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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/03/2015	.	
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The Committee on Transportation (Brandes) recommended the following:

Senate Amendment (with title amendment)

Between lines 183 and 184

insert:

Section 5. Section 333.01, Florida Statutes, is amended to read:

333.01 Definitions.—As used in ~~For the purpose of this chapter, the term following words, terms, and phrases shall have the meanings herein given, unless otherwise specifically defined, or unless another intention clearly appears, or the~~



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11 ~~context otherwise requires:~~

12 (1) "Aeronautical study" means a Federal Aviation
13 Administration study, conducted in accordance with the standards
14 of 14 C.F.R. part 77, subpart C, and Federal Aviation
15 Administration policy and guidance, on the effect of proposed
16 construction or alteration upon the operation of air navigation
17 facilities and the safe and efficient use of navigable airspace.

18 ~~(1) "Aeronautics" means transportation by aircraft; the~~
19 ~~operation, construction, repair, or maintenance of aircraft,~~
20 ~~aircraft power plants and accessories, including the repair,~~
21 ~~packing, and maintenance of parachutes; the design,~~
22 ~~establishment, construction, extension, operation, improvement,~~
23 ~~repair, or maintenance of airports, restricted landing areas, or~~
24 ~~other air navigation facilities, and air instruction.~~

25 (2) "Airport" means any area of land or water designed and
26 set aside for the landing and taking off of aircraft and used
27 utilized or to be used ~~utilized~~ in the interest of the public
28 for such purpose.

29 (3) "Airport hazard" means an obstruction to air navigation
30 which affects the safe and efficient use of navigable airspace
31 or the operation of planned or existing air navigation and
32 communication facilities ~~any structure or tree or use of land~~
33 ~~which would exceed the federal obstruction standards as~~
34 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29~~
35 ~~and which obstructs the airspace required for the flight of~~
36 ~~aircraft in taking off, maneuvering, or landing or is otherwise~~
37 ~~hazardous to such taking off, maneuvering, or landing of~~
38 ~~aircraft and for which no person has previously obtained a~~
39 ~~permit or variance pursuant to s. 333.025 or s. 333.07.~~



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40 (4) "Airport hazard area" means any area of land or water
41 upon which an airport hazard might be established ~~if not~~
42 ~~prevented as provided in this chapter.~~

43 (5) "Airport land use compatibility zoning" means airport
44 zoning regulations governing ~~restricting~~ the use of land on,
45 adjacent to, or in the immediate vicinity of airports ~~in the~~
46 ~~manner enumerated in s. 333.03(2) to activities and purposes~~
47 ~~compatible with the continuation of normal airport operations~~
48 ~~including landing and takeoff of aircraft in order to promote~~
49 ~~public health, safety, and general welfare.~~

50 (6) "Airport layout plan" means a set of scaled drawings
51 that provide a graphic representation of the existing and future
52 development plan for the airport and demonstrate the
53 preservation and continuity of safety, utility, and efficiency
54 of the airport detailed, scale engineering drawing, including
55 ~~pertinent dimensions, of an airport's current and planned~~
56 ~~facilities, their locations, and runway usage.~~

57 (7) "Airport master plan" means a comprehensive plan of an
58 airport which typically describes current and future plans for
59 airport development designed to support existing and future
60 aviation demand.

61 (8) "Airport protection zoning regulations" means airport
62 zoning regulations governing airport hazards.

63 (9) "Department" means the Department of Transportation as
64 created under s. 20.23.

65 (10) "Educational facility" means any structure, land, or
66 use that includes a public or private kindergarten through 12th
67 grade school, charter school, magnet school, college campus, or
68 university campus. The term does not include space used for



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69 educational purposes within a multi-tenant building.

70 (11) "Landfill" has the same meaning as provided in s.
71 403.703.

72 (12)~~(7)~~ "Obstruction" means any existing or proposed
73 manmade object or object, of natural growth or terrain, or
74 structure construction or alteration that exceeds violates the
75 federal obstruction standards contained in 14 C.F.R. part 77,
76 subpart C ss. 77.21, 77.23, 77.25, 77.28, and 77.29. The term
77 includes:

78 (a) Any object of natural growth or terrain;

79 (b) Permanent or temporary construction or alteration,
80 including equipment or materials used and any permanent or
81 temporary apparatus; or

82 (c) Alteration of any permanent or temporary existing
83 structure by a change in the structure's height, including
84 appurtenances, lateral dimensions, and equipment or materials
85 used in the structure.

86 (13)~~(8)~~ "Person" means any individual, firm, copartnership,
87 corporation, company, association, joint-stock association, or
88 body politic, and includes any trustee, receiver, assignee, or
89 other similar representative thereof.

90 (14)~~(9)~~ "Political subdivision" means the local government
91 of any county, municipality city, town, village, or other
92 subdivision or agency thereof, or any district or special
93 district, port commission, port authority, or other such agency
94 authorized to establish or operate airports in the state.

95 (15) "Public-use airport" means an airport, publicly or
96 privately owned, licensed by the state, which is open for use by
97 the public.



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98 ~~(16)-(10)~~ "Runway protection clear zone" means an area at
99 ground level beyond the runway end to enhance the safety and
100 protection of people and property on the ground a runway clear
101 zone as defined in 14 C.F.R. s. 151.9(b).

102 ~~(17)-(11)~~ "Structure" means any object, constructed,
103 erected, altered, or installed by humans, including, but not
104 limited to without limitation thereof, buildings, towers,
105 smokestacks, utility poles, power generation equipment, and
106 overhead transmission lines.

107 ~~(18)~~ "Substantial modification" means any repair,
108 reconstruction, rehabilitation, or improvement of a structure
109 when the actual cost of the repair, reconstruction,
110 rehabilitation, or improvement of the structure equals or
111 exceeds 50 percent of the market value of the structure.

112 ~~(12)~~ "Tree" includes any plant of the vegetable kingdom.

113 Section 6. Section 333.025, Florida Statutes, is amended to
114 read:

115 333.025 Permit required for obstructions structures
116 exceeding federal obstruction standards.-

117 (1) A person proposing the construction or alteration in
118 order to prevent the erection of an obstruction must obtain a
119 permit from the department structures dangerous to air
120 navigation, subject to the provisions of subsections (2), (3),
121 and (4), each person shall secure from the Department of
122 Transportation a permit for the erection, alteration, or
123 modification of any structure the result of which would exceed
124 the federal obstruction standards as contained in 14 C.F.R. ss.
125 77.21, 77.23, 77.25, 77.28, and 77.29. However, permits from the
126 department of Transportation will be required only within an



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127 airport hazard area where federal obstruction standards are
128 exceeded and if the proposed construction or alteration is
129 within a 10-nautical-mile radius of the airport reference point,
130 located at the approximate geometric ~~geographical~~ center of all
131 usable runways of a public-use airport or a ~~publicly owned or~~
132 ~~operated airport, a military airport, or an airport licensed by~~
133 ~~the state for public use.~~

134 (2) Existing, planned, and proposed ~~Affected airports will~~
135 ~~be considered as having these facilities~~ on public-use airports
136 contained in an ~~which are shown on the~~ airport master plan, in
137 ~~or~~ an airport layout plan submitted to the Federal Aviation
138 Administration, Airport District Office or in comparable
139 military documents shall, ~~and will~~ be ~~so~~ protected from airport
140 hazards. ~~Planned or proposed public-use airports which are the~~
141 ~~subject of a notice or proposal submitted to the Federal~~
142 ~~Aviation Administration or to the Department of Transportation~~
143 ~~shall also be protected.~~

144 (3) A permit is not required for existing structures that
145 ~~requirements of subsection (1) shall not apply to projects which~~
146 received construction permits from the Federal Communications
147 Commission for structures exceeding federal obstruction
148 standards before ~~prior to~~ May 20, 1975, ~~provided such structures~~
149 ~~now exist; a permit is not required for~~ ~~nor shall it apply to~~
150 ~~previously approved structures now existing, or any necessary~~
151 replacement or repairs to such existing structures if, ~~so long~~
152 ~~as~~ the height and location are ~~is~~ unchanged.

153 (4) If ~~When~~ political subdivisions have, in compliance with
154 this chapter, adopted adequate airport airspace protection
155 zoning regulations, placed in compliance with s. 333.03, and



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156 such regulations ~~are~~ on file with the department's aviation
157 office, and established a permitting process ~~Department of~~
158 Transportation, a permit for the construction or alteration of
159 an obstruction is ~~such structure shall not be~~ required from the
160 ~~department of Transportation.~~ Upon receipt of a complete permit
161 application, the local government shall provide a copy of the
162 application to the department's aviation office by certified
163 mail, return receipt requested, or by a delivery service that
164 provides a receipt evidencing delivery. To evaluate technical
165 consistency with this subsection, the department shall have a
166 15-day review period following receipt of the application, which
167 must run concurrently with the local government permitting
168 process. Cranes, construction equipment, and other temporary
169 structures in use or in place for a period not to exceed 18
170 consecutive months are exempt from the department's review,
171 unless such review is requested by the department.

172 (5) The department ~~of Transportation~~ shall, within 30 days
173 after ~~of the~~ receipt of an application for a permit, issue or
174 deny a permit for the construction or erection, alteration, ~~or~~
175 ~~modification of an obstruction any structure the result of which~~
176 ~~would exceed federal obstruction standards as contained in 14~~
177 ~~C.F.R. ss. 77.21, 77.23, 77.25, 77.28, and 77.29.~~ The department
178 shall review permit applications in conformity with s. 120.60.

179 (6) In determining whether to issue or deny a permit, the
180 department shall consider:

181 (a) The safety of persons on the ground and in the air.

182 (b) The safe and efficient use of navigable airspace.

183 (c) ~~(a)~~ The nature of the terrain and height of existing
184 structures.



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185 ~~(b) Public and private interests and investments.~~
186 (d) The effect of the construction or alteration of an
187 obstruction on the state licensing standards for a public-use
188 airport contained in chapter 330 and rules adopted thereunder.
189 ~~(e)(e) The character of existing and planned flight flying~~
190 operations and planned developments at public-use of airports.
191 ~~(f)(d) Federal airways, visual flight rules, flyways and~~
192 corridors, and instrument approaches as designated by the
193 Federal Aviation Administration.
194 ~~(g)(e) The effect of whether the construction or alteration~~
195 of an obstruction on the proposed structure would cause an
196 increase in the minimum descent altitude or the decision height
197 at the affected airport.
198 ~~(f) Technological advances.~~
199 ~~(g) The safety of persons on the ground and in the air.~~
200 ~~(h) Land use density.~~
201 ~~(i) The safe and efficient use of navigable airspace.~~
202 ~~(h)(j) The cumulative effects on navigable airspace of all~~
203 existing obstructions structures, proposed structures identified
204 in the applicable jurisdictions' comprehensive plans, and all
205 other known proposed obstructions structures in the area.
206 (7) When issuing a permit under this section, the
207 department of Transportation shall, as a specific condition of
208 such permit, require the owner obstruction marking and lighting
209 of the obstruction to install, operate, and maintain, at the
210 owner's expense, marking and lighting in conformance with the
211 specific standards established by the Federal Aviation
212 Administration permitted structure as provided in s.
213 333.07(3)(b).



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214 (8) The department may ~~of Transportation shall~~ not approve
215 a permit for the construction or alteration ~~erection~~ of an
216 obstruction ~~a structure~~ unless the applicant submits ~~both~~
217 documentation showing both compliance with the federal
218 requirement for notification of proposed construction or
219 alteration and a valid aeronautical study. ~~A evaluation, and no~~
220 permit may not shall be approved solely on the basis that the
221 Federal Aviation Administration determined that the such
222 proposed construction or alteration of an obstruction was not an
223 airport hazard structure will not exceed federal obstruction
224 standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,
225 77.28, or 77.29, or any other federal aviation regulation.

226 (9) The denial of a permit under this section is subject to
227 administrative review pursuant to chapter 120.

228 Section 7. Section 333.03, Florida Statutes, is amended to
229 read:

230 333.03 Requirement ~~Power~~ to adopt airport protection zoning
231 regulations.-

232 (1) (a) ~~In order to prevent the creation or establishment of~~
233 ~~airport hazards,~~ Every political subdivision having an airport
234 hazard area within its territorial limits shall, ~~by October 1,~~
235 ~~1977,~~ adopt, administer, and enforce, under the police power and
236 in the manner and upon the conditions ~~hereinafter~~ prescribed in
237 this section, airport protection zoning regulations for such
238 airport hazard area.

239 (b) If ~~where~~ an airport is owned or controlled by a
240 political subdivision and any other political subdivision has
241 land underlying any of the surfaces of the airport and upon
242 which an obstruction may be constructed or altered under 14



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243 C.F.R. part 77, subpart C, the political subdivisions airport
244 ~~hazard area appertaining to such airport is located wholly or~~
245 ~~partly outside the territorial limits of said political~~
246 ~~subdivision, the political subdivision owning or controlling the~~
247 ~~airport and the political subdivision within which the airport~~
248 ~~hazard area is located,~~ shall either:

249 1. By interlocal agreement, ~~in accordance with the~~
250 ~~provisions of chapter 163,~~ adopt, administer, and enforce a set
251 of airport protection zoning regulations applicable to the
252 airport hazard area in question; or

253 2. By ordinance, regulation, or resolution duly adopted,
254 create a joint airport protection zoning board ~~that, which board~~
255 ~~shall have the same power to adopt, administer, and enforce a~~
256 set of airport protection zoning regulations applicable to the
257 airport hazard area in question as that vested in paragraph (a)
258 in the political subdivision within which such area is located.
259 The Each such joint airport protection zoning board shall have
260 as voting members two representatives appointed by each
261 participating political subdivision participating in its
262 ~~creation and in addition~~ a chair elected by a majority of the
263 members so appointed. ~~However,~~ The airport manager or a
264 representative of each airport in managers of the affected
265 participating political subdivisions shall serve on the board in
266 a nonvoting capacity.

267 (c) Airport protection zoning regulations adopted under
268 paragraph (a) ~~must shall,~~ at as a minimum, require:

269 1. A permit variance for the construction or erection,
270 ~~alteration, or modification~~ of any obstruction structure which
271 ~~would cause the structure to exceed the federal obstruction~~



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272 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~
273 ~~77.28, and 77.29;~~

274 2. Obstruction marking and lighting for obstructions
275 ~~structures as specified in s. 333.07(3);~~

276 3. Documentation showing compliance with the federal
277 requirement for notification of proposed construction or
278 alteration of structures and a valid aeronautical study
279 ~~evaluation~~ submitted by each person applying for a permit
280 variance;

281 4. Consideration of the criteria in s. 333.025(6), when
282 determining whether to issue or deny a permit variance; and

283 5. That approval of a permit not be based no variance shall
284 ~~be approved~~ solely on the determination by the Federal Aviation
285 Administration basis that the such proposed structure is not an
286 airport hazard will not exceed federal obstruction standards as
287 ~~contained in 14 C.F.R. ss. 77.21, 77.23, 77.25, 77.28, or 77.29,~~
288 ~~or any other federal aviation regulation.~~

289 (d) The department shall be available to provide assistance
290 to political subdivisions regarding federal obstruction
291 standards shall issue copies of the federal obstruction
292 ~~standards as contained in 14 C.F.R. ss. 77.21, 77.23, 77.25,~~
293 ~~77.28, and 77.29 to each political subdivision having airport~~
294 ~~hazard areas and, in cooperation with political subdivisions,~~
295 ~~shall issue appropriate airport zoning maps depicting within~~
296 ~~each county the maximum allowable height of any structure or~~
297 ~~tree. Material distributed pursuant to this subsection shall be~~
298 ~~at no cost to authorized recipients.~~

299 (2) In the manner provided in subsection (1), political
300 subdivisions shall adopt, administer, and enforce interim



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301 airport land use compatibility zoning regulations ~~shall be~~
302 ~~adopted.~~ Airport land use compatibility zoning ~~When political~~
303 ~~subdivisions have adopted land development regulations shall, at~~
304 a minimum, in accordance with the provisions of chapter 163
305 ~~which address the use of land in the manner consistent with the~~
306 ~~provisions herein, adoption of airport land use compatibility~~
307 ~~regulations pursuant to this subsection shall not be required.~~
308 ~~Interim airport land use compatibility zoning regulations shall~~
309 ~~consider the following:~~

310 (a) The prohibition of new landfills and the restriction of
311 existing landfills ~~Whether sanitary landfills are located within~~
312 ~~the following areas:~~

313 1. Within 10,000 feet from the nearest point of any runway
314 used or planned to be used by turbine ~~turbojet or turboprop~~
315 ~~aircraft.~~

316 2. Within 5,000 feet from the nearest point of any runway
317 used ~~only~~ by only nonturbine ~~piston-type~~ aircraft.

318 3. Outside the perimeters defined in subparagraphs 1. and
319 2., but still within the lateral limits of the civil airport
320 imaginary surfaces defined in 14 C.F.R. s. 77.19 ~~part 77.25.~~
321 Case-by-case review of such landfills is advised.

322 (b) Where ~~Whether~~ any landfill is located and constructed
323 in a manner ~~so~~ that ~~it~~ attracts or sustains hazardous bird
324 movements from feeding, water, or roosting areas into, or
325 across, the runways or approach and departure patterns of
326 aircraft. The landfill operator must ~~political subdivision shall~~
327 ~~request from the airport authority or other governing body~~
328 ~~operating the airport a report on such bird feeding or roosting~~
329 ~~areas that at the time of the request are known to the airport.~~



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330 ~~In preparing its report, the authority, or other governing body,~~
331 ~~shall consider whether the landfill will~~ incorporate bird
332 management techniques or other practices to minimize bird
333 hazards to airborne aircraft. ~~The airport authority or other~~
334 ~~governing body shall respond to the political subdivision no~~
335 ~~later than 30 days after receipt of such request.~~

336 (c) Where an airport authority or other governing body
337 operating a ~~publicly owned,~~ public-use airport has conducted a
338 noise study in accordance with ~~the provisions of 14 C.F.R. part~~
339 150, or where a public-use airport owner has established noise
340 contours pursuant to another public study approved by the
341 Federal Aviation Administration, the prohibition of incompatible
342 uses, as established in the noise study in 14 C.F.R. part 150,
343 Appendix A or as a part of an alternative Federal Aviation
344 Administration-approved public study, within the noise contours
345 established by any of these studies, except if such uses are
346 specifically contemplated by such study with appropriate
347 mitigation or similar techniques described in the study ~~neither~~
348 ~~residential construction nor any educational facility as defined~~
349 ~~in chapter 1013, with the exception of aviation school~~
350 ~~facilities, shall be permitted within the area contiguous to the~~
351 ~~airport defined by an outer noise contour that is considered~~
352 ~~incompatible with that type of construction by 14 C.F.R. part~~
353 ~~150, Appendix A or an equivalent noise level as established by~~
354 ~~other types of noise studies.~~

355 (d) Where an airport authority or other governing body
356 operating a ~~publicly owned,~~ public-use airport has not conducted
357 a noise study, the prohibition of ~~neither~~ residential
358 construction and ~~nor~~ any educational facility ~~as defined in~~



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359 ~~chapter 1013~~, with the exception of aviation school facilities,
360 ~~shall be permitted~~ within an area contiguous to the airport
361 measuring one-half the length of the longest runway on either
362 side of and at the end of each runway centerline.

363 (e)(3) The restriction of ~~In the manner provided in~~
364 ~~subsection (1), airport zoning regulations shall be adopted~~
365 ~~which restrict~~ new incompatible uses, activities, or substantial
366 modifications to existing incompatible uses ~~construction~~ within
367 runway protection ~~clear zones, including uses, activities, or~~
368 ~~construction in runway clear zones which are incompatible with~~
369 ~~normal airport operations or endanger public health, safety, and~~
370 ~~welfare by resulting in congregations of people, emissions of~~
371 ~~light or smoke, or attraction of birds. Such regulations shall~~
372 ~~prohibit the construction of an educational facility of a public~~
373 ~~or private school at either end of a runway of a publicly owned,~~
374 ~~public-use airport within an area which extends 5 miles in a~~
375 ~~direct line along the centerline of the runway, and which has a~~
376 ~~width measuring one-half the length of the runway. Exceptions~~
377 ~~approving construction of an educational facility within the~~
378 ~~delineated area shall only be granted when the political~~
379 ~~subdivision administering the zoning regulations makes specific~~
380 ~~findings detailing how the public policy reasons for allowing~~
381 ~~the construction outweigh health and safety concerns prohibiting~~
382 ~~such a location.~~

383 ~~(4) The procedures outlined in subsections (1), (2), and~~
384 ~~(3) for the adoption of such regulations are supplemental to any~~
385 ~~existing procedures utilized by political subdivisions in the~~
386 ~~adoption of such regulations.~~

387 (3)(5) Political subdivisions shall provide ~~The Department~~



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388 ~~of Transportation shall provide technical assistance to any~~
389 ~~political subdivision requesting assistance in the preparation~~
390 ~~of an airport zoning code. a copy of all local airport~~
391 protection zoning codes, rules, and regulations and airport land
392 use compatibility zoning regulations, and any related amendments
393 ~~and proposed and granted variances thereto, to shall be filed~~
394 ~~with the department's aviation office within 30 days after~~
395 adoption department.

396 ~~(4)-(6) Nothing in Subsection (2) may not or subsection (3)~~
397 ~~shall be construed to require the removal, alteration, sound~~
398 ~~conditioning, or other change, or to interfere with the~~
399 ~~continued use or adjacent expansion of any educational facility~~
400 ~~structure or site in existence on July 1, 1993, or be construed~~
401 ~~to prohibit the construction of any new structure for which a~~
402 ~~site has been determined as provided in former s. 235.19, as of~~
403 ~~July 1, 1993.~~

404 (5) This section does not prohibit an airport authority, a
405 political subdivision or its administrative agency, or any other
406 governing body operating a public-use airport from establishing
407 airport zoning regulations more restrictive than prescribed in
408 this section in order to protect the health, safety, and welfare
409 of the public in the air and on the ground.

410 Section 8. Section 333.04, Florida Statutes, is amended to
411 read:

412 333.04 Comprehensive zoning regulations; most stringent to
413 prevail where conflicts occur.—

414 (1) INCORPORATION.—In the event that a political
415 subdivision has adopted, or hereafter adopts, a comprehensive
416 plan or policy zoning ordinance regulating, among other things,



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417 the height of buildings, structures, and natural objects, and
418 uses of property, any airport zoning regulations applicable to
419 the same area or portion thereof may be incorporated in and made
420 a part of such comprehensive plan or policy ~~zoning regulations~~,
421 and be administered and enforced in connection therewith.

422 (2) CONFLICT.—In the event of conflict between any airport
423 zoning regulations adopted under this chapter and any other
424 regulations applicable to the same area, whether the conflict be
425 with respect to the height of structures or vegetation ~~trees~~,
426 the use of land, or any other matter, and whether such
427 regulations were adopted by the political subdivision that ~~which~~
428 adopted the airport zoning regulations or by some other
429 political subdivision, the more stringent limitation or
430 requirement shall govern and prevail.

431 Section 9. Section 333.05, Florida Statutes, is amended to
432 read:

433 333.05 Procedure for adoption of airport zoning
434 regulations.—

435 (1) NOTICE AND HEARING.—~~No~~ Airport zoning regulations may
436 not ~~shall~~ be adopted, amended, or repealed ~~changed~~ under this
437 chapter except by action of the legislative body of the
438 political subdivision or affected subdivisions ~~in question~~, or
439 the joint board provided in s. 333.03(1)(b)2. ~~s. 333.03(1)(b)~~ by
440 the political subdivisions ~~bodies~~ therein provided and set
441 forth, after a public hearing in relation thereto, at which
442 parties in interest and citizens shall have an opportunity to be
443 heard. Notice of the hearing shall be published at least once a
444 week for 2 consecutive weeks in a newspaper ~~an official paper,~~
445 ~~or a paper~~ of general circulation, ~~7~~ in the political subdivision



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446 or subdivisions where ~~in which are located~~ the airport zoning
447 regulations are ~~areas~~ to be adopted, amended, or repealed ~~zoned~~.

448 (2) AIRPORT ZONING COMMISSION.—Before ~~Prior to~~ the initial
449 zoning of any airport area under this chapter, the political
450 subdivision or joint airport zoning board that ~~which~~ is to
451 adopt, administer, and enforce the regulations must ~~shall~~
452 appoint a commission, to be known as the airport zoning
453 commission, to recommend the boundaries of the various zones to
454 be established and the regulations to be adopted therefor. Such
455 commission shall make a preliminary report and hold public
456 hearings thereon before submitting its final report, and the
457 legislative body of the political subdivision or the joint
458 airport zoning board may ~~shall~~ not hold its public hearings or
459 take any action until it has received the final report of such
460 commission, and at least 15 days shall elapse between the
461 receipt of the final report of the commission and the hearing to
462 be held by the latter board. If ~~Where~~ a planning ~~city plan~~
463 commission, an airport commission, or a comprehensive zoning
464 commission already exists, it may be appointed as the airport
465 zoning commission.

466 Section 10. Section 333.06, Florida Statutes, is amended to
467 read:

468 333.06 Airport zoning regulation requirements.—

469 (1) REASONABLENESS.—All airport zoning regulations adopted
470 under this chapter shall be reasonable and may not ~~none shall~~
471 impose any requirement or restriction which is not reasonably
472 necessary to effectuate the purposes of this chapter. In
473 determining what regulations it may adopt, each political
474 subdivision and joint airport zoning board shall consider, among



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475 other things, the character of the flying operations expected to
476 be conducted at the airport, the nature of the terrain within
477 the airport hazard area and runway protection ~~clear~~ zones, the
478 character of the neighborhood, the uses to which the property to
479 be zoned is put and adaptable, and the impact of any new use,
480 activity, or construction on the airport's operating capability
481 and capacity.

482 (2) INDEPENDENT JUSTIFICATION.—The purpose of all airport
483 zoning regulations adopted under this chapter is to provide both
484 airspace protection and land uses ~~use~~ compatible with airport
485 operations. Each aspect of this purpose requires independent
486 justification in order to promote the public interest in safety,
487 health, and general welfare. Specifically, construction in a
488 runway protection ~~clear~~ zone which does not exceed airspace
489 height restrictions is not conclusive ~~evidence per se~~ that such
490 use, activity, or construction is compatible with airport
491 operations.

492 (3) NONCONFORMING USES.—An ~~No~~ airport protection zoning
493 regulation ~~regulations~~ adopted under this chapter may not ~~shall~~
494 require the removal, lowering, or other change or alteration of
495 any obstruction ~~structure or tree~~ not conforming to the
496 regulation ~~regulations~~ when adopted or amended, or otherwise
497 interfere with the continuance of any nonconforming use, except
498 as provided in s. 333.07(1) and (3).

499 (4) ADOPTION OF AIRPORT MASTER PLAN AND NOTICE TO AFFECTED
500 LOCAL GOVERNMENTS.—An airport master plan shall be prepared by
501 each public-use ~~publicly owned and operated~~ airport licensed by
502 the department ~~of Transportation~~ under chapter 330. The
503 authorized entity having responsibility for governing the



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504 operation of the airport, when either requesting from or
505 submitting to a state or federal governmental agency with
506 funding or approval jurisdiction a "finding of no significant
507 impact," an environmental assessment, a site-selection study, an
508 airport master plan, or any amendment to an airport master plan,
509 shall submit simultaneously a copy of said request, submittal,
510 assessment, study, plan, or amendments by certified mail to all
511 affected local governments. As used in ~~For the purposes of~~ this
512 subsection, the term "affected local government" is defined as
513 any municipality ~~city~~ or county having jurisdiction over the
514 airport and any municipality ~~city~~ or county located within 2
515 miles of the boundaries of the land subject to the airport
516 master plan.

517 Section 11. Section 333.065, Florida Statutes, is repealed.

518 Section 12. Section 333.07, Florida Statutes, is amended to
519 read:

520 333.07 Local government permitting of airspace obstructions
521 ~~Permits and variances.-~~

522 (1) PERMITS.-

523 (a) A person proposing to construct, alter, or allow an
524 airport obstruction in an airport hazard area in violation of
525 the airport protection zoning regulations adopted under this
526 chapter must apply for a permit. A ~~Any airport zoning~~
527 ~~regulations adopted under this chapter may require that a permit~~
528 ~~be obtained before any new structure or use may be constructed~~
529 ~~or established and before any existing use or structure may be~~
530 ~~substantially changed or substantially altered or repaired. In~~
531 ~~any event, however, all such regulations shall provide that~~
532 ~~before any nonconforming structure or tree may be replaced,~~



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533 ~~substantially altered or repaired, rebuilt, allowed to grow~~
534 ~~higher, or replanted, a permit must be secured from the~~
535 ~~administrative agency authorized to administer and enforce the~~
536 ~~regulations, authorizing such replacement, change, or repair. No~~
537 ~~permit may not shall be issued if it granted that~~ would allow
538 the establishment or creation of an airport hazard or if it
539 would permit a nonconforming obstruction structure or tree or
540 ~~nonconforming use to be made or become higher or~~ to become a
541 greater hazard to air navigation than it was when the applicable
542 airport protection zoning regulation was adopted which allowed
543 the establishment or creation of the obstruction, or than it is
544 when the application for a permit is made.

545 (b) If ~~Whenever~~ the political subdivision or its
546 administrative agency determines that a nonconforming
547 obstruction use or nonconforming structure or tree has been
548 abandoned or is more than 80 percent torn down, destroyed,
549 deteriorated, or decayed, a ~~no~~ permit may not shall be granted
550 if it that would allow the obstruction said structure or tree to
551 exceed the applicable height limit or otherwise deviate from the
552 airport protection zoning regulations.; ~~and,~~ Whether or not an
553 application is made for a permit under this subsection ~~or not,~~
554 ~~the said agency may by appropriate action, compel~~ the owner of
555 the nonconforming obstruction may be required structure or tree,
556 at his or her own expense, to lower, remove, reconstruct, alter,
557 or equip such obstruction object as may be necessary to conform
558 to the current airport protection zoning regulations. If the
559 owner of the nonconforming obstruction neglects or refuses
560 ~~structure or tree shall neglect or refuse~~ to comply with such
561 requirement order for 10 days after notice ~~thereof,~~ the



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562 ~~administrative said~~ agency may report the violation to the
563 political subdivision involved ~~therein~~, which subdivision,
564 through its appropriate agency, may proceed to have the
565 obstruction object so lowered, removed, reconstructed, altered,
566 or equipped, and assess the cost and expense thereof upon the
567 owner of the obstruction object or the land whereon it is or was
568 located, and, unless such an assessment is paid within 90 days
569 from the service of notice thereof on the owner or the owner's
570 agent, of such object or land, the sum shall be a lien on said
571 land, and shall bear interest thereafter at the rate of 6
572 percent per annum until paid, and shall be collected in the same
573 manner as taxes on real property are collected by said political
574 subdivision, or, at the option of said political subdivision,
575 said lien may be enforced in the manner provided for enforcement
576 of liens by chapter 85.

577 ~~(c) Except as provided herein, applications for permits~~
578 ~~shall be granted, provided the matter applied for meets the~~
579 ~~provisions of this chapter and the regulations adopted and in~~
580 ~~force hereunder.~~

581 (2) CONSIDERATIONS WHEN ISSUING OR DENYING PERMITS.-In
582 determining whether to issue or deny a permit, the political
583 subdivision or its administrative agency must consider the
584 following, as applicable:

585 (a) The safety of persons on the ground and in the air.

586 (b) The safe and efficient use of navigable airspace.

587 (c) The nature of the terrain and height of existing
588 structures.

589 (d) The effect of the construction or alteration on the
590 state licensing standards for a public-use airport contained in



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591 chapter 330 and rules adopted thereunder.

592 (e) The character of existing and planned flight operations
593 and developments at public-use airports.

594 (f) Federal airways, visual flight rules, flyways and
595 corridors, and instrument approaches as designated by the
596 Federal Aviation Administration.

597 (g) The effect of the construction or alteration of the
598 proposed structure on the minimum descent altitude or the
599 decision height at the affected airport.

600 (h) The cumulative effects on navigable airspace of all
601 existing structures and all other known proposed structures in
602 the area.

603 (i) Additional requirements adopted by the political
604 subdivision or administrative agency pertinent to evaluation and
605 protection of airspace and airport operations.

606 ~~(2) VARIANCES.—~~

607 ~~(a) Any person desiring to erect any structure, increase~~
608 ~~the height of any structure, permit the growth of any tree, or~~
609 ~~otherwise use his or her property in violation of the airport~~
610 ~~zoning regulations adopted under this chapter or any land~~
611 ~~development regulation adopted pursuant to the provisions of~~
612 ~~chapter 163 pertaining to airport land use compatibility, may~~
613 ~~apply to the board of adjustment for a variance from the zoning~~
614 ~~regulations in question. At the time of filing the application,~~
615 ~~the applicant shall forward to the department by certified mail,~~
616 ~~return receipt requested, a copy of the application. The~~
617 ~~department shall have 45 days from receipt of the application to~~
618 ~~comment and to provide its comments or waiver of that right to~~
619 ~~the applicant and the board of adjustment. The department shall~~



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620 ~~include its explanation for any objections stated in its~~
621 ~~comments. If the department fails to provide its comments within~~
622 ~~45 days of receipt of the application, its right to comment is~~
623 ~~waived. The board of adjustment may proceed with its~~
624 ~~consideration of the application only upon the receipt of the~~
625 ~~department's comments or waiver of that right as demonstrated by~~
626 ~~the filing of a copy of the return receipt with the board.~~
627 ~~Noncompliance with this section shall be grounds to appeal~~
628 ~~pursuant to s. 333.08 and to apply for judicial relief pursuant~~
629 ~~to s. 333.11. Such variances may only be allowed where a literal~~
630 ~~application or enforcement of the regulations would result in~~
631 ~~practical difficulty or unnecessary hardship and where the~~
632 ~~relief granted would not be contrary to the public interest but~~
633 ~~would do substantial justice and be in accordance with the~~
634 ~~spirit of the regulations and this chapter. However, any~~
635 ~~variance may be allowed subject to any reasonable conditions~~
636 ~~that the board of adjustment may deem necessary to effectuate~~
637 ~~the purposes of this chapter.~~

638 ~~(b) The Department of Transportation shall have the~~
639 ~~authority to appeal any variance granted under this chapter~~
640 ~~pursuant to s. 333.08, and to apply for judicial relief pursuant~~
641 ~~to s. 333.11.~~

642 (3) OBSTRUCTION MARKING AND LIGHTING.-

643 ~~(a) In issuing a granting any permit ~~or variance~~ under this~~
644 ~~section, the political subdivision or its administrative agency~~
645 ~~or board of adjustment shall require the owner of the~~
646 ~~obstruction structure or tree in question to install, operate,~~
647 ~~and maintain thereon, at his or her own expense, ~~such~~ marking~~
648 ~~and lighting in conformance with the specific standards~~



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649 ~~established by the Federal Aviation Administration as may be~~
650 ~~necessary to indicate to aircraft pilots the presence of an~~
651 ~~obstruction.~~

652 ~~(b) Such marking and lighting shall conform to the specific~~
653 ~~standards established by rule by the Department of~~
654 ~~Transportation.~~

655 ~~(c) Existing structures not in compliance on October 1,~~
656 ~~1988, shall be required to comply whenever the existing marking~~
657 ~~requires refurbishment, whenever the existing lighting requires~~
658 ~~replacement, or within 5 years of October 1, 1988, whichever~~
659 ~~occurs first.~~

660 Section 13. Section 333.08, Florida Statutes, is repealed.

661 Section 14. Section 333.09, Florida Statutes, is amended to
662 read:

663 333.09 Administration of airport protection zoning
664 regulations.-

665 (1) ADMINISTRATION.-All airport protection zoning
666 regulations adopted under this chapter shall provide for the
667 administration and enforcement of such regulations by the
668 political subdivision or its administrative agency an
669 ~~administrative agency which may be an agency created by such~~
670 ~~regulations or any official, board, or other existing agency of~~
671 ~~the political subdivision adopting the regulations or of one of~~
672 ~~the political subdivisions which participated in the creation of~~
673 ~~the joint airport zoning board adopting the regulations, if~~
674 ~~satisfactory to that political subdivision, but in no case shall~~
675 ~~such administrative agency be or include any member of the board~~
676 ~~of adjustment. The duties of any administrative agency~~
677 designated pursuant to this chapter must ~~shall~~ include that of



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678 hearing and deciding all permits under s. 333.07 ~~s. 333.07(1)~~,
679 ~~deciding all matters under s. 333.07(3)~~, as they pertain to such
680 agency, and all other matters under this chapter applying to
681 said agency, ~~but such agency shall not have or exercise any of~~
682 ~~the powers herein delegated to the board of adjustment.~~

683 (2) LOCAL GOVERNMENT PROCESS.—

684 (a) A political subdivision required to adopt airport
685 zoning regulations under this chapter shall provide a process
686 to:

687 1. Issue or deny permits consistent with s. 333.07.

688 2. Provide the department with a copy of a complete
689 application consistent with s. 333.025(4).

690 3. Enforce the issuance or denial of a permit or other
691 determination made by the administrative agency with respect to
692 airport zoning regulations.

693 (b) If a zoning board or permitting body already exists
694 within a political subdivision, the zoning board or permitting
695 body may implement the airport zoning regulation permitting and
696 appeals processes.

697 (3) APPEALS.—

698 (a) A person, a political subdivision or its administrative
699 agency, or a joint airport zoning board that contends that a
700 decision made by a political subdivision or its administrative
701 agency is an improper application of airport zoning regulations
702 may use the process established for an appeal.

703 (b) All appeals taken under this section must be taken
704 within a reasonable time, as provided by the political
705 subdivision or its administrative agency, by filing with the
706 entity from which the appeal is taken a notice of appeal



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707 specifying the grounds for appeal.

708 (c) An appeal shall stay all proceedings in the underlying
709 action appealed from, unless the entity from which the appeal is
710 taken certifies pursuant to the rules for appeal that by reason
711 of the facts stated in the certificate a stay would, in its
712 opinion, cause imminent peril to life or property. In such
713 cases, proceedings may not be stayed except by order of the
714 political subdivision or its administrative agency on notice to
715 the entity from which the appeal is taken and for good cause
716 shown.

717 (d) The political subdivision or its administrative agency
718 shall set a reasonable time for the hearing of appeals, give
719 public notice and due notice to the parties in interest, and
720 decide the same within a reasonable time. Upon the hearing, any
721 party may appear in person, by agent, or by attorney.

722 (e) The political subdivision or its administrative agency
723 may, in conformity with this chapter, affirm, reverse, or modify
724 the decision on the permit or other determination from which the
725 appeal is taken.

726 Section 15. Section 333.10, Florida Statutes, is repealed.

727 Section 16. Section 333.11, Florida Statutes, is amended to
728 read:

729 333.11 Judicial review.—

730 (1) Any person, ~~aggrieved, or taxpayer affected, by any~~
731 ~~decision of a board of adjustment, or any governing body of a~~
732 ~~political subdivision, or the Department of Transportation or~~
733 ~~any joint airport zoning board~~ affected by a decision of a
734 political subdivision, or its ~~of any~~ administrative agency
735 ~~hereunder,~~ may apply for judicial relief to the circuit court in



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736 the judicial circuit where the political subdivision ~~board of~~
737 ~~adjustment~~ is located within 30 days after rendition of the
738 decision ~~by the board of adjustment~~. Review shall be by petition
739 for writ of certiorari, which shall be governed by the Florida
740 Rules of Appellate Procedure.

741 ~~(2) Upon presentation of such petition to the court, it may~~
742 ~~allow a writ of certiorari, directed to the board of adjustment,~~
743 ~~to review such decision of the board. The allowance of the writ~~
744 ~~shall not stay the proceedings upon the decision appealed from,~~
745 ~~but the court may, on application, on notice to the board, on~~
746 ~~due hearing and due cause shown, grant a restraining order.~~

747 ~~(3) The board of adjustment shall not be required to return~~
748 ~~the original papers acted upon by it, but it shall be sufficient~~
749 ~~to return certified or sworn copies thereof or of such portions~~
750 ~~thereof as may be called for by the writ. The return shall~~
751 ~~concisely set forth such other facts as may be pertinent and~~
752 ~~material to show the grounds of the decision appealed from and~~
753 ~~shall be verified.~~

754 ~~(2)-(4)~~ The court ~~has~~ shall have exclusive jurisdiction to
755 affirm, reverse, or modify, ~~or set aside~~ the decision on the
756 permit or other determination from which the appeal is taken
757 ~~brought up for review, in whole or in part, and, if appropriate~~
758 ~~need be, to order further proceedings by the~~ political
759 subdivision or its administrative agency ~~board of adjustment~~.

760 The findings of fact by the political subdivision or its
761 administrative agency ~~board~~, if supported by substantial
762 evidence, shall be accepted by the court as conclusive, and an
763 ~~no~~ objection to a decision of the political subdivision or its
764 administrative agency may not ~~board shall~~ be considered by the



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765 court unless such objection was raised in the underlying
766 proceeding shall have been urged before the board, or, if it was
767 not so urged, unless there were reasonable grounds for failure
768 to do so.

769 (3)(5) If In any case in which airport zoning regulations
770 adopted under this chapter, ~~although generally reasonable,~~ are
771 held by a court to interfere with the use and enjoyment of a
772 particular structure or parcel of land to such an extent, or to
773 be so onerous in their application to such a structure or parcel
774 of land, as to constitute a taking or deprivation of that
775 property in violation of the State Constitution or the
776 Constitution of the United States, such holding shall not affect
777 the application of such regulations to other structures and
778 parcels of land, or such regulations as are not involved in the
779 particular decision.

780 (4)(6) A judicial No appeal to any court may not shall be
781 or is permitted under this section until the appellant has
782 exhausted all of its remedies through application for local
783 government permits, exceptions, and appeals, to any courts, as
784 herein provided, save and except an appeal from a decision of
785 the board of adjustment, the appeal herein provided being from
786 such final decision of such board only, the appellant being
787 hereby required to exhaust his or her remedies hereunder of
788 application for permits, exceptions and variances, and appeal to
789 the board of adjustment, and gaining a determination by said
790 board, before being permitted to appeal to the court hereunder.

791 Section 17. Section 333.12, Florida Statutes, is amended to
792 read:

793 333.12 Acquisition of air rights.-If In any case which: it



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794 ~~is desired to remove, lower or otherwise terminate a~~
795 nonconforming obstruction is determined to be an airport hazard
796 and the owner will not remove, lower, or otherwise eliminate it
797 ~~structure or use; or~~ the approach protection necessary cannot,
798 because of constitutional limitations, be provided by airport
799 zoning regulations under this chapter; or it appears advisable
800 that the necessary approach protection be provided by
801 acquisition of property rights rather than by airport zoning
802 regulations, the political subdivision within which the property
803 or nonconforming obstruction ~~use~~ is located, or the political
804 subdivision owning or operating the airport or being served by
805 it, may acquire, by purchase, grant, or condemnation in the
806 manner provided by chapter 73, such property, air right,
807 avigation ~~navigation~~ easement, or other estate, portion, or
808 interest in the property or nonconforming obstruction ~~structure~~
809 ~~or use~~ or such interest in the air above such property, ~~tree,~~
810 ~~structure, or use,~~ in question, as may be necessary to
811 effectuate the purposes of this chapter, and in so doing, if by
812 condemnation, to have the right to take immediate possession of
813 the property, interest in property, air right, or other right
814 sought to be condemned, at the time, and in the manner and form,
815 and as authorized by chapter 74. In the case of the purchase of
816 any property, ~~or any~~ easement, or estate or interest therein or
817 the acquisition of the same by the power of eminent domain, the
818 political subdivision making such purchase or exercising such
819 power shall, in addition to the damages for the taking, injury,
820 or destruction of property, also pay the cost of the removal and
821 relocation of any structure or any public utility that ~~which~~ is
822 required to be moved to a new location.



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823 Section 18. Section 333.13, Florida Statutes, is amended to
824 read:

825 333.13 Enforcement and remedies.—

826 (1) Each violation of this chapter or of any airport zoning
827 regulations, orders, or rulings adopted ~~promulgated~~ or made
828 pursuant to this chapter shall constitute a misdemeanor of the
829 second degree, punishable as provided in s. 775.082 or s.
830 775.083, and each day a violation continues to exist shall
831 constitute a separate offense.

832 (2) In addition, the political subdivision or agency
833 adopting the airport zoning regulations under this chapter may
834 institute in any court of competent jurisdiction an action to
835 prevent, restrain, correct, or abate any violation of this
836 chapter or of airport zoning regulations adopted under this
837 chapter or of any order or ruling made in connection with their
838 administration or enforcement, and the court shall adjudge to
839 the plaintiff such relief, by way of injunction, ~~(which may be~~
840 mandatory, ~~)~~ or otherwise, as may be proper under all the facts
841 and circumstances of the case in order to fully effectuate the
842 purposes of this chapter and of the regulations adopted and
843 orders and rulings made pursuant thereto.

844 (3) The department ~~of Transportation~~ may institute a civil
845 action for injunctive relief in the appropriate circuit court to
846 prevent violation of any provision of this chapter.

847 Section 19. Section 333.135, Florida Statutes, is created
848 to read:

849 333.135 Transition provisions.—

850 (1) Any airport zoning regulation in effect on July 1,
851 2016, which includes provisions in conflict with this chapter



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852 shall be amended to conform to the requirements of this chapter
853 by July 1, 2017.

854 (2) Any political subdivision having an airport within its
855 territorial limits which has not adopted airport zoning
856 regulations shall, by July 1, 2017, adopt airport zoning
857 regulations consistent with this chapter.

858 (3) For those political subdivisions that have not yet
859 adopted airport zoning regulations pursuant to this chapter, the
860 department shall administer the permitting process as provided
861 in s. 333.025.

862 Section 20. Section 333.14, Florida Statutes, is repealed.

863 ===== T I T L E A M E N D M E N T =====

864 And the title is amended as follows:

865 Delete line 16

866 and insert:

867 routes to, a port-of-entry location; amending s.
868 333.01, F.S.; defining and redefining terms; amending
869 s. 333.025, F.S.; revising the requirements relating
870 to permits required for obstructions; requiring
871 certain existing, planned, and proposed facilities to
872 be protected from airport hazards; requiring the local
873 government to provide a copy of a complete permit
874 application to the Department of Transportation's
875 aviation office, subject to certain requirements;
876 requiring the department to have a specified review
877 period following receipt of such application;
878 providing exemptions from such review under certain
879 circumstances; revising the circumstances under which
880 the department issues or denies a permit; revising the



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881 department's requirements before a permit is issued;
882 revising the circumstances under which the department
883 is prohibited from approving a permit; providing that
884 the denial of a permit is subject to administrative
885 review; amending s. 333.03, F.S.; conforming
886 provisions to changes made by the act; revising the
887 circumstances under which a political subdivision
888 owning or controlling an airport and another political
889 subdivision adopt, administer, and enforce airport
890 protection zoning regulations or create a joint
891 airport protection zoning board; revising the
892 provisions relating to airport protection zoning
893 regulations and joint airport protection zoning
894 boards; requiring the department to be available to
895 provide assistance to political subdivisions regarding
896 federal obstruction standards; deleting provisions
897 relating to certain duties of the department; revising
898 provisions relating to airport land use compatibility
899 zoning regulations; revising construction; providing
900 applicability; amending s. 333.04, F.S.; authorizing
901 certain airport zoning regulations to be incorporated
902 in and made a part of comprehensive plans and
903 policies, rather than a part of comprehensive zoning
904 regulations, under certain circumstances; revising
905 requirements relating to applicability; amending s.
906 333.05, F.S.; revising procedures for adoption of
907 airport zoning regulations; amending s. 333.06, F.S.;
908 revising airport zoning regulation requirements;
909 repealing s. 333.065, F.S., relating to guidelines



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910 regarding land use near airports; amending s. 333.07,
911 F.S.; revising requirements relating to local
912 government permitting of airspace obstructions;
913 requiring a person proposing to construct, alter, or
914 allow an airport obstruction to apply for a permit
915 under certain circumstances; revising the
916 circumstances under which a permit is prohibited from
917 being issued; revising the circumstances under which
918 the owner of a nonconforming structure is required to
919 alter such structure to conform to the current airport
920 protection zoning regulations; deleting provisions
921 relating to variances from zoning regulations;
922 requiring a political subdivision or its
923 administrative agency to consider specified criteria
924 in determining whether to issue or deny a permit;
925 revising the requirements for marking and lighting in
926 conformance with certain standards; repealing s.
927 333.08, F.S., relating to appeals of decisions
928 concerning airport zoning regulations; amending s.
929 333.09, F.S.; revising the requirements relating to
930 the administration of airport protection zoning
931 regulations; requiring all airport protection zoning
932 regulations to provide for the administration and
933 enforcement of such regulations by the political
934 subdivision or its administrative agency; requiring a
935 political subdivision adopting airport zoning
936 regulations to provide a permitting process, subject
937 to certain requirements; requiring a zoning board or
938 permitting body to implement the airport zoning



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939 regulation permitting and appeals process if such
940 board or body already exists within a political
941 subdivision; authorizing a person, a political
942 subdivision or its administrative agency, or a
943 specified joint zoning board to use the process
944 established for an appeal, subject to certain
945 requirements; repealing s. 333.10, F.S., relating to
946 boards of adjustment provided for by airport zoning
947 regulations; amending s. 333.11, F.S.; revising the
948 requirements relating to judicial review; amending s.
949 333.12, F.S.; revising requirements relating to the
950 acquisition of air rights; amending s. 333.13, F.S.;
951 conforming provisions to changes made by the act;
952 creating s. 333.135, F.S.; requiring conflicting
953 airport zoning regulations in effect on a specified
954 date to be amended to conform to certain requirements;
955 requiring certain political subdivisions to adopt
956 certain airport zoning regulations by a specified
957 date; requiring the department to administer a
958 specified permitting process for certain political
959 subdivisions; repealing s. 333.14, F.S., relating to a
960 short title; amending s.