
155 ~~executing an agreement under this subsection, the local~~
156 ~~government shall hold a duly noticed public workshop to review~~
157 ~~and explain to the public the optional sector planning process~~



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158 ~~and the terms and conditions of the proposed agreement. The~~
159 ~~local government shall hold a duly noticed public hearing to~~
160 ~~execute the agreement. All meetings between the department and~~
161 ~~the local government must be open to the public.~~

162 (3) ~~Optional~~ Sector planning encompasses two levels:
163 adoption pursuant to ~~under~~ s. 163.3184 of a ~~conceptual~~ long-term
164 master plan for the entire planning area as part of the
165 comprehensive plan; and adoption by local development order of
166 two or more buildout overlay to the comprehensive plan, having
167 no immediate effect on the issuance of development orders or the
168 applicability of s. 380.06, and adoption under s. 163.3184 of
169 detailed specific area plans that implement the conceptual long-
170 term master plan buildout overlay and authorize issuance of
171 development orders, and within which s. 380.06 is waived. ~~Until~~
172 ~~such time as a detailed specific area plan is adopted, the~~
173 ~~underlying future land use designations apply.~~

174 (a) In addition to the other requirements of this chapter,
175 a long-term master plan pursuant to this section conceptual
176 long-term buildout overlay must include maps, illustrations, and
177 text supported by data and analysis to address the following:

178 1. A ~~long-range conceptual~~ framework map that, at a
179 minimum, generally depicts ~~identifies~~ anticipated areas of
180 urban, agricultural, rural, and conservation land use;
181 identifies allowed uses in various parts of the planning area,
182 specifies maximum and minimum densities and intensities of use,
183 and provides the general framework for the development pattern
184 in developed areas with graphic illustrations based on a
185 hierarchy of places and functional place-making components.

186 2. A general identification of the water supplies needed



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187 and available sources of water, including water resource
188 development and water supply development projects, and water
189 conservation measures needed to meet the projected demand of the
190 future land uses in the long-term master plan.

191 3. A general identification of the transportation
192 facilities to serve the future land uses in the long-term master
193 plan, including guidelines to be used to establish each modal
194 component intended to optimize mobility.

195 4. A general identification of other regionally significant
196 public facilities consistent with chapter 9J-2, Florida
197 Administrative Code, irrespective of local governmental
198 jurisdiction necessary to support buildout of the anticipated
199 future land uses, which may include central utilities provided
200 on-site within the planning area, and policies setting forth the
201 procedures to be used to mitigate the impacts of future land
202 uses on public facilities.

203 5.-3. A general identification of regionally significant
204 natural resources within the planning area based on the best
205 available data and policies setting forth the procedures for
206 protection or conservation of specific resources consistent with
207 the overall conservation and development strategy for the
208 planning area consistent with chapter 9J-2, Florida
209 Administrative Code.

210 6. 4.General principles and guidelines addressing that
211 address the urban form and the interrelationships of anticipated
212 future land uses; the protection and, as appropriate,
213 restoration and management of lands identified for permanent
214 preservation through recordation of conservation easements
215 consistent with s. 704.06, which shall be phased or staged in



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216 coordination with detailed specific area plans to reflect phased
217 or staged development within the planning area; and a
218 ~~discussion, at the applicant's option, of the extent, if any, to~~
219 ~~which the plan will address restoring key ecosystems, achieving~~
220 ~~a more clean, healthy environment;~~ limiting urban sprawl;
221 providing a range of housing types; protecting wildlife and
222 natural areas; advancing the efficient use of land and other
223 resources; ~~and~~ creating quality communities of a design that
224 promotes travel by multiple transportation modes; and enhancing
225 the prospects for the creation of jobs.

226 7. 5. Identification of general procedures and policies to
227 facilitate ensure ~~ensure~~ intergovernmental coordination to address
228 extrajurisdictional impacts from the future land uses long-range
229 ~~conceptual framework map.~~

231 A long-term master plan adopted pursuant to this section
232 shall be based upon a planning period longer than the generally
233 applicable planning period of the local comprehensive plan,
234 shall specify the projected population within the planning area
235 during the chosen planning period, and may include a phasing or
236 staging schedule that allocates a portion of the local
237 government's future growth to the planning area through the
238 planning period. It shall not be a requirement for a long-term
239 master plan adopted pursuant to this section to demonstrate need
240 based upon projected population growth or on any other basis.

241 (b) In addition to the other requirements of this chapter,
242 ~~including those in paragraph (a),~~ the detailed specific area
243 plans shall be consistent with the long-term master plan and
244 must include conditions and commitments which provide for:



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245 1. Development or conservation of an area of adequate size
246 to accommodate a level of development which achieves a
247 functional relationship between a full range of land uses within
248 the area and to encompass at least 1,000 acres consistent with
249 the long-term master plan. The local government ~~state land~~
250 ~~planning agency~~ may approve detailed specific area plans of less
251 than 1,000 acres based on local circumstances if it is
252 determined that the detailed specific area plan furthers the
253 purposes of this part and part I of chapter 380.

254 2. Detailed identification and analysis of the maximum and
255 minimum densities and intensities of use, and the distribution,
256 extent, and location of future land uses.

257 3. Detailed identification of water resource development
258 and water supply development projects and related
259 infrastructure, and water conservation measures to address water
260 needs of development in the detailed specific area plan.

261 4. Detailed identification of the transportation facilities
262 to serve the future land uses in the detailed specific area
263 plan.

264 5. Detailed identification of other regionally significant
265 public facilities, including public facilities outside the
266 jurisdiction of the host local government, ~~anticipated~~ impacts
267 of future land uses on those facilities, and required
268 improvements consistent with the long-term master plan ~~chapter~~
269 ~~9J-2, Florida Administrative Code.~~

270 6. 4. Public facilities necessary to serve development in
271 the detailed specific area plan for the short term, including
272 developer contributions in a ~~financially feasible~~ 5-year capital
273 improvement schedule of the affected local government.



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274 7. ~~5.~~ Detailed analysis and identification of specific
275 measures to assure the protection or conservation of lands
276 identified in the long-term master plan to be permanently
277 preserved within the planning area through recordation of a
278 conservation easement consistent with s. 704.06 and, as
279 appropriate, restored or managed, of regionally significant
280 ~~natural resources~~ and other important resources both within and
281 outside the host jurisdiction, ~~including those regionally~~
282 ~~significant resources identified in chapter 9J-2, Florida~~
283 ~~Administrative Code.~~

284 8. ~~6.~~ Detailed principles and guidelines addressing that
285 ~~address~~ the urban form and the interrelationships of anticipated
286 future land uses; and a discussion, at the applicant's option,
287 ~~of the extent, if any, to which the plan will address restoring~~
288 ~~key ecosystems,~~ achieving a more clean, healthy environment; ;
289 limiting urban sprawl; ; providing a range of housing types;
290 protecting wildlife and natural areas; ; advancing the efficient
291 use of land and other resources; ; ~~and~~ creating quality
292 communities of a design that promotes travel by multiple
293 transportation modes; and enhancing the prospects for the
294 creation of jobs.

295 9. ~~7.~~ Identification of specific procedures to facilitate
296 ~~ensure~~ intergovernmental coordination to address
297 extrajurisdictional impacts from ~~of~~ the detailed specific area
298 plan.

299
300 A detailed specific area plan adopted by local development
301 order pursuant to this section may be based upon a planning
302 period longer than the generally applicable planning period of



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303 the local comprehensive plan and shall specify the projected
304 population within the specific planning area during the chosen
305 planning period. It shall not be a requirement for a detailed
306 specific area plan adopted pursuant to this section to
307 demonstrate need based upon projected population growth or on
308 any other basis.

309 (c) In its review of a long-term master plan, the state
310 land planning agency shall consult with the Department of
311 Agriculture and Consumer Services, the Department of
312 Environmental Protection, the Florida Fish and Wildlife
313 Conservation Commission, and the applicable water management
314 district regarding the design of areas for protection and
315 conservation of regionally significant natural resources and for
316 the protection and, as appropriate, restoration and management
317 of lands identified for permanent preservation.

318 (d) In its review of a long-term master plan, the state
319 land planning agency shall consult with the Department of
320 Transportation, the applicable metropolitan planning
321 organization, and any urban transit agency regarding the
322 location, capacity, design, and phasing or staging of major
323 transportation facilities in the planning area.

324 (e) The state land planning agency may initiate a civil
325 action pursuant to s. 163.3215 with respect to a detailed
326 specific area plan which is not consistent with a long-term
327 master plan adopted pursuant to this section. For purposes of
328 such a proceeding, the state land planning agency shall be
329 deemed an aggrieved and adversely affected party. Regardless of
330 whether the local government has adopted an ordinance that
331 establishes a local process which meets the requirements of s.



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332 163.3215(4), judicial review of a detailed specific area plan
333 initiated by the state land planning agency shall be de novo
334 pursuant to s. 163.3215(3) and not by petition for writ of
335 certiorari pursuant to s. 163.3215(4). Any other aggrieved or
336 adversely affected party shall be subject to s. 163.3215 in all
337 respects when initiating a consistency challenge to a detailed
338 specific area plan.

339 (f) This subsection does ~~may not be construed to~~ prevent
340 preparation and approval of the ~~optional~~ sector plan and
341 detailed specific area plan concurrently or in the same
342 submission.

343 (4) Upon the long-term master plan becoming legally
344 effective:

345 (a) Any long-range transportation plan developed by a
346 metropolitan planning organization pursuant to s. 339.175(7)
347 must be consistent, to the maximum extent feasible, with the
348 long-term master plan, including but not limited to the
349 projected population, the approved uses and densities and
350 intensities of use and their distribution within the planning
351 area. The transportation facilities identified in adopted plans
352 pursuant to subparagraphs (3)(a)3. and (3)(b)4. must be
353 developed in coordination with the adopted M.P.O. long-range
354 transportation plan.

355 (b) The water needs, sources and water resource development
356 and water supply development projects identified in adopted
357 plans pursuant to sub-subparagraphs (3)(a)2. and (3)(b)3. shall
358 be incorporated into the applicable district and regional water
359 supply plans adopted in accordance with ss. 373.036 and 373.709.
360 Accordingly, and notwithstanding the permit durations stated in



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361 s. 373.236, an applicant may request and the applicable district
362 may issue consumptive use permits for durations commensurate
363 with the long-term master plan. The permitting criteria in s.
364 373.223 shall be applied based upon the projected population,
365 the approved densities and intensities of use and their
366 distribution in the long-term master plan.

367
368 ~~The host local government shall submit a monitoring report~~
369 ~~to the state land planning agency and applicable regional~~
370 ~~planning council on an annual basis after adoption of a detailed~~
371 ~~specific area plan. The annual monitoring report must provide~~
372 ~~summarized information on development orders issued, development~~
373 ~~that has occurred, public facility improvements made, and public~~
374 ~~facility improvements anticipated over the upcoming 5 years.~~

375 (5) When a ~~plan amendment adopting~~ a detailed specific area
376 plan has become effective for a portion of the planning area
377 governed by a long-term master plan adopted pursuant to this
378 section under ss. 163.3184 and 163.3189(2), the provisions of s.
379 380.06 do not apply to development within the geographic area of
380 the detailed specific area plan. However, any development-of-
381 regional-impact development order that is vested from the
382 detailed specific area plan may be enforced pursuant to ~~under~~ s.
383 380.11.

384 (a) The local government adopting the detailed specific
385 area plan is primarily responsible for monitoring and enforcing
386 the detailed specific area plan. Local governments shall not
387 issue any permits or approvals or provide any extensions of
388 services to development that are not consistent with the
389 detailed specific ~~sector~~ area plan.



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390 (b) If the state land planning agency has reason to believe
391 that a violation of any detailed specific area plan, ~~or of any~~
392 ~~agreement entered into under this section,~~ has occurred or is
393 about to occur, it may institute an administrative or judicial
394 proceeding to prevent, abate, or control the conditions or
395 activity creating the violation, using the procedures in s.
396 380.11.

397 (c) In instituting an administrative or judicial proceeding
398 involving an ~~optional~~ sector plan or detailed specific area
399 plan, including a proceeding pursuant to paragraph (b), the
400 complaining party shall comply with the requirements of s.
401 163.3215(4), (5), (6), and (7), except as provided by paragraph
402 (3) (d).

403 (d) The detailed specific area plan shall establish a
404 buildout date until which the approved development shall not be
405 subject to downzoning, unit density reduction, or intensity
406 reduction, unless the local government can demonstrate that
407 implementation of the plan is not continuing in good faith based
408 on standards established by plan policy, or that substantial
409 changes in the conditions underlying the approval of the
410 detailed specific area plan have occurred, or that the detailed
411 specific area plan was based on substantially inaccurate
412 information provided by the applicant, or that the change is
413 clearly established to be essential to the public health,
414 safety, or welfare.

415 (6) Concurrent with or subsequent to review and adoption of
416 a long-term master plan pursuant to subsection (3) (a), an
417 applicant may apply for master development approval pursuant to
418 s. 380.06(21) for the entire planning area in order to establish



419 a buildout date until which the approved uses and densities and
420 intensities of use of the master plan shall not be subject to
421 downzoning, unit density reduction, or intensity reduction,
422 unless the local government can demonstrate that implementation
423 of the master plan is not continuing in good faith based on
424 standards established by plan policy, or that substantial
425 changes in the conditions underlying the approval of the master
426 plan have occurred, or that the master plan was based on
427 substantially inaccurate information provided by the applicant,
428 or that change is clearly established to be essential to the
429 public health, safety, or welfare. Review of the application for
430 master development approval shall be at a level of detail
431 appropriate for the long-term and conceptual nature of the long-
432 term master plan and, to the maximum extent possible, shall only
433 consider information provided in the application for a long-term
434 master plan. Notwithstanding any provision of s. 380.06 to the
435 contrary, an increment of development in such an approved master
436 development plan shall be approved by a detailed specific area
437 plan pursuant to subsection (3)(b) and shall be exempt from
438 review pursuant to s 380.06. ~~Beginning December 1, 1999, and~~
439 ~~each year thereafter, the department shall provide a status~~
440 ~~report to the Legislative Committee on Intergovernmental~~
441 ~~Relations regarding each optional sector plan authorized under~~
442 ~~this section.~~

443 (7) A developer within an area subject to a long-term
444 master plan which meets the requirements of paragraph (3)(a) and
445 subsection (6) or a detailed specific area plan which meets the
446 requirements of paragraph (3)(b) may enter into a development
447 agreement with a local government pursuant to ss. 163.3220-



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448 163.3243. The duration of such a development agreement may be
449 through the planning period of the long-term master plan or the
450 detailed specific area plan, as the case may be, notwithstanding
451 the limit on the duration of a development agreement pursuant to
452 s. 163.3229.

453 (8) Any owner of property within the planning area of a
454 proposed long-term master plan may withdraw his consent to the
455 master plan at any time prior to local government adoption, and
456 the local government shall exclude such parcels from the adopted
457 master plan. Thereafter, the long-term master plan, any detailed
458 specific area plan, and the exemption from development-of-
459 regional-impact review under this section shall not apply to the
460 subject parcels. After adoption of a long-term master plan, an
461 owner may withdraw his or her property from the master plan only
462 with the approval of the local government by plan amendment
463 adopted and reviewed pursuant to s. 163.3184.

464 (9) The adoption of a long-term master plan or a detailed
465 specific area plan pursuant to this section shall not limit the
466 right to continue existing agricultural or silvicultural uses or
467 other natural resource-based operations or to establish similar
468 new uses that are consistent with the plans approved pursuant to
469 this section.

470 (10) Notwithstanding any provision to the contrary of s.
471 380.06; chapter 163, Part II; or any planning agreement or plan
472 policy, a landowner or developer who has received approval of a
473 master development of regional impact development order pursuant
474 to s. 380.06(21) may apply to implement this order by filing one
475 or more applications to approve detailed specific area plan
476 pursuant to subparagraph (3) (b) of this section.



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477 (11) Notwithstanding the provisions of this act, a detailed
478 specific area plan to implement a conceptual long-term buildout
479 overlay adopted by a local government and found in compliance
480 prior to July 1, 2011, shall be governed by the provisions of
481 this section.

482 (12) This section may not be construed to abrogate the
483 rights of any person under this chapter.

484 Section 5. Paragraph (b) of subsection (9) of section
485 163.3246, Florida Statutes, is amended to read:

486 163.3246 Local government comprehensive planning
487 certification program.—

488 (9)

489 (b) Plan amendments that change the boundaries of the
490 certification area; propose a rural land stewardship area
491 pursuant to s. 163.3177(11) (d); ~~propose an optional sector plan~~
492 pursuant to s. 163.3245; propose a school facilities element;
493 update a comprehensive plan based on an evaluation and appraisal
494 report; impact lands outside the certification boundary;
495 implement new statutory requirements that require specific
496 comprehensive plan amendments; or increase hurricane evacuation
497 times or the need for shelter capacity on lands within the
498 coastal high-hazard area shall be reviewed pursuant to ss.
499 163.3184 and 163.3187.

500 Section 6. Paragraph (s) of subsection (24) of section
501 380.06, Florida Statutes, is amended to read:

502 380.06 Developments of regional impact.—

503 (24) STATUTORY EXEMPTIONS.—

504 (s) Any development in a detailed specific area plan which
505 is prepared pursuant to s. 163.3245 ~~and adopted into the~~



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506 ~~comprehensive plan~~ is exempt from this section.

507
508 If a use is exempt from review as a development of regional
509 impact under paragraphs (a)-(s), but will be part of a larger
510 project that is subject to review as a development of regional
511 impact, the impact of the exempt use must be included in the
512 review of the larger project, unless such exempt use involves a
513 development of regional impact that includes a landowner,
514 tenant, or user that has entered into a funding agreement with
515 the Office of Tourism, Trade, and Economic Development under the
516 Innovation Incentive Program and the agreement contemplates a
517 state award of at least \$50 million.

518 Section 7. Subsection (3) of section 380.115, Florida
519 Statutes, is amended to read:

520 380.115 Vested rights and duties; effect of size reduction,
521 changes in guidelines and standards.—

522 (3) A landowner that has filed an application for a
523 development-of-regional-impact review prior to the adoption of a
524 ~~an optional~~ sector plan pursuant to s. 163.3245 may elect to
525 have the application reviewed pursuant to s. 380.06,
526 comprehensive plan provisions in force prior to adoption of the
527 sector plan, and any requested comprehensive plan amendments
528 that accompany the application.

529 Section 8. This act shall take effect upon becoming law.

530
531
532 ===== T I T L E A M E N D M E N T =====

533 And the title is amended as follows:

534 Delete everything before the enacting clause



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535 and insert:

536 A bill to be entitled
537 An act relating to growth management; amending s.
538 163.3164, F.S.; making conforming amendments; amending
539 s. 163.3177, F.S.; making conforming amendments;
540 amending s. 163.3180, F.S.; making conforming
541 amendments; amending s. 163.3245, F.S.; renaming
542 optional sector plans as sector plans; increasing the
543 minimum size of geographic areas that qualify for the
544 use of sector plans; revising terminology relating to
545 such plans; deleting obsolete provisions; renaming
546 long-term conceptual buildout overlays as long-term
547 master plans; revising the content required to be
548 included in long-term master plans and detailed
549 specified area plans; requiring identification of
550 water development projects and transportation
551 facilities to serve future development needs;
552 exempting certain developments from the requirement to
553 develop a detailed specific area plan; providing that
554 detailed specific area plans shall be adopted by local
555 development orders; requiring that detailed specific
556 area plans include a buildout date and precluding
557 certain changes in the development until after that
558 date; authorizing certain development agreements
559 between the developer and the local government;
560 providing for continuation of certain existing land
561 uses; amending s. 380.06(24), F.S.; amending s.
562 380.115(3), F.S.; making conforming amendments;
563 providing an effective date.