

By the Committee on Community Affairs; and Senator Perry

578-03610-21

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1 A bill to be entitled
2 An act relating to growth management; amending s.
3 163.3167, F.S.; authorizing landowners with
4 development orders existing before the incorporation
5 of a municipality to elect to abandon such orders and
6 develop the vested density and intensity contained
7 therein under specified conditions; amending s.
8 163.3187, F.S.; revising the required acreage
9 thresholds under which a small scale development
10 amendment may be adopted; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Subsection (5) of section 163.3167, Florida
15 Statutes, is amended to read:

16 163.3167 Scope of act.—

17 (5) Nothing in this act shall limit or modify the rights of
18 any person to complete any development that has been authorized
19 as a development of regional impact pursuant to chapter 380 or
20 who has been issued a final local development order and
21 development has commenced and is continuing in good faith. Any
22 landowner with a development order existing before the
23 incorporation of a municipality may elect to abandon the
24 development order and develop the vested density and intensity
25 contained therein pursuant to the municipality's comprehensive
26 plan and land development regulations adopted pursuant to
27 subsection (3) so long as the vested uses, density, and
28 intensity are consistent with the municipality's comprehensive
29 plan and all existing obligations in the development order

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30 regarding concurrency remain.

31 Section 2. Subsections (1) and (3) of section 163.3187,
32 Florida Statutes, are amended to read:

33 163.3187 Process for adoption of small scale ~~small-scale~~
34 comprehensive plan amendment.—

35 (1) A small scale development amendment may be adopted
36 under the following conditions:

37 (a) The proposed amendment involves a use of 50 ~~10~~ acres or
38 fewer. ~~and:~~

39 (b) The proposed amendment does not involve a text change
40 to the goals, policies, and objectives of the local government's
41 comprehensive plan, but only proposes a land use change to the
42 future land use map for a site-specific small scale development
43 activity. However, text changes that relate directly to, and are
44 adopted simultaneously with, the small scale future land use map
45 amendment shall be permissible under this section.

46 (c) The property that is the subject of the proposed
47 amendment is not located within an area of critical state
48 concern, unless the project subject to the proposed amendment
49 involves the construction of affordable housing units meeting
50 the criteria of s. 420.0004(3), and is located within an area of
51 critical state concern designated by s. 380.0552 or by the
52 Administration Commission pursuant to s. 380.05(1).

53 (3) If the small scale development amendment involves a
54 site within a rural area of opportunity as defined under s.
55 288.0656(2)(d) for the duration of such designation, the acreage
56 ~~10-acre~~ limit listed in subsection (1) shall be increased by 100
57 percent ~~to 20 acres~~. The local government approving the small
58 scale plan amendment shall certify to the state land planning

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59 agency that the plan amendment furthers the economic objectives
60 set forth in the executive order issued under s. 288.0656(7),
61 and the property subject to the plan amendment shall undergo
62 public review to ensure that all concurrency requirements and
63 federal, state, and local environmental permit requirements are
64 met.

65 Section 3. This act shall take effect July 1, 2021.