

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Economic Affairs Committee  
 2 Representative Workman offered the following:

**Amendment (with directory and title amendments)**

5 Remove lines 111-113 and insert:

6 (1) The comprehensive plan shall provide the principles,  
 7 guidelines, standards, and strategies for the orderly and  
 8 balanced future economic, social, physical, environmental, and  
 9 fiscal development of the area that reflects community  
 10 commitments to implement the plan and its elements. These  
 11 principles and strategies shall guide future decisions in a  
 12 consistent manner and shall contain programs and activities to  
 13 ensure comprehensive plans are implemented. The sections of the  
 14 comprehensive plan containing the principles and strategies,  
 15 generally provided as goals, objectives, and policies, shall  
 16 describe how the local government's programs, activities, and  
 17 land development regulations will be initiated, modified, or  
 18 continued to implement the comprehensive plan in a consistent  
 19 manner. It is not the intent of this part to require the

Amendment No. 3

20 inclusion of implementing regulations in the comprehensive plan  
21 but rather to require identification of those programs,  
22 activities, and land development regulations that will be part  
23 of the strategy for implementing the comprehensive plan and the  
24 principles that describe how the programs, activities, and land  
25 development regulations will be carried out. The plan shall  
26 establish meaningful and predictable standards for the use and  
27 development of land and provide meaningful guidelines for the  
28 content of more detailed land development and use regulations.

29 (f) All mandatory and optional elements of the  
30 comprehensive plan and plan amendments shall be based upon  
31 relevant and appropriate data and an analysis by the local  
32 government that may include, but not be limited to, surveys,  
33 studies, community goals and vision, and other data available at  
34 the time of adoption of the comprehensive plan or plan  
35 amendment. To be based on data means to react to it in an  
36 appropriate way and to the extent necessary indicated by the  
37 data available on that particular subject at the time of  
38 adoption of the plan or plan amendment at issue.

39 1. Surveys, studies, and data utilized in the preparation  
40 of the comprehensive plan may not be deemed a part of the  
41 comprehensive plan unless adopted as a part of it. Copies of  
42 such studies, surveys, data, and supporting documents for  
43 proposed plans and plan amendments shall be made available for  
44 public inspection, and copies of such plans shall be made  
45 available to the public upon payment of reasonable charges for  
46 reproduction. Support data or summaries are not subject to the  
47 compliance review process, but the comprehensive plan must be

Amendment No. 3

48 clearly based on appropriate data. Support data or summaries may  
49 be used to aid in the determination of compliance and  
50 consistency.

51 2. Data must be taken from professionally accepted  
52 sources. The application of a methodology utilized in data  
53 collection or whether a particular methodology is professionally  
54 accepted may be evaluated. However, the evaluation may not  
55 include whether one accepted methodology is better than another.  
56 Original data collection by local governments is not required.  
57 However, local governments may use original data so long as  
58 methodologies are professionally accepted.

59 3. The comprehensive plan shall be based upon permanent  
60 and seasonal population estimates and projections, which shall  
61 either be those published provided by the Office of Economic and  
62 Demographic Research University of Florida's Bureau of Economic  
63 and Business Research or generated by the local government based  
64 upon a professionally acceptable methodology. The plan must be  
65 based on at least the minimum amount of land required to  
66 accommodate the medium projections as published by the Office of  
67 Economic and Demographic Research of the University of Florida's  
68 Bureau of Economic and Business Research for at least a 10-year  
69 planning period unless otherwise limited under s. 380.05,  
70 including related rules of the Administration Commission. Absent  
71 physical limitations on population growth, population  
72 projections for each municipality and the unincorporated area  
73 within a county must, at a minimum, be reflective of each area's  
74 proportional share of the total county population and the total  
75 county population growth.

Amendment No. 3

76 (6) In addition to the requirements of subsections (1)-  
77 (5), the comprehensive plan shall include the following  
78 elements:

79 (a) A future land use plan element designating proposed  
80 future general distribution, location, and extent of the uses of  
81 land for residential uses, commercial uses, industry,  
82 agriculture, recreation, conservation, education, public  
83 facilities, and other categories of the public and private uses  
84 of land. The approximate acreage and the general range of  
85 density or intensity of use shall be provided for the gross land  
86 area included in each existing land use category. The element  
87 shall establish the long-term end toward which land use programs  
88 and activities are ultimately directed.

89 1. Each future land use category must be defined in terms  
90 of uses included, and must include standards to be followed in  
91 the control and distribution of population densities and  
92 building and structure intensities. The proposed distribution,  
93 location, and extent of the various categories of land use shall  
94 be shown on a land use map or map series which shall be  
95 supplemented by goals, policies, and measurable objectives.

96 2. The future land use plan and plan amendments shall be  
97 based upon surveys, studies, and data regarding the area, as  
98 applicable, including:

99 a. The amount of land required to accommodate anticipated  
100 growth.

101 b. The projected permanent and seasonal population of the  
102 area.

103 c. The character of undeveloped land.

Amendment No. 3

104 d. The availability of water supplies, public facilities,  
105 and services.

106 e. The need for redevelopment, including the renewal of  
107 blighted areas and the elimination of nonconforming uses which  
108 are inconsistent with the character of the community.

109 f. The compatibility of uses on lands adjacent to or  
110 closely proximate to military installations.

111 g. The compatibility of uses on lands adjacent to an  
112 airport as defined in s. 330.35 and consistent with s. 333.02.

113 h. The discouragement of urban sprawl.

114 i. The need for job creation, capital investment, and  
115 economic development that will strengthen and diversify the  
116 community's economy.

117 j. The need to modify land uses and development patterns  
118 within antiquated subdivisions.

119 3. The future land use plan element shall include criteria  
120 to be used to:

121 a. Achieve the compatibility of lands adjacent or closely  
122 proximate to military installations, considering factors  
123 identified in s. 163.3175(5).

124 b. Achieve the compatibility of lands adjacent to an  
125 airport as defined in s. 330.35 and consistent with s. 333.02.

126 c. Encourage preservation of recreational and commercial  
127 working waterfronts for water-dependent uses in coastal  
128 communities.

129 d. Encourage the location of schools proximate to urban  
130 residential areas to the extent possible.

## Amendment No. 3

131 e. Coordinate future land uses with the topography and  
132 soil conditions, and the availability of facilities and  
133 services.

134 f. Ensure the protection of natural and historic  
135 resources.

136 g. Provide for the compatibility of adjacent land uses.

137 h. Provide guidelines for the implementation of mixed-use  
138 development including the types of uses allowed, the percentage  
139 distribution among the mix of uses, or other standards, and the  
140 density and intensity of each use.

141 4. The amount of land designated for future planned uses  
142 shall provide a balance of uses that foster vibrant, viable  
143 communities and economic development opportunities and address  
144 outdated development patterns, such as antiquated subdivisions.  
145 The amount of land designated for future land uses should allow  
146 the operation of real estate markets to provide adequate choices  
147 for permanent and seasonal residents and business and may not be  
148 limited solely by the projected population. The element shall  
149 accommodate at least the minimum amount of land required to  
150 accommodate the medium projections as published by the Office of  
151 Economic and Demographic Research ~~of the University of Florida's~~  
152 ~~Bureau of Economic and Business Research~~ for at least a 10-year  
153 planning period unless otherwise limited under s. 380.05,  
154 including related rules of the Administration Commission.

155 5. The future land use plan of a county may designate  
156 areas for possible future municipal incorporation.

157 6. The land use maps or map series shall generally  
158 identify and depict historic district boundaries and shall

Amendment No. 3

159 designate historically significant properties meriting  
160 protection.

161 7. The future land use element must clearly identify the  
162 land use categories in which public schools are an allowable  
163 use. When delineating the land use categories in which public  
164 schools are an allowable use, a local government shall include  
165 in the categories sufficient land proximate to residential  
166 development to meet the projected needs for schools in  
167 coordination with public school boards and may establish  
168 differing criteria for schools of different type or size. Each  
169 local government shall include lands contiguous to existing  
170 school sites, to the maximum extent possible, within the land  
171 use categories in which public schools are an allowable use.

172 8. Future land use map amendments shall be based upon the  
173 following analyses:

174 a. An analysis of the availability of facilities and  
175 services.

176 b. An analysis of the suitability of the plan amendment  
177 for its proposed use considering the character of the  
178 undeveloped land, soils, topography, natural resources, and  
179 historic resources on site.

180 c. An analysis of the minimum amount of land needed to  
181 achieve the goals and requirements of this section ~~as determined~~  
182 ~~by the local government.~~

183 9. The future land use element and any amendment to the  
184 future land use element shall discourage the proliferation of  
185 urban sprawl.

## Amendment No. 3

186 a. The primary indicators that a plan or plan amendment  
187 does not discourage the proliferation of urban sprawl are listed  
188 below. The evaluation of the presence of these indicators shall  
189 consist of an analysis of the plan or plan amendment within the  
190 context of features and characteristics unique to each locality  
191 in order to determine whether the plan or plan amendment:

192 (I) Promotes, allows, or designates for development  
193 substantial areas of the jurisdiction to develop as low-  
194 intensity, low-density, or single-use development or uses.

195 (II) Promotes, allows, or designates significant amounts  
196 of urban development to occur in rural areas at substantial  
197 distances from existing urban areas while not using undeveloped  
198 lands that are available and suitable for development.

199 (III) Promotes, allows, or designates urban development in  
200 radial, strip, isolated, or ribbon patterns generally emanating  
201 from existing urban developments.

202 (IV) Fails to adequately protect and conserve natural  
203 resources, such as wetlands, floodplains, native vegetation,  
204 environmentally sensitive areas, natural groundwater aquifer  
205 recharge areas, lakes, rivers, shorelines, beaches, bays,  
206 estuarine systems, and other significant natural systems.

207 (V) Fails to adequately protect adjacent agricultural  
208 areas and activities, including silviculture, active  
209 agricultural and silvicultural activities, passive agricultural  
210 activities, and dormant, unique, and prime farmlands and soils.

211 (VI) Fails to maximize use of existing public facilities  
212 and services.



Amendment No. 3

213 (VII) Fails to maximize use of future public facilities  
214 and services.

215 (VIII) Allows for land use patterns or timing which  
216 disproportionately increase the cost in time, money, and energy  
217 of providing and maintaining facilities and services, including  
218 roads, potable water, sanitary sewer, stormwater management, law  
219 enforcement, education, health care, fire and emergency  
220 response, and general government.

221 (IX) Fails to provide a clear separation between rural and  
222 urban uses.

223 (X) Discourages or inhibits infill development or the  
224 redevelopment of existing neighborhoods and communities.

225 (XI) Fails to encourage a functional mix of uses.

226 (XII) Results in poor accessibility among linked or  
227 related land uses.

228 (XIII) Results in the loss of significant amounts of  
229 functional open space.

230 b. The future land use element or plan amendment shall be  
231 determined to discourage the proliferation of urban sprawl if it  
232 incorporates a development pattern or urban form that achieves  
233 four or more of the following:

234 (I) Directs or locates economic growth and associated land  
235 development to geographic areas of the community in a manner  
236 that does not have an adverse impact on and protects natural  
237 resources and ecosystems.

238 (II) Promotes the efficient and cost-effective provision  
239 or extension of public infrastructure and services.

Amendment No. 3

240 (III) Promotes walkable and connected communities and  
241 provides for compact development and a mix of uses at densities  
242 and intensities that will support a range of housing choices and  
243 a multimodal transportation system, including pedestrian,  
244 bicycle, and transit, if available.

245 (IV) Promotes conservation of water and energy.

246 (V) Preserves agricultural areas and activities, including  
247 silviculture, and dormant, unique, and prime farmlands and  
248 soils.

249 (VI) Preserves open space and natural lands and provides  
250 for public open space and recreation needs.

251 (VII) Creates a balance of land uses based upon demands of  
252 the residential population for the nonresidential needs of an  
253 area.

254 (VIII) Provides uses, densities, and intensities of use  
255 and urban form that would remediate an existing or planned  
256 development pattern in the vicinity that constitutes sprawl or  
257 if it provides for an innovative development pattern such as  
258 transit-oriented developments or new towns as defined in s.  
259 163.3164.

260 10. The future land use element shall include a future  
261 land use map or map series.

262 a. The proposed distribution, extent, and location of the  
263 following uses shall be shown on the future land use map or map  
264 series:

265 (I) Residential.

266 (II) Commercial.

267 (III) Industrial.

Amendment No. 3

268 (IV) Agricultural.

269 (V) Recreational.

270 (VI) Conservation.

271 (VII) Educational.

272 (VIII) Public.

273 b. The following areas shall also be shown on the future  
274 land use map or map series, if applicable:

275 (I) Historic district boundaries and designated  
276 historically significant properties.

277 (II) Transportation concurrency management area boundaries  
278 or transportation concurrency exception area boundaries.

279 (III) Multimodal transportation district boundaries.

280 (IV) Mixed-use categories.

281 c. The following natural resources or conditions shall be  
282 shown on the future land use map or map series, if applicable:

283 (I) Existing and planned public potable waterwells, cones  
284 of influence, and wellhead protection areas.

285 (II) Beaches and shores, including estuarine systems.

286 (III) Rivers, bays, lakes, floodplains, and harbors.

287 (IV) Wetlands.

288 (V) Minerals and soils.

289 (VI) Coastal high hazard areas.

290 11. Local governments required to update or amend their  
291 comprehensive plan to include criteria and address compatibility  
292 of lands adjacent or closely proximate to existing military  
293 installations, or lands adjacent to an airport as defined in s.  
294 330.35 and consistent with s. 333.02, in their future land use

Amendment No. 3

295 plan element shall transmit the update or amendment to the state  
296 land planning agency by June 30, 2012.

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302 **D I R E C T O R Y A M E N D M E N T**

303 Remove line 107 and insert:

304 Section 3. Subparagraph 3. of paragraph (f) of subsection (1)  
305 and paragraphs (a), (f), and (h) of subsection (6) of

306  
307  
308  
309 -----

310 **T I T L E A M E N D M E N T**

311 Remove line 9 and insert:

312 plan; amending s. 163.3177, F.S.; replacing Bureau of Economic  
313 and Business Research with the Office of Economic and  
314 Demographic Research; providing criteria for population  
315 projections; revising the housing