

Amendment No. 2

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WITHDRAWN	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:

3
 4 **Amendment**

5 Remove lines 422-570 and insert:

6 10 working days the amendment or amendments and appropriate
 7 supporting data and analyses to the reviewing agencies. The
 8 local governing body shall also transmit a copy of the
 9 amendments and supporting data and analyses to any other local
 10 government or governmental agency that has filed a written
 11 request with the governing body.

12 2. The reviewing agencies and any other local government
 13 or governmental agency specified in subparagraph 1. may provide
 14 comments regarding the amendment or amendments to the local
 15 government. State agencies shall only comment on important state
 16 resources and facilities that will be adversely impacted by the
 17 amendment if adopted. Comments provided by state agencies shall
 18 state with specificity how the plan amendment will adversely
 19 impact an important state resource or facility and shall

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20 identify measures the local government may take to eliminate,
21 reduce, or mitigate the adverse impacts. Such comments, if not
22 resolved, may result in a challenge by the state land planning
23 agency to the plan amendment. Agencies and local governments
24 must transmit their comments to the affected local government
25 such that they are received by the local government not later
26 than 30 days after ~~from~~ the date on which the agency or
27 government received the amendment or amendments. Reviewing
28 agencies shall also send a copy of their comments to the state
29 land planning agency.

30 3. Comments to the local government from a regional
31 planning council, county, or municipality shall be limited as
32 follows:

33 a. The regional planning council review and comments shall
34 be limited to adverse effects on regional resources or
35 facilities identified in the strategic regional policy plan and
36 extrajurisdictional impacts that would be inconsistent with the
37 comprehensive plan of any affected local government within the
38 region. A regional planning council may not review and comment
39 on a proposed comprehensive plan amendment prepared by such
40 council unless the plan amendment has been changed by the local
41 government subsequent to the preparation of the plan amendment
42 by the regional planning council.

43 b. County comments shall be in the context of the
44 relationship and effect of the proposed plan amendments on the
45 county plan.

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46 c. Municipal comments shall be in the context of the
47 relationship and effect of the proposed plan amendments on the
48 municipal plan.

49 d. Military installation comments shall be provided in
50 accordance with s. 163.3175.

51 4. Comments to the local government from state agencies
52 shall be limited to the following subjects as they relate to
53 important state resources and facilities that will be adversely
54 impacted by the amendment if adopted:

55 a. The Department of Environmental Protection shall limit
56 its comments to the subjects of air and water pollution;
57 wetlands and other surface waters of the state; federal and
58 state-owned lands and interest in lands, including state parks,
59 greenways and trails, and conservation easements; solid waste;
60 water and wastewater treatment; and the Everglades ecosystem
61 restoration.

62 b. The Department of State shall limit its comments to the
63 subjects of historic and archaeological resources.

64 c. The Department of Transportation shall limit its
65 comments to issues within the agency's jurisdiction as it
66 relates to transportation resources and facilities of state
67 importance.

68 d. The Fish and Wildlife Conservation Commission shall
69 limit its comments to subjects relating to fish and wildlife
70 habitat and listed species and their habitat.

71 e. The Department of Agriculture and Consumer Services
72 shall limit its comments to the subjects of agriculture,
73 forestry, and aquaculture issues.

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74 f. The Department of Education shall limit its comments to
75 the subject of public school facilities.

76 g. The appropriate water management district shall limit
77 its comments to flood protection and floodplain management,
78 wetlands and other surface waters, and regional water supply.

79 h. The state land planning agency shall limit its comments
80 to important state resources and facilities outside the
81 jurisdiction of other commenting state agencies and may include
82 comments on countervailing planning policies and objectives
83 served by the plan amendment that should be balanced against
84 potential adverse impacts to important state resources and
85 facilities.

86 (c)1. The local government shall hold its second public
87 hearing, which shall be a hearing on whether to adopt one or
88 more comprehensive plan amendments pursuant to subsection (11).
89 If the local government fails, within 180 days after receipt of
90 agency comments, to hold the second public hearing, the
91 amendments shall be deemed withdrawn unless extended by
92 agreement with notice to the state land planning agency and any
93 affected person that provided comments on the amendment. The
94 180-day limitation does not apply to amendments processed
95 pursuant to s. 380.06.

96 2. All comprehensive plan amendments adopted by the
97 governing body, along with the supporting data and analysis,
98 shall be transmitted within 10 working days after the second
99 public hearing to the state land planning agency and any other
100 agency or local government that provided timely comments under
101 subparagraph (b)2.

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102 3. The state land planning agency shall notify the local
103 government of any deficiencies within 5 working days after
104 receipt of an amendment package. For purposes of completeness,
105 an amendment shall be deemed complete if it contains a full,
106 executed copy of the adoption ordinance or ordinances; in the
107 case of a text amendment, a full copy of the amended language in
108 legislative format with new words inserted in the text
109 underlined, and words deleted stricken with hyphens; in the case
110 of a future land use map amendment, a copy of the future land
111 use map clearly depicting the parcel, its existing future land
112 use designation, and its adopted designation; and a copy of any
113 data and analyses the local government deems appropriate.

114 4. An amendment adopted under this paragraph does not
115 become effective until 31 days after the state land planning
116 agency notifies the local government that the plan amendment
117 package is complete. If timely challenged, an amendment does not
118 become effective until the state land planning agency or the
119 Administration Commission enters a final order determining the
120 adopted amendment to be in compliance.

121 (4) STATE COORDINATED REVIEW PROCESS.—

122 (b) Local government transmittal of proposed plan or
123 amendment.—Each local governing body proposing a plan or plan
124 amendment specified in paragraph (2)(c) shall transmit the
125 complete proposed comprehensive plan or plan amendment to the
126 reviewing agencies within 10 working days after ~~immediately~~
127 ~~following~~ the first public hearing pursuant to subsection (11).
128 The transmitted document shall clearly indicate on the cover
129 sheet that this plan amendment is subject to the state

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130 coordinated review process of this subsection. The local
131 governing body shall also transmit a copy of the complete
132 proposed comprehensive plan or plan amendment to any other unit
133 of local government or government agency in the state that has
134 filed a written request with the governing body for the plan or
135 plan amendment.

136 (e) Local government review of comments; adoption of plan
137 or amendments and transmittal.-

138 1. The local government shall review the report submitted
139 to it by the state land planning agency, if any, and written
140 comments submitted to it by any other person, agency, or
141 government. The local government, upon receipt of the report
142 from the state land planning agency, shall hold its second
143 public hearing, which shall be a hearing to determine whether to
144 adopt the comprehensive plan or one or more comprehensive plan
145 amendments pursuant to subsection (11). If the local government
146 fails to hold the second hearing within 180 days after receipt
147 of the state land planning agency's report, the amendments shall
148 be deemed withdrawn unless extended by agreement with notice to
149 the state land planning agency and any affected person that
150 provided comments on the amendment. The 180-day limitation does
151 not apply to amendments processed pursuant to s. 380.06.

152 2. All comprehensive plan amendments adopted by the
153 governing body, along with the supporting data and analysis,
154 shall be transmitted within 10 working days after the second
155