

By Senator Wright

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1                   A bill to be entitled  
2       An act relating to marine encroachment on spaceflight  
3       and military operations; amending s. 163.3175, F.S.;  
4       revising legislative findings; encouraging the sharing  
5       of information about certain community grants through  
6       specified federal programs to facilitate the  
7       compatibility and resiliency of community planning and  
8       the activities and mission of a military installation  
9       or range; amending s. 327.462, F.S.; requiring the  
10      head of a law enforcement agency or entity to report  
11      the establishment of a temporary protection zone to  
12      the appropriate port authority; requiring the port  
13      authority to direct a licensed state pilot or  
14      certificated deputy pilot to hand deliver written  
15      notice of such establishment and related penalties to  
16      operators of certain vessels; requiring such operators  
17      to sign and return such notice to the state pilot or  
18      deputy pilot; providing penalties; amending ss.  
19      163.3177, 163.3184, and 380.0651, F.S.; conforming  
20      provisions to changes made by the act; making  
21      technical changes; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

24  
25       Section 1. Section 163.3175, Florida Statutes, is amended  
26       to read:

27       163.3175 Legislative findings on compatibility of  
28       development with military installations and ranges; exchange of  
29       information between local governments and military installations

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30 and ranges.-

31 (1) The Legislature finds that incompatible development on  
32 of land and in state-controlled waters close to military  
33 installations and ranges can adversely affect the ability of  
34 such an installation or range to carry out its mission. The  
35 Legislature further finds that such development also threatens  
36 the public safety because of the possibility of accidents  
37 occurring within the areas surrounding a military installation  
38 or range. In addition, the economic vitality of a community is  
39 affected when military operations and missions must relocate  
40 because of incompatible ~~urban~~ encroachment. Therefore, the  
41 Legislature finds it desirable for the local governments in the  
42 state to cooperate with military installations and ranges to  
43 encourage compatible land use and activities in state-controlled  
44 waters, help prevent incompatible encroachment, and facilitate  
45 the continued presence of ~~major~~ military installations and  
46 ranges in this state.

47 (2) Certain ~~major~~ military installations and ranges, due to  
48 their mission and activities, have a greater potential for  
49 experiencing compatibility and coordination issues than others.  
50 Consequently, this section and ~~the provisions in s.~~  
51 163.3177(6)(a), relating to compatibility of land development  
52 and activities in state-controlled waters with military  
53 installations and ranges, apply to specific affected local  
54 governments in proximity to and in association with specific  
55 military installations and ranges, as follows:

56 (a) Avon Park Air Force Range, associated with Highlands,  
57 Okeechobee, Osceola, and Polk Counties and Avon Park, Sebring,  
58 and Frostproof.

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59 (b) Camp Blanding, associated with Clay, Bradford, and  
60 Putnam Counties.

61 (c) Eglin Air Force Base and Hurlburt Field, associated  
62 with Gulf, Okaloosa, Santa Rosa, and Walton Counties and Cinco  
63 Bayou, Crestview, Destin, DeFuniak Springs, Fort Walton Beach,  
64 Freeport, Laurel Hill, Mary Esther, Niceville, Shalimar, and  
65 Valparaiso.

66 (d) Homestead Air Reserve Base, associated with Miami-Dade  
67 County and Homestead.

68 (e) Jacksonville Training Range Complex, associated with  
69 Lake, Marion, Putnam, and Volusia Counties.

70 (f) MacDill Air Force Base, associated with Hillsborough  
71 County and Tampa.

72 (g) Naval Air Station Jacksonville, Marine Corps Support  
73 Facility-Blount Island, ~~and~~ Outlying Landing Field Whitehouse,  
74 and the Florida Air National Guard associated with Duval County  
75 and Jacksonville.

76 (h) Naval Air Station Key West, including various annexes  
77 across Boca Chica Key and Key West as well as the Fleming  
78 Bay/Patton Water Drop Zone training range used by the Army  
79 Special Forces Underwater Operations School, associated with  
80 Monroe County and Key West.

81 (i) Naval Support Activity Orlando, including Bugg Spring  
82 and Naval Ordnance Test Unit, associated with Orange, Brevard,  
83 and Lake Counties, ~~County and~~ Orlando, Canaveral Port Authority,  
84 and Okahumpka.

85 (j) Naval Support Activity Panama City, associated with Bay  
86 County, Panama City, and Panama City Beach.

87 (k) Naval Air Station Pensacola, associated with Escambia

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88 County.

89 (l) Naval Air Station Whiting Field and its outlying  
90 landing fields, associated with Santa Rosa and Escambia  
91 Counties.

92 (m) Naval Station Mayport, associated with Duval County,  
93 Atlantic Beach, and Jacksonville.

94 (n) Patrick Space Force Base and Cape Canaveral Space Force  
95 Station, associated with Brevard County, Canaveral Port  
96 Authority, and Satellite Beach.

97 (o) Tyndall Air Force Base, associated with Bay County, and  
98 Mexico Beach, and Parker.

99 (p) United States Southern Command, associated with Miami-  
100 Dade County and Doral.

101 (q) South Florida Ocean Measurement Facility, associated  
102 with Broward County and Dania Beach.

103 (r) United States Coast Guard Sector Jacksonville,  
104 including Station Mayport, Station Port Canaveral, Station Ponce  
105 De Leon Inlet, Aids to Navigation Team Jacksonville, and  
106 Helicopter Interdiction Tactical Squadron (HITRON), associated  
107 with Duval, Brevard, and Volusia Counties and Jacksonville,  
108 Jacksonville Beach, Atlantic Beach, Canaveral Port Authority,  
109 and New Smyrna Beach.

110 (s) United States Coast Guard Sector Miami, including Base  
111 Miami Beach, Station Fort Lauderdale, Station Fort Pierce, Air  
112 Station Miami, Station Lake Worth Inlet, and Civil Engineering  
113 Unit Miami, associated with St. Lucie, Palm Beach, Broward, and  
114 Miami-Dade Counties and Fort Pierce, Riviera Beach, Dania Beach,  
115 Opa-locka, Miami, and Miami Beach.

116 (t) United States Coast Guard Sector Key West, including

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117 Station Key West, Station Islamorada, and Station Marathon,  
118 associated with Monroe County and Key West, Islamorada, and  
119 Marathon.

120 (u) United States Coast Guard Sector St. Petersburg,  
121 including Station St. Petersburg, Air Station Clearwater,  
122 Station Cortez, Station Fort Myers Beach, Station Sand Key, and  
123 Station Yankeetown, associated with Pinellas, Manatee, Lee, and  
124 Levy Counties and St. Petersburg, Clearwater, Cortez, Fort Myers  
125 Beach, and Yankeetown.

126 (v) United States Coast Guard Sector Mobile, including  
127 Station Panama City, Station Destin, and Station Pensacola,  
128 associated with Bay, Okaloosa, and Escambia Counties and Panama  
129 City, Destin, and Pensacola.

130 (3) The Florida Defense Support Task Force may recommend to  
131 the Legislature changes to the military installations and ranges  
132 and local governments specified in subsection (2) based on a  
133 military base's or range's potential for impacts from  
134 encroachment, and incompatible land uses and development.

135 (4) Each affected local government must transmit to the  
136 commanding officer of the relevant associated installation, ~~or~~  
137 installations, or ranges information relating to proposed  
138 changes to comprehensive plans, plan amendments, and ~~proposed~~  
139 ~~changes to~~ land development regulations which, if approved,  
140 would affect the intensity, density, or use of the land adjacent  
141 to or in close proximity to the military installation or range.  
142 At the request of the commanding officer, affected local  
143 governments must also transmit to the commanding officer copies  
144 of applications for development orders requesting a variance or  
145 waiver from height or lighting restrictions or noise attenuation

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146 reduction requirements within areas defined in the local  
147 government's comprehensive plan as being in a zone of influence  
148 of the military installation or range. Each affected local  
149 government shall provide the military installation or range  
150 control military authority an opportunity to review and comment  
151 on the proposed changes.

152 (5) The commanding officer or his or her designee may  
153 provide advisory comments to the affected local government on  
154 the impact such proposed changes may have on the mission of the  
155 military installation or range. Such advisory comments must  
156 ~~shall~~ be based on appropriate data and analyses provided with  
157 the comments and may include:

158 (a) If the installation has an airfield or range, whether  
159 such proposed changes will be incompatible with the safety and  
160 noise standards contained in the Air Installation Compatible Use  
161 Zone (AICUZ) or the Range Air Installation Compatible Use Zone  
162 (RAICUZ) adopted by the military installation for that airfield  
163 or range;

164 (b) Whether such changes are incompatible with the  
165 Installation Environmental Noise Management Program (IENMP) of  
166 the United States Army;

167 (c) Whether such changes are incompatible with the findings  
168 of a Joint Land Use Study (JLUS), Compatible Use Plan Study, or  
169 Military Installation Resilience Review (MIRR) for the area if  
170 one has been completed; and

171 (d) Whether the military installation's or range's mission  
172 will be adversely affected by the proposed actions of the  
173 county, ~~or~~ affected local government, or controlling authority.

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175 The commanding officer's comments, underlying studies, and  
176 reports shall be considered by the local government in the same  
177 manner as the comments received from other reviewing agencies  
178 pursuant to s. 163.3184.

179 (6) The affected local government shall take into  
180 consideration any comments and accompanying data and analyses  
181 provided by the commanding officer or his or her designee  
182 pursuant to subsection (4) as they relate to the strategic  
183 mission of the base, public safety, and the economic vitality  
184 associated with the base's operations, while also respecting  
185 private property rights and not being unduly restrictive on  
186 those rights. The affected local government shall forward a copy  
187 of any comments regarding comprehensive plan amendments to the  
188 state land planning agency.

189 (7) To facilitate the exchange of information provided for  
190 in this section, a representative of a military installation or  
191 range acting on behalf of all military installations and ranges  
192 within that jurisdiction shall serve ex officio as a nonvoting  
193 member of the county's or affected local government's land  
194 planning or zoning board. The representative is not required to  
195 file a statement of financial interest pursuant to s. 112.3145  
196 solely due to his or her service on the county's or affected  
197 local government's land planning or zoning board.

198 (8) The commanding officer is encouraged to provide  
199 information about any community planning assistance grants that  
200 may be available to a county or affected local government  
201 through programs such as those of the federal Office of Local  
202 Defense Community Cooperation ~~Economic Adjustment~~ as an  
203 incentive for communities to participate in a joint planning

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204 process that would facilitate the compatibility and resiliency  
205 of community planning and the activities and mission of the  
206 military installation or range.

207 Section 2. Subsections (4) and (6) of section 327.462,  
208 Florida Statutes, are amended to read:

209 327.462 Temporary protection zones for spaceflight launches  
210 and recovery of spaceflight assets.—

211 (4) (a) Upon the establishment of a protection zone under  
212 this section, the head of a law enforcement agency or entity  
213 establishing the ~~a~~ protection zone ~~under this section,~~ or his or  
214 her designee, must report the establishment of such protection  
215 zone via e-mail to the commission's Division of Law Enforcement,  
216 Boating and Waterways Section, ~~and~~ to the appropriate United  
217 States Coast Guard Sector Command having responsibility over the  
218 water body, and to the appropriate port authority at least 72  
219 ~~hours before establishment of the protection zone.~~ Such report  
220 must include the reasons for the protection zone, the portion of  
221 the water body or water bodies which will be included in the  
222 protection zone, and the duration of the protection zone.

223 (b) Upon receipt of the report required under paragraph  
224 (a), the port authority shall direct at least one state pilot  
225 licensed, or at least one deputy pilot certificated, under  
226 chapter 310 to board each cruise or civilian vessel escorted  
227 into or out of the applicable port and hand deliver to the  
228 operator of such vessel a written notice of the establishment of  
229 the protection zone and the penalties for violation provided in  
230 subsection (6). The operator must sign the notice as an  
231 indication that he or she acknowledges the information provided  
232 in the notice and must return the signed notice to the pilot



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233 before the pilot disembarks the vessel.

234 (c) No later than 72 hours after the end of the protection  
235 zone period, the head of the law enforcement agency or entity,  
236 or his or her designee, must report via e-mail to the  
237 commission's Division of Law Enforcement, Boating and Waterways  
238 Section, the details of all citations issued for violating the  
239 protection zone.

240 (6) A person who violates this section or any directive  
241 given by a law enforcement officer, a state pilot, or a deputy  
242 pilot relating to the establishment of a protection zone under  
243 this section after being advised of the establishment of the  
244 protection zone commits a misdemeanor of the second degree,  
245 punishable as provided in s. 775.082 or s. 775.083.

246 Section 3. Paragraph (a) of subsection (6) of section  
247 163.3177, Florida Statutes, is amended to read:

248 163.3177 Required and optional elements of comprehensive  
249 plan; studies and surveys.-

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

252 (a) A future land use plan element designating proposed  
253 future general distribution, location, and extent of the uses of  
254 land for residential uses, commercial uses, industry,  
255 agriculture, recreation, conservation, education, public  
256 facilities, and other categories of the public and private uses  
257 of land. The approximate acreage and the general range of  
258 density or intensity of use shall be provided for the gross land  
259 area included in each existing land use category. The element  
260 shall establish the long-term end toward which land use programs  
261 and activities are ultimately directed.

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262           1. Each future land use category must be defined in terms  
263 of uses included, and must include standards to be followed in  
264 the control and distribution of population densities and  
265 building and structure intensities. The proposed distribution,  
266 location, and extent of the various categories of land use shall  
267 be shown on a land use map or map series which shall be  
268 supplemented by goals, policies, and measurable objectives.

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

272           a. The amount of land required to accommodate anticipated  
273 growth.

274           b. The projected permanent and seasonal population of the  
275 area.

276           c. The character of undeveloped land.

277           d. The availability of water supplies, public facilities,  
278 and services.

279           e. The need for redevelopment, including the renewal of  
280 blighted areas and the elimination of nonconforming uses which  
281 are inconsistent with the character of the community.

282           f. The compatibility of uses on lands adjacent to or  
283 closely proximate to military installations and ranges.

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

286           h. The discouragement of urban sprawl.

287           i. The need for job creation, capital investment, and  
288 economic development that will strengthen and diversify the  
289 community's economy.

290           j. The need to modify land uses and development patterns

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291 within antiquated subdivisions.

292 3. The future land use plan element shall include criteria  
293 to be used to:

294 a. Achieve the compatibility of lands adjacent to or  
295 closely proximate to military installations and ranges,  
296 considering factors identified in s. 163.3175(5).

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

299 c. Encourage preservation of recreational and commercial  
300 working waterfronts for water-dependent uses in coastal  
301 communities.

302 d. Encourage the location of schools proximate to urban  
303 residential areas to the extent possible.

304 e. Coordinate future land uses with the topography and soil  
305 conditions, and the availability of facilities and services.

306 f. Ensure the protection of natural and historic resources.

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

308 h. Provide guidelines for the implementation of mixed-use  
309 development including the types of uses allowed, the percentage  
310 distribution among the mix of uses, or other standards, and the  
311 density and intensity of each use.

312 4. The amount of land designated for future planned uses  
313 shall provide a balance of uses that foster vibrant, viable  
314 communities and economic development opportunities and address  
315 outdated development patterns, such as antiquated subdivisions.  
316 The amount of land designated for future land uses should allow  
317 the operation of real estate markets to provide adequate choices  
318 for permanent and seasonal residents and business and may not be  
319 limited solely by the projected population. The element shall

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320 accommodate at least the minimum amount of land required to  
321 accommodate the medium projections as published by the Office of  
322 Economic and Demographic Research for at least a 10-year  
323 planning period unless otherwise limited under s. 380.05,  
324 including related rules of the Administration Commission.

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

327 6. The land use maps or map series shall generally identify  
328 and depict historic district boundaries and shall designate  
329 historically significant properties meriting protection.

330 7. The future land use element must clearly identify the  
331 land use categories in which public schools are an allowable  
332 use. When delineating the land use categories in which public  
333 schools are an allowable use, a local government shall include  
334 in the categories sufficient land proximate to residential  
335 development to meet the projected needs for schools in  
336 coordination with public school boards and may establish  
337 differing criteria for schools of different type or size. Each  
338 local government shall include lands contiguous to existing  
339 school sites, to the maximum extent possible, within the land  
340 use categories in which public schools are an allowable use.

341 8. Future land use map amendments shall be based upon the  
342 following analyses:

343 a. An analysis of the availability of facilities and  
344 services.

345 b. An analysis of the suitability of the plan amendment for  
346 its proposed use considering the character of the undeveloped  
347 land, soils, topography, natural resources, and historic  
348 resources on site.

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349 c. An analysis of the minimum amount of land needed to  
350 achieve the goals and requirements of this section.

351 9. The future land use element and any amendment to the  
352 future land use element shall discourage the proliferation of  
353 urban sprawl.

354 a. The primary indicators that a plan or plan amendment  
355 does not discourage the proliferation of urban sprawl are listed  
356 below. The evaluation of the presence of these indicators shall  
357 consist of an analysis of the plan or plan amendment within the  
358 context of features and characteristics unique to each locality  
359 in order to determine whether the plan or plan amendment:

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

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

367 (III) Promotes, allows, or designates urban development in  
368 radial, strip, isolated, or ribbon patterns generally emanating  
369 from existing urban developments.

370 (IV) Fails to adequately protect and conserve natural  
371 resources, such as wetlands, floodplains, native vegetation,  
372 environmentally sensitive areas, natural groundwater aquifer  
373 recharge areas, lakes, rivers, shorelines, beaches, bays,  
374 estuarine systems, and other significant natural systems.

375 (V) Fails to adequately protect adjacent agricultural areas  
376 and activities, including silviculture, active agricultural and  
377 silvicultural activities, passive agricultural activities, and

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378 dormant, unique, and prime farmlands and soils.

379 (VI) Fails to maximize use of existing public facilities  
380 and services.

381 (VII) Fails to maximize use of future public facilities and  
382 services.

383 (VIII) Allows for land use patterns or timing which  
384 disproportionately increase the cost in time, money, and energy  
385 of providing and maintaining facilities and services, including  
386 roads, potable water, sanitary sewer, stormwater management, law  
387 enforcement, education, health care, fire and emergency  
388 response, and general government.

389 (IX) Fails to provide a clear separation between rural and  
390 urban uses.

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

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

394 (XII) Results in poor accessibility among linked or related  
395 land uses.

396 (XIII) Results in the loss of significant amounts of  
397 functional open space.

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

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

406 (II) Promotes the efficient and cost-effective provision or

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407 extension of public infrastructure and services.

408 (III) Promotes walkable and connected communities and  
409 provides for compact development and a mix of uses at densities  
410 and intensities that will support a range of housing choices and  
411 a multimodal transportation system, including pedestrian,  
412 bicycle, and transit, if available.

413 (IV) Promotes conservation of water and energy.

414 (V) Preserves agricultural areas and activities, including  
415 silviculture, and dormant, unique, and prime farmlands and  
416 soils.

417 (VI) Preserves open space and natural lands and provides  
418 for public open space and recreation needs.

419 (VII) Creates a balance of land uses based upon demands of  
420 the residential population for the nonresidential needs of an  
421 area.

422 (VIII) Provides uses, densities, and intensities of use and  
423 urban form that would remediate an existing or planned  
424 development pattern in the vicinity that constitutes sprawl or  
425 if it provides for an innovative development pattern such as  
426 transit-oriented developments or new towns as defined in s.  
427 163.3164.

428 10. The future land use element shall include a future land  
429 use map or map series.

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

433 (I) Residential.

434 (II) Commercial.

435 (III) Industrial.

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436 (IV) Agricultural.

437 (V) Recreational.

438 (VI) Conservation.

439 (VII) Educational.

440 (VIII) Public.

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

443 (I) Historic district boundaries and designated  
444 historically significant properties.

445 (II) Transportation concurrency management area boundaries  
446 or transportation concurrency exception area boundaries.

447 (III) Multimodal transportation district boundaries.

448 (IV) Mixed-use categories.

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

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

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

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

455 (IV) Wetlands.

456 (V) Minerals and soils.

457 (VI) Coastal high hazard areas.

458 Section 4. Paragraph (c) of subsection (1) and paragraph  
459 (b) of subsection (3) of section 163.3184, Florida Statutes, are  
460 amended to read:

461 163.3184 Process for adoption of comprehensive plan or plan  
462 amendment.—

463 (1) DEFINITIONS.—As used in this section, the term:

464 (c) "Reviewing agencies" means:



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- 465 1. The state land planning agency;
- 466 2. The appropriate regional planning council;
- 467 3. The appropriate water management district;
- 468 4. The Department of Environmental Protection;
- 469 5. The Department of State;
- 470 6. The Department of Transportation;
- 471 7. In the case of plan amendments relating to public
- 472 schools, the Department of Education;
- 473 8. In the case of plans or plan amendments that affect a
- 474 military installation or range listed in s. 163.3175, the
- 475 commanding officer of the affected military installation or
- 476 range;
- 477 9. In the case of county plans and plan amendments, the
- 478 Fish and Wildlife Conservation Commission and the Department of
- 479 Agriculture and Consumer Services; and
- 480 10. In the case of municipal plans and plan amendments, the
- 481 county in which the municipality is located.
- 482 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF
- 483 COMPREHENSIVE PLAN AMENDMENTS.—
- 484 (b)1. The local government, after the initial public
- 485 hearing held pursuant to subsection (11), shall transmit within
- 486 10 working days the amendment or amendments and appropriate
- 487 supporting data and analyses to the reviewing agencies. The
- 488 local governing body shall also transmit a copy of the
- 489 amendments and supporting data and analyses to any other local
- 490 government or governmental agency that has filed a written
- 491 request with the governing body.
- 492 2. The reviewing agencies and any other local government or
- 493 governmental agency specified in subparagraph 1. may provide

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494 comments regarding the amendment or amendments to the local  
495 government. State agencies shall only comment on important state  
496 resources and facilities that will be adversely impacted by the  
497 amendment if adopted. Comments provided by state agencies shall  
498 state with specificity how the plan amendment will adversely  
499 impact an important state resource or facility and shall  
500 identify measures the local government may take to eliminate,  
501 reduce, or mitigate the adverse impacts. Such comments, if not  
502 resolved, may result in a challenge by the state land planning  
503 agency to the plan amendment. Agencies and local governments  
504 must transmit their comments to the affected local government  
505 such that they are received by the local government not later  
506 than 30 days after the date on which the agency or government  
507 received the amendment or amendments. Reviewing agencies shall  
508 also send a copy of their comments to the state land planning  
509 agency.

510 3. Comments to the local government from a regional  
511 planning council, county, or municipality shall be limited as  
512 follows:

513 a. The regional planning council review and comments shall  
514 be limited to adverse effects on regional resources or  
515 facilities identified in the strategic regional policy plan and  
516 extrajurisdictional impacts that would be inconsistent with the  
517 comprehensive plan of any affected local government within the  
518 region. A regional planning council may not review and comment  
519 on a proposed comprehensive plan amendment prepared by such  
520 council unless the plan amendment has been changed by the local  
521 government subsequent to the preparation of the plan amendment  
522 by the regional planning council.

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523           b. County comments shall be in the context of the  
524 relationship and effect of the proposed plan amendments on the  
525 county plan.

526           c. Municipal comments shall be in the context of the  
527 relationship and effect of the proposed plan amendments on the  
528 municipal plan.

529           d. Military installation or range comments shall be  
530 provided in accordance with s. 163.3175.

531           4. Comments to the local government from state agencies  
532 shall be limited to the following subjects as they relate to  
533 important state resources and facilities that will be adversely  
534 impacted by the amendment if adopted:

535           a. The Department of Environmental Protection shall limit  
536 its comments to the subjects of air and water pollution;  
537 wetlands and other surface waters of the state; federal and  
538 state-owned lands and interest in lands, including state parks,  
539 greenways and trails, and conservation easements; solid waste;  
540 water and wastewater treatment; and the Everglades ecosystem  
541 restoration.

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

544           c. The Department of Transportation shall limit its  
545 comments to issues within the agency's jurisdiction as it  
546 relates to transportation resources and facilities of state  
547 importance.

548           d. The Fish and Wildlife Conservation Commission shall  
549 limit its comments to subjects relating to fish and wildlife  
550 habitat and listed species and their habitat.

551           e. The Department of Agriculture and Consumer Services

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552 shall limit its comments to the subjects of agriculture,  
553 forestry, and aquaculture issues.

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

556 g. The appropriate water management district shall limit  
557 its comments to flood protection and floodplain management,  
558 wetlands and other surface waters, and regional water supply.

559 h. The state land planning agency shall limit its comments  
560 to important state resources and facilities outside the  
561 jurisdiction of other commenting state agencies and may include  
562 comments on countervailing planning policies and objectives  
563 served by the plan amendment that should be balanced against  
564 potential adverse impacts to important state resources and  
565 facilities.

566 Section 5. Paragraph (n) of subsection (2) of section  
567 380.0651, Florida Statutes, is amended to read:

568 380.0651 Statewide guidelines, standards, and exemptions.—

569 (2) STATUTORY EXEMPTIONS.—The following developments are  
570 exempt from s. 380.06:

571 (n) The establishment, relocation, or expansion of any  
572 military installation or range as specified in s. 163.3175.

573

574 If a use is exempt from review pursuant to paragraphs (a)-(u),  
575 but will be part of a larger project that is subject to review  
576 pursuant to s. 380.06(12), the impact of the exempt use must be  
577 included in the review of the larger project, unless such exempt  
578 use involves a development that includes a landowner, tenant, or  
579 user that has entered into a funding agreement with the state  
580 land planning agency under the Innovation Incentive Program and

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581 the agreement contemplates a state award of at least \$50  
582 million.

583 Section 6. This act shall take effect July 1, 2023.