



721902

LEGISLATIVE ACTION

Senate	.	House
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Floor: WD/2R	.	
05/06/2011 11:45 AM	.	
	.	

Senator Diaz de la Portilla moved the following:

1 **Senate Amendment to Amendment (195750) (with title**
2 **amendment)**

3
4 Between lines 6388 and 6389
5 insert:

6 Section 21. Present subsections (3), (4), (5), and (6) of
7 section 163.3194, Florida Statutes, are redesignated 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 under s. 479.07 unless the sign is located on a parcel



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14 designated for commercial or industrial use, 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)1. A parcel shall be considered an unzoned commercial or
34 industrial parcel if:

35 a. It is located in an area designated for multiple uses on
36 the future land use map of the comprehensive plan;

37 b. The zoning category of the land development regulations
38 does not clearly designate the parcel for a specific use; and

39 c. It meets the criteria in s. 479.01(26).

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



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43 subsection.

44 (c) A development order or permit to erect, operate, use,
45 or maintain a sign issued pursuant to a plan approved by the
46 state land planning agency on a parcel designated for commercial
47 or industrial use, or located in an area or on a parcel that
48 qualifies as an unzoned commercial or industrial area is under
49 the effective control of the state and is in compliance with ss.
50 479.07 and 479.111(2). The Department of Transportation shall
51 rely upon such determination by the local permitting agency for
52 such purposes and any determinations required under s.
53 479.02(3) and (7).

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

59 (e) This subsection may not be implemented if the United
60 States Secretary of Transportation provides written notice to
61 the department that implementation will adversely affect the
62 allocation of federal funds to the 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 9681

67 and insert:

68 and scoping meetings; amending s. 163.3194, F.S.;

69 prohibiting a governing body from issuing a

70 development order or permit to erect, operate, use, or

71 maintain a sign under certain circumstances; providing



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72 definitions; providing that a parcel is considered
73 unzoned commercial or industrial if certain criteria
74 are met; providing that a development order or permit
75 to erect, operate, use, or maintain a sign issued
76 pursuant to an approved plan is under the effective
77 control of the state; prohibiting a governing body
78 from issuing a permit under certain circumstances;
79 prohibiting implementation if the United States
80 Secretary of Transportation provides written notice to
81 the Department of Transportation that such
82 implementation will adversely affect the allocation of
83 federal funds to the department; amending s. 163.3229,
84 F.S.;