

OAKLAND PARK ASSESSMENT OF CHANGES TO FLORIDA STATUTES, STATE, & REGIONAL POLICY PLANS
(CONSOLIDATED MATRIX)

Review of Statutory Changes between 2009 and 2021

The evaluation and appraisal process in the State of Florida is designed to address and changes in state requirements since the last update of the Comprehensive Plan and to update the Plan based on changes to local conditions. The City of Oakland Park last updated its Comprehensive Plan through Evaluation and Appraisal Report (EAR)-based amendments in 2007.

2009 Amendments

Changes in Ch. 163 Florida Statutes

2009: Chapters 2009-85 and 2009-96, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Changes “Existing Urban service area” to “Urban service area” and revises the definition of such an area. Ch. 2009-96, §2, Laws of Florida.	163.3164(29)		Amendment to Land Use Implementation Definitions Section 1: 1.195.3 “Urban Redevelopment” is required.
2.	Adds definition of “Dense urban land area.” Ch. 2009-96, §2, Laws of Florida.	163.3164(34) [Definition deleted in 2011.]		Noted.
3.	Postpones from Dec. 1, 2008 to Dec. 1, 2011, the need for the annual update to the capital improvements element to be financially feasible. Ch. 2009-96, §3, Laws of Florida.	163.3177(3)(b)1.		None.
4.	Requires the future land use element to include by June 30, 2012, criteria that will be used to achieve compatibility of lands near public use airports. For military installations, the date is changed from June 30, 2006, to June 30, 2012. §3, Ch. 2009-85, Laws of Florida.	163.3177(6)(a)	Addressed in FLUE Objective 1.12	None.
5.	Requires the intergovernmental coordination element to recognize airport master plans. (Ch. 2009-85, §3, Laws of Florida.	163.3177(6)(h)1.b No longer referenced here in Statute. Current citation: 163.3177(6)(b)4.		N/A
6.	Requires the intergovernmental coordination element to include a mandatory (rather than voluntary) dispute resolution process and requires use of the process prescribed in §186.509, F.S., for this purpose. Ch. 2009-96, §3, Laws of Florida	163.3177(6)(h)1.d No longer referenced here in Statute. §163.3177(6)(a)3 provides that the FLU element must have compatibility of lands adjacent or proximate to an airport.		N/A
7.	Defines “rural agricultural industrial center” and provides for their expansion through the plan amendment process. Ch. 2009-154, §1, Laws of Florida	163.3177(15)(a) Current citation: 163.3177(7)(b)		Amendment to Land Use Implementation Definitions Section 1 to add “Rural Agricultural Industrial Center”
8.	Defines “rural agricultural industrial center” and provides for their expansion through the plan amendment process. Ch. 2009-154, §1, Laws of Florida	163.3177(15)(a) Current citation: 163.3177(7)(b)		N/A
9.	Allows a municipality that is not a dense urban land area to amend its comprehensive plan to designate certain areas as transportation concurrency exception areas. Ch. 2009-96, §4, Laws of Florida.	163.3180(5)(b)2 No longer correct citation. 163.3180(5)(e)	Noted.	Noted.
10.	Allows a county that is not a dense urban land area to amend its comprehensive plan to designate certain areas a transportation concurrency exception area. Ch. 2009-96, §4, Laws Florida.	163.3180(5)(b)3 No longer correct citation. 163.3180(5)(e)	Noted.	Noted.
11.	Requires local governments with state identified transportation concurrency exception areas to adopt land use and transportation strategies to support and fund mobility within such areas. Ch. 2009-96, §4, Laws of Florida.	163.3180(5)(b)4 No longer referenced here in Statute		N/A

2011 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
12.	Except in transportation concurrency exception areas, local governments must adopt the level-of-serve established by the Department of Transportation for roadway facilities on the Strategic Intermodal System. Ch. 2009-96, §4, Laws of Florida.			Amendments need to be made to the Transportation Element to include level-of-service standards established by the FDOT for roadway facilities on the SIS.
13.	Defines a backlogged transportation facility to be one on which the adopted level-of-service is exceeded by existing trips, plus additional projected background trips.	163.3180(12)(b) and (16)(i) No longer referenced here in Statute.		N/A

2010 Amendments

Changes in Ch. 163 Florida Statutes

2010: Chapters 2010-5, 2010-33, 2010-70, 2010-102, 2010-205 and 2010-109, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Deletes §163.3177(6), Florida Statutes (F.S.) (obsolete language that addressed an accessory dwelling unit report): no substantive comprehensive planning requirement impact. §16, Ch. 2010-5, Laws of Florida.			N/A
2.	Ch. 2010-102, Laws Florida, makes several minor changes which do not affect substantive comprehensive planning requirements: §163.2526: repealed §163.3167(2): obsolete language deleted §163.3177(6)(h): minor wording changes §163.3177(10)(k): minor wording changes §163.3178(6): obsolete language deleted §163.2511(1): minor wording changes §163.2514: minor wording changes §163.3202: minor wording changes			N/A
3.	Ch. 2010-205, Laws of Florida, makes several minor wording changes Ch. 163, Part II, F.S., which do not affect substantive comprehensive planning requirements: §163.3167(13) §163.3177(4)(a) §163.3177(6)(c), (d) and (h) §163.3191(2)(1)			N/A
4.	Ch. 2010-209, Laws of Florida, makes a minor wording change in §163.2523, F.S., which does not affect substantive comprehensive planning requirements.			N/A
5.	Deleted the phrase “SMART Schools Clearinghouse.” Ch. 2010-70, §11, Laws of Florida.	§163.3177(1)(a) and (3)(a)		None.
6.	Revises §163.3175, F.S., to list the 14 military installations and 43 local governments affected by special coordination and communication requirements. §1, Ch. 2010-182, Laws of Florida.	§163.3175(2)		N/A
7.	Revises §163.3177(6)(a), F.S., to specify that the 43 local governments listed in §163.3175(2), F.S., must consider the factors listed in §163.3175(5), F.S., when considering the compatibility of land uses proximate to military installations. Ch. 2010-182, §2, Laws of Florida.	§163.3177(6)(a)		N/A
8.	Revise §163.3180(4)(b), F.S., to define hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities. Ch. 2010-33, §1, Laws of Florida.	§163.3180(4)(b). No longer this citation. Now provided at §163.3180(5)(h)(1)b. (public transit facilities are exempt from concurrency)		N/A

2011 Amendments

Changes in Ch. 163 Florida Statutes

2011: [Ch. 2011-139, Laws of Florida]

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Deletes the exemption for plan amendments to Designate an urban infill and redevelopment area from the twice per year amendment limitation of §163.3187.	§163.2517(4)		N/A
2.	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	§163.3161(1)		Amendments will be needed to the following Elements to change “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act”: - Introduction <ul style="list-style-type: none">• General• Goals, Objectives, and Policies - Land Use Implementation <ul style="list-style-type: none">• Section 1: Definitions 1.28 “Certified Land Use Plan”• Section 1: Definitions 1.89 “Land Use Plan”• Section 1: Definitions 1.98 “Local Comprehensive Plan”• Section 1: Definitions 1.128 “Planning Act”
	Expresses the purpose of the act, changing “control” future development to “manage” future development “consistent with the proper role of local government.”	§163.3161(2)		N/A
3.	States the intent of the act is to focus the state role in managing growth to protect the functions of important state resources and facilities.	§163.3161(3) [New]		N/A
4.	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	§163.3161(10)		N/A
5.	Expresses legislative intent to recognize and protect agriculture, tourism, and military presence as being the state’s traditional economic base.	§163.3161(11) [New]		N/A
6.	Expresses legislative intent to not require local government plans that have been found to be in compliance to adopt amendments implementing the new statutory requirements until the evaluation and appraisal period provided in §163.3191.	§163.3161(12) [New]		N/A
7.	Modifies the provision for agricultural lands and practices to state that a plan amendment for an agricultural enclave is presumed not to be urban sprawl as defined in §163.3164.	§163.3162(4)		N/A

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8.	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act” and sets forth new and modified definitions, many of which were included in repealed Rule 9J-5.003, F.A.C..	§163.3164		Amendments will be needed to the following Elements to change “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act”: - Introduction <ul style="list-style-type: none">• General• Goals, Objectives, and Policies - Land Use Implementation <ul style="list-style-type: none">• Section 1: Definitions 1.28 “Certified Land Use Plan”• Section 1: Definitions 1.89 “Land Use Plan”• Section 1: Definitions 1.98 “Local Comprehensive Plan” Section 1: Definitions 1.128 “Planning Act”
9.	Establishes definition for “adaptation action area.”	§163.3164(1) [New]		Noted.
10.	Establishes definition for “affordable housing” [same meaning as in §420.0004(3)]	§163.3164(3) [previously in Rule Ch. 9J-5]	A definition for “affordable housing” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “affordable housing” matches the definition provided in §163.3164(3)
11.	Establishes definition of “antiquated subdivision.”	§163.3164(5) [New]		Noted.
12.	Establishes definition of “capital improvement.”	§163.3164(7) [previously in Rule Ch. 9J-5]	A definition for “capital improvement” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “affordable housing” matches the definition provided in §163.3164(3)
13.	Establishes definition of “compatibility.”	§163.3164(9) [previously in Rule Ch. 9J-5]		Add a definition for “compatibility” to match the definition provided in §163.3164(9).
14.	Establishes definition of “deep-water ports.”	§163.3164(11) [previously in Rule Ch. 9J-5]	A definition for “deepwater ports” is currently included under Land Use Implementation Element – Section 1 Definitions.	Remove definition for “deepwater ports” as there are none in Oakland Park. Definition currently references Chapter 9J-5, F.A.C.
15.	Establishes definition of “density.”	§163.3164(12) [previously in Rule Ch. 9J-5]		Add a definition for “density” to match the definition provided in §163.3164(12).
16.	Establishes definition of “flood prone areas.”	§163.3164(18) [previously in Rule Ch. 9J-5]		Add a definition for “density” to match the definition provided in §163.3164(18).
17.	Establishes definition of “goal.”	§163.3164(19) [previously in Rule Ch. 9J-5]	A definition for “goal” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “goal” matches the definition provided in §163.3164(19)

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18.	Establishes definition of “intensity.”	§163.3164(22) [previously in Rule Ch. 9J-5]		Add a definition for “density” to match the definition provided in §163.3164(22).
19.	Establishes definition of “internal trip capture.”	§163.3164(23) [New]		Noted.
20.	Establishes definition of “level of service.”	§163.3164(28) [previously in Rule Ch. 9J-5]	A definition for “level of service” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “level of service” matches the definition provided in §163.3164(28)
21.	Deletes definition of “financial feasibility.”	§163.3164(32) [Deleted]		N/A
22.	Establishes definition of “new town.”	§163.3164(32) [previously in Rule Ch. 9J-5]		Noted.
23.	Establishes definition of “objective.”	§163.3164(33) [previously in Rule Ch. 9J-5]	A definition for “objective” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “objective” matches the definition provided in §163.3164(33)
24.	Deletes definition of “dense urban land areas.”	§163.3164(34) [Deleted]		Confirm Oakland Park is not a DULA.
25.	Establishes definition of “policy.”	§163.3164(36) [previously in Rule Ch. 9J-5]	A definition for “policy” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “policy” matches the definition provided in §163.3164(36)
26.	Amends the definition of “public facilities” to delete health systems and spoil disposal sites for maintenance dredging located in intracoastal waterways (except sites owned by ports).	§163.3164(38)	A definition for “public facilities” is currently included under Land Use Implementation Element – Section 1 Definitions.	Revise the current definition for “public facilities” to remove “health systems to match the definition provided in §163.3164(38)
27.	Changes definition of “regional planning agency” to “the council created pursuant to Ch. 186.”	§163.3164(40)		N/A
28.	Establishes definition of “seasonal population.”	§163.3164(41) [previously in Rule Ch. 9J-5]	A definition for “seasonal population” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “seasonal population” matches the definition provided in §163.3164(41)
29.	Changes definition of “optional sector plan” to “sector plan” and clarifies the purpose of a sector plan. The term includes an optional sector plan that was adopted before the effective date of the act.	§163.3164(42)		N/A
30.	Establishes definition of “suitability.”	§163.3164(45) [previously in Rule Ch. 9J-5]		Add a definition for “suitability” to match the definition provided in §163.3164(45).
31.	Establishes definition of “transit-oriented development.”	§163.3164(46) [New]	A definition for “transit-oriented development” is currently included under Land Use Implementation Element – Section 1 Definitions.	Verify that the current definition for “transit-oriented development” matches the definition provided in §163.3164(46)
32.	Clarifies the definition of “urban service area” to delete the term “built-up” and to include any areas identified in the comprehensive plan as urban service areas, regardless of local government limitation.	§163.3164(50)		Add a definition for “urban service area” to match the definition provided in §163.3164(50). Alternatively, considering removing the reference in the definition for “Urban Redevelopment” as the term is not

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				used elsewhere in the Comprehensive Plan unless the City now has an Urban Services Area.
33.	Establishes new definition of “urban sprawl.”	§163.3164(51) [replaces definition previously in Rule Ch. 9J-5]		Noted.
34.	Modifies requirements for maintaining comprehensive plan, deleting the reference to §163.3184 and the requirement that proposed plan amendments be submitted to the state land planning agency.	§163.3167(2)		N/A
35.	Deletes provisions for regional planning agency adoption of plan amendments for elements and amendments not prepared by a local government.	§163.3167(3) and (6) [Deleted]		N/A
36.	Deletes provisions for local government challenge of costs associated with preparing a comprehensive plan and related state land planning agency action.	§163.3167(7) [Deleted]		N/A
37.	Deletes provisions for encouraging each local government to articulate a vision of its future physical appearance and qualities of its community.	§163.3167(11) [Deleted]		N/A
38.	Establishes provisions for “planning innovations and technical assistance” and clarifies the roles of the state land planning agency and all other appropriate state and regional agencies in the process. Requires, upon request by the local government, the state land planning agency to coordinate multi-agency assistance on plan amendments that may adversely impact important state resources or facilities. Requires the state land planning agency to provide on its website guidance on the submittal and adoption of comprehensive plans, amendments and land development regulations, prohibiting such guidance from being adopted by rule and exempting such guidance from §120.54(1)(a).	§163.3168(1)–(4) [New]		N/A
39.	Modifies areas of authority under this act with respect to joint agreements and intergovernmental coordination between cities and counties and planning in advance of jurisdictional changes.	§163.3171(4)		N/A
40.	Modifies military base compatibility provisions to not require that commanding officer comments, underlying studies and reports be binding on the local government. Requires the affected local government to be sensitive to private property rights and not be unduly restrictive on those rights in considering the comments provided by the commanding officer or designee.	§163.3175(5)(d) and (6)		N/A
41.	Modified to require that any local government comprehensive plan that has been amended to address military compatibility requirements after 2004 and was found in compliance be deemed in compliance until the local government conducts its evaluation and appraisal review pursuant to §163.3191 and determines that amendments are necessary.	§163.3175(9)		N/A
42.	Modified to include significant portions of repealed Rules 9J-5.001 and 9J-5.005, F.A.C., with respect to the principles, guidelines, standards and strategies to be set forth in required and optional elements of the comprehensive plan and requirements for basing these elements on relevant, appropriate and professionally accepted data.	§163.3177(1)		Noted.

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43.	Deletes financial feasibility requirements.	§163.3177(2)		Amend the Capital Improvements Implementation Element, Capital Improvements Implementation section to remove the reference to “financial feasibility.”
44.	Modifies provisions for preparing the capital improvements element to require the schedule to cover a 5-year period and identify whether projects are either funded or unfunded and given a level of priority for funding. Deletes requirements for financial feasibility.	§163.3177(3)(a)4		Amendments need to be made to the Capital Improvements Element to include the requirement for the Capital Improvement Schedule to cover a 5-year period and identify which projects are either funded or unfunded and given a level of priority for funding.
45.	Modifies requirements for local government annual review of capital improvements element to no longer require transmittal of the adopted amendment to the state land planning agency and deletes provisions related to sanctions by the Administration Commission, adoption of long-term concurrency management systems and financial feasibility.	§163.3177(3)(b)		Noted.
46.	Modifies planning period requirements, allowing additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process.	§163.3177(5)(a)		Noted.
47.	Modifies requirements for the future land use element to include guidance from repealed Rule 9J-5.006, F.A.C., relative to general range of density or intensity of uses for gross land area and establishing a long-term end toward which land use programs and activities are ultimately directed.	§163.3177(6)(a)		Review density and intensity standards in Future Land Use Element to ensure compliance with §163.3177(6)(a).
48.	Modifies the standards on which future land use plan and plan amendments are based to include: permanent and seasonal population, compatibility, the need to modify land uses and development patterns within antiquated subdivisions, preservation of waterfronts, location of schools proximate to urban residential areas, and other considerations taken from repealed Rule 9J-5.006, F.A.C..	§163.3177(6)(a)2 and 3		N/A
49.	Modifies requirements for the future land use element “to accommodate at least the minimum amount of land required to accommodate the medium projections of the University of Florida’s Bureau of Economic and Business Research for at least a 10-year planning period unless otherwise limited.”	§163.3177(6)(a)4		The Future Land Use Element needs to be amended to include policies that require the accommodation of at least the minimum amount of land required to accommodate the medium projections of BEBR for at least a 10-year planning period.
50.	Establishes requirements for analyzing future land use map amendments using portions of repealed Rule 9J-5.006, F.A.C.	§163.3177(6)(a)8 [New]		Amend the Future Land Use Element to include policies related to amending the Future Land Use Map.
51.	Establishes requirements for the future land use element and map series, including with slight revisions the primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl that were in repealed Rule 9J-5.006, F.A.C..	§163.3177(6)(a)9 and 10 [New]		Amend the Future Land Use Element to include policies related to the discouragement of urban sprawl.

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52.	Modifies requirements for the transportation element to include significant portions of repealed Rule 9J-5.019, F.A.C., addressing circulation of recreational traffic, including bicycle facilities, exercise trails, riding facilities, and airport master plans.	§163.3177(6)(b)		Amend the Transportation Element to reflect policies related to recreational traffic. Add a definition of “recreational traffic” to Land Use Plan Implementation Element, Section 1: Definitions.
53.	Modifies requirements for the general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element to include guidance from portions of repealed Rule 9J-5.011, F.A.C., and deletes requirements for including a topographic map depicting any areas adopted by a water management district as prime groundwater recharge areas and addressing areas served by septic tanks.	§163.3177(6)(c)		Noted.
54.	Modifies potable water supply planning requirements to remove the provision that states that “amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan.”	§163.3177(6)(c)3		Noted.
55.	Modifies requirements for the conservation element to include portions of repealed Rule 9J-5.013, F.A.C., to list the natural resources to be identified, analyzed and protected and toward which conservation principles, guidelines and standards are to be directed. Cited section states: “Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan...”	§163.3177(6)(d)1 and 2 [New]		Update the Capital Improvements Element to reflect updated Alternative Water Supply Plan projects.
56.	Modifies requirements for analyzing current and projected water sources for a 10-year period to include consideration of demands for industrial, agricultural and potable water use and the quality and quantity of water available to meet these demands and the existing levels of conservation, use and protection and policies of the regional water management district.	§163.3177(6)(d)3		Noted
57.	Clarifies requirements for the housing element to include guidelines, standards and strategies based on an inventory taken from the latest decennial United States Census or more recent estimates and various other considerations listed in repealed Rule 9J-5.010, F.A.C.	§163.3177(6)(f)1 and 2		Noted and should be addressed in the Housing Element.
58.	Deletes requirement for an affordable housing needs assessment conducted by the state land planning agency.	§163.3177(6)(f)2 [Deleted]		Noted.
59.	Based on repealed Rule 9J-5.010, F.A.C., sets forth new requirements for the creation and preservation of affordable housing, elimination of substandard housing conditions, providing for adequate sites and distribution for a range of incomes and types, and including programs for partnering, streamlined permitting, quality of housing, neighborhood stabilization, and improving historically significant housing.	§163.3177(6)(f)3 [New]		Updates to the Housing Element to address.
60.	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	§163.3177(6)(g)		Amendments needed to Coastal Management Element to include preservation of historic and archaeological resources.

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61.	Deletes provisions for local government adoption of recreational surface water use policies.	§163.3177(6)(g)2 [Deleted]		Noted.
62.	Sets forth an option for the local government to develop an adaptation action area designation for low-lying coastal zones experiencing coastal flooding due to extreme high tides and storm surge and that are vulnerable to the impacts of rising sea level.	§163.3177(6)(g)10 [New]		Consider adding an optional adaptation action area designation in the Coastal Management Element for low-lying coastal zones that may experience coastal flooding due to extreme high times and storm surge.
63.	Deletes requirement for intergovernmental coordination element to provide for recognition of campus master plans and airport master plans.	§163.3177(6)(h)1.b [Deleted]		N/A
64.	Modifies requirements for the intergovernmental coordination element to include portions of repealed Rule 9J-5.015, F.A.C., including coordinating and addressing impacts on adjacent municipalities and coordinating the establishment of level of service standards.	§163.3177(6)(h)3.a and b [New]		Changes needed to the Intergovernmental Coordination Element to ensure coordination and address impacts to adjacent municipalities and coordination with LOS standards.
65.	Deletes requirements in intergovernmental coordination element for fostering coordination between special districts and local general purpose governments, submittal of public facilities report, execution of interlocal agreement with district school board, the county and nonexempt municipalities, and submittal of reports to the Florida Department of Community Affairs by counties with populations greater than 100,000.	§163.3177(6)(h)3 and 4 [Deleted]		Noted.
66.	Deletes provisions for optional elements of the comprehensive plan, transportation and traffic circulation, airport compatibility and other requirements related to transportation corridors and reduction of greenhouse gas emissions specific to local governments within an urbanized area.	§163.3177(6)(i),(j), (k) [Deleted]		Noted.
67.	Deletes provisions for airport master plans.	§163.3177(6)(k) [Deleted]		Noted.
68.	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	§163.3177(7)(a)-(l) [Deleted]		Noted.
69.	See prior table entries for description of deleted provisions.	§163.3177(8)-(14) [Deleted]		Noted.
70.	See Ch. 2011-139, Laws of Florida.	§163.3177(15)(a); Now: §163.3177(7)(a)		Noted.
71.	Modifies provisions for processing plan amendments for land located within a rural agricultural industrial center to presume that these amendments are not urban sprawl as defined in §163.3164 and shall be considered within 90 days after any review required by the state land planning agency if required by §163.3184.	§163.3177(7)(c)2		N/A.
72.	Deletes requirements for public schools interlocal agreements with respect to submittal of the agreements to the state land planning agency based on an established schedule and other requirements involving the state land planning agency related to waivers and exemptions.	§163.3177(1)(b)-(d) and (2)		Noted.

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73.	Deletes requirements related to the submittal of comments from the Office of Educational Facilities on the interlocal agreement, challenges to the state land planning agency notice of intent and other review process requirements.	§163.31777(3)(a)-(c) and (4)-(7) [Deleted]		Noted.
74.	Deletes parks and recreation, schools and transportation from the list of public facilities and services subject to the concurrency requirement on a statewide basis.	§163.3180(1)		Noted.
75.	Modifies concurrency requirements to include portions of repealed Rule 9J-5.0055, F.A.C., which relate to achieving and maintaining adopted levels of service (LOS) for a 5-year period, and providing for rescission of any optional concurrency provisions by plan amendment, which is not subject to state review. [The comprehensive plan must demonstrate that the adopted LOS can be reasonably met for required and optional concurrency requirements.]	§163.3180 (1)(a) and (b) [New]		Noted.
76.	Deletes requirement that professionally accepted techniques be used for measuring LOS for automobiles, bicycles, pedestrians, transit and trucks.	§163.3180(1)(b) [Deleted]		Noted.
77.	Deletes provisions addressing governmental entities and establishment of binding LOS standards with respect to limiting the authority of any agency to recommend or make objections, recommendations, comments or determinations during reviews conducted under §163.3184	§163.3180(3)		Noted.
78.	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	80. §163.3180(4)(b) and (c) [Deleted]		Noted.
79.	Establishes concurrency provisions for transportation facilities, which include portions of repealed Rule 9J-5.0055, F.A.C. Sets forth requirements with respect to adopted LOS standards, including use of professionally accepted studies to evaluate LOS, achieving and maintaining adopted LOS standards, and including the projects needed to accomplish this in 5-year schedule of capital improvements. Requires coordination with adjacent local governments and setting forth the method to be used in calculating proportionate-share contribution. Defines the term “transportation deficiency.”	§163.3180(5)(a)-(h) [New]		Update the Transportation Element with regard to transportation. Update Capital Improvements Needs table in the Capital Improvement Element. Provide the term “Transportation Deficiency” in the Definitions section of the Land Use Implementation Element.
80.	See prior table entries for description of deleted provisions.	§163.3180(6)-(13) [Deleted]		Noted.
81.	Sets forth concurrency provisions for public education, setting forth provisions for those local governments that apply concurrency to public education. If a county and one or more municipalities that represent at least 80 percent of the total countywide population have adopted school concurrency, the failure of one or more municipalities to adopt the concurrency and enter into the interlocal agreement does not preclude implementation of school concurrency within jurisdictions of the school district that have opted to implement concurrency.	§163.3180(6)(a) [New]		Noted.
82.	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	§163.3180(6)(f)1 and 2		Noted.
83.	Modifies school concurrency provisions to remove requirement for financial feasibility and to require that facilities necessary to meet adopted levels of service	§163.3180(d) [2014 cite: §163.3180(g)]		Noted.

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	during a 5-year period are identified and consistent with the school board's educational facilities plan.			
84.	Modifies school concurrency provisions to allow a landowner to proceed with development of a specific parcel of land notwithstanding a failure of the development to satisfy school concurrency if certain factors are shown to exist, including adequate facilities are provided for in the capital improvements element and school board's educational facilities plan, demonstration that facilities needs can be reasonably provided, and the local government and school board have provided a means by which proportionate share is assessed.	§163.3180(h)1.a., b. and c.[New]		Noted.
85.	See prior entries for description of deleted provisions.	§163.3180(14)-(17) [Deleted]		Noted.
86.	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.			N/A
87.	Changes "creation of transportation concurrency backlog authorities" to "creation of transportation development authorities" and makes related clarifications.	§163.3182(2) [Revised]		N/A
88.	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related clarifications.	§163.3182(4) [Revised]		N/A
89.	Modifies the definition of "in compliance" to include a reference to §163.3248 and delete the reference to now repealed Ch. 9J-5, F.A.C.	§163.3184(1)(b) [Revised]		Add to Definitions section of the Land Use Implementation Element.
90.	Provides a list of the "reviewing agencies."	§163.3184(1)(c) [New]		Noted.
91.	Sets forth the "expedited" and "coordinated" review processes.	§163.3184(2) [New]		Noted.
92.	Sets forth requirements for adopting and processing plan amendments according to the "expedited" and "coordinated" review processes, the scope of the comments to be provided by review agencies, responsibilities of the state land planning agency with respect to its various levels of review and coordination with other state agencies and public hearings.	§163.3184(3) and (4) [New]		Noted.
93.	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	§163.3184(5)-(7) [New]		Noted.
94.	Modifies provisions to enable the administration commission to specify sanctions to which the local government will be subject if it elects to make a plan amendment effective notwithstanding a determination of noncompliance.	§163.3184(11); 2014 cite: §163.3184(8)		Noted.
95.	Modifies provisions for public hearings to state there is no prohibition or limitation on the authority of local governments to require a person requesting an amendment to pay some or all of the cost of the public notice.	§163.3184(15); 2014 cite: §163.3184(11)		Noted.
96.	Establishes provisions for concurrent zoning, requiring a local government, at the request of an applicant, to consider an application for zoning changes that would be required to properly enact any proposed plan amendment and making the approved zoning changes contingent upon the comprehensive plan or amendment becoming effective.	§163.3184(12) [New]		Amend Section 2. General Requirements of the Land Use Implementation Element to permit concurrent processing of land use amendments and zoning changes.

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97.	Revises provisions to require that no proposed local government comprehensive plan or plan amendment that is applicable to a designated area of critical state concern shall be effective until a final order is issued finding the plan or amendment to be in compliance as defined in sub§(1)(b).	§163.3184(13) [New]		N/A
98.	Modifies provisions to address the process for adoption of small-scale comprehensive plan amendments, deleting several exceptions. Plan amendments are no longer limited to two times per calendar year and text changes that relate directly to and are adopted simultaneously with small scale future land use map amendments are permissible.	§163.3187(1)(a)-(f); 2014 citation:§163.3187(1)(a)-(d)		Amend the “Amendments and Evaluation” section of the Introduction Section to remove the twice per year amendment limitation.
99.	Modifies the public notice requirements for small scale plan amendments, addressing petitions, prohibiting the state land planning agency from intervening and requiring that consideration be given to the plan amendment as a whole and whether it furthers the intent of this part in all challenges.	§163.3187(1)2.a and b;3,4 and (e)-(q); 2014 §cite: 163.3187(2)-(5)		Noted.
100.	See prior entries for description of deleted provisions.	§163.3189; Now: Repealed		Noted.
101.	Modifies provisions for evaluation and appraisal of comprehensive plan. Maintains the requirement for local government evaluation of plan to occur at least once every 7 years. The local government is required to determine if amendments are necessary to reflect changes in state requirements (only) since the last update and to notify the state land planning agency by letter as to its determination. If needed, these amendments are to be prepared and transmitted within 1 year of this determination for review pursuant to §163.3184(4) (State Coordinated Review). Local governments are encouraged to comprehensively evaluate and as necessary update plans to reflect changes in local conditions. If a local government fails to submit its notification letter to the state land planning agency or fails to update its plan to reflect changes in state requirements, then the local government is prohibited from amending its plan until it complies with these requirements. The state land planning agency may not adopt rules to implement this section, other than procedural rules or a schedule indicating when local governments must comply with these requirements.	§163.3191(1)-(14); 2014 citation: §163.3191(1)-(5)		Noted.
102.	Deletes the reference to §163.3187(1) and provisions regarding the frequency of adoption of plan amendments as they relate to adoption of a municipal overlay.	§163.3217(2)		N/A
103.	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	§163.3220(3)		Amend the “General,” and “Goals, Objectives and Policies” sections of the Introduction Section and Section 1. Definitions 1.22, 1.28, 1.89, 1.93, and 1.128, to change the Local Government Comprehensive Planning and Land Development Regulation Act” to the “Community Planning Act.”

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104.	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	§163.3221(2) and (11)		Amend the “General,” and “Goals, Objectives and Policies” sections of the Introduction Section and Section 1. Definitions 1.22, 1.28, 1.89, 1.93, and 1.128, to change the Local Government Comprehensive Planning and Land Development Regulation Act” to the “Community Planning Act.”
105.	Revises the maximum duration of a development agreement from 20 years to 30 years, unless it is extended by mutual consent, and deletes reference to §163.3187 and 163.3189 regarding compliance determination by state land planning agency.	§163.3229		Noted.
106.	Modifies provisions for periodic review of a development agreement to delete requirements for annual review conducted during years 6 through 10, incorporation of the review into a written report and the state land planning agency adoption of rules regarding the contents of the report.	§163.3235		Noted.
107.	Deletes requirements that a copy of the recorded development agreement be submitted to the state land planning agency within 14 days after the agreement is recorded and for the effectiveness of the agreement based on receipt by the state land planning agency.	§163.3239		Noted.
108.	Changes “Optional Sector Plans” to “Sector Plans” and clarifies the intent to promote and encourage long-term planning for conservation, development and agriculture on a landscape scale and protection of regionally significant resources, including regionally significant water courses and wildlife corridors. Revises the amount of geographic area intended for sector plans from at least 5,000 acres to at least 15,000 acres and protection of public facilities.	§163.3245(1)		Noted.
109.	Deletes provisions for the state land planning agency entering into an agreement to authorize preparation of an optional sector plan, and consideration of the state comprehensive and strategic regional policy plans, and clarifies the process for scoping meetings and joint planning agreements.	§163.3245(2)		Noted.
110.	Modifies the provisions for two levels of sector planning, clarifying the requirements for the long-term master plan and detailed specific area plan. These plans may be based upon a planning period longer than timeframe on which the local comprehensive plan is based and are not required to demonstrate need. The state land planning agency is required to consult with certain other agencies as part of its review of the plans.	§163.3245(3)		Noted.
111.	Requires consistency with any long-range transportation plan and regional water supply plans, including consideration of water supply availability and consumptive use permitting.	§163.3245(4) [New]		Addressed in Transportation Element Objective 2.4, and in Sanitary Sewer, Solid Waste, Drainage, Potable Water and Natural Groundwater Aquifer recharge (Infrastructure) Element Policy 4.12.1, and in

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				Intergovernmental Coordination Element Policy 8.3.5.
112.	Requires the detailed specific area plan to establish a buildout date until which the approved development is not subject to downzoning, unit density reduction or intensity reduction, with certain exceptions.	§163.3245(5)(d) [New]		N/A
113.	Establishes provisions for master development approval, pursuant to §380.06(21), for the entire planning area in order to establish a buildout date and describes the level of detail appropriate for review of the application.	§163.3245(6) [New]		Noted.
114.	Establishes provisions for a developer within an area subject to a long-term master plan or detailed specific area plan to enter into a development agreement.	§163.3245(7) [New]		Noted.
115.	Establishes provisions for landowner withdrawal of consent to the master plan relative to proposed and adopted amendments.	§163.3245(8) [New]		Noted.
116.	Allows the right to continue, after adoption of a long-term master plan or a detailed specific area plan, existing agricultural or silvicultural uses or other natural resource-based operations or establishment of similar new uses that are consistent with plans approved pursuant to this section.	§163.3245(9) [New]		Noted.
117.	Allows the state land planning agency to enter into an agreement with a local government that on or before July 1, 2011 adopted a large-area comprehensive plan amendment consisting of at least 15,000 acres based on certain requirements.	§163.3245(10) [New]		Noted.
118.	Addresses a detailed specific area plan to implement a conceptual long-term buildout overlay found in compliance before July 1, 2011.	§163.3245(11) [New]		Noted.
119.	Provides for a landowner or developer that has received approval of a master DRI development order to implement this order by filing application(s) to approve the detailed specific area plan.	§163.3245(12) [New]		Noted.
120.	Modifies provisions in the local government comprehensive planning certification program to allow small scale development amendments to follow the process in §163.3187.	§163.3246(9)(a)		N/A.
121.	Deletes provisions in the local government comprehensive planning certification program that address the failure to adopt a timely evaluation and appraisal report and failure to adopt an evaluation and appraisal report found to be sufficient.	§163.3246(12)		N/A.
122.	Deletes the requirement that the Office of Program Policy Analysis and Government Accountability prepare a report evaluating the certification program.	§163.3246(14) [Deleted]		N/A.
123.	See prior entries for description of repealed provisions.	§163.32465; Now: Repealed		Noted.
124.	Establishes provisions for Rural Land Stewardship Areas, which were provided for as part of the innovative and flexible planning and development strategies in now repealed §163.3177(11).	§163.3248 [New]		N/A.
125.	Sets forth the intent of Rural Land Stewardship Areas	§163.3248(1) [New]		N/A.

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126.	Establishes a process upon which local governments may adopt a future land use overlay, which may not require a demonstration of need based on population projections or any other factors.	§163.3248(2) [New]		N/A.
127.	Sets forth six broad principles of rural sustainability that rural land stewardship areas are to further.	§163.3248(3) [New]		N/A.
128.	Provides for agency assistance and participation to local governments or property owners in development of a plan for rural land stewardship area.	§163.3248(4) [New]		N/A.
129.	Requires that a rural land stewardship area not be less than 10,000 acres, is located outside of municipalities and established urban service areas and is designated by plan amendment by each local government with jurisdiction.	§163.3248(5) [New]		N/A.
130.	Requires the plan amendment(s) designating a rural land stewardship area to be reviewed pursuant to §163.3184 and to meet certain requirements involving criteria for designating receiving areas, the application of innovative planning and development strategies, a process for implementing these strategies and a mix of densities and intensities that would not be characterized as urban sprawl.	§163.3248(5)(a)-(d) [New]		N/A.
131.	Requires a receiving area to be designated only pursuant to procedures established in the local government's land development regulations. If approval of the designation by a county board of county commissioners is required, it is to be made by resolution with a simple majority vote. A listed species survey must be performed and coordinated with appropriate agencies if listed species occur on the receiving area development site. Protective measures must be based on the rural land stewardship area as a whole.	§163.3248(6) [New]		N/A.
132.	Sets forth requirements for establishing a rural land stewardship overlay zoning district and methodology for the creation, conveyance, and use of transferrable rural land use/stewardship credits.	§163.3248(7) [New]		N/A.
133.	Sets forth limitations for creating, assigning and transferring stewardship credits based on underlying permitted uses, densities and intensities, and considerations for assigning credits based on the value and location of land and environmental resources.	§163.3248(8)(a)-(k) [New]		N/A.
134.	Provides for incentives to owners of land within rural land stewardship sending areas, in addition to use or conveyance of credits, to enter into rural land stewardship agreements.	§163.3248(9)(a)-(e) [New]		N/A.
135.	Expresses the intent of the section as an overlay of land use options that provide economic and regulatory incentives for landowners outside of established and planned urban service areas.	§163.3248(10) [New]		N/A.
136.	Expresses the intent of the Legislature that the rural land stewardship area in Collier County be recognized as a statutory rural land stewardship area and be afforded the incentives in this section.	§163.3248(11) [New]		N/A.
137.	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	§163.360(2)(a)		Amend the "General," and "Goals, Objectives and Policies" sections of the Introduction

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				Section and Section 1. Definitions 1.22, 1.28, 1.89, 1.93, and 1.128, to change the Local Government Comprehensive Planning and Land Development Regulation Act” to the “Community Planning Act.”
138.	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	§163.516(3)(a)		Amend the “General,” and “Goals, Objectives and Policies” sections of the Introduction Section and Section 1. Definitions 1.22, 1.28, 1.89, 1.93, and 1.128, to change the Local Government Comprehensive Planning and Land Development Regulation Act” to the “Community Planning Act.”

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Changes in Ch. 163 Florida Statutes

2012: Chapters 2012-5, 2012-75, 2012-83, 2012-90, 2012-96 and 2012-99, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Rewords the definition of “farm” to the same meaning provided in §823.14	§163.3162(2)(a)		In the Land Use Implementation Element, add to Section 1. Definitions the term “farm” consistent with §823.14
2.	Rewords the definition of farm operation to the same meaning provided in §823.14	§163.3162(2)(b)		In the Land Use Implementation Element, add to Section 1. Definitions the term “farm operation” consistent with §823.14
3.	Adds a definition of “governmental entity,” which has the same meaning provided in §164.1031. The term does not include a water control district or a special district created to manage water.	§163.3162(2)(d)		In the Land Use Implementation Element, revision Section 1. Definitions 1.71 “Government Agency” to clarify it does not include a “water control district” or a “special district created to manage water,” and add to Section 1. Definitions the term “government entity” consistent with §163.1031.
4.	Changes “county” to “governmental entity”	§163.3162(3)(b)		Noted.
5.	Changes “county” to “governmental entity”	§163.3162(3)(c)		Noted.
6.	Changes “county” to “governmental entity”	§163.3162(3)(c)3		Noted.
7.	Changes “county” to “governmental entity”	§163.3162(3)(c)3.(i)		Noted.
8.	Adds provisions related to agricultural enclaves	§163.3162 Note		Noted.
9.	Provides that any local government charter provision that was in effect as of June 1, 2011 for an initiative or referendum process for development orders or comprehensive plan amendments may be retained and implemented	§163.3167(8)		Noted.
10.	Changes the “preparation of the periodic reports” to “the periodic evaluation and appraisal of the comprehensive plan”	§163.3174(4)(b)		N/A.
11.	Adds “advisory” to define the commanding officer’s comments on the impact of proposed changes on military bases, and requires the comments to be based on appropriate data and analysis which must be provided to the local government with the comments	§163.3175(5)		N/A.
12.	Requires local governments to consider the commanding officer’s comments in the same manner as comments from other reviewing agencies, and deletes the language that states the comments are not binding.	§163.3175(5)(d)		N/A.
13.	Adds language requiring the local government to consider the accompanying data and analysis provided by the commanding officer, in addition to the comments, and adds	§163.3175(6)		N/A.

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	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	language stating that consideration shall be based on how the change relates to the strategic mission of the base, public safety and the economic vitality of the base while respecting private property rights.			
14.	Changes the “University of Florida’s Bureau of Economic and Business Research” to the “Office of Economic and Demographic Research” and adds language stating that population projections must, at a minimum, reflect each area’s proportional share of the total county population and the total county population growth.	§163.3177(1)(f)3.		Noted.
15.	Changes the “University of Florida’s Bureau of Economic and Business Research” to the “Office of Economic and Demographic Research”.	§163.3177(6)(a)4.		Noted.
16.	Changes the requirement that future land use map amendments be based on an analysis of the minimum amount of land needed as determined by the local government, to instead be based on an analysis of the minimum amount of land needed to achieve the requirements of the statute.	§163.3177(6)(a)8.c.		Noted.
17.	Deletes the requirement that the housing element be based in part on an inventory taken from the latest Census.	§163.3177(6)(f)2.		Noted.
18.	Moves the exemptions from having a public school interlocal agreement from section 163.3180(6)(i) to §163.3177(3)	§163.3177(3)		Noted.
19.	Adds language requiring each local government exempt from having a public school interlocal agreement to assess at the time of evaluation and appraisal if the local government still meets the requirements for exemptions described in §163.3177(3). Each local government that is exempt must comply with the interlocal agreement provisions within one year of a new school within the municipality being proposed in the 5-year district facilities work program	§163.3177(4)		Noted.
20.	Replaces “Department of Community Affairs” with “state land planning agency” and changes the language that stated intermodal transportation facilities “shall” not be designated as developments of regional impact to “may” not be designated as developments of regional impact.	§163.3178(3)		Revise “General” section of Introduction, “Plan Content and Format” section, Housing Element Policy 3.1.3, and Land Use Implementation Element Section 1. Definitions 1.179 “State Land Planning Agency” to Department of Economic Opportunity
21.	Deletes the provision that the Coastal Resources Interagency Management Committee shall identify incentives to encourage local governments to adopt siting plans and uniform criteria and standards to be used by local governments to implement state goals related to marina siting	§163.3178(6)		N/A.
22.	Adds language stating that an amendment that rescinds concurrency shall be processed under the expedited state review process, and is not required to be transmitted to reviewing agencies for comment, except for agencies that have requested transmittal, and for municipal amendments, it must be transmitted to the county. A copy of the adopted amendment shall be transmitted to the state land	§163.3180(1)(a)		Noted.

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	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	agency. If the amendment rescinds transportation or school concurrency, the adopted amendment must also be sent to the Department of Transportation or Department of Education, respectively.			
23.	Provides general rewording. Adds language to clarify that the choice of one or more municipality to not adopt school concurrency does not preclude implementation of school concurrency within other jurisdictions of the school district.	§163.3180(6)(a)		Noted.
24.	Moved to §163.31777(3)	§163.3180(6)(i)		Noted.
25.	Adds developments that are proposed under §380.06(24)(x) to the list of amendments that must follow the state coordinated review process.	§163.3184(2)(c)		N/A.
26.	Added the word “working” to clarify the number of days a local government has to transmit an amendment.	§163.3184(3)(b)1.		N/A.
27.	Changed the time limit for the reviewing agencies’ transmittal to 30 days “after” instead of “from” the date the amendment was received.	§163.3184(3)(b)2.		N/A.
28.	Added the word “working” to clarify the number of days a local government has to transmit an amendment.	§163.3184(3)(c)2.		N/A.
29.	Changes the time limit a local government has to transmit an amendment from “immediately following” the first public hearing to “within 10 working days after” the first public hearing.	§163.3184(4)(b)		N/A.
30.	Added the word “working” to clarify the number of days a local government has to transmit an amendment.	§163.3184(4)(e)2.		N/A.
31.	Corrects the citation related to plan amendment package completeness from (3)(c)3. to (4)(e)3.	§163.3184(5)(b)		N/A.
32.	Changes the time limit by which the Administration Commission must enter into a final order from 45 days after the receipt of the recommended order to the time period specified in §120.569.	§163.3184(5)(d)		N/A.
33.	Changes the time limit for the state land planning agency to submit a not in compliance recommended order to the Administration Commission from no later than 30 days after the receipt of the recommended order to the time period provided in §120.569	§163.3184(5)(e)1		N/A.
34.	Changes the time limit by which the state land planning agency must enter into an in compliance final order from 30 days after the receipt of the recommended order to the time period provided in §120.569	§163.3184(5)(e)2.		N/A.
35.	Changes the time period by which the state land planning agency must issue a cumulative notice of intent from “upon receipt of a plan or plan amendment adopted pursuant to a compliance agreement” to “within 20 days after receiving a complete plan or plan amendment adopted pursuant to a compliance agreement”	§163.3184(6)(f)		N/A.
36.	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program	§163.3184(8)(b)1.a.		N/A.
37.	Changes “subsection” to “section”	§163.3184(12)		N/A.

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	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
38.	Changes “in accordance with” to “pursuant to” and adds (4) to the §163.3184 citation.	§163.3191(3)		N/A.
39.	Replaces “Department of Community Affairs” with “state land planning agency” and changes “this” Act to “the Community Planning Act”.	§163.3204		Replace all references to the Department of Community Affairs to the “state land planning agency.”
40.	Changes the citation that refers to the sanctions that can be the sole issue before the Administration Commission when land development regulations are inconsistent with the comprehensive plan from §163.3184(11)(a) or (b) to sections 163.3184(8)(a)or (b)1. or 2.	§163.3213(6)		N/A.
41.	Changes the definition of state land planning agency to refer to the Department of Economic Opportunity instead of the Department of Community Affairs.	§163.3221(14)		In the Land Use Implementation Section 1. Definitions 1.179, change reference from “Department of Community Affairs” to “Department of Economic Opportunity.”
42.	Deletes the reference to §163.3177(11).	§163.3245(1)		N/A.
43.	Deletes the requirement that the department provide an annual status report to the legislature regarding every optional sector plan.	§163.3245(7)		N/A.
44.	Adds “or her” to “his consent to the master plan”	§163.3245(9)		N/A.
45.	Replaces “Department of Community Affairs” with “state land planning agency”	§163.3246(1)		Noted.
46.	Replaces “Secretary of Community Affairs” with “executive director of the state land planning agency”	§163.3247(5)(a)		Noted.
47.	Replaces “Department of Community Affairs” with “state land planning agency”	§163.3247(5)(b)		Noted.
48.	Removes the word “county” from “board of commissioners”.	§163.3248(6)		Noted.

2013 Amendments

Changes in Ch. 163 Florida Statutes

2013: Chapters 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Re-numbers §163.3162(3)(b)-(j) as 163.3162(3)(c)-(k) in order to accommodate new §163.3162(3)(b) – see item 4 below.	§163.2136(3)(c)-(k) [renumbered]		Noted.
2.	Amends the definition of “governmental entity” in the provisions for agricultural lands and practices, clarifying that in addition to not including a water control district established under Ch. 298 or a special district created by special act for water management purposes, the term does not include a water management district.	§163.3162(2)(d)		Revise Land Use Implementation Element Section 1. Definitions 1.70 to be “Government Entity” and that it “does not include a water control district or a special district created by special act for water management purposes, or a water management district.”
3.	Replaces “county” with “governmental entity.”	§163.3162(3)(a)		Noted.
4.	Prohibits a governmental entity from charging a fee on a specific agricultural activity of a bona fide farm operation on land classified as agricultural land pursuant to §193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under Ch. 120 by the Department of Environmental Protection, the Department of Agriculture and Consumer Services, or a water management district as part of a statewide or regional program; or if such agricultural activity is expressly regulated by the U.S. Department of Agriculture, the U.S. Army Corps of Engineers, or the U.S. Environmental Protection Agency.	§163.3162(3)(b) [New]		Noted.
5.	Clarifies the provisions for growth management that an initiative or referendum process in regard to any development order is prohibited. Removes language that allowed an initiative or referendum process by a local government charter in effect as of June 1, 2011 to be retained and implemented.	§163.3167(8)(a) [New]		Noted.
6.	Clarifies that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	§163.3167(8)(b) [New]		Noted.
7.	States the intent of the Legislature is to prohibit any initiative and referendum in regard to any development order, and prohibit any initiative and referendum in regard to any local comprehensive plan or map amendment except as specifically and narrowly permitted in paragraph (b). States these prohibitions are remedial in nature and apply retroactively to any initiative or referendum process commenced after June 1, 2011,	§163.3167(8)(c) [New]		Noted.

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	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	clarifying that any such initiative or referendum process that has been commenced or completed thereafter is null and void and of no legal force and effect.			
8.	Revises and adds requirements for local governments that continue to implement a transportation concurrency system, whether in the form adopted into the comprehensive plan before the effective date of the Community Planning Act, Ch. 2011-139, Laws of Florida, or as subsequently modified.	§163.3180(5)(h)1 [New]		Noted.
9.	Adds “development agreement” in the listed land use development permits for which an applicant may satisfy transportation concurrency requirements of the local comprehensive plan, the local government’s concurrency management system and §380.06 when applicable, if conditions in subsequent sections are met.	§163.3180(5)(h)1.c [New]		Noted.
10.	Adds language allowing a local government to accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.	§163.3180(5)(h)1.c.II [New]		Noted.
11.	Modifies language to require local governments that continue to implement a transportation concurrency system to “provide the basis upon which the landowners will be assessed a proportionate share of the cost addressing the transportation impacts resulting from a proposed development.	§163.3180(5)(h)1.d [New]		Noted.
12.	Clarifies that a local government is not required to approve a development that, for reasons other than transportation impacts, is not qualified for approval pursuant to the applicable local comprehensive plan and development regulations.	§163.3180(5)(h)3 [New]		Noted.
13.	Sets forth new provisions for any local government that elects to repeal transportation concurrency. Encourages adoption of alternative mobility funding system that uses one or more of the tools and techniques identified in subsection (f). Clarifies that any alternative mobility funding system adopted may not be used to deny, time or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development’s identified transportation impacts via the funding mechanism implemented by the local government. States that the revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government’s plan which serves as the basis for the fee imposed. Requires a mobility fee-based funding system to comply with the dual rational nexus test applicable to impact fees. An alternative system that is not mobility fee-based shall not be applied in a matter that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in subsection (h).	§163.3180(5)(i) [New]		Noted.
14.	Changes numerous references in the provisions for the local government comprehensive planning certification program from “department” to “state land planning agency.”	§163.3246(1),(4)-(7), (9)(a), (12) and (13)		Noted.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
15.	Creates short title for §§163.325-163.3253 as the “Manufacturing Competitiveness Act.”	§163.325 [New]		N/A.
16.	Creates six definitions as used in the provisions for manufacturing development in §§163.3251-163.3253: (1) “Department” means Department of Economic Opportunity; (2) “Local government development approval” means a local land development permit, order, or other approval issued by a local government, or a modification of such permit, order, or approval, which is required for a manufacturer to physically locate or expand and includes, but is not limited to, the review and approval of a master development plan required under §163.3252(2)(c). (3) “Local manufacturing development program” means a program enacted by a local government for approval of master development plans under §163.3252. (4) “Manufacturer” means a business that is classified in Sectors 31-33 of the National American Industry Classification System (NAICS) and is located, or intends to locate, within the geographic boundaries of an area designated by a local government as provided under §163.3252. (5) “Participating agency” means: (a) The Department of Environmental Protection, (b)The Department of Transportation, (c) The Fish and Wildlife Conservation Commission, when acting pursuant to statutory authority granted by the Legislature and (d) Water Management Districts. (6) “State development approval” means a state or regional permit or other approval issued by a participating agency, or a modification of such permit or approval, which must be obtained before the development or expansion of a manufacturer’s site, and includes, but is not limited to, those specified in §163.3253(1).	§163.3251(1)–(6) [New]		Noted.
17.	Setting forth provisions for a local manufacturing development program and master development approval for manufacturers, allows a local government to adopt an ordinance establishing a local manufacturing development program through which the local government may grant master development approval for the development or expansion of sites that are, or are proposed to be, operated by manufacturers at specified locations within the local government’s geographic boundaries.	§163.3252 [New]		Noted.
18.	Requires a local government that elects to establish a local manufacturing development program to submit a copy of the ordinance establishing the program to DEO within 20 days after the ordinance is enacted. A local government ordinance adopted before the effective date of this act establishes a local manufacturing development program if it satisfies the minimum criteria established in subsection (3) and if the local government submits a copy of the ordinance to DEO on or before September 1, 2013.	§163.3252(1)(a) and (b) [New]		Noted.
19.	Requires DEO to develop a model ordinance to guide local governments that intend to establish a local manufacturing development program by December 1, 2013. Requires	§163.3252(2)[New]		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	the model ordinance, which need not be adopted by a local government, to include the elements set forth in §§163.3252(2)(a)-(k).			
20.	Requires the model ordinance to include procedures for a manufacturer to apply for a master development plan and procedures for a local government to review and approve a master development plan.	§163.3252(2)(a) [New]		N/A.
21.	Requires the model ordinance to identify those areas within the local government's jurisdiction which are subject to the program.	§163.3252(2)(b) [New]		N/A.
22.	Requires the model ordinance to include the minimum elements for a master development plan, including but not limited to: (1) A site map (2) A list proposing the site's land uses (3) The maximum square footage, floor area ratio, and building heights for future development on the site, specifying with particularity those features and facilities for which the local government will require the establishment of maximum dimensions, and (4) Development conditions	§163.3252(2)(c)1-4 [New]		N/A.
23.	Requires the model ordinance to include a list of development impacts, if applicable to the proposed site, which the local government will require to be addressed in a master development plan, including but not limited to: (1) Drainage (2) Wastewater (3) Potable water (4) Solid waste (5) Onsite and offsite natural resources (6) Preservation of historic and archeological resources (7) Offsite infrastructure (8) Public services (9) Compatibility with adjacent offsite land uses (10) Vehicular and pedestrian entrance to and exit from the site, and (11) Offsite transportation impacts	§163.3252(2)(d)1-11 [New]		N/A.
24.	Requires the model ordinance to include a provision vesting any existing development rights authorized by the local government before the approval of a master development plan, if requested by the manufacturer.	§163.3252(2)(e) [New]		N/A.
25.	Requires the model ordinance to include whether an expiration date is required for a master development plan and, if required, a provision stating that the expiration date may not be earlier than 10 years after the plan's adoption.	§163.3252(2)(f) [New]		N/A.
26.	Requires the model ordinance to include a provision limiting the circumstances that require an amendment to an approved master development plan to: (1) Enactment of state law or local ordinance addressing an immediate and direct threat to the public	§163.3252(2)(g)1 and 2 [New]		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	safety that requires an amendment to the master development order, and (2) Any revision to the master development plan initiated by the manufacturer.			
27.	Requires the model ordinance to include a provision stating the scope of review for any amendment to a master development plan is limited to the amendment and does not subject any other provision of the approved master development plan to further review.	§163.3252(2)(h) [New]		N/A.
28.	Requires the model ordinance to include a provision stating that, during the term of a master development plan, the local government may not require additional local development approvals for those development impacts listed in paragraph (d) that are addressed in the master development plan, other than approval of a building permit to ensure compliance with the state building code and any other applicable state mandated life and safety code.	§163.3252(2)(i) [New]		N/A.
29.	Requires the model ordinance to include a provision stating that, before commencing construction or site development work, the manufacturer must submit a certification, signed by a licensed architect, engineer, or landscape architect, attesting that such work complies with the master development plan.	§163.3252(2)(j) [New]		N/A.
30.	Requires the model ordinance to include a provision establishing the form that will be used by the local government to certify that a manufacturer is eligible to participate in the local manufacturing development program adopted by that jurisdiction.	§163.3252(2)(k) [New]		N/A.
31.	Requires a local manufacturing development program ordinance to as a minimum be consistent with subsection (2) and establish procedures for: (a) Reviewing an application from a manufacturer for approval of a master development plan, (b) Approving a master development plan, which may include conditions that address development impacts anticipated during the life of the development, (c) Developing the site in a manner consistent with the master development plan without requiring additional local development approvals other than building permits and (d) Certifying that a manufacturer is eligible to participate in the local manufacturing development program.	§163.3252(3)(a)-(d) [New]		N/A.
32.	Prohibits a local government that establishes a local manufacturing development program from abolishing the program until it has been in effect for at least 24 months. Sets forth provisions for a local government's repealing its local manufacturing development program ordinance, stating that (1) Any application for a master development plan which is submitted to the local government before the effective date of the repeal is vested and remains subject to the local manufacturing development program ordinance in effect when the application was submitted; and (2) The manufacturer that submitted the application is entitled to participate in the	§163.3252(4)(a) and (b)1 and 2 [New]		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	manufacturing development coordinated approval process established in section 163.3253.			
33.	Creates provisions for a coordinated manufacturing development approval process, requiring DEO to coordinate the manufacturing development approval process with participating agencies, as set forth in this section, for manufacturers that are developing or expanding in a local government that has a local manufacturing development program.	§163.3253 [New]		N/A.
34.	Requires the approval process to include collaboration and coordination among, and simultaneous review by, the participating agencies of applications for: (a) Wetland or environmental resource permits, (b) Surface water management permits, (c) Stormwater permits, (d) Consumptive water use permits (e) Wastewater permits, (f) Air emission permits, (g) Permits relating to listed species, (h) Highway or roadway access permits and (i) Any other state development approval within the scope of a participating agency's authority.	§163.3253(1)(a)-(i) [New]		N/A
35.	Requires a manufacturer to file its application for state development approval with DEO and each participating agency with proof that its development or expansion is located in a local government that has a local manufacturing development program. If a local government repeals its local manufacturing development program ordinance, a manufacturer developing or expanding in that jurisdiction remains entitled to participate in the process if the manufacturer submitted its application for a local government development approval before the effective date of repeal.	§163.3253(2)(a) and (b) [New]		N/A.
36.	Requires DEO to convene a meeting with one or more participating agencies if a manufacturer requests one at any time during the process and that the participating agencies attend. Allows DEO to participate as necessary to accomplish the purposes set forth in section 20.60(4)(f), does not require the department to mediate between the participating agencies and the manufacturer.	§163.3253(3)(a) [New]		N/A.
37.	Prohibits DEO from being a party to any proceeding initiated under §§120.569 and 120.57 that relates to approval or disapproval of an application for state development approval processed under this section.	§163.3253(3)(b) [New]		N/A.
38.	Prohibits DEO's participation in a coordinated manufacturing development approval process under this section from having any effect on its approval or disapproval of any application for economic development incentives sought under §288.061 or another incentive requiring DEO approval.	§163.3253(3)(c) [New]		N/A.
39.	Requires if a participating agency determines an application is incomplete that the participating agency notifies the applicant and DEO in writing of the additional information necessary to complete the application.	§163.3253(4)(a) [New]		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	Requires, unless the deadline is waived in writing by the manufacturer, a participating agency to provide a request for additional information to the manufacturer and DEO within 20 days after the date the application is filed with the participating agency.			
40.	If the participating agency does not request additional information within the 20-day period, the participating agency may not subsequently deny the application based on the manufacturer's failure to provide additional information.	163.3253(4)(b) [New]		N/A.
41.	Within 10 days after the manufacturer's response to the request for additional information, a participating agency may make a second request for additional information for the sole purpose of obtaining clarification of the manufacturer's response.	§163.3253(4)(c) [New]		N/A.
42.	Requires, unless the deadline is waived in writing by the manufacturer, each participating agency to take final agency action on a state development approval within its authority within 60 days after a complete application is filed. The 60-day period is tolled by the initiation of a proceeding under sections 120.569 and 120.57.	§163.3253(5)(a) [New]		N/A.
43.	Requires a participating agency to notify DEO if the agency intends to deny a manufacturers application and, unless waived in writing by the manufacturer, the department shall timely convene an informal meeting to facilitate a resolution.	§163.3253(5)(b) [New]		N/A.
44.	Unless waived in writing by the manufacturer, if a participating agency does not approve or deny an application within the 60-day period, within the time allowed by a federally delegated permitting program, or, if a proceeding is initiated under §§120.569 and 120.57, within 45 days after a recommended order is submitted to the agency and the parties, the state development approval within the authority of the participating agency is deemed approved. A manufacturer seeking to claim approval by default under this subsection shall notify, in writing, the clerks of both the participating agency and DEO of that intent. A manufacturer may not take action based upon the default approval until such notice is received by both agency clerks.	§163.3253(5)(c) [New]		N/A.
45.	Allows the manufacturer at any time after a proceeding is initiated under §§120.569 and 120.57 to demand expeditious resolution by serving notice on an administrative law judge and all other parties to the proceeding. The administrative law judge is required to set the matter for final hearing no more than 30 days after receipt of such notice. After the final hearing is set, a continuance may not be granted without the written agreement of all parties.	§163.3253(5)(d) [New]		N/A.
46.	Provides that subsections (4) and (5) do not apply to permit applications governed by federally delegated or approved permitting programs to the extent that subsections (4) and (5) impose timeframes or other requirements that are prohibited by or inconsistent with such federally delegated or approved permitting programs.	§163.3253(6) [New]		N/A.
47.	Allows the state land planning agency to adopt rules to administer §163.3253.	§163.3253(7) [New]		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
48.	Revises the definitions to replace a reference to §165.031(5) in the definition of “public body” to§165.031(7).	§163.340(2)		N/A.
49.	Repeals §4 of Ch. 2012-75, Laws of Florida, which had established an alternate method for certain landowners to apply to DEO for an agricultural enclave designation. The right to apply for ag enclave designation under the alternate method expired on January 1, 2013.	Note to §163.3162 (2012 version of statute)		N/A.

2014 Amendments

Changes in Ch. 163 Florida Statutes

2014: Chapters 2014-93, 2014-178 and 2014-218, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or map amendment is only allowed if it affects more than five parcels of land.	§163.3167(8)(b)		N/A.
2.	Deletes the provision that an initiative or referendum in regards to a comprehensive plan amendment or plan amendment is only allowed if it affects more than five parcels of land.	§163.3167(8)(c)		N/A.
3.	Changes “rural areas of critical economic concern” to “rural areas of opportunity”	§163.3177(7)(a)2.		N/A.
4.	Changes “rural area of critical economic concern” to “rural area of opportunity”	§163.3177(7)(a)3.b.		N/A.
5.	Provides general re-wording and changes “rural area of critical economic concern” to “rural area of opportunity”	§163.3177(7)(e)		N/A.
6.	Changes “rural area of critical economic concern” to “rural area of opportunity”	§163.3187(3)		N/A.
7.	Requires that local governments must adopt, amend, and enforce land development regulations that are consistent with and implement the comprehensive plan within one year after submission of the comprehensive plan or amended comprehensive plan pursuant to §163.3191, F.S. (evaluation and appraisal process), instead of §163.3167(2), F.S. (requirement that each local government maintain a comprehensive plan).	§163.3202(1)		N/A.
8.	Provides legislative intent related to the importance of fuel terminals.	§163.3206(1) [New]		N/A.
9.	Provides a definition of fuel with cross references	§163.3206(2)(a)1.-9. [New]		N/A.
10.	Provides a definition of fuel terminal	§163.3206(2)(b) [New]		N/A.
11.	Provides that after July 1, 2014, a local government may not amend its comprehensive plan, land use map, zoning districts, or land use regulations to conflict with a fuel terminal’s classification as a permitted and allowable use, including an amendment that causes a fuel terminal to be a nonconforming use, structure, or development.	§163.3206(3) [New]		N/A.
12.	Provides that if a fuel terminal is damaged or destroyed due to a natural disaster or other catastrophe, a local government must allow the timely repair of the fuel terminal to its capacity before the natural disaster or catastrophe.	§163.3206(4) [New]		N/A.
13.	Provides that the § does not limit the authority of a local government to adopt, implement, modify, and enforce applicable state and federal requirements for fuel terminals, including safety and building standards. Local authority may not conflict with federal or state safety and security requirements.	§163.3206(5) [New]		N/A.
14.	Changes “rural area of critical economic concern” to “rural area of opportunity”,	§163.3246(10)		N/A.

Changes in Ch. 163 Florida Statutes

2015: Chapters 2015-30, Sections 1-6, Laws of Florida, effective May 15, 2015

Chapter 2015-69, §1, Laws of Florida, effective July 1, 2015

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Adds requirements for the redevelopment component of the Coastal Management Element to: Reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. Remove coastal real property from FEMA flood zone designations. Be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations. Require construction seaward of the coastal construction control line to be consistent with Ch. 161, Florida Statutes. Encourage local governments to participate in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for their residents.	§163.3178, Coastal Management Element (Ch. 2015-69, §1, Laws of Florida)		Amend the Coastal Management Element to address: - Reduction in flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. - Removal of coastal real property from FEMA flood zone designations. - Consistency with or be more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations. - Requirements of construction seaward of the coastal construction control line to be consistent with Ch. 161, Florida Statutes. - Encouragement of local governments to participate in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for their residents.
2.	Deletes obsolete provisions establishing 2012 deadlines for a local government to adopt plan amendments related to military base compatibility.	§163.3175(9), Compatibility of Development with Military Installations (Ch. 2015- 30, §1, Laws of Florida)		N/A.
3.	Provides that a local government that does not own, operate, or maintain its own water supply facilities and is served by a public water utility with a permitted allocation of greater than 300 million gallons per day is not required to amend its comprehensive plan in response to an updated regional water supply plan or maintain a work plan if the local government’s usage of water is less than 1 percent of the public water utility’s total permitted allocation. The local government must cooperate with any local government or utility provider that provides service within its jurisdiction. The local government must keep the element up to date in accordance with §163.3191 (evaluation and appraisal).	§163.3177(6)(c)4., Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater Aquifer Recharge Element (Ch. 2015- 30, §2, Laws of Florida)		Noted.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
4.	The list of plan amendments subject to the coordinated state review process is expanded to include plan amendments that propose an amendment to an adopted sector plan and plan amendments that propose a development that qualifies as a development of regional impact pursuant to §380.06, Florida Statutes.	§163.3184(2), Comprehensive Plan/Plan Amendment Procedures, (Ch. 2015-30, §3, Laws of Florida)		Noted.
5.	<p>For both the long-term master plan and detailed specific area plans, provisions in the Community Planning Act that are inconsistent with or are superseded by the planning standards in §§163.3245(3)(a) and (b) do not apply.</p> <p>Conservation easements may be based on digital orthophotography that meets certain criteria.</p> <p>A conservation easement may include a provision for the grantor to substitute other land that meets certain criteria by recording an amendment to the conservation easement; substitution requires the consent of the grantee, which consent shall not be unreasonably withheld (§§163.3245(3)(b)7. and 9.).</p> <p>An applicant for a detailed specific area plan must transmit a copy of the application to reviewing agencies, which must provide written comments to the local government within 30 days after the applicant transmits the application (§163.3245(3)(f)).</p> <p>Authorizes the Department of Environmental Protection, the Fish and Wildlife Conservation Commission, or the water management district to accept a conservation easement provided for a detailed specific area plan as mitigation under chapters 373 and 379 and §373.414, F.S. (§163.3245(3)(h)).</p> <p>Clarifies that adoption of a long-term master plan or a detailed specific area plan does not limit the right to establish new agricultural or silvicultural uses in the sector plan or detailed specific area plan area (§163.3245(9)).</p> <p>An applicant with an approved development order may request that the water management district issue a consumptive use permit for the same time period as the approved master development order (§163.3245(13)).</p> <p>The more specific provisions of this section supersede the generally applicable provisions of this Chapter which otherwise would apply.</p> <p>This section does not preclude a local government from requiring data and analysis beyond the minimum criteria established by this section §163.3245(15)).</p>	§163.3245, Sector Plans (Ch. 2015-30, §4, Laws of Florida)		N/A.
6.	<p>Deletes requirements for notice to and coordination by regional planning councils in connection with developments of regional impact within a certified local government.</p> <p>Creates a connected-city corridor plan amendment pilot program.</p> <p>Expresses legislative intent to encourage growth of high-technology industry and innovation through a locally controlled comprehensive plan amendment process.</p> <p>Establishes Pasco County as a pilot community for connected-city corridor plan amendments for a period of 10 years.</p>	§163.3246(11) and (14) Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program (Ch. 2015-30, §5, Laws of Florida)		N/A.

2013 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
	Requires the state land planning agency to issue a written notice of certification to Pasco County by July 15, 2015 that includes the geographic boundary of the connected city corridor and a requirement for annual or biennial monitoring reports. Provides that the notice of certification is subject to challenge under §120.569. Establishes criteria for connected-city corridor plan amendments. Provides that except for site-specific access management requirements, development in the certification area is deemed to satisfy concurrency if the County adopts a long-term transportation network plan and financial feasibility plan. Provides an exemption from development of regional impact review. Requires that the Office of Program Policy Analysis and Government Accountability provide a report and recommendations for implementing a statewide program to the Governor, President of the Senate, and Speaker of the House by December 1, 2024.			
7.	Deletes regional planning councils as entities that provide assistance and participate in developing a plan for the rural land stewardship area.	§163.3248(4), Rural Land Stewardships (Ch. 2015-30, §6, Laws of Florida)		N/A.

2017 Amendments

Changes in Ch. 163 Florida Statutes

2016: Chapters 2016-10, 2016-148, 2016-239, and 2016-148, Laws of Florida

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Revisions to County board procedures.	125.001 (2)		N/A.
2.	Modifies this section to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.	163.3175 (7)		N/A.
3.	Deletes this obsolete subsection which required local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.	163.3177(6)(a)11		N/A.
4.	Requires state coordinated review process for plan amendments related to development that is subject to state coordinated review.	163.3184 (2)(c)		Noted.
5.	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.	163.3184 (5) (e) 3.		Noted.
6.	Revisions to mediation procedures.	163.3184 (7)		Noted.
7.	Revisions to sector plan process to reduce the minimum size to 5000 acres.	163.3245		N/A,
8.	Allows expedited annexation for enclaves up to 110 acres.	171.046		Noted.
9.	Revisions to Apalachicola Bay Area of critical state concern.	380.0555		N/A.
10.	Allows local governments to approve a change to a DRI without further review, in certain circumstances.	380.06 (14) (c)		Noted.
11.	Changes to procedures if a DRI reaches a buildout date or is essentially built out.	380.06 (15) (g)		Noted.
12.	Allows phase date extensions to be considered a non-substantial deviation.	380.06 (19) (e) 2. l.		Noted.
13.	Allows proposed developments to be reviewed pursuant to 163.3184(4) in lieu of the DRI requirements in section 380.06.	380.06 (30)		Noted.
14.	Allows newly acquired lands not to count toward DRI aggregation rules if the acquisition is 10% or less of the total DRI acreage.	380.0651(4)(c) 6.		Noted.
15.	Provides procedures to be used by a development that elects to rescind a development order.	380.115		Noted.
16.	Updates numerous definitions related to airport zoning.	333.01		Consider revising Objective 1.12 and implementing Policies related to airport protection zoning to ensure compliance with 333, F.S.
17.	Requires a permit to construct an obstruction.	333.025 (1)		Noted.

2016 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
18.	Protects certain airport facilities from hazards.	333.025 (2)		Noted.
19.	States that permits are not required for existing facilities.	333.025 (3)		Noted.
20.	Procedure for state review of local government airport protection zoning regulations.	333.025 (4)		Noted.
21.	Procedures for review of permits.	333.025 (5) to (9)		Noted.
22.	Requires local governments to adopt airport protection zoning regulations including provisions related to proximity of landfills, permit process, noise study, and incompatible uses.	333.03		Noted.
23.	In cases of a conflict in regulations, the more stringent requirement prevails.	333.04		Noted.
24.	Procedures for adopting zoning regulations.	333.05		Noted.
25.	Requires each public use airport to prepare an airport master plan.	333.06 (4)		Noted.
26.	Local government permitting of airspace obstructions.	333.07		Noted.
27.	Enforcement and administration of airport zoning.	333.09		Noted.
28.	Judicial review for airport zoning.	333.11		Noted.
29.	Acquisition of air rights.	333.12		Noted.
30.	Enforcement of violations.	333.13		Noted.
31.	Requires local governments that do not have airport zoning to adopt such zoning by July 1, 2017, and requires any existing regulations to be updated by that date.	333.135		Noted.

Changes in Ch. 163 Florida Statutes

2017 [None]; 2018: 2018 [Chapter 2018-34, section 1, Laws of Florida, Effective March 19, 2018; Chapter 2018-158, section 8, Laws of Florida, Effective April 6,2018.]

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Amends the definition of “development” to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	Sections 163.3221(4)(b)(2) and (4)(b)(8)		Revise the Land Use Implementation Element Section 1. Definitions 1.49 “Development” to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation of termination of distribution and transmission corridors.
2.	Sector Plans, updated statutory cross references.	Sections 163.3245(3)(e), (3)(e)6., and (3)(e)12		N/A.
3.	Local Government Comprehensive Planning Certification Program updated to delete references to Development of Regional Impact Review.	Sections 163.3246 (11), (12), and (14)		N/A.
4.	Definitions, added a new definition of “master development plan” or “master plan” as subsection (31) and renumbered subsequent sections.	Section 163.3164		Revise the Land Use Implementation Element to include a definition of “master development plan” or “master plan” pursuant to section 163.3164, F.S.

2021 Amendments

Changes in Ch. 163 Florida Statutes

2019: [Chapter 2019-3, section 31, Laws of Florida, Effective July 3, 2019; Chapter 2019-106, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-144, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-155, section 2, Laws of Florida, Effective July 1, 2019; Chapter 2019-157, section 1, Laws of Florida, Effective July 1, 2019; Chapter 2019-165, sections 3-7, Laws of Florida, Effective June 28, 2019]

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Amends to repeal the 120 acre cumulative annual limit on small scale development amendments that may be approved by a local government. Local government adoption of small-scale development amendments to their comprehensive plans would no longer be subject to the cumulative annual acreage restriction, thereby allowing amendments to local comprehensive plans that meet the remaining three criteria for adoption.	163.3187		Noted.
2.	Amended; A comprehensive plan adopted after January 1, 2019, and all land development regulations adopted to implement the comprehensive plan must incorporate each development order existing before the comprehensive plan's effective date, may not impair the completion of a development in accordance with such existing development order, and must vest the density and intensity approved by such development order existing on the effective date of the comprehensive plan without limitation or modification.	163.3167 (3)		Noted.
3.	Amended; A mobility fee-based funding system must comply with s. 163.31801 governing impact fees; If the interlocal agreement and the local government comprehensive plan authorize a contribution of land. Also: the construction, expansion, or payment for land acquisition; the construction or expansion of a public school facility, or a portion thereof; or the construction of a charter school that complies with the requirements of s. 1002.33(18), as proportionate share mitigation, the local government shall credit such a contribution, construction, expansion, or payment toward any other impact fee or exaction imposed by local ordinance for public educational facilities, on a dollar-for-dollar basis at fair market value. <u>The credit must be based on the total impact fee assessed and not on the impact fee for any particular type of school.</u>	163.3180(5)(i)and(6)(h)		Noted.
4.	Amended; updated requirements for an impact fee adopted by an ordinance	163.31801(5)		Noted.
5.	Amended; Local land development regulations shall contain specific and detailed provisions necessary or desirable to implement the adopted comprehensive plan and shall at a minimum: (j) Incorporate preexisting development orders identified pursuant to s. 163.3167(3).	163.3202(6)(2)(j)		Noted.
6.	Amends requirements for standing to enforce local comprehensive plans through development orders	163.3215(7)(8)		Noted.

2019 Amendments

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
7.	Amends to delete that an owner needs approval of the local government for tree pruning or trimming	163.3209(2)		Noted.
8.	Amended list of military installations	163.3175(1)(2)(i)(p)		Noted.

2021 Amendments

Changes in Ch. 163 Florida Statutes

2020: [Chapter 2020-2, section 27, Laws of Florida, Effective May 18, 2020; Chapter 2020-27, sections 4 and 5, Laws of Florida, Effective July 1, 2020; Chapter 2020-58, section 1, Laws of Florida, Effective July 1, 2020; Chapter 2020-122, Section 2, Laws of Florida, Effective July 1, 2020; Chapter 2020- 150, section 28, Laws of Florida, Effective July 1, 2021]

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Amends subsection 163.3178(2)(k) to update statutory references; Revises subsection 163.3178(8)(b) and (c) to remove outdated deadlines.	Section 163.3178 Coastal Management		Noted.
2.	Amends subsections 163.31771(3) and (4) to remove the requirement that a local government must adopt an ordinance finding a shortage of affordable rentals in the jurisdiction before allowing accessory dwelling units to be located in any area zoned for single family residential use.	Section 163.31771, Accessory Dwelling Units		Noted.
3.	Amends subsection 163.31801(3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee. Amends subsection 163.31801(4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. Adds subsection 163.31801(8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.	Section 163.31801, Impact Fees		Noted.
4.	Adds subsection 163.3168(4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in Section 338.2278 contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections.	Section 163.3168, Planning Innovations and Technical Assistance		Noted.
5.	Amends subsection 163.3180(2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection.	Section 163.3180, Concurrency		Noted.

Changes in Ch. 163 Florida Statutes

2021:

	Changes to Ch 163, F.S.	Ch. 163, Florida Statutes Citations	Addressed (where/how)	Amendment Needed by Element
1.	Requires a local government to adopt and include the property rights element in its comprehensive plan for any proposed plan amendment initiated after July 1, 2021. A proposed comprehensive plan amendment is initiated on the date the amendment is first considered at a public hearing, as outlined in Section 163.3174(4), Florida Statutes, held by the local planning agency.	Section 163.3177(6)(i)2 Property Rights	Will be addressed during upcoming update to Comprehensive Plan.	New Property Element needed in updated Comprehensive Plan.
2.	Increases small scale amendments from 10 to 50 acres and from 20 to 100 acres in Rural Area of Opportunities communities.	Section 163.3167(5)		Noted.
3.	The bill requires solar facilities to: <ul style="list-style-type: none">• Be a permitted use in all agricultural land use categories in a local government’s comprehensive plan, and all agricultural zoning districts within an unincorporated area; and• Comply with setback and landscaped buffer area criteria for similar uses in the agricultural district.	Section 163.3206 Solar Facilities		Note. The City does not have any agricultural land use categories in the Comprehensive Plan.
4.	Defines the term infrastructure to mean a fixed capital expenditure or fixed capital outlay, excluding the cost of repairs or maintenance, associated with the construction, reconstruction, or improvement of public facilities that have a life expectancy of at least five years; related land acquisition, land improvement, design, engineering, and permitting costs; and other related construction costs required to bring the public facility into service. This includes fire department vehicles, emergency medical service vehicles, sheriff’s office vehicles, police department vehicles, school buses, and the equipment necessary to outfit such vehicles or buses for their official use. For independent special fire control district, the term includes new facilities as defined in s.191.009(4).	Section 163.31801 Impact Fees	Include new definition for Impact Fees in Definition Section of updated Comprehensive Plan	Provides for a definition of Impact Fees