

By Senator Bennett

21-00445C-12

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1 A bill to be entitled
2 An act relating to growth management; repealing s.
3 163.03, F.S., relating to the powers and duties of the
4 Secretary of Community Affairs and functions of the
5 Department of Community Affairs with respect to
6 federal grant-in-aid programs; amending s. 163.065,
7 F.S.; conforming cross-references to changes made by
8 the act; amending s. 163.2511, F.S.; conforming cross-
9 references to changes made by the act; amending s.
10 163.2514, F.S.; conforming cross-references to changes
11 made by the act; amending s. 163.2517, F.S.; replacing
12 references to the Department of Community Affairs with
13 state land planning agency; repealing s. 163.2523,
14 F.S., relating to the Urban Infill and Redevelopment
15 Assistance Grant Program; amending s. 163.3167, F.S.;
16 authorizing a local government to retain certain
17 charter provisions that were in effect as of a
18 specified date and that relate to an initiatives or
19 referendum process; amending s. 163.3174, F.S.;
20 requiring a local land planning agency to periodically
21 evaluate a comprehensive plan; amending s. 163.3177,
22 F.S.; making technical and grammatical changes;
23 amending s. 163.3178, F.S.; replacing reference to the
24 Department of Community Affairs with the state land
25 planning agency; deleting provisions relating to the
26 Coastal Resources Interagency Management Committee;
27 amending s. 163.3180, F.S.; deleting provisions
28 excluding a municipality that is not a signatory to a
29 certain interlocal agreement from participating in a

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30 school concurrency system; amending s. 163.3184, F.S.;

31 clarifying the time in which a local government must

32 transmit an amendment to a comprehensive plan to the

33 reviewing agencies; deleting the deadlines in

34 administrative challenges to comprehensive plans and

35 plan amendments for the entry of final orders and

36 referrals of recommended orders; specifying a deadline

37 for the state land planning agency to issue a notice

38 of intent after receiving a complete comprehensive

39 plan or plan amendment adopted pursuant to a

40 compliance agreement; amending s. 163.3191, F.S.;

41 conforming a cross-reference to changes made by the

42 act; amending s. 163.3204, F.S.; replacing a reference

43 to the Department of Community Affairs with the state

44 land planning agency; amending s. 163.3221, F.S.;

45 replacing a reference to the Department of Community

46 Affairs with the Department of Economic Opportunity;

47 amending s. 163.3246, F.S.; replacing a reference to

48 the Department of Community Affairs with the

49 Department of Economic Opportunity; providing for a

50 local government to update its comprehensive plan

51 based on an evaluation and appraisal review; amending

52 s. 163.3247, F.S.; replacing a reference to the

53 Secretary of Community Affairs with the executive

54 director of the state land planning agency; replacing

55 a reference to the Department of Community Affairs

56 with the state land planning agency; amending s.

57 163.336, F.S.; replacing a reference to the Department

58 of Community Affairs with the Department of Economic

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59 Opportunity; amending s. 163.458, F.S.; replacing a
60 reference to the Department of Community Affairs with
61 the Department of Economic Opportunity; amending s.
62 163.460, F.S.; replacing references to the Department
63 of Community Affairs with the Department of Economic
64 Opportunity; amending s. 163.461, F.S.; replacing
65 references to the Department of Community Affairs with
66 the Department of Economic Opportunity; amending s.
67 163.462, F.S.; replacing a reference to the Department
68 of Community Affairs with the Department of Economic
69 Opportunity; amending s. 163.5055, F.S.; replacing
70 references to the Department of Community Affairs with
71 the Department of Economic Opportunity; amending s.
72 163.506, F.S.; replacing a reference to the Department
73 of Community Affairs with the Department of Economic
74 Opportunity; amending s. 163.508, F.S.; replacing a
75 reference to the Department of Community Affairs with
76 the Department of Economic Opportunity; amending s.
77 163.511, F.S.; replacing a reference to the Department
78 of Community Affairs with the Department of Economic
79 Opportunity; amending s. 163.512, F.S.; replacing a
80 reference to the Department of Community Affairs with
81 the Department of Economic Opportunity; amending s.
82 186.002, F.S.; deleting a requirement for the Governor
83 to consider evaluation and appraisal reports in
84 preparing certain plans and amendments; amending s.
85 186.007, F.S.; deleting a requirement for the Governor
86 consider certain evaluation and appraisal reports when
87 reviewing the state comprehensive plan; amending s.

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88 186.505, F.S.; requiring a regional planning council
89 to determine before accepting a grant that the purpose
90 of the grant is in furtherance of its functions;
91 prohibiting a regional planning council from providing
92 consulting services for a fee to any local government
93 for a project for which the council will serve in a
94 review capacity; prohibiting a regional planning
95 council from providing consulting services to a
96 private developer or landowner for a project for which
97 the council may serve in a review capacity in the
98 future; amending s. 186.508, F.S.; requiring regional
99 planning councils to coordinate implementation of the
100 strategic regional policy plans with the evaluation
101 and appraisal process; amending s. 189.415, F.S.;
102 requiring an independent special district to update
103 its public facilities report every 7 years and at
104 least 12 months before the submission date of the
105 evaluation and appraisal notification letter;
106 requiring the Department of Economic Opportunity post
107 a schedule of the due dates for public facilities
108 reports and updates that independent special districts
109 must provide to local governments; amending s.
110 288.975, F.S.; deleting a provision exempting local
111 government plan amendments to initially adopt the
112 military base reuse plan from a limitation on the
113 frequency of plan amendments; amending s. 342.201,
114 F.S.; replacing a reference to the Department of
115 Environmental Protection with the Department of
116 Economic Opportunity; amending s. 380.06, F.S.;

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117 conforming cross-references to changes made by the
118 act; deleting provisions subjecting recreational
119 vehicle parks that increase in area to potential
120 development-of-regional impact review; exempting
121 development within an urban service boundary and
122 development identified in an airport master plan from
123 development-of-regional-impact review under certain
124 circumstances; correcting cross-references; amending
125 s. 1013.33, F.S.; deleting requirements for interlocal
126 agreements relating to public education facilities;
127 conforming cross-references to changes made by the
128 act; amending s. 1013.35, F.S.; conforming cross-
129 references to changes made by the act; amending s.
130 1013.351, F.S.; deleting a requirement for the School
131 for the Deaf and the Blind to send an interlocal
132 agreement with the municipality in which the school is
133 located to the state land planning agency and the
134 Office of Educational Facilities; providing an
135 effective date.

136

137 Be It Enacted by the Legislature of the State of Florida:

138

139 Section 1. Section 163.03, Florida Statutes, is repealed.

140 Section 2. Paragraph (a) of subsection (4) of section

141 163.065, Florida Statutes, is amended to read:

142 163.065 Miami River Improvement Act.—

143 (4) PLAN.—The Miami River Commission, working with the City
144 of Miami and Miami-Dade County, shall consider the merits of the
145 following:

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146 (a) Development and adoption of an urban infill and
147 redevelopment plan, under ss. 163.2511-163.2520 ~~ss. 163.2511-~~
148 ~~163.2523~~, which participating state and regional agencies shall
149 review for the purposes of determining consistency with
150 applicable law.

151 Section 3. Subsection (1) of section 163.2511, Florida
152 Statutes, is amended to read:

153 163.2511 Urban infill and redevelopment.—

154 (1) Sections 163.2511-163.2520 ~~Sections 163.2511-163.2523~~
155 may be cited as the "Growth Policy Act."

156 Section 4. Section 163.2514, Florida Statutes, is amended
157 to read:

158 163.2514 Growth Policy Act; definitions.—As used in ss.
159 163.2511-163.2520 ~~ss. 163.2511-163.2523~~, the term:

160 (1) "Local government" means any county or municipality.

161 (2) "Urban infill and redevelopment area" means an area or
162 areas designated by a local government where:

163 (a) Public services such as water and wastewater,
164 transportation, schools, and recreation are already available or
165 are scheduled to be provided in an adopted 5-year schedule of
166 capital improvements;

167 (b) The area, or one or more neighborhoods within the area,
168 suffers from pervasive poverty, unemployment, and general
169 distress as defined by s. 290.0058;

170 (c) The area exhibits a proportion of properties that are
171 substandard, overcrowded, dilapidated, vacant or abandoned, or
172 functionally obsolete which is higher than the average for the
173 local government;

174 (d) More than 50 percent of the area is within 1/4 mile of

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175 a transit stop, or a sufficient number of transit stops will be
176 made available concurrent with the designation; and

177 (e) The area includes or is adjacent to community
178 redevelopment areas, brownfields, enterprise zones, or Main
179 Street programs, or has been designated by the state or Federal
180 Government as an urban redevelopment, revitalization, or infill
181 area under empowerment zone, enterprise community, or brownfield
182 showcase community programs or similar programs.

183 Section 5. Paragraph (b) of subsection (6) of section
184 163.2517, Florida Statutes, is amended to read:

185 163.2517 Designation of urban infill and redevelopment
186 area.—

187 (6)

188 (b) If the local government fails to implement the urban
189 infill and redevelopment plan in accordance with the deadlines
190 set forth in the plan, the state land planning agency ~~Department~~
191 ~~of Community Affairs~~ may seek to rescind the economic and
192 regulatory incentives granted to the urban infill and
193 redevelopment area, subject to the provisions of chapter 120.
194 The action to rescind may be initiated 90 days after issuing a
195 written letter of warning to the local government.

196 Section 6. Section 163.2523, Florida Statutes, is repealed.

197 Section 7. Subsection (8) of section 163.3167, Florida
198 Statutes, is amended to read:

199 163.3167 Scope of act.—

200 (8) An initiative or referendum process in regard to any
201 development order or in regard to any local comprehensive plan
202 amendment or map amendment is prohibited. However, any local
203 government charter provision that was in effect as of June 1,

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204 2011, for an initiative or referendum process in regard to
205 development orders or in regard to local comprehensive plan
206 amendments or map amendments, may be retained and implemented.

207 Section 8. Paragraph (b) of subsection (4) of section
208 163.3174, Florida Statutes, is amended to read:

209 163.3174 Local planning agency.—

210 (4) The local planning agency shall have the general
211 responsibility for the conduct of the comprehensive planning
212 program. Specifically, the local planning agency shall:

213 (b) Monitor and oversee the effectiveness and status of the
214 comprehensive plan and recommend to the governing body such
215 changes in the comprehensive plan as may from time to time be
216 required, including the periodic evaluation and appraisal of the
217 comprehensive plan ~~preparation of the periodic reports~~ required
218 by s. 163.3191.

219 Section 9. Paragraph (h) of subsection (6) of section
220 163.3177, Florida Statutes, is amended to read:

221 163.3177 Required and optional elements of comprehensive
222 plan; studies and surveys.—

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

225 (h)1. An intergovernmental coordination element showing
226 relationships and stating principles and guidelines to be used
227 in coordinating the adopted comprehensive plan with the plans of
228 school boards, regional water supply authorities, and other
229 units of local government providing services but not having
230 regulatory authority over the use of land, with the
231 comprehensive plans of adjacent municipalities, the county,
232 adjacent counties, or the region, with the state comprehensive

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233 plan and with the applicable regional water supply plan approved
234 pursuant to s. 373.709, as the case may require and as such
235 adopted plans or plans in preparation may exist. This element of
236 the local comprehensive plan must demonstrate consideration of
237 the particular effects of the local plan, when adopted, upon the
238 development of adjacent municipalities, the county, adjacent
239 counties, or the region, or upon the state comprehensive plan,
240 as the case may require.

241 a. The intergovernmental coordination element must provide
242 procedures for identifying and implementing joint planning
243 areas, especially for the purpose of annexation, municipal
244 incorporation, and joint infrastructure service areas.

245 b. The intergovernmental coordination element shall provide
246 for a dispute resolution process, as established pursuant to s.
247 186.509, for bringing intergovernmental disputes to closure in a
248 timely manner.

249 c. The intergovernmental coordination element shall provide
250 for interlocal agreements as established pursuant to s.
251 333.03(1)(b).

252 2. The intergovernmental coordination element shall also
253 state principles and guidelines to be used in coordinating the
254 adopted comprehensive plan with the plans of school boards and
255 other units of local government providing facilities and
256 services but not having regulatory authority over the use of
257 land. In addition, the intergovernmental coordination element
258 must describe joint processes for collaborative planning and
259 decisionmaking on population projections and public school
260 siting, the location and extension of public facilities subject
261 to concurrency, and siting facilities with countywide

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262 significance, including locally unwanted land uses whose nature
263 and identity are established in an agreement.

264 3. Within 1 year after adopting their intergovernmental
265 coordination elements, each county, all the municipalities
266 within that county, the district school board, and any unit of
267 local government service providers in that county shall
268 establish by interlocal or other formal agreement executed by
269 all affected entities, the joint processes described in this
270 subparagraph consistent with their adopted intergovernmental
271 coordination elements. The agreement ~~element~~ must:

272 a. Ensure that the local government addresses through
273 coordination mechanisms the impacts of development proposed in
274 the local comprehensive plan upon development in adjacent
275 municipalities, the county, adjacent counties, the region, and
276 the state. The area of concern for municipalities includes ~~shall~~
277 ~~include~~ adjacent municipalities, the county, and counties
278 adjacent to the municipality. The area of concern for counties
279 includes ~~shall include~~ all municipalities within the county,
280 adjacent counties, and adjacent municipalities.

281 b. Ensure coordination in establishing level of service
282 standards for public facilities with any state, regional, or
283 local entity having operational and maintenance responsibility
284 for such facilities.

285 Section 10. Subsections (3) and (6) of section 163.3178,
286 Florida Statutes, are amended to read:

287 163.3178 Coastal management.—

288 (3) Expansions to port harbors, spoil disposal sites,
289 navigation channels, turning basins, harbor berths, and other
290 related inwater harbor facilities of ports listed in s.

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291 403.021(9); port transportation facilities and projects listed
292 in s. 311.07(3)(b); intermodal transportation facilities
293 identified pursuant to s. 311.09(3); and facilities determined
294 by the state land planning agency ~~Department of Community~~
295 ~~Affairs~~ and applicable general-purpose local government to be
296 port-related industrial or commercial projects located within 3
297 miles of or in a port master plan area which rely upon the use
298 of port and intermodal transportation facilities may ~~shall~~ not
299 be designated as developments of regional impact if such
300 expansions, projects, or facilities are consistent with
301 comprehensive master plans that are in compliance with this
302 section.

303 (6) Local governments are encouraged to adopt countywide
304 marina siting plans to designate sites for existing and future
305 marinas. ~~The Coastal Resources Interagency Management Committee,~~
306 ~~at the direction of the Legislature, shall identify incentives~~
307 ~~to encourage local governments to adopt such siting plans and~~
308 ~~uniform criteria and standards to be used by local governments~~
309 ~~to implement state goals, objectives, and policies relating to~~
310 ~~marina siting. These criteria must ensure that priority is given~~
311 ~~to water-dependent land uses. Countywide marina siting plans~~
312 ~~must be consistent with state and regional environmental~~
313 ~~planning policies and standards. Each local government in the~~
314 coastal area which participates in adoption of a countywide
315 marina siting plan shall incorporate the plan into the coastal
316 management element of its local comprehensive plan.

317 Section 11. Paragraphs (a) and (i) of subsection (6) of
318 section 163.3180, Florida Statutes, are amended, and paragraphs
319 (j) and (k) of that subsection are redesignated as paragraphs

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320 (i) and (j), respectively, to read:

321 163.3180 Concurrency.-

322 (6) (a) ~~If concurrency is applied to public education~~
323 ~~facilities,~~ All local governments that apply concurrency to
324 public education facilities within a county, except as provided
325 ~~in paragraph (i),~~ shall include principles, guidelines,
326 standards, and strategies, including adopted levels of service,
327 in their comprehensive plans and interlocal agreements. If the
328 county and one or more municipalities have adopted school
329 concurrency into their comprehensive plan and interlocal
330 agreement that represents at least 80 percent of the total
331 countywide population, the choice failure of one or more
332 municipalities to adopt the concurrency and enter into the
333 interlocal agreement does not preclude implementation of school
334 concurrency within jurisdictions of the school district that
335 have opted to implement concurrency. All local government
336 provisions included in comprehensive plans regarding school
337 concurrency within a county must be consistent with each other
338 and as well as the requirements of this part.

339 ~~(i) A municipality is not required to be a signatory to the~~
340 ~~interlocal agreement required by paragraph (j), as a~~
341 ~~prerequisite for imposition of school concurrency, and as a~~
342 ~~nonsignatory, may not participate in the adopted local school~~
343 ~~concurrency system, if the municipality meets all of the~~
344 ~~following criteria for having no significant impact on school~~
345 ~~attendance:~~

346 1. ~~The municipality has issued development orders for fewer~~
347 ~~than 50 residential dwelling units during the preceding 5 years,~~
348 ~~or the municipality has generated fewer than 25 additional~~

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349 ~~public school students during the preceding 5 years.~~

350 ~~2. The municipality has not annexed new land during the~~
351 ~~preceding 5 years in land use categories which permit~~
352 ~~residential uses that will affect school attendance rates.~~

353 ~~3. The municipality has no public schools located within~~
354 ~~its boundaries.~~

355 ~~4. At least 80 percent of the developable land within the~~
356 ~~boundaries of the municipality has been built upon.~~

357 Section 12. Paragraph (b) of subsection (3), paragraphs (d)
358 and (e) of subsection (5), paragraph (f) of subsection (6), and
359 paragraph (d) of subsection (7) of section 163.3184, Florida
360 Statutes, are amended to read:

361 163.3184 Process for adoption of comprehensive plan or plan
362 amendment.—

363 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF
364 COMPREHENSIVE PLAN AMENDMENTS.—

365 (b)1. The local government, after the initial public
366 hearing held pursuant to subsection (11), shall transmit within
367 10 calendar days the amendment or amendments and appropriate
368 supporting data and analyses to the reviewing agencies. The
369 local governing body shall also transmit a copy of the
370 amendments and supporting data and analyses to any other local
371 government or governmental agency that has filed a written
372 request with the governing body.

373 2. The reviewing agencies and any other local government or
374 governmental agency specified in subparagraph 1. may provide
375 comments regarding the amendment or amendments to the local
376 government. State agencies shall only comment on important state
377 resources and facilities that will be adversely impacted by the

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378 amendment if adopted. Comments provided by state agencies shall
379 state with specificity how the plan amendment will adversely
380 impact an important state resource or facility and shall
381 identify measures the local government may take to eliminate,
382 reduce, or mitigate the adverse impacts. Such comments, if not
383 resolved, may result in a challenge by the state land planning
384 agency to the plan amendment. Agencies and local governments
385 must transmit their comments to the affected local government
386 such that they are received by the local government not later
387 than 30 days after ~~from~~ the date on which the agency or
388 government received the amendment or amendments. Reviewing
389 agencies shall also send a copy of their comments to the state
390 land planning agency.

391 3. Comments to the local government from a regional
392 planning council, county, or municipality shall be limited as
393 follows:

394 a. The regional planning council review and comments shall
395 be limited to adverse effects on regional resources or
396 facilities identified in the strategic regional policy plan and
397 extrajurisdictional impacts that would be inconsistent with the
398 comprehensive plan of any affected local government within the
399 region. A regional planning council may not review and comment
400 on a proposed comprehensive plan amendment prepared by such
401 council unless the plan amendment has been changed by the local
402 government subsequent to the preparation of the plan amendment
403 by the regional planning council.

404 b. County comments shall be in the context of the
405 relationship and effect of the proposed plan amendments on the
406 county plan.

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407 c. Municipal comments shall be in the context of the
408 relationship and effect of the proposed plan amendments on the
409 municipal plan.

410 d. Military installation comments shall be provided in
411 accordance with s. 163.3175.

412 4. Comments to the local government from state agencies
413 shall be limited to the following subjects as they relate to
414 important state resources and facilities that will be adversely
415 impacted by the amendment if adopted:

416 a. The Department of Environmental Protection shall limit
417 its comments to the subjects of air and water pollution;
418 wetlands and other surface waters of the state; federal and
419 state-owned lands and interest in lands, including state parks,
420 greenways and trails, and conservation easements; solid waste;
421 water and wastewater treatment; and the Everglades ecosystem
422 restoration.

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

425 c. The Department of Transportation shall limit its
426 comments to issues within the agency's jurisdiction as it
427 relates to transportation resources and facilities of state
428 importance.

429 d. The Fish and Wildlife Conservation Commission shall
430 limit its comments to subjects relating to fish and wildlife
431 habitat and listed species and their habitat.

432 e. The Department of Agriculture and Consumer Services
433 shall limit its comments to the subjects of agriculture,
434 forestry, and aquaculture issues.

435 f. The Department of Education shall limit its comments to

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436 the subject of public school facilities.

437 g. The appropriate water management district shall limit
438 its comments to flood protection and floodplain management,
439 wetlands and other surface waters, and regional water supply.

440 h. The state land planning agency shall limit its comments
441 to important state resources and facilities outside the
442 jurisdiction of other commenting state agencies and may include
443 comments on countervailing planning policies and objectives
444 served by the plan amendment that should be balanced against
445 potential adverse impacts to important state resources and
446 facilities.

447 (5) ADMINISTRATIVE CHALLENGES TO PLANS AND PLAN
448 AMENDMENTS.—

449 (d) If the administrative law judge recommends that the
450 amendment be found not in compliance, the judge shall submit the
451 recommended order to the Administration Commission for final
452 agency action. ~~The Administration Commission shall enter a final
453 order within 45 days after its receipt of the recommended order.~~

454 (e) If the administrative law judge recommends that the
455 amendment be found in compliance, the judge shall submit the
456 recommended order to the state land planning agency.

457 1. If the state land planning agency determines that the
458 plan amendment should be found not in compliance, the agency
459 shall refer, ~~within 30 days after receipt of the recommended
460 order,~~ the recommended order and its determination to the
461 Administration Commission for final agency action.

462 2. If the state land planning agency determines that the
463 plan amendment should be found in compliance, the agency shall
464 enter its final order ~~not later than 30 days after receipt of~~

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465 ~~the recommended order.~~

466 (6) COMPLIANCE AGREEMENT.—

467 (f) For challenges to amendments adopted under the state
468 coordinated process, the state land planning agency, ~~upon~~
469 ~~receipt of a plan or plan amendment adopted pursuant to a~~
470 ~~compliance agreement,~~ shall issue a cumulative notice of intent
471 addressing both the remedial amendment and the plan or plan
472 amendment that was the subject of the agreement within 30 days
473 after receiving a complete plan or plan amendment adopted
474 pursuant to a compliance agreement.

475 1. If the local government adopts a comprehensive plan or
476 plan amendment pursuant to a compliance agreement and a notice
477 of intent to find the plan amendment in compliance is issued,
478 the state land planning agency shall forward the notice of
479 intent to the Division of Administrative Hearings and the
480 administrative law judge shall realign the parties in the
481 pending proceeding under ss. 120.569 and 120.57, which shall
482 thereafter be governed by the process contained in paragraph
483 (5) (a) and subparagraph (5) (c)1., including provisions relating
484 to challenges by an affected person, burden of proof, and issues
485 of a recommended order and a final order. Parties to the
486 original proceeding at the time of realignment may continue as
487 parties without being required to file additional pleadings to
488 initiate a proceeding, but may timely amend their pleadings to
489 raise any challenge to the amendment that is the subject of the
490 cumulative notice of intent, and must otherwise conform to the
491 rules of procedure of the Division of Administrative Hearings.
492 Any affected person not a party to the realigned proceeding may
493 challenge the plan amendment that is the subject of the

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494 cumulative notice of intent by filing a petition with the agency
495 as provided in subsection (5). The agency shall forward the
496 petition filed by the affected person not a party to the
497 realigned proceeding to the Division of Administrative Hearings
498 for consolidation with the realigned proceeding. If the
499 cumulative notice of intent is not challenged, the state land
500 planning agency shall request that the Division of
501 Administrative Hearings relinquish jurisdiction to the state
502 land planning agency for issuance of a final order.

503 2. If the local government adopts a comprehensive plan
504 amendment pursuant to a compliance agreement and a notice of
505 intent is issued that finds the plan amendment not in
506 compliance, the state land planning agency shall forward the
507 notice of intent to the Division of Administrative Hearings,
508 which shall consolidate the proceeding with the pending
509 proceeding and immediately set a date for a hearing in the
510 pending proceeding under ss. 120.569 and 120.57. Affected
511 persons who are not a party to the underlying proceeding under
512 ss. 120.569 and 120.57 may challenge the plan amendment adopted
513 pursuant to the compliance agreement by filing a petition
514 pursuant to paragraph (5) (a).

515 (7) MEDIATION AND EXPEDITIOUS RESOLUTION.—

516 ~~(d) Absent a showing of extraordinary circumstances, the~~
517 ~~Administration Commission shall issue a final order, in a case~~
518 ~~proceeding under subsection (5), within 45 days after the~~
519 ~~issuance of the recommended order, unless the parties agree in~~
520 ~~writing to a longer time.~~

521 Section 13. Subsection (3) of section 163.3191, Florida
522 Statutes, is amended to read:

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523 163.3191 Evaluation and appraisal of comprehensive plan.—

524 (3) Local governments are encouraged to comprehensively
525 evaluate and, as necessary, update comprehensive plans to
526 reflect changes in local conditions. Plan amendments transmitted
527 pursuant to this section shall be reviewed pursuant to ~~in~~
528 ~~accordance with~~ s. 163.3184(4).

529 Section 14. Section 163.3204, Florida Statutes, is amended
530 to read:

531 163.3204 Cooperation by state and regional agencies.—The
532 state land planning agency ~~Department of Community Affairs~~ and
533 any ad hoc working groups appointed by the department and all
534 state and regional agencies involved in the administration and
535 implementation of the Community Planning ~~this~~ Act shall
536 cooperate and work with units of local government in the
537 preparation and adoption of comprehensive plans, or elements or
538 portions thereof, and of local land development regulations.

539 Section 15. Subsection (14) of section 163.3221, Florida
540 Statutes, is amended to read:

541 163.3221 Florida Local Government Development Agreement
542 Act; definitions.—As used in ss. 163.3220-163.3243:

543 (14) "State land planning agency" means the Department of
544 Economic Opportunity ~~Community Affairs~~.

545 Section 16. Subsections (1) and (12) of section 163.3246,
546 Florida Statutes, are amended to read:

547 163.3246 Local government comprehensive planning
548 certification program.—

549 (1) There is created the Local Government Comprehensive
550 Planning Certification Program to be administered by the state
551 land planning agency ~~Department of Community Affairs~~. The

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552 purpose of the program is to create a certification process for
553 local governments who identify a geographic area for
554 certification within which they commit to directing growth and
555 who, because of a demonstrated record of effectively adopting,
556 implementing, and enforcing its comprehensive plan, the level of
557 technical planning experience exhibited by the local government,
558 and a commitment to implement exemplary planning practices,
559 require less state and regional oversight of the comprehensive
560 plan amendment process. The purpose of the certification area is
561 to designate areas that are contiguous, compact, and appropriate
562 for urban growth and development within a 10-year planning
563 timeframe. Municipalities and counties are encouraged to jointly
564 establish the certification area, and subsequently enter into
565 joint certification agreement with the department.

566 (12) A local government's certification shall be reviewed
567 by the local government and the department as part of the
568 evaluation and appraisal process pursuant to s. 163.3191. Within
569 1 year after the deadline for the local government to update its
570 comprehensive plan based on the evaluation and appraisal review
571 ~~report~~, the department shall renew or revoke the certification.
572 The local government's failure to timely adopt necessary
573 amendments to update its comprehensive plan based on an
574 evaluation and appraisal, which are found to be in compliance by
575 the department, shall be cause for revoking the certification
576 agreement. The department's decision to renew or revoke shall be
577 considered agency action subject to challenge under s. 120.569.

578 Section 17. Paragraphs (a) and (b) of subsection (5) of
579 section 163.3247, Florida Statutes, are amended to read:

580 163.3247 Century Commission for a Sustainable Florida.—

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581 (5) EXECUTIVE DIRECTOR; STAFF AND OTHER ASSISTANCE.—

582 (a) The executive director of the state land planning
 583 agency ~~Secretary of Community Affairs~~ shall select an executive
 584 director of the commission, and the executive director of the
 585 commission shall serve at the pleasure of the executive director
 586 of the state land planning agency ~~secretary~~ under the
 587 supervision and control of the commission.

588 (b) The state land planning agency ~~Department of Community~~
 589 ~~Affairs~~ shall provide staff and other resources necessary to
 590 accomplish the goals of the commission based upon
 591 recommendations of the Governor.

592 Section 18. Paragraph (c) of subsection (2) of section
 593 163.336, Florida Statutes, is amended to read:

594 163.336 Coastal resort area redevelopment pilot project.—

595 (2) PILOT PROJECT ADMINISTRATION.—

596 (c) The Office of the Governor, Department of Environmental
 597 Protection, and the Department of Economic Opportunity ~~Community~~
 598 ~~Affairs~~ are directed to provide technical assistance to expedite
 599 permitting for redevelopment projects and construction
 600 activities within the pilot project areas consistent with the
 601 principles, processes, and timeframes provided in s. 403.973.

602 Section 19. Section 163.458, Florida Statutes, is amended
 603 to read:

604 163.458 Three-tiered plan.—The Department of Economic
 605 Opportunity ~~may Community Affairs is authorized to~~ award core
 606 administrative and operating grants. Administrative and
 607 operating grants shall be used for staff salaries and
 608 administrative expenses for eligible community-based development
 609 organizations selected through a competitive three-tiered

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610 process for the purpose of housing and economic development
611 projects. The department shall adopt by rule a set of criteria
612 for three-tiered funding which ~~that~~ shall ensure equitable
613 geographic distribution of the funding throughout the state.
614 This three-tiered plan shall include emerging, intermediate, and
615 mature community-based development organizations recognizing the
616 varying needs of the three tiers. Funding shall be provided for
617 core administrative and operating grants for all levels of
618 community-based development organizations. Priority shall be
619 given to those organizations that demonstrate community-based
620 productivity and high performance as evidenced by past projects
621 developed with stakeholder input that have responded to
622 neighborhood needs, and have current projects located in high-
623 poverty neighborhoods, and to emerging community-based
624 development corporations that demonstrate a positive need
625 identified by stakeholders. Persons, equipment, supplies, and
626 other resources funded in whole or in part by grant funds shall
627 be used ~~utilized~~ to further the purposes of the Community-Based
628 Development Organization Assistance ~~this~~ Act, and may be used
629 ~~utilized~~ to further the goals and objectives of the Front Porch
630 Florida Initiative. Each community-based development
631 organization shall be eligible to apply for a grant of up to
632 \$50,000 per year for a period of 5 years.

633 Section 20. Subsection (5) of section 163.460, Florida
634 Statutes, is amended to read:

635 163.460 Application requirements.—A community-based
636 development organization applying for a core administrative and
637 operating grant pursuant to the Community-Based Development
638 Organization Assistance ~~this~~ Act must submit a proposal to the

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639 Department of Economic Opportunity ~~Community Affairs~~ that
640 includes:

641 (5) Other supporting information that may be required by
642 the Department of Economic Opportunity ~~Community Affairs~~ to
643 determine the organization's capacity and productivity.

644 Section 21. Subsection (14) of section 163.461, Florida
645 Statutes, is amended to read:

646 163.461 Reporting and evaluation requirements.—Community-
647 based development organizations that receive funds under the
648 Community-Based Development Organization Assistance ~~this~~ Act
649 shall provide the following information to the Department of
650 Economic Opportunity ~~Community Affairs~~ annually:

651 (14) Such other information as the Department of Economic
652 Opportunity ~~Community Affairs~~ requires.

653 Section 22. Section 163.462, Florida Statutes, is amended
654 to read:

655 163.462 Rulemaking authority.—The Department of Economic
656 Opportunity ~~Community Affairs~~ shall adopt rules for the
657 administration of the Community-Based Development Organization
658 Assistance ~~this~~ Act.

659 Section 23. Subsection (1) of section 163.5055, Florida
660 Statutes, is amended to read:

661 163.5055 Registration of district establishment; notice of
662 dissolution.—

663 (1) (a) Each neighborhood improvement district authorized
664 and established under this part shall within 30 days thereof
665 register with both the Department of Economic Opportunity
666 ~~Community Affairs~~ and the Department of Legal Affairs by
667 providing these departments with the district's name, location,

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668 size, and type, and such other information as the departments
669 may require.

670 (b) Each local governing body that ~~which~~ authorizes the
671 dissolution of a district shall notify both the Department of
672 Economic Opportunity ~~Community Affairs~~ and the Department of
673 Legal Affairs within 30 days after the dissolution of the
674 district.

675 Section 24. Paragraph (h) of subsection (1) of section
676 163.506, Florida Statutes, is amended to read:

677 163.506 Local government neighborhood improvement
678 districts; creation; advisory council; dissolution.—

679 (1) After a local planning ordinance has been adopted
680 authorizing the creation of local government neighborhood
681 improvement districts, the local governing body of a
682 municipality or county may create local government neighborhood
683 improvement districts by the enactment of a separate ordinance
684 for each district, which ordinance:

685 (h) Requires the district to notify the Department of Legal
686 Affairs and the Department of Economic Opportunity ~~Community~~
687 ~~Affairs~~ in writing of its establishment within 30 days thereof
688 pursuant to s. 163.5055.

689 Section 25. Paragraph (g) of subsection (1) of section
690 163.508, Florida Statutes, is amended to read:

691 163.508 Property owners' association neighborhood
692 improvement districts; creation; powers and duties; duration.—

693 (1) After a local planning ordinance has been adopted
694 authorizing the creation of property owners' association
695 neighborhood improvement districts, the local governing body of
696 a municipality or county may create property owners' association

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697 neighborhood improvement districts by the enactment of a
698 separate ordinance for each district, which ordinance:

699 (g) Requires the district to notify the Department of Legal
700 Affairs and the Department of Economic Opportunity Community
701 ~~Affairs~~ in writing of its establishment within 30 days thereof
702 pursuant to s. 163.5055.

703 Section 26. Paragraph (i) of subsection (1) of section
704 163.511, Florida Statutes, is amended to read:

705 163.511 Special neighborhood improvement districts;
706 creation; referendum; board of directors; duration; extension.-

707 (1) After a local planning ordinance has been adopted
708 authorizing the creation of special neighborhood improvement
709 districts, the governing body of a municipality or county may
710 declare the need for and create special residential or business
711 neighborhood improvement districts by the enactment of a
712 separate ordinance for each district, which ordinance:

713 (i) Requires the district to notify the Department of Legal
714 Affairs and the Department of Economic Opportunity Community
715 ~~Affairs~~ in writing of its establishment within 30 days thereof
716 pursuant to s. 163.5055.

717 Section 27. Paragraph (i) of subsection (1) of section
718 163.512, Florida Statutes, is amended to read:

719 163.512 Community redevelopment neighborhood improvement
720 districts; creation; advisory council; dissolution.-

721 (1) Upon the recommendation of the community redevelopment
722 agency and after a local planning ordinance has been adopted
723 authorizing the creation of community redevelopment neighborhood
724 improvement districts, the local governing body of a
725 municipality or county may create community redevelopment

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726 neighborhood improvement districts by the enactment of a
727 separate ordinance for each district, which ordinance:

728 (i) Requires the district to notify the Department of Legal
729 Affairs and the Department of Economic Opportunity Community
730 ~~Affairs~~ in writing of its establishment within 30 days thereof
731 pursuant to s. 163.5055.

732 Section 28. Paragraph (d) of subsection (2) of section
733 186.002, Florida Statutes, is amended to read:

734 186.002 Findings and intent.—

735 (2) It is the intent of the Legislature that:

736 (d) The state planning process ~~shall~~ be informed and guided
737 by the experience of public officials at all levels of
738 government. ~~In preparing any plans or proposed revisions or~~
739 ~~amendments required by this chapter, the Governor shall consider~~
740 ~~the experience of and information provided by local governments~~
741 ~~in their evaluation and appraisal reports pursuant to s.~~
742 ~~163.3191.~~

743 Section 29. Subsection (8) of section 186.007, Florida
744 Statutes, is amended to read:

745 186.007 State comprehensive plan; preparation; revision.—

746 (8) The revision of the state comprehensive plan is a
747 continuing process. Each section of the plan shall be reviewed
748 and analyzed biennially by the Executive Office of the Governor
749 in conjunction with the planning officers of other state
750 agencies significantly affected by the provisions of the
751 particular section under review. In conducting this review and
752 analysis, the Executive Office of the Governor shall review and
753 consider, with the assistance of the state land planning agency
754 and regional planning councils, ~~the evaluation and appraisal~~

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755 ~~reports submitted pursuant to s. 163.3191 and the~~ evaluation and
756 appraisal reports prepared pursuant to s. 186.511. Any necessary
757 revisions of the state comprehensive plan shall be proposed by
758 the Governor in a written report and be accompanied by an
759 explanation of the need for such changes. If the Governor
760 determines that changes are unnecessary, the written report must
761 explain why changes are unnecessary. The proposed revisions and
762 accompanying explanations may be submitted in the report
763 required by s. 186.031. Any proposed revisions to the plan shall
764 be submitted to the Legislature as provided in s. 186.008(2) at
765 least 30 days prior to the regular legislative session occurring
766 in each even-numbered year.

767 Section 30. Subsections (8) and (20) of section 186.505,
768 Florida Statutes, are amended to read:

769 186.505 Regional planning councils; powers and duties.—Any
770 regional planning council created hereunder shall have the
771 following powers:

772 (8) To accept and receive, in furtherance of its functions,
773 funds, grants, and services from the Federal Government or its
774 agencies; from departments, agencies, and instrumentalities of
775 state, municipal, or local government; or from private or civic
776 sources, except as prohibited by subsection (20). Each regional
777 planning council shall render an accounting of the receipt and
778 disbursement of all funds received by it, pursuant to the
779 federal Older Americans Act, to the Legislature no later than
780 March 1 of each year. Before accepting a grant, a regional
781 planning council must make a formal public determination that
782 the purpose of the grant is in furtherance of the council's
783 functions and will not diminish the council's ability to fund

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784 and accomplish its statutory functions.

785 (20) To provide technical assistance to local governments
786 on growth management matters. However, a regional planning
787 council may not provide consulting services for a fee to a local
788 government for a project for which the council also serves in a
789 review capacity or provide consulting services to a private
790 developer or landowner for a project for which the council may
791 also serve in a review capacity in the future.

792 Section 31. Subsection (1) of section 186.508, Florida
793 Statutes, is amended to read:

794 186.508 Strategic regional policy plan adoption;
795 consistency with state comprehensive plan.—

796 (1) Each regional planning council shall submit to the
797 Executive Office of the Governor its proposed strategic regional
798 policy plan on a schedule established by the Executive Office of
799 the Governor to coordinate implementation of the strategic
800 regional policy plans with the evaluation and appraisal process
801 ~~reports~~ required by s. 163.3191. The Executive Office of the
802 Governor, or its designee, shall review the proposed strategic
803 regional policy plan to ensure consistency with the adopted
804 state comprehensive plan and shall, within 60 days, provide any
805 recommended revisions. The Governor's recommended revisions
806 shall be included in the plans in a comment section. However,
807 nothing in this section precludes ~~herein shall preclude~~ a
808 regional planning council from adopting or rejecting any or all
809 of the revisions as a part of its plan before ~~prior to~~ the
810 effective date of the plan. The rules adopting the strategic
811 regional policy plan are ~~shall~~ not be subject to rule challenge
812 under s. 120.56(2) or to drawout proceedings under s.

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813 120.54(3)(c)2., but, once adopted, are ~~shall be~~ subject to an
814 invalidity challenge under s. 120.56(3) by substantially
815 affected persons, including the Executive Office of the
816 Governor. The rules shall be adopted by the regional planning
817 councils, and ~~shall~~ become effective upon filing with the
818 Department of State, notwithstanding the provisions of s.
819 120.54(3)(e)6.

820 Section 32. Paragraph (a) of subsection (2) of section
821 189.415, Florida Statutes, is amended to read:

822 189.415 Special district public facilities report.—

823 (2) Each independent special district shall submit to each
824 local general-purpose government in which it is located a public
825 facilities report and an annual notice of any changes. The
826 public facilities report shall specify the following
827 information:

828 (a) A description of existing public facilities owned or
829 operated by the special district, and each public facility that
830 is operated by another entity, except a local general-purpose
831 government, through a lease or other agreement with the special
832 district. This description shall include the current capacity of
833 the facility, the current demands placed upon it, and its
834 location. This information shall be required in the initial
835 report and updated every 7 ~~5~~ years at least 12 months before
836 ~~prior to~~ the submission date of the evaluation and appraisal
837 notification letter ~~report~~ of the appropriate local government
838 required by s. 163.3191. The department shall post a schedule on
839 its website, based on the evaluation and appraisal notification
840 schedule prepared pursuant to s. 163.3191(5), for use by a
841 special district to determine when its public facilities report

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842 and updates to that report are due to the local general-purpose
843 governments in which the special district is located. ~~At least~~
844 ~~12 months prior to the date on which each special district's~~
845 ~~first updated report is due, the department shall notify each~~
846 ~~independent district on the official list of special districts~~
847 ~~compiled pursuant to s. 189.4035 of the schedule for submission~~
848 ~~of the evaluation and appraisal report by each local government~~
849 ~~within the special district's jurisdiction.~~

850 Section 33. Subsection (5) of section 288.975, Florida
851 Statutes, is amended to read:

852 288.975 Military base reuse plans.—

853 (5) At the discretion of the host local government, the
854 provisions of this act may be complied with through the adoption
855 of the military base reuse plan as a separate component of the
856 local government comprehensive plan or through simultaneous
857 amendments to all pertinent portions of the local government
858 comprehensive plan. Once adopted and approved in accordance with
859 this section, the military base reuse plan shall be considered
860 to be part of the host local government's comprehensive plan and
861 shall be thereafter implemented, amended, and reviewed pursuant
862 to ~~in accordance with the provisions of part II of chapter 163.~~
863 ~~Local government comprehensive plan amendments necessary to~~
864 ~~initially adopt the military base reuse plan shall be exempt~~
865 ~~from the limitation on the frequency of plan amendments~~
866 ~~contained in s. 163.3187(1).~~

867 Section 34. Subsection (1) of section 342.201, Florida
868 Statutes, is amended to read:

869 342.201 Waterfronts Florida Program.—

870 (1) There is established within the Department of Economic

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871 Opportunity ~~Environmental Protection~~ the Waterfronts Florida
872 Program to provide technical assistance and support to
873 communities in revitalizing waterfront areas in this state.

874 Section 35. Paragraph (b) of subsection (6), paragraph (b)
875 of subsection (19), paragraphs (l) and (q) of subsection (24),
876 and paragraphs (b) and (c) of subsection (29) of section 380.06,
877 Florida Statutes, are amended to read:

878 380.06 Developments of regional impact.—

879 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT
880 PLAN AMENDMENTS.—

881 (b) Any local government comprehensive plan amendments
882 related to a proposed development of regional impact, including
883 any changes proposed under subsection (19), may be initiated by
884 a local planning agency or the developer and must be considered
885 by the local governing body at the same time as the application
886 for development approval using the procedures provided for local
887 plan amendment in s. 163.3187 and applicable local ordinances,
888 without regard to local limits on the frequency of consideration
889 of amendments to the local comprehensive plan. This paragraph
890 does not require favorable consideration of a plan amendment
891 solely because it is related to a development of regional
892 impact. The procedure for processing such comprehensive plan
893 amendments is as follows:

894 1. If a developer seeks a comprehensive plan amendment
895 related to a development of regional impact, the developer must
896 so notify in writing the regional planning agency, the
897 applicable local government, and the state land planning agency
898 no later than the date of preapplication conference or the
899 submission of the proposed change under subsection (19).

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900 2. When filing the application for development approval or
901 the proposed change, the developer must include a written
902 request for comprehensive plan amendments that would be
903 necessitated by the development-of-regional-impact approvals
904 sought. That request must include data and analysis upon which
905 the applicable local government can determine whether to
906 transmit the comprehensive plan amendment pursuant to s.
907 163.3184.

908 3. The local government must advertise a public hearing on
909 the transmittal within 30 days after filing the application for
910 development approval or the proposed change and must make a
911 determination on the transmittal within 60 days after the
912 initial filing unless that time is extended by the developer.

913 4. If the local government approves the transmittal,
914 procedures set forth in s. 163.3184 (3) (b) and (c) ~~(4) (b) (d)~~ must
915 be followed.

916 5. Notwithstanding subsection (11) or subsection (19), the
917 local government may not hold a public hearing on the
918 application for development approval or the proposed change or
919 on the comprehensive plan amendments sooner than 30 days after
920 ~~from~~ receipt of the response from the state land planning agency
921 pursuant to s. 163.3184 (3) (c) 1. ~~(4) (d)~~.

922 6. The local government must hear both the application for
923 development approval or the proposed change and the
924 comprehensive plan amendments at the same hearing. However, the
925 local government must take action separately on the application
926 for development approval or the proposed change and on the
927 comprehensive plan amendments.

928 7. Thereafter, the appeal process for the local government

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929 development order must follow the provisions of s. 380.07, and
930 the compliance process for the comprehensive plan amendments
931 must follow the provisions of s. 163.3184.

932 (19) SUBSTANTIAL DEVIATIONS.—

933 (b) Any proposed change to a previously approved
934 development of regional impact or development order condition
935 which, either individually or cumulatively with other changes,
936 exceeds any of the following criteria shall constitute a
937 substantial deviation and shall cause the development to be
938 subject to further development-of-regional-impact review without
939 the necessity for a finding of same by the local government:

940 1. An increase in the number of parking spaces at an
941 attraction or recreational facility by 15 percent or 500 spaces,
942 whichever is greater, or an increase in the number of spectators
943 that may be accommodated at such a facility by 15 percent or
944 1,500 spectators, whichever is greater.

945 2. A new runway, a new terminal facility, a 25-percent
946 lengthening of an existing runway, or a 25-percent increase in
947 the number of gates of an existing terminal, but only if the
948 increase adds at least three additional gates.

949 3. An increase in land area for office development by 15
950 percent or an increase of gross floor area of office development
951 by 15 percent or 100,000 gross square feet, whichever is
952 greater.

953 4. An increase in the number of dwelling units by 10
954 percent or 55 dwelling units, whichever is greater.

955 5. An increase in the number of dwelling units by 50
956 percent or 200 units, whichever is greater, provided that 15
957 percent of the proposed additional dwelling units are dedicated

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958 to affordable workforce housing, subject to a recorded land use
959 restriction that shall be for a period of not less than 20 years
960 and that includes resale provisions to ensure long-term
961 affordability for income-eligible homeowners and renters and
962 provisions for the workforce housing to be commenced prior to
963 the completion of 50 percent of the market rate dwelling. For
964 purposes of this subparagraph, the term "affordable workforce
965 housing" means housing that is affordable to a person who earns
966 less than 120 percent of the area median income, or less than
967 140 percent of the area median income if located in a county in
968 which the median purchase price for a single-family existing
969 home exceeds the statewide median purchase price of a single-
970 family existing home. For purposes of this subparagraph, the
971 term "statewide median purchase price of a single-family
972 existing home" means the statewide purchase price as determined
973 in the Florida Sales Report, Single-Family Existing Homes,
974 released each January by the Florida Association of Realtors and
975 the University of Florida Real Estate Research Center.

976 6. An increase in commercial development by 60,000 square
977 feet of gross floor area or of parking spaces provided for
978 customers for 425 cars or a 10-percent increase, whichever is
979 greater.

980 ~~7. An increase in a recreational vehicle park area by 10~~
981 ~~percent or 110 vehicle spaces, whichever is less.~~

982 ~~7.8.~~ A decrease in the area set aside for open space of 5
983 percent or 20 acres, whichever is less.

984 ~~8.9.~~ A proposed increase to an approved multiuse
985 development of regional impact where the sum of the increases of
986 each land use as a percentage of the applicable substantial

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987 deviation criteria is equal to or exceeds 110 percent. The
988 percentage of any decrease in the amount of open space shall be
989 treated as an increase for purposes of determining when 110
990 percent has been reached or exceeded.

991 ~~9.10.~~ A 15-percent increase in the number of external
992 vehicle trips generated by the development above that which was
993 projected during the original development-of-regional-impact
994 review.

995 ~~10.11.~~ Any change which would result in development of any
996 area which was specifically set aside in the application for
997 development approval or in the development order for
998 preservation or special protection of endangered or threatened
999 plants or animals designated as endangered, threatened, or
1000 species of special concern and their habitat, any species
1001 protected by 16 U.S.C. ss. 668a-668d, primary dunes, or
1002 archaeological and historical sites designated as significant by
1003 the Division of Historical Resources of the Department of State.
1004 The refinement of the boundaries and configuration of such areas
1005 shall be considered under sub-subparagraph (e)2.j.

1006
1007 The substantial deviation numerical standards in subparagraphs
1008 3., 6., and 8. ~~9.~~, excluding residential uses, and in
1009 subparagraph 9. ~~10.~~, are increased by 100 percent for a project
1010 certified under s. 403.973 which creates jobs and meets criteria
1011 established by the Office of Tourism, Trade, and Economic
1012 Development as to its impact on an area's economy, employment,
1013 and prevailing wage and skill levels. The substantial deviation
1014 numerical standards in subparagraphs 3., 4., 5., 6., ~~9.~~ and 8.
1015 ~~10.~~ are increased by 50 percent for a project located wholly

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1016 within an urban infill and redevelopment area designated on the
 1017 applicable adopted local comprehensive plan future land use map
 1018 and not located within the coastal high hazard area.

1019 (24) STATUTORY EXEMPTIONS.—

1020 (1) Any proposed development within an urban service
 1021 boundary established under s. 163.3177(14) (2010), which is not
 1022 otherwise exempt pursuant to subsection (29), is exempt from
 1023 this section if the local government having jurisdiction over
 1024 the area where the development is proposed has adopted the urban
 1025 service boundary and has entered into a binding agreement with
 1026 jurisdictions that would be impacted and with the Department of
 1027 Transportation regarding the mitigation of impacts on state and
 1028 regional transportation facilities.

1029 (q) Any development identified in an airport master plan
 1030 and adopted into the comprehensive plan pursuant to s.
 1031 163.3177(6) (k) (2010) is exempt from this section.

1032
 1033 If a use is exempt from review as a development of regional
 1034 impact under paragraphs (a)-(u), but will be part of a larger
 1035 project that is subject to review as a development of regional
 1036 impact, the impact of the exempt use must be included in the
 1037 review of the larger project, unless such exempt use involves a
 1038 development of regional impact that includes a landowner,
 1039 tenant, or user that has entered into a funding agreement with
 1040 the Department of Economic Opportunity under the Innovation
 1041 Incentive Program and the agreement contemplates a state award
 1042 of at least \$50 million.

1043 (29) EXEMPTIONS FOR DENSE URBAN LAND AREAS.—

1044 (b) If a municipality that does not qualify as a dense

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1045 urban land area ~~pursuant to s. 163.3164~~ designates any of the
 1046 following areas in its comprehensive plan, any proposed
 1047 development within the designated area is exempt from the
 1048 development-of-regional-impact process:

- 1049 1. Urban infill as defined in s. 163.3164;
- 1050 2. Community redevelopment areas as defined in s. 163.340;
- 1051 3. Downtown revitalization areas as defined in s. 163.3164;
- 1052 4. Urban infill and redevelopment under s. 163.2517; or
- 1053 5. Urban service areas as defined in s. 163.3164 or areas
 1054 within a designated urban service boundary under s.
 1055 163.3177(14).

1056 (c) If a county that does not qualify as a dense urban land
 1057 area ~~pursuant to s. 163.3164~~ designates any of the following
 1058 areas in its comprehensive plan, any proposed development within
 1059 the designated area is exempt from the development-of-regional-
 1060 impact process:

- 1061 1. Urban infill as defined in s. 163.3164;
- 1062 2. Urban infill and redevelopment under s. 163.2517; or
- 1063 3. Urban service areas as defined in s. 163.3164.

1064 Section 36. Section 1013.33, Florida Statutes, is amended
 1065 to read:

1066 1013.33 Coordination of planning with local governing
 1067 bodies.—

1068 (1) It is the policy of this state to require the
 1069 coordination of planning between boards and local governing
 1070 bodies to ensure that plans for the construction and opening of
 1071 public educational facilities are facilitated and coordinated in
 1072 time and place with plans for residential development,
 1073 concurrently with other necessary services. Such planning shall

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1074 include the integration of the educational facilities plan and
1075 applicable policies and procedures of a board with the local
1076 comprehensive plan and land development regulations of local
1077 governments. The planning must include the consideration of
1078 allowing students to attend the school located nearest their
1079 homes when a new housing development is constructed near a
1080 county boundary and it is more feasible to transport the
1081 students a short distance to an existing facility in an adjacent
1082 county than to construct a new facility or transport students
1083 longer distances in their county of residence. The planning must
1084 also consider the effects of the location of public education
1085 facilities, including the feasibility of keeping central city
1086 facilities viable, in order to encourage central city
1087 redevelopment and the efficient use of infrastructure and to
1088 discourage uncontrolled urban sprawl. In addition, all parties
1089 to the planning process must consult with state and local road
1090 departments to assist in implementing the Safe Paths to Schools
1091 program administered by the Department of Transportation.

1092 (2)~~(a)~~ The school board, county, and nonexempt
1093 municipalities located within the geographic area of a school
1094 district shall enter into an interlocal agreement that jointly
1095 establishes the specific ways in which the plans and processes
1096 of the district school board and the local governments are to be
1097 coordinated. ~~The interlocal agreements shall be submitted to the~~
1098 ~~state land planning agency and the Office of Educational~~
1099 ~~Facilities in accordance with a schedule published by the state~~
1100 ~~land planning agency.~~

1101 ~~(b) The schedule must establish staggered due dates for~~
1102 ~~submission of interlocal agreements that are executed by both~~

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1103 ~~the local government and district school board, commencing on~~
1104 ~~March 1, 2003, and concluding by December 1, 2004, and must set~~
1105 ~~the same date for all governmental entities within a school~~
1106 ~~district. However, if the county where the school district is~~
1107 ~~located contains more than 20 municipalities, the state land~~
1108 ~~planning agency may establish staggered due dates for the~~
1109 ~~submission of interlocal agreements by these municipalities. The~~
1110 ~~schedule must begin with those areas where both the number of~~
1111 ~~districtwide capital outlay full-time equivalent students equals~~
1112 ~~80 percent or more of the current year's school capacity and the~~
1113 ~~projected 5-year student growth rate is 1,000 or greater, or~~
1114 ~~where the projected 5-year student growth rate is 10 percent or~~
1115 ~~greater.~~

1116 ~~(c) If the student population has declined over the 5-year~~
1117 ~~period preceding the due date for submittal of an interlocal~~
1118 ~~agreement by the local government and the district school board,~~
1119 ~~the local government and district school board may petition the~~
1120 ~~state land planning agency for a waiver of one or more of the~~
1121 ~~requirements of subsection (3). The waiver must be granted if~~
1122 ~~the procedures called for in subsection (3) are unnecessary~~
1123 ~~because of the school district's declining school age~~
1124 ~~population, considering the district's 5-year work program~~
1125 ~~prepared pursuant to s. 1013.35. The state land planning agency~~
1126 ~~may modify or revoke the waiver upon a finding that the~~
1127 ~~conditions upon which the waiver was granted no longer exist.~~
1128 ~~The district school board and local governments must submit an~~
1129 ~~interlocal agreement within 1 year after notification by the~~
1130 ~~state land planning agency that the conditions for a waiver no~~
1131 ~~longer exist.~~

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1132 ~~(d) Interlocal agreements between local governments and~~
1133 ~~district school boards adopted pursuant to s. 163.3177 before~~
1134 ~~the effective date of subsections (2)-(7) must be updated and~~
1135 ~~executed pursuant to the requirements of subsections (2)-(7), if~~
1136 ~~necessary. Amendments to interlocal agreements adopted pursuant~~
1137 ~~to subsections (2)-(7) must be submitted to the state land~~
1138 ~~planning agency within 30 days after execution by the parties~~
1139 ~~for review consistent with subsections (3) and (4). Local~~
1140 ~~governments and the district school board in each school~~
1141 ~~district are encouraged to adopt a single interlocal agreement~~
1142 ~~in which all join as parties. The state land planning agency~~
1143 ~~shall assemble and make available model interlocal agreements~~
1144 ~~meeting the requirements of subsections (2)-(7) and shall notify~~
1145 ~~local governments and, jointly with the Department of Education,~~
1146 ~~the district school boards of the requirements of subsections~~
1147 ~~(2)-(7), the dates for compliance, and the sanctions for~~
1148 ~~noncompliance. The state land planning agency shall be available~~
1149 ~~to informally review proposed interlocal agreements. If the~~
1150 ~~state land planning agency has not received a proposed~~
1151 ~~interlocal agreement for informal review, the state land~~
1152 ~~planning agency shall, at least 60 days before the deadline for~~
1153 ~~submission of the executed agreement, renotify the local~~
1154 ~~government and the district school board of the upcoming~~
1155 ~~deadline and the potential for sanctions.~~

1156 (3) At a minimum, the interlocal agreement must address
1157 ~~interlocal agreement requirements in s. 163.31777 and, if~~
1158 ~~applicable, s. 163.3180(6), and must address the following~~
1159 ~~issues:~~

1160 (a) A process by which each local government and the

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1161 district school board agree and base their plans on consistent
1162 projections of the amount, type, and distribution of population
1163 growth and student enrollment. The geographic distribution of
1164 jurisdiction-wide growth forecasts is a major objective of the
1165 process.

1166 (b) A process to coordinate and share information relating
1167 to existing and planned public school facilities, including
1168 school renovations and closures, and local government plans for
1169 development and redevelopment.

1170 (c) Participation by affected local governments with the
1171 district school board in the process of evaluating potential
1172 school closures, significant renovations to existing schools,
1173 and new school site selection before land acquisition. Local
1174 governments shall advise the district school board as to the
1175 consistency of the proposed closure, renovation, or new site
1176 with the local comprehensive plan, including appropriate
1177 circumstances and criteria under which a district school board
1178 may request an amendment to the comprehensive plan for school
1179 siting.

1180 (d) A process for determining the need for and timing of
1181 onsite and offsite improvements to support new construction,
1182 proposed expansion, or redevelopment of existing schools. The
1183 process shall address identification of the party or parties
1184 responsible for the improvements.

1185 (e) A process for the school board to inform the local
1186 government regarding the effect of comprehensive plan amendments
1187 on school capacity. The capacity reporting must be consistent
1188 with laws and rules regarding measurement of school facility
1189 capacity and must also identify how the district school board

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1190 will meet the public school demand based on the facilities work
1191 program adopted pursuant to s. 1013.35.

1192 (f) Participation of the local governments in the
1193 preparation of the annual update to the school board's 5-year
1194 district facilities work program and educational plant survey
1195 prepared pursuant to s. 1013.35.

1196 (g) A process for determining where and how joint use of
1197 either school board or local government facilities can be shared
1198 for mutual benefit and efficiency.

1199 (h) A procedure for the resolution of disputes between the
1200 district school board and local governments, which may include
1201 the dispute resolution processes contained in chapters 164 and
1202 186.

1203 (i) An oversight process, including an opportunity for
1204 public participation, for the implementation of the interlocal
1205 agreement.

1206 ~~(4)(a) The Office of Educational Facilities shall submit~~
1207 ~~any comments or concerns regarding the executed interlocal~~
1208 ~~agreement to the state land planning agency within 30 days after~~
1209 ~~receipt of the executed interlocal agreement. The state land~~
1210 ~~planning agency shall review the executed interlocal agreement~~
1211 ~~to determine whether it is consistent with the requirements of~~
1212 ~~subsection (3), the adopted local government comprehensive plan,~~
1213 ~~and other requirements of law. Within 60 days after receipt of~~
1214 ~~an executed interlocal agreement, the state land planning agency~~
1215 ~~shall publish a notice of intent in the Florida Administrative~~
1216 ~~Weekly and shall post a copy of the notice on the agency's~~
1217 ~~Internet site. The notice of intent must state that the~~
1218 ~~interlocal agreement is consistent or inconsistent with the~~

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1219 ~~requirements of subsection (3) and this subsection as~~
1220 ~~appropriate.~~

1221 ~~(b) The state land planning agency's notice is subject to~~
1222 ~~challenge under chapter 120; however, an affected person, as~~
1223 ~~defined in s. 163.3184(1) (a), has standing to initiate the~~
1224 ~~administrative proceeding, and this proceeding is the sole means~~
1225 ~~available to challenge the consistency of an interlocal~~
1226 ~~agreement required by this section with the criteria contained~~
1227 ~~in subsection (3) and this subsection. In order to have~~
1228 ~~standing, each person must have submitted oral or written~~
1229 ~~comments, recommendations, or objections to the local government~~
1230 ~~or the school board before the adoption of the interlocal~~
1231 ~~agreement by the district school board and local government. The~~
1232 ~~district school board and local governments are parties to any~~
1233 ~~such proceeding. In this proceeding, when the state land~~
1234 ~~planning agency finds the interlocal agreement to be consistent~~
1235 ~~with the criteria in subsection (3) and this subsection, the~~
1236 ~~interlocal agreement must be determined to be consistent with~~
1237 ~~subsection (3) and this subsection if the local government's and~~
1238 ~~school board's determination of consistency is fairly debatable.~~
1239 ~~When the state land planning agency finds the interlocal~~
1240 ~~agreement to be inconsistent with the requirements of subsection~~
1241 ~~(3) and this subsection, the local government's and school~~
1242 ~~board's determination of consistency shall be sustained unless~~
1243 ~~it is shown by a preponderance of the evidence that the~~
1244 ~~interlocal agreement is inconsistent.~~

1245 ~~(c) If the state land planning agency enters a final order~~
1246 ~~that finds that the interlocal agreement is inconsistent with~~
1247 ~~the requirements of subsection (3) or this subsection, the state~~

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1248 ~~land planning agency shall forward it to the Administration~~
1249 ~~Commission, which may impose sanctions against the local~~
1250 ~~government pursuant to s. 163.3184(11) and may impose sanctions~~
1251 ~~against the district school board by directing the Department of~~
1252 ~~Education to withhold an equivalent amount of funds for school~~
1253 ~~construction available pursuant to ss. 1013.65, 1013.68,~~
1254 ~~1013.70, and 1013.72.~~

1255 ~~(5) If an executed interlocal agreement is not timely~~
1256 ~~submitted to the state land planning agency for review, the~~
1257 ~~state land planning agency shall, within 15 working days after~~
1258 ~~the deadline for submittal, issue to the local government and~~
1259 ~~the district school board a notice to show cause why sanctions~~
1260 ~~should not be imposed for failure to submit an executed~~
1261 ~~interlocal agreement by the deadline established by the agency.~~
1262 ~~The agency shall forward the notice and the responses to the~~
1263 ~~Administration Commission, which may enter a final order citing~~
1264 ~~the failure to comply and imposing sanctions against the local~~
1265 ~~government and district school board by directing the~~
1266 ~~appropriate agencies to withhold at least 5 percent of state~~
1267 ~~funds pursuant to s. 163.3184(11) and by directing the~~
1268 ~~Department of Education to withhold from the district school~~
1269 ~~board at least 5 percent of funds for school construction~~
1270 ~~available pursuant to ss. 1013.65, 1013.68, 1013.70, and~~
1271 ~~1013.72.~~

1272 ~~(4)~~(6) Any local government transmitting a public school
1273 element to implement school concurrency pursuant to the
1274 requirements of s. 163.3180 before May 31, 2002, ~~the effective~~
1275 ~~date of this section~~ is not required to amend the element or any
1276 interlocal agreement to conform with the provisions of

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1277 subsections (2)-(4) ~~(2)-(6)~~ if the element is adopted before
1278 June 1, 2003, ~~prior to or within 1 year after the effective date~~
1279 ~~of subsections (2)-(6)~~ and remains in effect.

1280 (5)-(7) A board and the local governing body must share and
1281 coordinate information related to existing and planned school
1282 facilities; proposals for development, redevelopment, or
1283 additional development; and infrastructure required to support
1284 the school facilities, concurrent with proposed development. A
1285 school board must ~~shall~~ use information produced by the
1286 demographic, revenue, and education estimating conferences
1287 pursuant to s. 216.136 when preparing the district educational
1288 facilities plan pursuant to s. 1013.35, as modified and agreed
1289 to by the local governments, if ~~when~~ provided by interlocal
1290 agreement, and the Office of Educational Facilities, in
1291 consideration of local governments' population projections, to
1292 ensure that the district educational facilities plan not only
1293 reflects enrollment projections but also considers applicable
1294 municipal and county growth and development projections. The
1295 projections must be apportioned geographically with assistance
1296 from the local governments using local government trend data and
1297 the school district student enrollment data. A school board is
1298 precluded from siting a new school in a jurisdiction where the
1299 school board has failed to provide the annual educational
1300 facilities plan for the prior year required pursuant to s.
1301 1013.35 unless the failure is corrected.

1302 (6)-(8) The location of educational facilities shall be
1303 consistent with the comprehensive plan of the appropriate local
1304 governing body developed under part II of chapter 163 and
1305 consistent with the plan's implementing land development

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1306 regulations.

1307 ~~(7)-(9)~~ To improve coordination relative to potential
1308 educational facility sites, a board shall provide written notice
1309 to the local government that has regulatory authority over the
1310 use of the land consistent with an interlocal agreement entered
1311 pursuant to subsections (2)-(4) ~~(2)-(6)~~ at least 60 days before
1312 ~~prior to~~ acquiring or leasing property that may be used for a
1313 new public educational facility. The local government, upon
1314 receipt of this notice, shall notify the board within 45 days if
1315 the site proposed for acquisition or lease is consistent with
1316 the land use categories and policies of the local government's
1317 comprehensive plan. This preliminary notice does not constitute
1318 the local government's determination of consistency pursuant to
1319 subsection (8) ~~(10)~~.

1320 ~~(8)-(10)~~ As early in the design phase as feasible and
1321 consistent with an interlocal agreement entered pursuant to
1322 subsections (2)-(4) ~~(2)-(6)~~, but no later than 90 days before
1323 commencing construction, the district school board shall in
1324 writing request a determination of consistency with the local
1325 government's comprehensive plan. The local governing body that
1326 regulates the use of land shall determine, in writing within 45
1327 days after receiving the necessary information and a school
1328 board's request for a determination, whether a proposed
1329 educational facility is consistent with the local comprehensive
1330 plan and consistent with local land development regulations. If
1331 the determination is affirmative, school construction may
1332 commence and further local government approvals are not
1333 required, except as provided in this section. Failure of the
1334 local governing body to make a determination in writing within

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1335 90 days after a district school board's request for a
1336 determination of consistency shall be considered an approval of
1337 the district school board's application. Campus master plans and
1338 development agreements must comply with the provisions of s.
1339 1013.30.

1340 (9)~~(11)~~ A local governing body may not deny the site
1341 applicant based on adequacy of the site plan as it relates
1342 solely to the needs of the school. If the site is consistent
1343 with the comprehensive plan's land use policies and categories
1344 in which public schools are identified as allowable uses, the
1345 local government may not deny the application but it may impose
1346 reasonable development standards and conditions in accordance
1347 with s. 1013.51(1) and consider the site plan and its adequacy
1348 as it relates to environmental concerns, health, safety and
1349 welfare, and effects on adjacent property. Standards and
1350 conditions may not be imposed which conflict with those
1351 established in this chapter or the Florida Building Code, unless
1352 mutually agreed and consistent with the interlocal agreement
1353 required by subsections (2)-(4) ~~(2)-(6)~~.

1354 (10)~~(12)~~ This section does not prohibit a local governing
1355 body and district school board from agreeing and establishing an
1356 alternative process for reviewing a proposed educational
1357 facility and site plan, and offsite impacts, pursuant to an
1358 interlocal agreement adopted in accordance with subsections (2)-
1359 (4) ~~(2)-(6)~~.

1360 (11)~~(13)~~ Existing schools shall be considered consistent
1361 with the applicable local government comprehensive plan adopted
1362 under part II of chapter 163. If a board submits an application
1363 to expand an existing school site, the local governing body may

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1364 impose reasonable development standards and conditions on the
1365 expansion only, and in a manner consistent with s. 1013.51(1).
1366 Standards and conditions may not be imposed which conflict with
1367 those established in this chapter or the Florida Building Code,
1368 unless mutually agreed. Local government review or approval is
1369 not required for:

1370 (a) The placement of temporary or portable classroom
1371 facilities; or

1372 (b) Proposed renovation or construction on existing school
1373 sites, with the exception of construction that changes the
1374 primary use of a facility, includes stadiums, or results in a
1375 greater than 5 percent increase in student capacity, or as
1376 mutually agreed upon, pursuant to an interlocal agreement
1377 adopted in accordance with subsections (2)-(4) ~~(2)-(6)~~.

1378 Section 37. Paragraph (b) of subsection (2) and subsection
1379 (3) of section 1013.35, Florida Statutes, are amended to read:

1380 1013.35 School district educational facilities plan;
1381 definitions; preparation, adoption, and amendment; long-term
1382 work programs.—

1383 (2) PREPARATION OF TENTATIVE DISTRICT EDUCATIONAL
1384 FACILITIES PLAN.—

1385 (b) The plan must also include a financially feasible
1386 district facilities work program for a 5-year period. The work
1387 program must include:

1388 1. A schedule of major repair and renovation projects
1389 necessary to maintain the educational facilities and ancillary
1390 facilities of the district.

1391 2. A schedule of capital outlay projects necessary to
1392 ensure the availability of satisfactory student stations for the

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1393 projected student enrollment in K-12 programs. This schedule
1394 shall consider:

1395 a. The locations, capacities, and planned utilization rates
1396 of current educational facilities of the district. The capacity
1397 of existing satisfactory facilities, as reported in the Florida
1398 Inventory of School Houses must be compared to the capital
1399 outlay full-time-equivalent student enrollment as determined by
1400 the department, including all enrollment used in the calculation
1401 of the distribution formula in s. 1013.64.

1402 b. The proposed locations of planned facilities, whether
1403 those locations are consistent with the comprehensive plans of
1404 all affected local governments, and recommendations for
1405 infrastructure and other improvements to land adjacent to
1406 existing facilities. The provisions of ss. 1013.33(8), (9), and
1407 (10) ~~ss. 1013.33(10), (11), and (12)~~ and 1013.36 must be
1408 addressed for new facilities planned within the first 3 years of
1409 the work plan, as appropriate.

1410 c. Plans for the use and location of relocatable
1411 facilities, leased facilities, and charter school facilities.

1412 d. Plans for multitrack scheduling, grade level
1413 organization, block scheduling, or other alternatives that
1414 reduce the need for additional permanent student stations.

1415 e. Information concerning average class size and
1416 utilization rate by grade level within the district which will
1417 result if the tentative district facilities work program is
1418 fully implemented.

1419 f. The number and percentage of district students planned
1420 to be educated in relocatable facilities during each year of the
1421 tentative district facilities work program. For determining

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1422 future needs, student capacity may not be assigned to any
1423 relocatable classroom that is scheduled for elimination or
1424 replacement with a permanent educational facility in the current
1425 year of the adopted district educational facilities plan and in
1426 the district facilities work program adopted under this section.
1427 Those relocatable classrooms clearly identified and scheduled
1428 for replacement in a school-board-adopted, financially feasible,
1429 5-year district facilities work program shall be counted at zero
1430 capacity at the time the work program is adopted and approved by
1431 the school board. However, if the district facilities work
1432 program is changed and the relocatable classrooms are not
1433 replaced as scheduled in the work program, the classrooms must
1434 be reentered into the system and be counted at actual capacity.
1435 Relocatable classrooms may not be perpetually added to the work
1436 program or continually extended for purposes of circumventing
1437 this section. All relocatable classrooms not identified and
1438 scheduled for replacement, including those owned, lease-
1439 purchased, or leased by the school district, must be counted at
1440 actual student capacity. The district educational facilities
1441 plan must identify the number of relocatable student stations
1442 scheduled for replacement during the 5-year survey period and
1443 the total dollar amount needed for that replacement.

1444 g. Plans for the closure of any school, including plans for
1445 disposition of the facility or usage of facility space, and
1446 anticipated revenues.

1447 h. Projects for which capital outlay and debt service funds
1448 accruing under s. 9(d), Art. XII of the State Constitution are
1449 to be used shall be identified separately in priority order on a
1450 project priority list within the district facilities work

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1451 program.

1452 3. The projected cost for each project identified in the
1453 district facilities work program. For proposed projects for new
1454 student stations, a schedule shall be prepared comparing the
1455 planned cost and square footage for each new student station, by
1456 elementary, middle, and high school levels, to the low, average,
1457 and high cost of facilities constructed throughout the state
1458 during the most recent fiscal year for which data is available
1459 from the Department of Education.

1460 4. A schedule of estimated capital outlay revenues from
1461 each currently approved source which is estimated to be
1462 available for expenditure on the projects included in the
1463 district facilities work program.

1464 5. A schedule indicating which projects included in the
1465 district facilities work program will be funded from current
1466 revenues projected in subparagraph 4.

1467 6. A schedule of options for the generation of additional
1468 revenues by the district for expenditure on projects identified
1469 in the district facilities work program which are not funded
1470 under subparagraph 5. Additional anticipated revenues may
1471 include effort index grants, SIT Program awards, and Classrooms
1472 First funds.

1473 (3) SUBMITTAL OF TENTATIVE DISTRICT EDUCATIONAL FACILITIES
1474 PLAN TO LOCAL GOVERNMENT.—The district school board shall submit
1475 a copy of its tentative district educational facilities plan to
1476 all affected local governments prior to adoption by the board.
1477 The affected local governments shall review the tentative
1478 district educational facilities plan and comment to the district
1479 school board on the consistency of the plan with the local

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1480 comprehensive plan, whether a comprehensive plan amendment will
1481 be necessary for any proposed educational facility, and whether
1482 the local government supports a necessary comprehensive plan
1483 amendment. If the local government does not support a
1484 comprehensive plan amendment for a proposed educational
1485 facility, the matter shall be resolved pursuant to the
1486 interlocal agreement when required by ss. 163.3177(6) (h) and,
1487 ~~163.31777, and 1013.33(2)~~. The process for the submittal and
1488 review shall be detailed in the interlocal agreement when
1489 required pursuant to ss. 163.3177(6) (h) and, ~~163.31777, and~~
1490 ~~1013.33(2)~~.

1491 Section 38. Subsection (3) of section 1013.351, Florida
1492 Statutes, is amended to read:

1493 1013.351 Coordination of planning between the Florida
1494 School for the Deaf and the Blind and local governing bodies.—

1495 (3) The board of trustees and the municipality in which the
1496 school is located may enter into an interlocal agreement to
1497 establish the specific ways in which the plans and processes of
1498 the board of trustees and the local government are to be
1499 coordinated. ~~If the school and local government enter into an~~
1500 ~~interlocal agreement, the agreement must be submitted to the~~
1501 ~~state land planning agency and the Office of Educational~~
1502 ~~Facilities.~~

1503 Section 39. This act shall take effect upon becoming a law.