

THE FLORIDA SENATE
2012 SUMMARY OF LEGISLATION PASSED

Committee on Community Affairs

CS/HB 7081 — Growth Management

by Economic Affairs Committee; Community and Military Affairs Subcommittee; and Rep. Workman (CS/CS/CS/SB 842 by Budget Subcommittee on Transportation, Tourism, and Economic Development Appropriations; Commerce and Tourism Committee; Community Affairs Committee; and Senator Bennett)

This bill makes a number of modifications and clarifications to ch. 2011-139, L.O.F., the Community Planning Act (act). Modifications include fixing cross-references, updating outdated language, and removing provisions throughout the statutes that the act made obsolete such as references to the twice-a-year limitation on adopting plan amendments that no longer exists and references to the evaluation and appraisal report that no longer is required.

This bill authorizes a regional planning council to provide consulting services to a private developer or landowner for a project, if not serving in a review capacity in the future, except that statutorily mandated services may be provided by the regional planning council regardless of its review role.

This bill also addresses the following items:

- Grandfathering of local government charter provisions in effect on June 1, 2011, relating to a local initiative or referendum process for the approval of development orders and comprehensive plan or map amendments;
- Requiring comments by military installations to be considered by local governments in a manner consistent with s. 163.3184, F.S.;
- Removing criteria that exempts certain municipalities from being signatories to the school interlocal agreement as a prerequisite to implementing school concurrency, because school concurrency is now optional, and restoring criteria to exempt certain municipalities from being a party to the school interlocal agreement;
- Extending the time for the state land planning agency and the Administration Commission to issue recommended and final orders, since the current time requirement is unworkable, and providing a time requirement for the state land planning agency to issue a notice of intent for a plan amendment adopted pursuant to a compliance agreement;
- Deleting a required annual report by the Department of Economic Opportunity related to the optional sector plan pilot program; and
- Requiring that population projections for municipalities and unincorporated areas of a county must be reflective of their proportional share of the total county population and total county population growth. Effectively this requires a minimum amount of land use be set aside in municipality's comprehensive plan proportional to its share of the county's population growth.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 38-2; House 101-13