

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Randolph offered the following:

2
3 **Amendment**

4 Remove lines 3263-3321 and insert:

5 (1)(a) Sanitary sewer, solid waste, drainage, potable
6 water, and parks and recreation, ~~schools, and transportation~~
7 ~~facilities, including mass transit, where applicable,~~ are the
8 only public facilities and services subject to the concurrency
9 requirement on a statewide basis. Additional public facilities
10 and services may not be made subject to concurrency on a
11 statewide basis without ~~appropriate study and~~ approval by the
12 Legislature; however, any local government may extend the
13 concurrency requirement so that it applies to additional public
14 facilities within its jurisdiction. If concurrency is applied to
15 other public facilities, the local government comprehensive plan
16 must provide the principles, guidelines, standards, and

736655

Approved For Filing: 4/19/2011 9:27:48 AM

Amendment No.

17 strategies, including adopted levels of service, to guide its
18 application. In order for a local government to rescind any
19 optional concurrency provisions, a comprehensive plan amendment
20 is required. An amendment rescinding optional concurrency issues
21 is not subject to state review. The local government
22 comprehensive plan must demonstrate, for required or optional
23 concurrency requirements, that the levels of service adopted can
24 be reasonably met. Infrastructure needed to ensure that adopted
25 level-of-service standards are achieved and maintained for the
26 5-year period of the capital improvement schedule must be
27 identified pursuant to the requirements of s. 163.3177(3).

28 ~~(b) Local governments shall use professionally accepted~~
29 ~~techniques for measuring level of service for automobiles,~~
30 ~~bicycles, pedestrians, transit, and trucks. These techniques may~~
31 ~~be used to evaluate increased accessibility by multiple modes~~
32 ~~and reductions in vehicle miles of travel in an area or zone.~~
33 ~~The Department of Transportation shall develop methodologies to~~
34 ~~assist local governments in implementing this multimodal level-~~
35 ~~of-service analysis. The Department of Community Affairs and the~~
36 ~~Department of Transportation shall provide technical assistance~~
37 ~~to local governments in applying these methodologies.~~

38 (2) (a) Consistent with public health and safety, sanitary
39 sewer, solid waste, drainage, adequate water supplies, and
40 potable water facilities shall be in place and available to
41 serve new development no later than the issuance by the local
42 government of a certificate of occupancy or its functional
43 equivalent. Prior to approval of a building permit or its
44 functional equivalent, the local government shall consult with

736655

Approved For Filing: 4/19/2011 9:27:48 AM

Amendment No.

45 the applicable water supplier to determine whether adequate
46 water supplies to serve the new development will be available no
47 later than the anticipated date of issuance by the local
48 government of a certificate of occupancy or its functional
49 equivalent. A local government may meet the concurrency
50 requirement for sanitary sewer through the use of onsite sewage
51 treatment and disposal systems approved by the Department of
52 Health to serve new development.

53 (b) Consistent with the public welfare, and except as
54 otherwise provided in this section, parks and recreation
55 facilities to serve new development shall be in place or under
56 actual construction no later than 1 year after issuance by the
57 local government of a certificate of occupancy or its functional
58 equivalent. However, the acreage for such facilities shall be
59 dedicated or be acquired by the local government prior to
60 issuance by the local government of a certificate of occupancy
61 or its functional equivalent, or funds in the amount of the
62 developer's fair share shall be committed no later than the
63 local government's approval to commence construction.