

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<b>1986:</b> [Ch. 86-191, SS.7 - 12, & 18 - 31, Laws of Florida]					
1	The requirement that plans include <b>soil surveys</b> which indicate the suitability of soils for septic tanks moved from the Capital Improvements Element to the General Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer Recharge Element, by striking Subparagraph 163.3177(3)(a)4., and adding the last sentence of Paragraph 163.3177(6)(c).	163.3177(6)(c)		No Action Required	
2	A <b>Future Land Use Element</b> must have "goals, policies, and <b>measurable objectives</b> ," rather than "measurable goals, objectives, and policies."	163.3177(6)(a)		No Action Required	
3	<b>Eliminated the 12-month delay</b> for consistency with the comprehensive regional policy plans.	163.3177(9)(c)	X		
4	<p><b>Approved 9J-5, F.A.C.</b></p> <p><b>Defined "consistency," "compatible with," and "furthers."</b></p> <p>Required each local government to <b>review and address all State Comprehensive Plan</b> provisions relevant to that jurisdiction.</p> <p>Support data shall not be subject to the compliance review process, but that <b>goals and policies</b> must be clearly <b>based on appropriate data</b>. The Department of Community Affairs authorized to reject data if not collected in a professionally accepted manner, but forbidden to require a particular professionally accepted methodology. 9J-5 does not require original data collection.</p> <p>Recognized that local governments are charged with setting <b>level-of-service</b> standards.</p> <p><b>Public facilities and services</b> needed to support development shall be available <b>concurrent</b> with the impacts of development.</p> <p><b>Established the "shield" against rule challenges</b> to 9J-5 until July 1, 1987.</p>	163.3177(10)		<p>No Action Required</p>	
5	Required the comprehensive master plan for each <b>deepwater port</b> to be submitted to the appropriate local government at least 6 months before the due date of the local plan; defined "appropriate local government," and provided for sanctions for deepwater ports which are not part of a local government and which fail to submit their comprehensive master plan.	163.3178(2)(k)		No Action Required	

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
6	Substantially reworded Section 163.3184, " <b>Process for adoption</b> of comprehensive plan or amendment thereto," to basic format in place today.	163.3184		No Action Required	
7	Extended <b>development of regional impact exemption</b> from twice-a-year plan amendments to Florida Quality Developments.	163.3187(1)(b)		No Action Required	
8	Exempted <b>small scale amendments</b> from the twice-a-year limitation.	163.3187(1)(c)		No Action Required	
9	Required the local planning agency's <b>evaluation and appraisal report</b> to be transmitted to DCA, and required the governing body of the local government to adopt, or adopt with changes, the local planning agency's report within 90 days after receipt. Authorized transmittal of the EAR plan amendments, rather than the entire plan as amended, to DCA.	163.3191(1) & (4) <b>[Note: 163.3191 was amended and reworded in 1998. Check statutes for current wording.]</b>		No Action Required	
10	<b>Delayed implementation of concurrency</b> until 1 year after due date for submittal of the comp plan.	163.3202(2)(g)		No Action Required	
11	Initial adoption of the <b>Florida Local Government Development Agreement Act</b> .	<b>[Now: 163.3220-.3243]</b>		No Action Required	
<b>1987:</b> [Ch. 87-224, SS. 24, 25 & 26, <u>Laws of Florida</u> (Revisor's bill), and Ch. 87-338, <u>Laws of Florida</u> ]					
12	<b>Extended date for DCA to adopt schedule for submittal</b> of local plans from October 1, 1986 to October 1, 1987, and extended the latest date for submission by non-coastal counties from July 1, 1990 to July 1, 1991.	<b>[Now: 163.3167(2)]</b>		No Action Required	
<b>1988:</b> None					
<b>1989:</b> None					
<b>1990:</b> None					
<b>1991:</b> [Ch. 91-45, SS. 31 and 32, <u>Laws of Florida</u> ] Nothing substantive.					
<b>1992:</b> [Ch. 92-129, <u>Laws of Florida</u> , and Ch. 92-279, S. 77, <u>Laws of Florida</u> ]					
13	Clarified that the <b>procedures for approval</b> of the original plans also applied to <b>plan amendments</b> .	<b>[Now: 163.3189(2)(a)]</b>		No Action Required	
14	Provided that the <b>local planning agency</b> should prepare plan amendments.	163.3174 163.3164(13) <b>[Now: (14)]</b> 163.3221(10) <b>[Now: (11)]</b>		No Action Required	
15	Added " <b>spoil disposal sites</b> for maintenance dredging located in the intracoastal waterways, except for spoil disposal sites owned or used by ports" to the definition of "public facilities."	163.3164(24)			
16	Added requirement that <b>independent special districts</b> submit a public facilities report to the appropriate local government.	163.3177(6)(h)2. <b>[Now: 163.3177(6)(h)3.]</b>		No Action Required	
17	Extended " <b>shield</b> " <b>against challenges</b> to the portion of Rule 9J-5 that was adopted before October 1, 1986, from July 1 1987 to April	163.3177(10)(k)		No Action Required	

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	1, 1993.				
18	Recognized the need for <b>innovative planning and development strategies</b> to address the anticipated continued urbanization of the coast and other environmentally sensitive areas.  Stated that plans should allow <b>land use efficiencies</b> within existing urban areas, and should also allow for the conversion of rural lands to other uses.  Provided that plans and land development regulations (LDRs) should <b>maximize the use of existing facilities and services through redevelopment, urban infill</b> , and other strategies for urban revitalization.	163.3177(11)(a)  (11)(b)  (11)(c)		No Action Required  No Action Required  No Action Required	
19	<b>Amended definition of "affected person"</b> to clarify that the affected person's comments, recommendations, or objections have to be submitted to the local government after the transmittal hearing for the plan amendment and before the adoption of the amendment.	163.3184(1)(a)		No Action Required	
20	Required the local government to <b>include such materials as DCA specifies by rule</b> with each plan amendment transmittal.	163.3184(3)(b)		No Action Required	
21	Gave the local government <b>120 days</b> , rather than 60 days, <b>after</b> receipt of the <b>objections, recommendations, and comments to adopt or adopt with changes the plan or amendment</b> ; and gives the local government 10 days, rather than 5 days, after adoption to transmit the adopted plan or amendment to DCA. Also requires that a copy of the adopted plan or amendment be transmitted to the regional planning council.	163.3184(7)(a) <b>[Now: 163.3184(7)(c)1]</b>		No Action Required	
22	Provided that the Secretary of DCA, as well as a "senior administrator other than the Secretary" can <b>issue a notice of intent (NOI)</b> .	163.3184(8)(b)		No Action Required	
23	Required that the <b>Division of Administrative Hearings hearing</b> must be held "in the county of and convenient to" the affected local jurisdiction.	163.3184(9)(b) & (10)(a)		No Action Required	
24	Provided that <b>new issues</b> cannot be raised concerning plan compliance more than 21 days after publication of the NOI.	163.3184(10)(a)		No Action Required	
25	Added a <b>procedure for Compliance Agreements</b> .	163.3184(16)		No Action Required	
26	Changed the <b>requirements for small scale amendments</b> :  <ul style="list-style-type: none"> <li>Increased the geographic size from 5 to 10 acres of residential land use at a density of 10, rather than 5, units per acre; and for other land use, an increase from 3 to 10 acres. Also</li> </ul>	163.3187(1)(c)		No Action Required	

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	<p>increased the annual total from 30 to 60 acres.</p> <ul style="list-style-type: none"> <li>Allowed local governments to use a newspaper ad of less than a quarter page in size.</li> <li>Authorized DCA to adopt rules establishing an alternative process for public notice for small scale amendments.</li> <li>Provided that small scale amendments require only an adoption hearing.</li> </ul>			No Action Required	
27	Provided that a <b>plan amendment required by a compliance agreement</b> may be approved without regard to the twice-a-year limitation on plan amendments.	163.3187(1)(e) <b>[Now: 163.3187(1)(d)]</b>		No Action Required	
28	Stated that nothing in the statute prevented a local government from requiring a person requesting an amendment to pay the <b>cost of publication of notice</b> .	163.3187(5)		No Action Required	
29	Created an <b>alternative process for amendment</b> of adopted comprehensive plans	163.3189		No Action Required	
30	Provided that the <b>first EAR report</b> is due 6 years after the adoption of the comp plan, and subsequent EAR reports are due every 5 years thereafter.	163.3191(5) <b>[Now: 163.3191(13)]</b>		No Action Required	
31	Amended the <b>Development Agreement Act</b> by providing: <ul style="list-style-type: none"> <li>Development agreements are not effective unless the comp plan or plan amendments related to the agreement are found in compliance.</li> <li>Development agreements are not effective until properly recorded and until 30 days after received by DCA.</li> </ul>	163.3235  163.3239		No Action Required  No Action Required	
<b>1993: [Ch. 93-206, Laws of Florida (aka the ELMS bill) and Ch. 93-285, S. 12, Laws of Florida]</b>					
32	Amended the <b>intent</b> section to include that constitutionally protected <b>property rights</b> must be respected.	163.3161(9)		No Action Required	
33	<b>Added definitions for "coastal area", "downtown revitalization", "Urban redevelopment", "urban infill", "projects that promote public transportation", and "existing urban service area."</b>	163.3164		No Action Required	
34	Amended the scope of the act to provide for the articulation of state, regional, and local <b>visions</b> of the future physical appearance and qualities of a community.	163.3167(11)		No Action Required	
35	Amended the requirements for the <b>housing element</b> by: <ul style="list-style-type: none"> <li>Having the <b>element apply to the jurisdiction, rather than the area</b>.</li> <li>Including <b>very-low income housing</b> in the types of housing to be considered.</li> </ul>	163.3177(6)(f)1.		No Action Required	

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	<ul style="list-style-type: none"> <li>Provided guidance that the creation or preservation of affordable housing should <b>minimize the need for additional local services</b> and avoid the concentration of affordable housing units only in specific areas.</li> <li>Required DCA to prepare an <b>affordable housing needs assessment</b> for all local jurisdictions, which will be used by each local government in preparing the EAR report and amendments, unless DCA allows the local government to prepare its own needs assessment.</li> </ul>	(f)2.		No Action Required  No Action Required	
36	<p>Amended the <b>intergovernmental coordination element (ICE)</b> by:</p> <p>Requiring each ICE to include:</p> <ul style="list-style-type: none"> <li>A process to determine if development proposals will have significant impacts on state or regional facilities.</li> <li>A process for mitigating extrajurisdictional impacts in the jurisdiction in which they occur.</li> <li>A dispute resolution process.</li> <li>A process for modification of DRI development orders without loss of recognized development rights.</li> <li>Procedures to identify and implement joint planning areas.</li> <li>Recognition of campus master plans.</li> <li>Requiring each county, all municipalities within that county, the school board, and other service providers to enter into formal agreements, and include in their plans, joint processes for collaborative planning and decision-making.</li> </ul> <p>Requiring DCA to:</p> <ul style="list-style-type: none"> <li>Adopt rules to establish minimum criteria for ICE.</li> <li>Prepare a model ICE.</li> </ul> <p>Establish a schedule for phased completion and transmittal of ICE plan amendments.</p>	<p>163.3177(6)(h)1. and 2.</p> <p><b>[Note: Requirement deleted in 1996]</b></p> <p><b>[Now: 163.3177(9)(h) 163.3177(9)(h) 163.3177(6)(h)5]</b></p>		No Action Required	
37	Providing that <b>amendments to implement the ICE</b> must be adopted no later than December 31, 1997 <b>[Now: 1999]</b> .	<b>Now: 163.3177(6)(h)5.</b>		No Action Required	
38	Requiring a <b>transportation element</b> for urbanized areas.	163.3177(6)(h) <b>[Now: 163.3177(6)(j)]</b>		No Action Required	
39	Adding an <b>optional hazard mitigation/post disaster redevelopment element</b> for local governments that are not required to have a coastal management element.	163.3177(7)(l)	X		
40	Requiring DCA to <b>consider land use compatibility</b> issues in the <b>vicinity of airports</b> .	163.3177(10)(l)		No Action Required	
41	<b>Amended the coastal management element</b> by:	163.3178			



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	<ul style="list-style-type: none"> <li>Authorizing local governments to adopt <b>long-range transportation concurrency management systems</b> with planning periods of up to 10 years where significant backlogs exist.</li> <li>Requiring local governments to adopt the <b>level-of-service</b> standard established by the Department of Transportation for facilities on the <b>Florida Intrastate Highway System</b>.</li> <li>Allows <b>development that does not meet concurrency</b> if the local government has failed to implement the Capital Improvements Element, and the developer makes a binding commitment to pay the fair share of the cost of the needed facility.</li> </ul>		X	No Action Required	
43	Provided a procedure to ensure <b>public participation</b> in the approval of a publicly financed capitol improvement.	163.3181(3)			
44	Amended the <b>procedure for the adoption of plans and plan amendments</b> as follows: <ul style="list-style-type: none"> <li><b>Proposed plans or amendments</b>, and materials, must be <b>transmitted</b> to the regional planning councils, the water management districts, the Department of Environmental Protection, and the Department of Transportation as specified in DCA's rules.</li> <li><b>DCA reviews amendments</b> only upon the request of the regional planning council, an affected person, or the local government, or those, which it wishes to review.</li> <li>The <b>regional planning council's review</b> of plan amendments is limited to effects on regional facilities or resources identified in the strategic regional policy plan and extra jurisdictional impacts.</li> <li>DCA may not require a local government to <b>duplicate or exceed a permitting program</b> of a state, federal, or regional agency.</li> </ul>	163.3184		No Action Required	
45	Provided that local governments <b>cannot amend their comp plans after the date established for submittal of the EAR</b> report unless the report has been submitted.	163.3187(5) <b>[Now: 163.3187(6)(a)]</b>		No Action Required	
46	Changed the <b>Alternative Process</b> for the amendment of adopted comp plans to the Exclusive Process.	163.3189(1)		No Action Required	
47	Provided that <b>plan amendments do not become effective</b> until DCA or the Administration Commission issues a final order determining that the amendment is in compliance.	163.3189(2)(a)		No Action Required	
48	Provides that the <b>sanctions</b> assessed by the Administration	163.3189(2)(b)			

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	Commission do not occur unless the local government elects to make the amendment effective despite the determination of noncompliance.			No Action Required	
49	Authorizing the local government to demand <b>formal or informal mediation</b> , or expeditious resolution of the amendment proceeding.	163.3189(3)(a)		No Action Required	
50	Amended the <b>EARs</b> section to require additional statements of: <ul style="list-style-type: none"> <li>The effect of changes to the state comprehensive plan, ch. 163, part II, 9J-5 and the strategic regional policy plan.</li> <li>The identification of any actions that need to be taken to address the planning issues identified in the report.</li> <li>Proposed or anticipated amendments.</li> <li>A description of the public participation process.</li> <li>Encourage local governments to use the EAR to develop a local vision.</li> <li>Allows DCA to grant a 6 month extension for the adoption of plan amendments required by the EAR.</li> <li>Requires plan amendments to be consistent with the report.</li> <li>Allows municipalities of less than 2,500 to submit the EAR no later than 12 years after initial plan, and every 10 years thereafter.</li> <li>Authorized DCA to review EAR for sufficiency, but not for compliance. DCA authorized to delegate review to the regional planning council .</li> <li>Administration Commission is authorized to impose sanctions for failure to timely implement the EAR.</li> <li>DCA authorized to enter into agreement with municipalities of less than 5,000 and counties of less than 50,000 to focus planning efforts on selected issues when updating the plans.</li> </ul>	163.3191 <b>[Note: 163.3191 was amended and reworded in 1998. Check statutes for current wording.]</b>		No Action Required	
<b>1994</b> [Ch. 94-273, S. 4, <u>Laws of Florida</u> ]					
51	A plan amendment for the location of a <b>state correctional facility</b> can be made at any time, and does not count toward the <b>twice-a-year limitation</b> .	163.3187(1)(f) <b>[Now: 163.3187(1)(e)]</b>		No Action Required	
<b>1995</b> [Ch. 95-181, ss. 4-5; Ch. 95-257, ss. 2-3; Ch. 95-310, ss. 7-12; Ch. 95-322, ss. 1-7; Ch. 95-341, ss. 9, 10, and 12, <u>Laws of Florida</u> ]					
52	Required opportunities for <b>mediation or alternative dispute resolution</b> where a property owner's request for a comprehensive plan amendment is denied by a local government [Subsection 163.3181(4)] and prior to a hearing where a plan or plan amendment was determined by the DCA to be not in compliance.	163.3184(10)(c)		No Action Required	

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53	Added a definition for “ <b>transportation corridor management</b> ” [Subsection 163.3164(30)] and allowed the designation of transportation corridors in the required traffic circulation and transportation elements and the adoption of transportation corridor management ordinances.	163.3177(6)(j)9.		No Action Required	
54	Amended the definition of “ <b>public notice</b> ” and certain <b>public notice and public hearing</b> requirements to conform to the public notice and hearing requirements for counties and municipalities in Sections 125.66 and 166.041, respectively.	163.3164(18), 163.3171(3), 163.3174(1) and (4), and 163.3181(3)(a), 163.3184(15)(a)-(c), 163.3187(1)(c)		No Action Required	
55	Prohibited any <b>initiative or referendum process</b> in regard to any development order or comprehensive plan or map amendment that affects five or fewer parcels of land.	163.3167(12)		No Action Required	
56	Reduced to 30 <b>[Note: changed to 20]</b> days the time for DCA to <b>review comp plan amendments</b> resulting from a <b>compliance agreement</b> .	163.3184(8)(a)		No Action Required	
57	Amended the requirements for the <b>advertisement</b> of DCA’s <b>notice of intent</b> .	163.3184(8)(b)		No Action Required	
58	Required the administrative law judge to <b>realign the parties</b> in a Division of Administrative Hearings (DOAH) proceeding where a local government adopts a plan amendment pursuant to a compliance agreement.	163.3184(16)(f)		No Action Required	
59	Added clarifying language relative to those <b>small scale plan amendments</b> that are exempt from the <b>twice-per-year limitation</b> and <b>prohibited DCA review</b> of those small scale amendments that meet the statutory criteria in Paragraph 163.3187(1)(c).	163.3187(1)(c) and (3)(a)-(c)		No Action Required	
60	Required DCA to consider an increase in the annual total acreage threshold for <b>small scale amendments</b> . (later repealed by s. 16, Ch. 2000-158, Laws of Florida).	163.3177(7)		No Action Required	
61	Required local planning agencies to provide opportunities for <b>involvement by district school boards and community college boards</b> .	163.3174(1)			
62	Required that the future land use element clearly identify those <b>land use categories</b> where <b>public schools</b> are allowed.	163.3177(6)(a)		Land Use Objective 1.9 Policies 1.9.1-1.9.9	
63	Established certain criteria for local governments wanting to extend <b>concurrency to public schools</b> . (later amended by s. 5, Ch. 98-176, Laws of Florida).	163.3180(1)(b) <b>[Now: 163.3180(13)]</b>		No Action Required	
<b>1996:</b> [Ch. 96-205, s. 1; Ch. 96-320, ss. 10-11; 96-416, ss. 1-6, 15, <u>Laws of Florida</u> ]					
64	Substantially amended the criteria for <b>small scale amendments</b> that are exempt from the <b>twice-per-year limitation</b> .	163.3187(1)(c)		No Action Required	
65	Revised the objectives in the coastal management element to	163.3177(6)(g)9.		No Action Required	

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	include the <b>maintenance of ports</b> .				
66	Provide that certain <b>port related expansion projects</b> are not DRIs under certain conditions.	163.3178(2), (3), and (5)		No Action Required	
67	Allowed a county to designate areas on the future land use plan for possible <b>future municipal incorporation</b> .	163.3177(6)(a)		No Action Required	
68	Required the <b>ICE</b> to include consideration of the plans of <b>school boards</b> and other units of local government providing services but not having regulatory authority over the use of land.	163.3177(6)(h)		CIE Policy 1.1.5	
69	Revised the <b>processes and procedures</b> to be included in the ICE.	163.3177(6)(h)			
70	Required that within 1 year after adopting their <b>ICE</b> each county and all municipalities and school boards therein establish by interlocal agreement the <b>joint processes</b> consistent with their ICE.	163.3177(6)(h)2.		CIE Policy 1.1.5	
71	Required local governments who utilize <b>school concurrency</b> to satisfy intergovernmental coordination requirements of ss. 163.3177(6)(h)1.	163.3180(1)(b)2. <b>[Now: 163.3180(13)(g)]</b>		No Action Required	
72	Permitted a county to adopt a <b>municipal overlay</b> amendment to address future possible municipal incorporation of a specific geographic area.	163.3217		No Action Required	
73	Authorized DCA to conduct a <b>sustainable communities demonstration project</b> .	163.3244 <b>[Now: Repealed.]</b>		No Action Required	
<b>1997:</b> [Ch. 97-253, ss. 1-4, <u>Laws of Florida</u> ]					
74	Amended the definition of <b>de minimis impact</b> as it pertains to concurrency requirements.	163.3180(6)			
75	Established that no plan or plan amendment in an <b>area of critical state concern</b> is effective until found in compliance by a final order.	163.3184(14)	X		
76	Amended the criteria for the annual effect of <b>Duval County small scale amendments</b> to a maximum of 120 acres.	163.3187(1)(c)1.a.III	X		
77	Prohibited amendments in <b>areas of critical state concern</b> from becoming effective if not in compliance.	163.3189(2)(b)	X		
<b>1998:</b> [Ch. 98-75, s. 14; Ch. 146, ss. 2-5; Ch. 98-176, ss. 2-6 and 12-15; Ch. 98-258, ss. 4-5, <u>Laws of Florida</u> ]					
78	<b>Exempted brownfield area</b> amendments from the <b>twice-a-year limitation</b> .	163.3187(1)(g)		No Action Required	
79	Required that the <b>capital improvements element</b> set forth standards for <b>the management of debt</b> .	163.3177(3)(a)4.		Policy 1.5.3	
80	Required inclusion of at least <b>two planning periods</b> – at least 5 years and at least 10 years.	163.3177(5)(a)		No Action Required	
81	Allowed <b>multiple individual plan amendments</b> to be considered	163.3184(3)(d)		No Action Required	

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	together as one amendment cycle.				
82	<b>Defined “optional sector plan”</b> and created Section 163.3245 allowing local governments to address DRI issues within certain identified geographic areas.	163.3164(31) and 163.3245		No Action Required	
83	Established the requirements for a <b>public school facilities element</b> .	163.3177(12)			To be Adopted 8/07
84	Established the minimum requirements for imposing <b>school concurrency</b> .	163.3180(12) <b>[Now: Section (13)]</b>			To be Adopted 8/07
85	Required DCA adopt <b>minimum criteria</b> for the compliance determination of a <b>public school facilities element</b> imposing school concurrency.	163.3180(13) <b>[Now: Section14]</b>			To be Adopted 8/07
86	Required that <b>evaluation and appraisal reports</b> address coordination of the comp plan with existing public schools and the school district's 5-year work program.	163.3191(2)(i) <b>[Now: 163.3191(2)(k)]</b>			To be Adopted 8/07
87	<b>Amended the definition of “in compliance”</b> to include consistency with Sections 163.3180 and 163.3245.	163.3184(1)(b)		No Action Required	
88	Required DCA to <b>maintain a file with all documents received or generated</b> by DCA relating to plan amendments and identify; limited DCA's review of proposed plan amendments to written comments, and required DCA to identify and list all written communications received within 30 days after transmittal of a proposed plan amendment.	163.3184(2), (4), and (6)		No Action Required	
89	Allowed a <b>local government to amend its plan</b> for a period of up to one year after the initial determination of sufficiency of an adopted EAR even if the EAR is insufficient.	163.3187(6)(b)		No Action Required	
90	Substantially reworded Section 163.3191, F.S., related to <b>evaluation and appraisal reports</b> .	163.3191		No Action Required	
91	Changed the <b>population requirements</b> for municipalities and counties which are required to submit otherwise optional elements.	163.3177(6)(i)			
<b>1999:</b> [Ch. 99-251, ss. 65-6, and 90; Ch. 99-378, ss. 1, 3-5, and 8-9, <u>Laws of Florida</u> ]					
92	Required that <b>ports</b> and local governments in the coastal area, which has <b>spoil disposal responsibilities</b> , identify dredge disposal sites in the comp plan.	163.3178(7)		Map Amendment	
93	Exempted from the <b>twice-per-year limitation</b> certain port related amendments for <b>port transportation facilities</b> and projects eligible for funding by the Florida Seaport Transportation and Economic Development Council.	163.3187(1)(h)		No Action Required	
94	Required <b>rural counties</b> to base their future land use plans and the amount of land designated <b>industrial</b> on data regarding the need for job creation, capital investment, and economic development and the need to strengthen and diversity local	163.3177(6)(a)			To be Adopted 8/07

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	economies.				
95	<b>Added the Growth Policy Act to Ch. 163, Part II to promote urban infill and redevelopment.</b>	163.2511,163.25,14,163.25 17,163.2520,163.2523, and 163.2526		No Action Required	
96	Required that all comp plans comply with the <b>school siting requirements</b> by October 1, 1999.	163.3177(6)(a)		Land Use Objective 1.9 Policies 1.9.1-1.9.9	
97	Made <b>transportation facilities</b> subject to concurrency.	163.3180(1)(a)		No Action Required	
98	Required use of <b>professionally accepted techniques</b> for measuring level of service for cars, trucks, transit, bikes and pedestrians.	163.3180(1)(b)		No Action Required	
99	Excludes <b>public transit facilities</b> from <b>concurrency</b> requirements.	163.3180(4)(b)		No Action Required	
100	Allowed <b>multiuse DRIs</b> to satisfy the <b>transportation concurrency</b> requirements when authorized by a local comprehensive plan under limited circumstances.	163.3180(12)		No Action Required	
101	Allowed <b>multimodal transportation districts</b> in areas where priorities for the pedestrian environment are assigned by the plan.	163.3180(15)	X		
102	Exempted amendments for <b>urban infill and redevelopment areas, public school concurrency</b> from the <b>twice-per-year limitation</b> .	163.31879(1)(h) and (i) <b>[Now: (i) and (j)]</b>		No Action Required	
103	<b>Defined brownfield designation</b> and added the assurance that a developer may proceed with development upon receipt of a brownfield designation. [Also see Section 163.3221(1) for "brownfield" definition.]	163.3220(2)		No Action Required	
<b>2000:</b> [Ch. 2000-158, ss. 15-17, Ch. 2000-284, s. 1, Ch. 2000-317, s. 18, <u>Laws of Florida</u> ]					
104	<b>Repealed Section 163.3184(11)(c), F.S.</b> , that required funds from sanction for non-compliant plans go into the Growth Management Trust Fund.	163.3184(11)(c) <b>[Now: Repealed]</b>		No Action Required	
105	<b>Repealed Section 163.3187(7), F.S.</b> that required consideration of an increase in the annual total acreage threshold for small scale plan amendments and a report by DCA.	163.3187(7) <b>[Now: Repealed]</b>		No Action Required	
106	<b>Repealed Sections 163.3191(13) and (15), F.S.</b>	163.3191(13) and (15) <b>[Now: Repealed]</b>		No Action Required	
107	Allowed <b>small scale amendments</b> in <b>areas of critical state concern</b> to be exempt from the twice-per-year limitation only if they are for affordable housing.	163.3187(1)(c)1.e	X		
108	Added exemption of sales from local option surtax imposed under Section 212.054, F.S., as examples of <b>incentives</b> for new development within <b>urban infill and redevelopment areas</b> .	163.2517(3)(j)2.		No Action Required	
<b>2001:</b> [Ch. 2001-279, s. 64, <u>Laws of Florida</u> ]					

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
109	Created the <b>rural land stewardship area</b> program.	163.3177(11)(d)		No Action Required	
<b>2002:</b> [Ch. 2002-296, ss. 1 - 11, <u>Laws of Florida</u> ]					
110	Required that all agencies that review comprehensive plan amendments and rezoning include a <b>nonvoting representative of the district school board</b> .	163.3174		Interlocal Agreement	
111	Required <b>coordination of local comprehensive plan</b> with the regional water supply plan.	163.3177(4)(a)		No Action Required	
112	<b>Plan amendments for school-siting</b> maps are exempt from s. 163.3187(1)'s limitation on frequency.	163.3177(6)(a)		No Action Required	
113	Required that by <b>adoption of the EAR</b> , the sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge element consider the regional water supply plan and <b>include a 10-year work plan</b> to build the identified water supply facilities.	163.3177(6)(c)		No Action Required	
114	Required <b>consideration of the regional water supply plan</b> in the preparation of the conservation element.	163.3177(6)(d)			To be Adopted 8/07
115	Required that the <b>intergovernmental coordination element (ICE)</b> include relationships, principles and guidelines to be used in coordinating comp plan with regional water supply plans.	163.3177(6)(h)			To be Adopted 8/07
116	Required the local governments adopting a public educational facilities element execute an <b>inter-local agreement</b> with the district school board, the county, and non-exempting municipalities.	163.3177(6)(h)4.		Inter-Governmental Policy 1.2.6	
117	Required that counties larger than 100,000 population and their municipalities submit a <b>inter-local service delivery agreements</b> (existing and proposed, deficits or duplication in the provisions of service) report to DCA by January 1, 2004. Each local government is required to update its ICE based on the findings of the report. DCA will meet with affected parties to discuss and id strategies to remedy any deficiencies or duplications.	163.3177(6)(h)6., 7., & 8.	X		
118	Required local governments and special districts to provide <b>recommendations for statutory changes for annexation</b> to the Legislature by February 1, 2003. NOTE: this requirement repealed by Ch. 2005-290, s. 2, LOF.	163.3177(6)(h)9. <b>[Now repealed]</b>	X		
119	Added a <b>new Section 163.31776</b> that allows a county, to adopt an optional public educational facilities element in cooperation with the applicable school board.	163.31776	X		
120	Added a <b>new Section 163.31777</b> that requires local governments and school boards to enter into an inter-local agreement that addresses school siting, enrollment forecasting, school capacity, infrastructure and safety needs of schools, schools as emergency	163.31777		School Interlocal Agreement	

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	shelters, and sharing of facilities.				
121	<b>Added a provision</b> that the concurrency requirement for transportation facilities may be waived by plan amendment for urban infill and redevelopment areas.	163.3180(4)(c)		No Action Required	
122	<b>Expanded the definition of “affected persons”</b> to include property owners who own land abutting a change to a future land use map.	163.3184(1)(a)		No Action Required	
123	<b>Expanded the definition of “in compliance”</b> to include consistency with Section 163.31776 (public educational facilities element).	163.3184(1)(b)		No Action Required	
124	<b>Streamlined the timing</b> of comprehensive plan amendment review.	163.3184(3), (4), (6), (7), and (8)		No Action Required	
125	Required that local governments provide a <b>sign-in form</b> at the transmittal hearing and at the adoption hearing for persons to provide their names and addresses.	163.3184(15)(c)		No Action Required	
126	<b>Exempted amendments</b> related to providing transportation improvements to enhance life safety on “controlled access major arterial highways” from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)(k)	X		
127	<b>Required EARs to include</b> (1) consideration of the appropriate regional water supply plan, and (2) an evaluation of whether past reductions in land use densities in coastal high hazard areas have impaired property rights of current residents where redevelopment occurs.	163-3191(2)(1)		No Action Required	
128	Allowed local governments to <b>establish a special master process</b> to assist the local governments with challenges to local development orders for consistency with the comprehensive plan.	163.3215		No Action Required	
129	Created the <b>Local Government Comprehensive Planning Certification Program</b> to allow less state and regional oversight of comprehensive plan process if the local government meets certain criteria.	163.3246	X		
130	Added a provision to Section 380.06(24), <b>Statutory Exemptions</b> , that exempts from the requirements for developments of regional impact, any water port or marina development if the relevant local government has adopted a “boating facility siting plan or policy” (which includes certain specified criteria) as part of the coastal management element or future land use element of its comprehensive plan. The adoption of the boating facility siting plan or policy is exempt from the limitation on the frequency of plan amendments contained in s.163.3187(1).	163.3187(1)		No Action Required	
131	Prohibited a local government, under certain conditions, from	163.3194(6)			

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	denying an <b>application for development approval</b> for a requested land use for certain proposed solid waste management facilities.			No Action Required	
<b>2003:</b> [Ch. 03-1, ss. 14-15; ch. 03-162, s. 1; ch. 03-261, s. 158; ch. 03-286, s. 61, <u>Laws of Florida.</u> ]					
132	Creates the <b>Agricultural Lands and Practices Act</b> .  (2): Provides <b>legislative findings and purpose</b> with respect to agricultural activities and duplicative regulation.  (3): <b>Defines the terms “farm,” “farm operation,” and “farm product”</b> for purposes of the act.  (4): Prohibits a county from adopting any ordinance, resolution, regulation, rule, or policy to prohibit or otherwise limit a <b>bona fide farm operation</b> on land that is classified as agricultural land.  (4)(a): Provides that the act does <b>not limit the powers of a county</b> under certain circumstances.  (4)(b): Clarifies that a <b>farm operation</b> may not expand its operations under certain circumstances.  (4)(c): Provides that the act does not limit the <b>powers of certain counties</b> .  (4)(d): Provides that certain county ordinances are not deemed to be a <b>duplication of regulation</b> .	163.3162		No Action Required  No Action Required  No Action Required  No Action Required  No Action Required  No Action Required	
133	Changes “State Comptroller” <b>references</b> to “Chief Financial Officer.”	163.3167(6)		No Action Required	
134	Provides for certain <b>airports</b> to abandon DRI orders.	163.3177(6)(k)	X		
135	Throughout s.163.3177, F.S., citations for Ch. 235, F.S., are changed to cite the appropriate section of Ch. 1013, F.S.	163.31776		No Action Required	
136	Throughout s.163.31777, F.S., citations for Ch. 235, F.S., are changed to cite the appropriate section of Ch. 1013, F.S.	163.31777		No Action Required	
<b>2004:</b> [Ch. 04-5, s. 11; ch. 04-37, s. 1; ch. 04-230, ss. 1-4; ch. 04-372, ss. 2-5; ch. 04-381, ss. 1-2; ch. 04-384, s. 2, <u>Laws of Florida.</u> ]					
137	(10): Amended to <b>conform to the repeal</b> of the Florida <b>High-Speed Rail</b> Transportation Act, and the creation of the Florida High-Speed Rail Authority Act.  (13): Created to require local governments to identify adequate <b>water supply sources</b> to meet future demand.	163.3167	X	No Action Required	

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	(14): Created to limit the effect of <b>judicial determinations</b> issued subsequent to certain development orders pursuant to adopted land development regulations.			No Action Required	
138	<p>(1): Provides <b>legislative findings</b> on the compatibility of development with <b>military installations</b>.</p> <p>(2): Provides for the <b>exchange of information</b> relating to <b>proposed land use decisions</b> between counties and local governments and military installations.</p> <p>(3): Provides for <b>responsive comments</b> by the commanding officer or his/her designee.</p> <p>(4): Provides for the county or affected local government to <b>take such comments into consideration</b>.</p> <p>(5): Requires the representative of the military installation to be an <b>ex-officio, nonvoting member</b> of the county's or local government's land planning or zoning board.</p> <p>(6): Encourages the commanding officer to provide <b>information on community planning assistance grants</b>.</p>	Creates 163.3175.			New Land Use Objective 1.10 and Policies 1.10.1-1.10.4
139	<p>(6)(a):</p> <ul style="list-style-type: none"> <li>Changed to require local governments to amend the future land use element by June 30, 2006 to include criteria to achieve compatibility with <b>military installations</b>.</li> <li>Changed to specifically encourage <b>rural land stewardship area</b> designation as an overlay on the future land use map.</li> </ul> <p>(6)(c): Extended the deadline adoption of the <b>water supply facilities work plan</b> amendment until December 1, 2006; provided for updating the work plan every five years; and exempts such amendment from the limitation on frequency of adoption of amendments.</p> <p>(10)(l): Provides for the coordination by the state land planning agency and the Department of Defense on compatibility issues for <b>military installations</b>.</p> <p>(11)(d)1.: Requires DCA, in cooperation with other specified state</p>	163.3177		No Action Required	

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>agencies, to provide assistance to local governments in implementing provisions relating to <b>rural land stewardship areas</b>.</p> <p>(11)(d)2.: Provides for <b>multicounty rural land stewardship areas</b>.</p> <p>(11)(d)3.-4: Revises requirements, including the acreage threshold for designating a <b>rural land stewardship area</b>.</p> <p>(11)(d)6.j.: Provides that <b>transferable rural land use credits</b> may be assigned at different ratios according to the natural resource or other beneficial use characteristics of the land.</p> <p>(11)(e): Provides legislative findings regarding mixed-use, high-density <b>urban infill and redevelopment</b> projects; requires DCA to provide technical assistance to local governments.</p> <p>(11)(f): Provides legislative findings regarding a program for the transfer of development rights and <b>urban infill and redevelopment</b>; requires DCA to provide technical assistance to local governments.</p>			<p>No Action Required</p>	
140	<p>(1): Provides legislative findings with respect to the shortage of <b>affordable rentals</b> in the state.</p> <p>(2): Provides <b>definitions</b>.</p> <p>(3): Authorizes local governments to permit <b>accessory dwelling units</b> in areas zoned for single family residential use based upon certain findings.</p> <p>(4) An application for a building permit to construct an accessory dwelling unit must include an <b>affidavit from the applicant</b> which attests that the unit will be rented at an affordable rate to a very-low-income, low-income, or moderate-income person or persons.</p> <p>(5): Provides for certain <b>accessory dwelling units</b> to apply towards satisfying the affordable housing component of the housing element in a local government's comprehensive plan.</p> <p>(6): Requires the <b>DCA to report</b> to the Legislature.</p>	Creates 163.31771		<p>No Action Required</p>	
141	<b>Amends the definition of "in compliance"</b> to add language referring to the <b>Wekiva Parkway and Protection Act</b> .	163.3184(1)(b)		No Action Required	

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
142	(1)(m): Created to provide that amendments to address criteria or compatibility of land uses adjacent to or in close proximity to <b>military installations</b> do not count toward the limitation on frequency of amending comprehensive plans.  (1)(n): Created to provide that amendments to establish or implement a <b>rural land stewardship area</b> do not count toward the limitation on frequency of amending comprehensive plans.	163.3187		No Action Required  No Action Required	
143	Created to provide that <b>evaluation and appraisal reports</b> evaluate whether criteria in the land use element were successful in achieving land use compatibility with <b>military installations</b> .	163.3191(2)(n)		No Action Required	
<b>2005</b> [Ch. 2005-157, ss 1, 2 and 15; Ch. 2005-290; and Ch. 2005-291, ss. 10-12, <u>Laws of Florida</u> ]					
144	Added the <b>definition of “financial feasibility.”</b>	Creates ss. 163.3164(32)		No Action Required	
145	(2): Required comprehensive plans to be <b>“financially”</b> rather than “economically” <b>feasible</b> .  (3)(a)5.: Required the comprehensive plan to include a <b>5-year schedule of capital improvements</b> . Outside funding (i.e., from developer, other government or funding pursuant to referendum) of these capital improvements must be <b>guaranteed</b> in the form of a <b>development agreement or interlocal agreement</b> .  (3)(a)6.b.1.: Required plan amendment for the <b>annual update</b> of the schedule of capital improvements. <b>Deleted</b> provision allowing updates and change in the date of construction to be accomplished by ordinance.  (3)(a)6.c.: Added <b>oversight and penalty</b> provision for failure to adhere to this section’s capital improvements requirements.  (3)(a)6.d.: Required a <b>long-term capital improvement schedule</b> if the local government has adopted a long-term concurrency management system.  (6)(a): <b>Deleted</b> date (October 1, 1999) by which school sitting requirements must be adopted.  (6)(a): Add requirement that future land use element of <b>coastal counties</b> must encourage the preservation of working waterfronts, as defined in s.342.07, F.S.	163.3177		No Action Required  No Action Required  No Action Required  No Action Required  No Action Required	

Changes to Chapter 163, F.S. 1986-2006	Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<p>(6)(c): Required the potable water element to be updated within 18 months of an updated regional water supply plan to incorporate the <b>alternative water supply projects</b> selected by the local government to meet its water supply needs.</p> <p>(6)(e): Added waterways to the system of sites addressed by the <b>recreation and open space element</b>.</p> <p>(11)(d)4.c.: Required <b>rural land stewardship areas</b> to address <b>affordable housing</b>.</p> <p>(11)(d)5.: Required a <b>listed species survey</b> be performed on <b>rural land stewardship receiving area</b>. If any listed species present, must ensure adequate provisions to protect them.</p> <p>(11)(d)6.: Must enact an ordinance establishing a <b>methodology</b> for creation, conveyance, and use of <b>stewardship credits</b> within a <b>rural land stewardship area</b>.</p> <p>(11)(d)6.j.: Revised to allow <b>open space and agricultural land</b> to be just as important as environmentally sensitive land when assigning stewardship credits.</p> <p>(12): Must adopt <b>public school facilities element</b>.</p> <p>(12)(a) and (b): A <b>waiver</b> from providing this element will be allowed under certain circumstances.</p> <p>(12)(g): Expanded list of items to be to include <b>colocation, location of schools proximate to residential areas</b>, and use of schools as <b>emergency shelters</b>.</p> <p>(12)(h): Required local governments to provide maps depicting the general <b>location</b> of new schools and school improvements within future conditions maps.</p> <p>(12)(i): Required DCA to establish a <b>schedule for adoption</b> of the public school facilities element.</p> <p>(12)(j): Established <b>penalty</b> for failure to adopt a public school facility element.</p>		<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>No Action Required</p>	<p>Have begun the process</p>

N/A = Not Applicable

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	(13): <b>(New section)</b> Encourages local governments to develop a “ <b>community vision</b> ,” which provides for sustainable growth, recognizes its fiscal constraints, and protects its natural resources.  (14): <b>(New section)</b> Encourages local governments to develop a “ <b>urban service boundary</b> ,” which ensures the area is served (or will be served) with adequate public facilities and services over the next 10 years. See s. 163.3184(17).			No Action Required  No Action Required	
146	163.31776 is <b>repealed</b>	163.31776 <b>[Now: Repealed]</b>		No Action Required	
147	(2): Required the <b>public schools interlocal agreement</b> (if applicable) to address requirements for <b>school concurrency</b> . The <b>opt-out provision</b> at the end of Subsection (2) is deleted.  (5): Required <b>Palm Beach County</b> to identify, as part of its EAR, changes needed in its public school element necessary to conform to the new 2005 public school facilities element requirements.  (7): Provided that counties exempted from <b>public school facilities element</b> shall undergo <b>re-evaluation</b> as part of its <b>EAR</b> to determine if they continue to meet exemption criteria.	163.31777	X  X		To be Adopted 8/07
148	(2)(g): Expands requirement of coastal element to include strategies that will be used to preserve recreational and commercial working waterfronts, as defined in s.342.07, F.S.	163.3178	N/A		
149	(1)(a): Added “ <b>schools</b> ” as a required concurrency item.  (2)(a): Required consultation with water supplier prior to issuing building permit to ensure “ <b>adequate water supplies</b> ” to serve new development is available by the date of issuance of a certificate of occupancy.  (2)(c): Required <b>all transportation facilities</b> to be in place or under construction within <b>3 years</b> (rather than 5 years) after approval of building permit.  (4)(c): Allowed concurrency requirement for public schools to be waived within urban infill and redevelopment areas (163.2517).  (5)(d): Required <b>guidelines for granting concurrency exceptions</b> to be included in the comprehensive plan.	163.3180		No Action Required	To be Adopted 8/07

Changes to Chapter 163, F.S. 1986-2006	Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<p>(5)(e) – (g): If local government has established <b>transportation exceptions</b>, the guidelines for implementing the exceptions must be <b>“consistent with and support a comprehensive strategy, and promote the purpose of the exceptions.”</b> Exception areas must include mobility strategies, such as alternate modes of transportation, supported by data and analysis. FDOT must be consulted prior to designating a transportation concurrency exception area. Transportation concurrency exception areas existing prior to July 1, 2005 must meet these requirements by July 1, 2006, or when the EAR-based amendment is adopted, whichever occurs last.</p> <p>(6): Required local government to <b>maintain records</b> to determine whether 110% <b>de minimis transportation impact</b> threshold is reached. A summary of these records must be submitted with the annual capital improvements element update. Exceeding the 110% threshold dissolves the de minimis exceptions.</p> <p>(7): Required consultation with the Department of Transportation prior to designating a <b>transportation concurrency management area</b> (to promote infill development) to ensure adequate level-of-service standards are in place. The local government and the DOT should work together to mitigate any impacts to the Strategic Intermodal System.</p> <p>(9)(a): Allowed adoption of a <b>long-term concurrency management system for schools</b>.</p> <p>(9)(c): <b>(New section)</b> Allowed local governments to issue approvals to commence construction notwithstanding s. 163.3180 in areas subject to a <b>long-term concurrency management system</b>.</p> <p>(9)(d): <b>(New section)</b> Required evaluation in EAR of progress in improving levels of service..</p> <p>(10): Added requirement that level of service standard for roadway facilities on <b>the Strategic Intermodal System</b> must be consistent with FDOT standards. Standards must consider <b>compatibility with adjacent jurisdictions</b>.</p> <p>(13): Required <b>school concurrency</b> (not optional).</p>		<p>N/A*</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>		<p>To be Adopted 8/07</p>

Changes to Chapter 163, F.S. 1986-2006	Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
<p>(13)(c)1.: Requires school concurrency after five years to be applied on a <b>“less than districtwide basis”</b> (i.e., by using school attendance zones, etc).</p> <p>(13)(c)2.: Eliminated exemption from plan amendment adoption limitation for changes to service area boundaries.</p> <p>(13)(c)3.: No application for development approval may be denied if a <b>less-than-districtwide measurement of school concurrency</b> is used; however the development impacts must to shifted to contiguous service areas with school capacity.</p> <p>(13)(e): Allowed school concurrency to be satisfied if a developer executes a <b>legally binding commitment</b> to provide mitigation proportionate to the demand.</p> <p>(13)(e)1.: Enumerated mitigation options for achieving <b>proportionate-share mitigation</b>.</p> <p>(13)(e)2.: If educational facilities funded in one of the two following ways, the local government must <b>credit</b> this amount toward any <b>impact fee or exaction</b> imposed on the community:</p> <ul style="list-style-type: none"> <li>• contribution of land</li> <li>• construction, expansion, or payment for land acquisition</li> </ul> <p>(13)(g)2.: <b>(Section deleted)</b> – It is no longer required that a local government and school board base their plans on consistent population projection and share information regarding planned public school facilities, development and redevelopment and infrastructure needs of public school facilities. However, see (13)(g)6.a. for similar requirement.</p> <p>(13)(g)6.a.: <b>[Formerly (13)(g)7.a.]</b> Local governments must establish a <b>uniform procedure for determining if development applications are in compliance with school concurrency</b>.</p> <p>(13)(g)7. <b>[Formerly (13)(g)8.] Deleted</b> language that allowed local government to terminate or suspend an interlocal agreement with the school board.</p>				

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<p>(13)(h): <b>(New 2005 provision)</b> The fact that <b>school concurrency</b> has not yet been implemented by a local government should not be the basis for either an approval or denial of a development permit.</p> <p>(15): Prior to adopting <b>Multimodal Transportation Districts</b>, FDOT must be consulted to assess the impact on level of service standards. If impacts are found, the local government and the FDOT must work together to mitigate those impacts. Multimodal districts established prior to July 1, 2005 must meet this requirement by July 1, 2006 or at the time of the EAR-base amendment, whichever occurs last.</p> <p>(16): <b>(New 2005 section)</b> Required local governments to adopt by <b>December 1, 2006</b> a method for assessing <b>proportionate fair-share mitigation options</b>. FDOT will develop a model ordinance by December 1, 2005.</p>				New policies in Transportation Element 1.4.3 & 1.4.4
150	<p>(17): <b>(New 2005 section)</b> If local government has adopted a <b>community vision</b> and <b>urban service boundary</b>, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p> <p>(18): <b>(New 2005 section)</b> If a municipality has adopted an urban infill and redevelopment area, state and regional agency review is eliminated for plan amendments affecting property within the urban service boundary. Such amendments are exempt from the limitation on the frequency of plan amendments.</p>	163.3184	N/A  N/A		
151	<p>(1)(c)1.f.: Allowed approval of residential land use as a <b>small-scale development amendment</b> when the proposed density is equal to or less than the existing future land use category. Under certain circumstances <b>affordable housing units</b> are exempt from this limitation.</p> <p>(1)(c)4.: <b>(New 2005 provision)</b> If the small-scale development amendment involves a <b>rural area of critical economic concern</b>, a 20-acre limit applies.</p> <p>(1)(o): <b>(New 2005 provision)</b> An amendment to a <b>rural area of</b></p>	163.3187		No Action Required  No Action Required	

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	<b>critical economic concern</b> may be approved without regard to the statutory limit on comprehensive plan amendments.				
152	<p>(2)(k): Required local governments that do not have either a school interlocal agreement or a public school facilities element, to determine in the <b>EAR</b> whether the local government continues to meet the exemption criteria in s.163.3177(12).</p> <p>(2)(l): The <b>EAR</b> must determine whether the local government has met its various water supply requirements, <b>including development of alternative water supply projects.</b></p> <p>(2)(o): (<b>New 2005 provision</b>) The <b>EAR</b> must evaluate whether its <b>Multimodal Transportation District</b> has achieved the purpose for which it was created.</p> <p>(2)(p): (<b>New 2005 provision</b>) The <b>EAR</b> must assess <b>methodology for impacts on transportation facilities.</b></p> <p>(10): The <b>EAR-based amendment</b> must be <b>adopted within a single amendment cycle.</b> Failure to adopt within this cycle results in <b>penalties.</b> Once updated, the comprehensive plan must be submitted to the DCA.</p>	163.3191			
153	<p>(10) New section designating Freeport as a <b>certified community.</b></p> <p>(11) New section exempting proposed DRIs within Freeport from review under s.380.06, F.S., unless review is requested by the local government.</p>	163.3246			
<b>2006</b> [Ch. 2006-68, Ch. 2006-69, Ch. 2006-220, Ch. 2006-252, Ch. 2006-255, Ch. 2006-268, <u>Laws of Florida</u> ]					
154	Establishes plan amendment procedures for <b>agricultural enclaves</b> as defined in s.163.3164(33), F.S. Ch. 2006-255, LOF.	163.3162(5)			
155	Defines <b>agricultural enclave.</b> Ch. 2006-255, LOF.	163.3164(33)			
156	Adds new paragraph encouraging local governments with a <b>coastal management element</b> to adopt recreational surface water use policies; such adoption amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions. Ch. 2006-220, LOF.	163.3177(6)(g)2.			
157	Allows the effect of a proposed receiving area to be considered when projecting the 25-year or greater population with a <b>rural land stewardship area.</b> Ch. 2006-220, LOF.	163.3177(11)(d)6.			
158	Recognizes “extremely-low-income persons” as another income groups whose housing needs might be addressed by <b>accessory dwelling units</b> and defines such persons consistent with	163.31771(1), (2) and (4)			

<b>Changes to Chapter 163, F.S. 1986-2006</b>		<b>Chapter 163, F.S. Citations</b>	<b>N/A*</b>	<b>Addressed (where/how)</b>	<b>Amendment Needed By Element</b>
	s.420.0004(8), F.S. Ch. 2006-69, LOF.				
159	Assigns to the Division of Emergency Management the responsibility of ensuring the preparation of <b>updated regional hurricane evacuation plans</b> . Ch. 2006-68, LOF.	163.3178(2)(d)			
160	Changes the definition of the <b>Coastal High Hazard Area (CHHA)</b> to be the area below the elevation of the category 1 storm surge line as established by the SLOSH model. Ch. 2006-68, LOF.	163.3178(2)(h)		Policy 1.6.4	
161	Adds a new section allowing a local government to comply with the requirement that its comprehensive <b>plan direct population concentrations away from the CHHA</b> and maintains or reduces hurricane evacuation times by maintaining an adopted LOS Standard for out-of-county hurricane evacuation for a category 5 storm, by maintaining a 12-hour hurricane evacuation time or by providing mitigation that satisfies these two requirements. Ch. 2006-68, LOF.	163.3178(9)(a)		No Action Required	
162	Adds a new section establishing a <b>level of service for out-of-county hurricane evacuation</b> of no greater than 16 hours for a category 5 storm for any local government that wishes to follow the process in s.163.3178(9)(a) but has not established such a level of service by July 1, 2008. Ch. 2006-68, LOF.	163.3178(9)(b)			
163	Requires local governments to amend their <b>Future Land Use Map</b> and <b>coastal management element</b> to include the new definition of the <b>CHHA</b> , and to depict the CHHA on the FLUM by July 1, 2008. Ch. 2006-68, LOF.	163.3178(2)(c)		No Action Required	
164	Allows the <b>sanitary sewer concurrency requirement</b> to be met by onsite sewage treatment and disposal systems approved by the Department of Health. Ch. 2006-252, LOF.	163.3180(2)(a)		No Action Required	
165	Changes s.380.0651(3)(i) to s.380.0651(3)(h) as the citation for the standards a multiuse DRI must meet or exceed. Ch. 2006-220, LOF.	163.3180(12)(a)		No Action Required	
166	Deletes use of extended use agreement as part of the definition of small scale amendment. Ch. 2006-69, LOF.	163.3187(1)(c)1.f.		No Action Required	
167	Creates a new section related to <b>electric distribution substations</b> ; establishes criteria addressing land use compatibility of substations; requires local governments to permit substations in all FLUM categories (except preservation, conservation or historic preservation); establishes compatibility standards to be used if a local government has not established such standards; establishes procedures for the review of applications for the location of a new substation; allows local governments to enact reasonable setback and landscape buffer standards for substations. Ch. 2006-268,	163.3208			

Changes to Chapter 163, F.S. 1986-2006		Chapter 163, F.S. Citations	N/A*	Addressed (where/how)	Amendment Needed By Element
	LOF.				
168	Creates a new section preventing a local government from requiring a permit or other approval for vegetation maintenance and tree pruning or trimming within an established <b>electric transmission and distribution line right-of-way</b> . Ch. 2006-268, LOF.	163.3209		No Action Required	
169	<b>Community Workforce Housing Innovation Pilot Program;</b> created by Ch. 2006-69, LOF, section 27. Establishes a special, expedited adoption process for any plan amendment that implements a pilot program project.			No Action Required	
170	<b>Affordable housing land donation density incentive bonus;</b> created by Ch. 2006-69, LOF, section 28. Allows a density bonus for land donated to a local government to provide affordable housing; requires adoption of a plan amendment for any such land; such amendment may be adopted as a small-scale amendment; such amendment is exempt from the twice per year limitation on the frequency of plan amendment adoptions.			No Action Required	