



EVALUATION AND APPRAISAL REPORT

SUMMARY

Owner N/A Applicant City of Orlando Project Planner Elisabeth Dang, AICP	Description of the Request: Request for determination that Growth Management Plan amendments are needed pursuant to the attached evaluation and appraisal report. Staff's Recommendation: Approval of the request.	Public Comment Staff will post this item on the City's web site, and place a classified ad in the Orlando Sentinel. No public comments have been received as of the date of the Staff Report.
Updated: March 31, 2016		

ANALYSIS

Section 163.3191, Florida Statutes, requires each local government to complete an evaluation and appraisal of changes to state growth management laws to determine how the local comprehensive plan must be updated to remain in compliance with state law. Orlando's evaluation and appraisal of its Growth Management Plan (GMP) is due June 1, 2016. The attached report identifies statutory changes that have occurred since the last evaluation in 2007. A summary of the changes needed is as follows:

- ♦ Section 163.3177(6)(b)—requires the comprehensive plan to identify recreational transportation opportunities including exercise trails and riding facilities. The City will update the transportation element to reflect this requirement.
- ♦ Section 163.3221(14)—Deletes references to the "Department of Community Affairs" and replaces it with the "Department of Economic Opportunity". The City will update the GMP accordingly.
- ♦ Section 163.3177(6)(c)4—Requires the City to prepare a water supply plan within 18 months of adoption of a regional water supply plan. The regional plan was adopted in Fall 2015 and the City is working on updates to meet the statutory deadline.
- ♦ Section 380.06(30)—Allows proposed developments to be reviewed pursuant to section 163.3184(4) in lieu of the DRI requirements in section 380.06. The City needs to update Future Land Use Policy 1.3.5 to delete requirements for a "local development order" if a project exceeds 120% of the DRI thresholds, and instead allow for this revised procedure.
- ♦ Section 333.01 to .13—This statute was updated in the 2016 legislative session and requires numerous updates related to airport protection zoning regulations. The City will propose some general GMP amendments to reference the statutory requirement and require the Land Development Code (LDC) to be updated. The majority of changes will become part of the LDC.

The City will prepare the GMP amendments listed above within one year of approval of the evaluation and appraisal by the Florida Department of Economic Opportunity. In addition, the City will prepare updates to the GMP support documents, maps and figures to reflect updated population projections, recent annexations, new City infrastructure, and other changes that have occurred since 2007.

FINDINGS

In review of the proposed evaluation and appraisal report it is found that:

1. The GMP needs to be updated to reflect recent changes to state statutes.

RECOMMENDATION

Staff recommends approval of the determination that Growth Management Plan amendments are needed pursuant to the attached evaluation and appraisal report.

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
2007 [Ch. 2007-196, Ch. 2007-198, Ch. 2007-204, <u>Laws of Florida</u>]				
1	163.3164	(26) Expands the definition of “urban redevelopment” to include a community redevelopment area.	Noted.	
2		(32) Revises the definition of “financial feasibility” to clarify that the plan is financially feasible for transportation and schools if level of service standards are achieved and maintained by the end of the planning period even if in a particular year such standards are not achieved; deletes the provision that level of service standards need not be maintained if the proportionate fair share process in sections 163.3180(12) and (16), Florida Statutes, is used.	Deleted from statute.	
3	163.3177	(2) Clarifies that financial feasibility is determined using a five-year period (except in the case of long-term transportation or school concurrency management, in which case a 10 or 15-year period applies).	Deleted from statute.	
4		(3)(a)6. Revises the citation to the Metropolitan Planning Organization’s Transportation Improvement Program and long-range transportation plan. Chapter 2007-196, Laws of Florida.	Noted.	
5		(3)(b)1. Requires an annual update to the Five-Year Schedule of Capital Improvements to be submitted by December 1, 2008 and yearly thereafter. If this date is missed, no amendments are allowed until the update is adopted. Chapter 2007-204, Laws of Florida.	Deleted from statute.	
6		(3)(c) Deletes the requirement that the state land planning agency must notify the Administration Commission if an annual update to the capital improvements element is found not in compliance (retained is the requirement that notification must take place if the annual update is not adopted).	Deleted from statute.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
7		(3)(e) Provides that a comprehensive plan as revised by an amendment to the future land use map is financially feasible if it is supported by (1) a condition in a development order for a development of regional impact or binding agreement that addresses proportionate share mitigation consistent with section 163.3180(12), Florida Statutes, or (2) a binding agreement addressing proportionate fair-share mitigation consistent with section 163.3180(16)(f), Florida Statutes, and the property is located in an urban infill, urban redevelopment, downtown revitalization, urban infill and redevelopment or urban service area.	Deleted from statute.	
8		(6)(f)1.d. Revises the housing element requirements to ensure adequate sites for affordable workforce housing within certain counties.	Deleted from statute.	
9		(6)h. and i. Requires certain counties to adopt a plan for ensuring affordable workforce housing by July 1, 2008 and provides a penalty if this date is missed.	Deleted from statute.	
10	163.3180	(4)(b) Expands transportation concurrency exceptions to include airport facilities.	Noted.	
11		(5)(b)5 Adds specifically designated urban service areas to the list of transportation concurrency exception areas.	N/A	
12		(5)(f) Requires consultation with the state land planning agency regarding mitigation of impacts on Strategic Intermodal System facilities prior to establishing a concurrency exception area.	N/A	
13		(12) and (12)(a) Deletes the requirement that the comprehensive plan must authorize a development of regional impact to satisfy concurrency under certain conditions. Also, deletes the requirement that the development of regional impact must include a residential component to satisfy concurrency under the conditions listed.	Deleted from statute.	
14		(12)(d) Clarifies that any proportionate-share mitigation by development of regional impact, Florida Quality Development and specific area plan implementing an optional sector plan is not responsible for reducing or eliminating backlogs.	Deleted from statute.	
15		(13)(e)4. A development precluded from commencing because of school concurrency may nevertheless commence if certain conditions are met.	Deleted from statute.	
16		(16)(c) and (f) Allows proportionate fair-share mitigation to be directed to one or more specific transportation improvement. Clarifies that such mitigation is not to be used to address backlogs.	Deleted from statute.	

Changes to Chapter 163, F.S. 2007-2016				
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17		(17) Allows an exempt from concurrency for certain workforce housing developed consistent with section 380.061(9) and section 380.0651(3).	Deleted from statute.	
18	163.3182	Allows a local government to establish a transportation concurrency backlog authority to address deficiencies where existing traffic volume exceeds the adopted level of service standard. Defines the powers of the authority to include tax increment financing and requires the preparation of transportation concurrency backlog plans.	N/A	
19	163.3184(19)	Allows plan amendments that address certain housing requirements to be expedited under certain circumstances.	Deleted from statute.	
20	163.3187(1)(p)	Exempts any plan amendment that is consistent with the local housing incentive strategy consistent with section 420.9076 from the twice per year limitation on the frequency of a adoption of plan amendments.	Deleted from statute.	
21	163.3191(14)	Add an amendment to integrate a port master plan into the coastal management element as an exemption to the prohibition in sections 163.3191(10).	N/A	
22	163.3229	Extends the duration of a development agreement from 10 to 20 years.	Deleted from statute.	
23	163.32465	Establishes an alternative state review process pilot program in Jacksonville/Duval, Miami, Tampa, Hialeah, Pinellas and Broward to encourage urban infill and redevelopment.	N/A	
24	339.282	If a property owner contributes right-of-way and expands a state transportation facility, such contribution may be applied as a credit against any future transportation concurrency requirement.	Noted.	
25	420.5095(9)	Establishes an expedited plan amendment adoption process for amendments that implement the Community Workforce Housing Innovation Pilot Program and exempts such amendments from the twice per year limitation on the frequency of adoption of plan amendments.	N/A	
2008 [Ch. 2008-191, Ch. 2008-227, Laws of Florida]				
26	163.3177(6)(a)	The future land use plan must discourage urban sprawl.	Future Land Use Objective 1.3 and Policy 2.3.1	
27		The future land use plan must be based upon energy-efficient land use patterns accounting for existing and future energy electric power generation and transmission systems.	Deleted from statute.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
28		The future land use plan must be based upon greenhouse gas reduction strategies.	Deleted from statute.	
29	163.3177(6)(b)	The traffic circulation element must include transportation strategies to address reduction in greenhouse gas emissions.	Deleted from statute.	
30	163.3177(6)(d)	The conservation element must include factors that affect energy conservation.	Conservation Objective 2.1 and associated policies.	
31		The future land use map series must depict energy conservation.	Deleted from statute.	
32	163.3177(6)(f)1.h. and i.	The housing element must include standards, plans and principles to be followed in energy efficiency in the design and construction of new housing and in the use of renewable energy resources.	Deleted from statute.	
33	163.3177(6)(j)	Local governments within a Metropolitan Planning Organization area must revise their transportation elements to include strategies to reduce greenhouse gas emissions.	Deleted from statute.	
34	Chapter 187	Various changes were made in the State Comprehensive Plan that address low-carbon-emitting electric power plants.	Noted.	
2009 [Ch. 2009-85, Ch. 2009-96, Laws of Florida]				
35	163.3164(29)	Changes "Existing Urban service area" to "Urban service area" and revises the definition of such an area.	Noted.	
36	163.3164(34)	Adds definition of "Dense urban land area."	Noted. The City qualifies as a dense urban land area.	
37	163.3177(3)(b)1.	Postpones from December 1, 2008 to December 1, 2011, the need for the annual update to the capital improvements element to be financially feasible.	N/A.	
38	163.3177(6)(a)	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.	Deleted from statute.	
39	163.3177(6)(h)1.b.	Requires the intergovernmental coordination element to recognize airport master plans.	Deleted from statute.	
40	163.3177(6)(h)1.c.	Requires the intergovernmental coordination element to include a mandatory (rather than voluntary) dispute resolution process and requires use of the process prescribed in section 186.509, Florida Statutes, for this purpose.	Noted.	

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	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
41	163.3177(6)(h)1.d.	Requires the intergovernmental coordination element to provide for interlocal agreements pursuant to section 333.03(1)(b), Florida Statutes, between adjacent local governments regarding airport zoning regulations.	Deleted from statute.	
42	163.3177(15)(a)	Defines "rural agricultural industrial center" and provides for their expansion through the plan amendment process.	Noted.	
43	163.3180(5)(b)2.	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.	N/A	
44	163.3180(5)(b)3.	Allows a county that is not a dense urban land area to amend its comprehensive plan to designate certain areas as transportation concurrency exception areas.	N/A	
45	163.3180(5)(b)4.	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.	Transportation Element Objective 2.4 and associated policies, and Figure TE-1A	
46	163.3180(10)	Except in transportation concurrency exception areas, local governments must adopt the level-of-service established by the Department of Transportation for roadway facilities on the Strategic Intermodal System.	N/A	
47	163.3180(12)(b) & (16)(i)	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.	Noted.	
2010 [Ch. 2010-5, 2010-33, 2010-70, 2010-102, 2010-182, 2010-205, and 2010-209, <u>Laws of Florida</u>]				
48	163.31777(1)(a) and (3)(a)	Deleted the phrase "SMART Schools Clearinghouse".	Noted.	
49	163.3175(2)	Lists the 14 military installations and 43 local governments affected by special coordination and communication requirements.	N/A	
50	163.3177(6)(a)	Specifies that the 43 local governments listed in section 163.3175(2), Florida Statutes, must consider the factors listed in section 163.3175(5), Florida Statutes, when considering the compatibility of land uses proximate to military installations.	N/A	
51	163.3180(4)(b)	Defines hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities.	Noted.	
2011 [Ch. 2011-139, <u>Laws of Florida</u>]				

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
52	163.2517(4)	Deletes the exemption for plan amendments to designate an urban infill and redevelopment area from the twice per year amendment limitation of Section 163.3187.	Noted.	
53	163.3161(1)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
54	163.3161(2)	Expresses the purpose of the act, changing "control" future development to "manage" future development "consistent with the proper role of local government."	Noted.	
55	163.3161(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.	Noted.	
56	163.3161(10)	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	Noted.	
57	163.3161(11)	Expresses legislative intent to recognize and protect agriculture, tourism, and military presence as being the state's traditional economic base.	Noted. The City's economic development strategies are in Future Land Use Element Objective 1.6 and associated policies.	
58	163.3161(12)	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 section 163.3191.	Noted. This analysis will identify any needed GMP amendments.	
59	163.3162(4)	Modifies the provisions 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 section 163.3164.	N/A. The City does not have any agricultural enclaves.	
60	163.3164	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, Florida Administrative Code.	Noted.	
61	163.3164(1)	Establishes definition for "adaptation action area."	Noted.	
62	163.3164(3)	Establishes definition for "affordable housing" [same meaning as in Section 420.0004(3)].	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
63	163.3164(5)	Establishes definition of “antiquated subdivision.”	Noted.	
64	163.3164(7)	Establishes definition of “capital improvement.”	Noted.	
65	163.3164(9)	Establishes definition of “compatibility.”	Noted.	
66	163.3164(11)	Establishes definition of “deepwater ports.”	Noted.	
67	163.3164(12)	Establishes definition of “density.”	Noted.	
68	163.3164(18)	Establishes definition of “flood prone areas.”	Noted.	
69	163.3164(19)	Establishes definition of “goal.”	Noted.	
70	163.3164(22)	Establishes definition of “intensity.”	Noted.	
71	163.3164(23)	Establishes definition of “internal trip capture.”	Noted.	
72	163.3164(28)	Establishes definition of “level of service.”	Noted.	
73	163.3164(32)	Deletes definition of “financial feasibility.”	Noted. The City maintains certain financial feasibility policies as a local goal.	
74	163.3164(32)	Establishes definition of “new town.”	Noted.	
75	163.3164(33)	Establishes definition of “objective.”	Noted.	
76	163.3164(34)	Deletes definition of “dense urban land areas.”	Noted. The City qualifies as a dense urban land area.	
77	163.3164(36)	Establishes definition of “policy.”	Noted.	
78	163.3164(38)	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).	Noted.	
79	163.3164(40)	Changes definition of “regional planning agency” to “the council created pursuant to chapter 186.”	Noted.	
80	163.3164(41)	Establishes definition of “seasonal population.”	Noted.	
81	163.3164(42)	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.	Noted.	
82	163.3164(45)	Establishes definition of “suitability.”	Noted.	
83	163.3164(46)	Establishes definition of “transit-oriented development.”	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
84	163.3164(50)	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.	Noted.	
85	163.3164(51)	Establishes new definition of “urban sprawl.”	Noted.	
86	163.3167(2)	Modifies requirements for maintaining comprehensive plan, deleting the reference to section 163.3184 and the requirement that proposed plan amendments be submitted to the state land planning agency.	Noted.	
87	163.3167(3) and (6)	Deletes provisions for regional planning agency adoption of plan amendments for elements and amendments not prepared by a local government.	Noted.	
88	163.3167(7)	Deletes provisions for local government challenge of costs associated with preparing a comprehensive plan and related state land planning agency action.	Noted.	
89	163.3167(11)	Deletes provisions for encouraging each local government to articulate a vision of its future physical appearance and qualities of its community.	Noted.	
90	163.3168(1) – (4)	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 section 120.54(1)(a).	Noted.	
91	163.3171(4)	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.	Noted.	
92	163.3175(5)(d) and (6)	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
93	163.3175(9)	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 section 163.3191 and determines that amendments are necessary.	Noted.	
94	163.3177(1)	Modified to include significant portions of repealed Rules 9J-5.001 and 9J-5.005, Florida Administrative Code, 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.	Noted.	
95	163.3177(2)	Deletes financial feasibility requirements.	Noted. The City maintains certain financial feasibility policies as a local goal.	
96	163.3177(3)(a)4	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.	Noted. The City maintains certain financial feasibility policies as a local goal.	
97	163.3177(3)(b)	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.	Noted. The City has continued to adopt an annual update to the capital improvements element.	
98	163.3177(5)(a)	Modifies planning period requirements, allowing additional planning periods for specific components, elements, land use amendments, or projects as part of the planning process.	Noted.	
99	163.3177(6)(a)	Modifies requirements for the future land use element to include guidance from repealed Rule 9J-5.006, Florida Administrative Code, 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.	Future Land Use Figure LU-7	

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	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
100	163.3177(6)(a)2 and 3	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, Florida Administrative Code.	Future Land Use Objectives 1.1, 2.4, Policy 1.5.10, 1.7.3 (N/A for antiquated subdivisions and waterfronts)	
101	163.3177(6)(a)4	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."	FLU Element Objective 1.1 and associated policies.	
102	163.3177(6)(a)8	Establishes requirements for analyzing future land use map amendments using portions of repealed Rule 9J-5.006, Florida Administrative Code.	FLU Policy 2.1.4, 2.2.3, and 2.3.1.	
103	163.3177(6)(a)9 and 10	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, Florida Administrative Code.	FLU Objective 1.3 and associated policies.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
104	163.3177(6)(b)	Modifies requirements for the transportation element to include significant portions of repealed Rule 9J-5.019, Florida Administrative Code, addressing circulation of recreational traffic, including bicycle facilities, exercise trails, riding facilities, and airport master plans.	Transportation Element Objectives 1.26 to 1.32 and associated policies address bicycle and pedestrian facilities. Airport master plans are optional per section 163.3177(6)(b)4. Transportation Element Objectives 1.17 to 1.25 address aviation, but do not specifically reference an airport master plan. There are no plans to add a reference at this time.	Exercise trails and riding facilities are not specifically mentioned in the Transportation Element GOPs. The City will incorporate these types of recreational facilities into the transportation element.
105	163.3177(6)(c)	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, Florida Administrative Code, 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.	Wastewater Support Document Section 3 & 4, Figures WW-3 and WW-13, Solid Waste Support Document Section 2.C. & 3.A., Stormwater Support Document Section 3.E., Potable Water Support Document Section 5.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
106	163.3177(6)(c)3	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.”	Noted.	
107	163.3177(6)(d)1 and 2	Modifies requirements for the conservation element to include portions of repealed Rule 9J-5.013, Florida Administrative Code, to list the natural resources to be identified, analyzed and protected and toward which conservation principles, guidelines and standards are to be directed.	Conservation Support Document Sections 2, 3 and 4. Conservation Objectives 1.1, 1.2, 1.3, 1.4, 1.6, 1.7, Policies 1.3.1, 1.4.1, 1.4.3, 1.4.4, 1.4.5, 1.4.7, 1.5.5, 1.7.2, 1.7.4, 1.7.3, 1.7.7, and 2.1.6.	
108	163.3177(6)(d)3	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.	Potable Water Objective 1.3 and associated policies	
109	163.3177(6)(f)1 and 2	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, Florida Administrative Code.	Support Document Section 2. In particular, Figures H-1, H-5, H-6, H-10, H-12, H-13, H-17, H-19 and H-23.	
110	163.3177(6)(f)2	Deletes requirement for an affordable housing needs assessment conducted by the state and planning agency.	Noted.	

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111	163.3177(6)(f)3	Based on repealed Rule 9J-5.010, Florida Administrative Code, 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.	Housing Objective 1.1, Objective 1.2, Objective 1.4, Objective 5.1, Objective 5.3, Objective 5.4, Objective 5.5, Objective 4.1, Objective 4.2, and Objective 4.3, Historic Preservation Objective 1.1.	
112	163.3177(6)(g)	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	N/A	
113	163.3177(6)(g)2	Deletes provisions for local government adoption of recreational surface water use policies.	N/A	
114	163.3177(6)(g)10	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.	N/A	
115	163.3177(6)(h)1.b	Deletes requirement for intergovernmental coordination element to provide for recognition of campus master plans and airport master plans.	Noted.	
116	163.3177(6)(h)3.a and b	Modifies requirements for the intergovernmental coordination element to include portions of repealed Rule 9J-5.015, Florida Administrative Code, including coordinating and addressing impacts on adjacent municipalities and coordinating the establishment of level of service standards.	Intergovernmental Coordination Objective 1.1, 1.2, 1.3	
117	163.3177(6)(h)3 and 4	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
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118	163.3177(6)(i), (j), (k)	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.	Noted.	
119	163.3177(6)(k)	Deletes provisions for airport master plans.	Noted.	
120	163.3177(7)(a)-(l)	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	Noted.	
121	163.3177(8)-(14)	See prior table entries for description of deleted provisions.	Noted.	
122	163.3177(7)(c)2	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 section 163.3164 and shall be considered within 90 days after any review required by the state land planning agency if required by section 163.3184.	Noted.	
123	163.3177(1)(b)-(d) and (2)	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.	Noted.	
124	163.3177(3)(a)-(c) and (4)-(7)	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.	Noted.	
125	163.3180(1)	Deletes parks and recreation, schools and transportation from the list of public facilities and services subject to the concurrency requirement on a statewide basis.	Noted. The City is maintaining concurrency for parks and schools, but has eliminated transportation concurrency.	
126	163.3180 (1)(a) and (b)	Modifies concurrency requirements to include portions of repealed Rule 9J-5.0055, Florida Administrative Code, which relate to achieving and maintaining adopted levels of service for a 5-year period, and providing for rescission of any optional concurrency provisions by plan amendment, which is not subject to state review.	Capital Improvements Element Figure CI-14, Objectives 2.1 and 2.2 and associated policies	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
127	163.3180(1)(b)	Deletes requirement that professionally accepted techniques be used for measuring levels of service for automobiles, bicycles, pedestrians, transit and trucks.	Noted.	
128	163.3180(2)(b) and (c)	Deletes requirement that parks and recreation facilities to serve new development are in place or under actual construction no later than one year after issuance of a certificate of occupancy or its functional equivalent.	Noted.	
129	163.3180(3)	Deletes provisions addressing governmental entities and establishment of binding level of service standards with respect to limiting the authority of any agency to recommend or make objections, recommendations, comments or determinations during reviews conducted under section 163.3184	Noted.	
130	163.3180(4)(b) and (c)	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	Noted.	
131	163.3180(5)(a)-(h)	Establishes concurrency provisions for transportation facilities, which include portions of repealed Rule 9J-5.0055, Florida Administrative Code. Sets forth requirements with respect to adopted level of service standards, including use of professionally accepted studies to evaluate levels of service, achieving and maintaining adopted levels of service 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."	N/A. The City does not have transportation concurrency.	
132	163.3180(6)-(13)	See prior table entries for description of deleted provisions.	Noted.	
133	163.3180(6)(a)	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.	Public School Objective 1.1, 1.2, 1.3, 1.4 and associated policies.	
134	163.3180(6)(f)1 and 2	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
135	163.3180(d) [2014 cite: Section 163.3180(g)]	Modifies school concurrency provisions to remove requirement for financial feasibility and to require that facilities necessary to meet adopted levels of service during a 5-year period are identified and consistent with the school board's educational facilities plan.	Noted.	
136	163.3180(h)1.a., b. and c.	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.	Noted.	
137	163.3180(14)-(17)	See prior entries for description of deleted provisions.	Noted.	
138	163.3182	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.	Noted.	
139	163.3182(2)	Changes "creation of transportation concurrency backlog authorities" to "creation of transportation development authorities" and makes related clarifications.	N/A. The City does not have a transportation development authority.	
140	163.3182(4)	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related clarifications.	N/A	
141	163.3184(1)(b)	Modifies the definition of "in compliance" to include a reference to section 163.3248 and delete the reference to now repealed chapter 9J-5, Florida Administrative Code.	Noted.	
142	163.3184(1)(c)	Provides a list of the "reviewing agencies."	Noted.	
143	163.3184(2)	Sets forth the "expedited" and "coordinated" review processes.	Noted.	
144	163.3184(3) and (4)	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
145	163.3184(5)-(7)	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	Noted.	
146	163.3184(11); 2014 cite: Section 163.3184(8)	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.	Noted.	
147	163.3184(15); 2014 cite: Section 163.3184(11)	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.	Noted.	
148	163.3184(12)	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.	Noted.	
149	163.3184(13)	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 subsection (1)(b).	Noted.	
150	163.3187(1)(a)-(f); 2014 cite: Section 163.3187(1)(a)-(d)	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.	Noted.	
151	163.3187(1)2.a and b; 3,4 and (e)-(q); 2014 Section cite: 163.3187(2)-(5)	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
152	163.3191(1)-(14); 2014 cite: Section 163.3191(1)-(5)	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 section 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.	This document is being submitted to meet this requirement.	
153	163.3217(2)	Deletes the reference to section 163.3187(1) and provisions regarding the frequency of a doption of plan amendments as they relate to adoption of a municipal overlay.	Noted.	
154	163.3220(3)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
155	163.3221(2) and (11)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
156	163.3229	Revises the duration of a development agreement from 20 years to 30 years, unless it is extended by mutual consent, and deletes reference to sections 163.3187 and 163.3189 regarding compliance determination by state land planning agency.	Noted.	
157	163.3235	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 in to a written report and the state land planning agency adoption of rules regarding the contents of the report.	Noted.	
158	163.3239	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
159	163.3245	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.	Noted.	
160	163.3246(9)(a)	Modifies provisions in the local government comprehensive planning certification program to allow small scale development amendments to follow the process in section 163.3187.	N/A. The City is not part of the certification program.	
161	163.3246(12)	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.	Noted.	
162	163.3246(14)	Deletes the requirement that the Office of Program Policy Analysis and Government Accountability prepare a report evaluating the certification program.	Noted.	
163	163.3248	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 section 163.3177(11).	Noted.	
164	163.360(2)(a)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
165	163.516(3)(a)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
2012 [Ch. 2012-5, 2012-75, 2012-83, 2012-90, 2012-96, and 2012-99, <u>Laws of Florida</u>]				
166	163.3162(2)(a)	Rewords the definition of "farm" to the same meaning provided in section 823.14	Noted.	
167	163.3162(2)(b)	Rewords the definition of "farm operation" to the same meaning provided in section 823.14	Noted.	
168	163.3162(2)(d)	Adds a definition of "governmental entity," which has the same meaning provided in section 164.1031. The term does not include a water control district or a special district created to manage water.	Noted.	
169	163.3162(3)	Changes "county" to "governmental entity"	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
170	163.3162	Adds provisions related to agricultural enclaves	N/A. The City does not have any agricultural enclaves.	
171	163.3167(8)	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	N/A. Superseded by 2013 statutes.	
172	163.3174(4)(b)	Changes the "preparation of the periodic reports" to "the periodic evaluation and appraisal of the comprehensive plan"	The MPB review of this document will fulfill this requirement.	
173	163.3175(5) - (6)	Revisions related to local government coordination with military bases.	N/A. There are no military bases inside City limits.	
174	163.3177(1)(f)3.	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	The City provides population projections as part of the GMP support documents. The most recent data is from 2013.	
175	163.3177(6)(a)4.	Changes the "University of Florida's Bureau of Economic and Business Research" to the "Office of Economic and Demographic Research"	Noted.	
176	163.3177(6)(a)8.c.	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	Noted. All staff reports for future land use map amendments include an analysis of the items listed in Section 163.3177(6)(a)8.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
177	163.3177(6)(f)2.	Deletes the requirement that the housing element be based in part on an inventory taken from the latest Census	Noted. The City's housing element is based on a housing inventory collected using property appraiser data and the City's in-house City Land Use Database.	
178	163.31777(3)	Moves the exemptions from having a public school interlocal agreement from section 163.3180(6)(i) to section 163.31777(3)	Noted.	
179	163.31777(4)	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 section 163.31777(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	N/A. The City has an interlocal agreement with Orange County Public Schools, dated March 9, 2011.	
180	163.3178(3), (6)	Revisions to the coastal management requirements.	N/A. The City does not have a coastline.	
181	163.3180(1)(a)	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 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.	Noted. The City rescinded concurrency prior to adoption of this clarification. The concurrency revisions were reviewed under the process in place in 2010.	
182	163.3180(6)(a)	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.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
183	163.3184(2)(c)	Adds developments that are proposed under section 380.06(24)(x) to the list of amendments that must follow the state coordinated review process.	Noted. No such amendments have been proposed in Orlando.	
184	163.3184(3)(b)1.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
185	163.3184(3)(b)2.	Changed the time limit for the reviewing agencies’ transmittal to 30 days “after” instead of “from” the date the amendment was received	Noted.	
186	163.3184(3)(c)2.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
187	163.3184(4)(b)	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	Noted.	
188	163.3184(4)(e)2.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
189	163.3184(5)(b)	Corrects the citation related to plan amendment package completeness from (3)(c)3. to (4)(e)3.	Noted.	
190	163.3184(5)(d)	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 section 120.569.	Noted.	
191	163.3184(5)(e)1.	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 section 120.569	Noted.	
192	163.3184(5)(e)2.	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 section 120.569	Noted.	
193	163.3184(6)(f)	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”	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
194	163.3184(8)(b)1.a.	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program	Noted.	
195	163.3204	Replaces "Department of Community Affairs" with "state land planning agency" and changes "this" Act to "the Community Planning Act"	Noted.	
196	163.3213(6)	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 section 163.3184(11)(a) or (b) to sections 163.3184(8)(a) or (b)1. or 2.	Noted.	
197	163.3221(14)	Changes the definition of state land planning agency to refer to the Department of Economic Opportunity instead of the Department of Community Affairs	Revisions are needed.	Update FLU Policy 1.3.5 to reflect change
198	163.3245(7)	Deletes the requirement that the department provide an annual status report to the legislature regarding every optional sector plan.	Noted.	
199	163.3246(1)	Replaces "Department of Community Affairs" with "state land planning agency"	Noted.	
200	163.3247(5)(a)	Replaces "Secretary of Community Affairs" with "executive director of the state land planning agency"	Noted.	
201	163.3247(5)(b)	Replaces "Department of Community Affairs" with "state land planning agency"	Noted.	
202	163.3248(6)	Removes the word "county" from "board of commissioners"	Noted.	
2013 [Ch. 2013-15, 2013-78, 2013-115, 2013-213, 2013-224 and 2013-239, <u>Laws of Florida</u>]				
203	163.3162(2)(d)	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 chapter 298 or a special district created by special act for water management purposes, the term does not include a water management district.	Noted.	
204	163.3162(3)(a)	Replaces "county" with "governmental entity."	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
205	163.3162(3)(b)	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 section 193.461, if such agricultural activity is regulated through implemented best management practices, interim measures, or regulations adopted as rules under chapter 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 United States Department of Agriculture, the United States Army Corps of Engineers, or the United States Environmental Protection Agency.	N/A. The City does not charge fees related to agricultural activity.	
206	163.3167(8)	Clarifies the provisions for growth management that an initiative or referendum process in regard to any development order is prohibited, with certain exceptions.	N/A. The City does not require a referendum for any land use decision.	
207	163.3180(5)(h)	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, Chapter 2011-139, Laws of Florida, or as subsequently modified.	N/A. The City repealed its transportation concurrency system in 2010.	
208	163.3180(5)(i)	Sets forth new provisions for any local government that elects to repeal transportation concurrency.	The City repealed its transportation concurrency system in 2010 and adopted mobility strategies instead, which are found in Transportation Element Goals 2 and 3 and associated objectives and policies.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
209	163.3246(1),(4)-(7), (9)(a), (12) and (13)	Changes numerous references in the provisions for the local government comprehensive planning certification program from “department” to “state land planning agency.”	Noted.	
210	163.325-163.3253	Creates short title for sections 163.325-163.3253 as the “Manufacturing Competitiveness Act.” and sets forth provisions for a local government proposing to establish a local manufacturing development program.	N/A. The City does not plan to adopt a local manufacturing development program.	
211	163.340(2)	Revises the definitions to replace a reference to section 165.031(5) in the definition of “public body” to section 165.031(7).	Noted.	
2014 [2014-93, 2014-178, and 2014-218, <u>Laws of Florida</u>]				
212	163.3167(8)(b)	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.	N/A	
213	163.3167(8)(c)	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.	N/A	
214	163.3177(7)(a)2.	Changes “rural areas of critical economic concern” to “rural areas of opportunity”	N/A	
215	163.3177(7)(a)3.b.	Changes “rural areas of critical economic concern” to “rural areas of opportunity”	N/A	
216	163.3177(7)(e)	Provides general re-wording and changes “rural area of critical economic concern” to “rural area of opportunity”	N/A	
217	163.3187(3)	Changes “rural areas of critical economic concern” to “rural areas of opportunity”	N/A	
218	163.3202(1)	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 section 163.3191, Florida Statutes (evaluation and appraisal process), instead of section 163.3167(2), Florida Statutes (requirement that each local government maintain a comprehensive plan).	Noted. The City regularly updates the Land Development Code to be consistent with the GMP.	
219	163.3206(1)	Provides legislative intent related to the importance of fuel terminals.	Noted.	
220	163.3206(2)(a)1.-9.	Provides a definition of "fuel" with cross references	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
221	163.3206(2)(b)	Provides a definition of "fuel terminal"	Noted.	
222	163.3206(3)	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.	A fuel terminal is an industrial use in the GMP and is a heavy industrial use in the LDC. No changes to the GMP or LDC, other than FLU map amendments or rezonings requested by property owners, impact the allowable location of a fuel terminal.	
223	163.3206(4)	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.	Noted.	
224	163.3206(5)	Provides that the section 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.	Noted.	
225	163.3246(10)	Changes "rural area of critical economic concern" to "rural area of opportunity"	N/A	
2015 [2015-30, 2015-69, <u>Laws of Florida</u>]				
226	163.3178	Adds requirements for the redevelopment component of the Coastal Management Element	N/A	
227	163.3175(9)	Deletes obsolete provisions establishing 2012 deadlines for a local government to adopt plan amendments related to military base compatibility.	N/A	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
228	163.3177(6)(c)4.	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.	N/A. Orlando has a utility provider.	The City is working with Orlando Utilities Commission to update the water supply plan by May 2017.
229		The local government must cooperate with any local government or utility provider that provides service within its jurisdiction.	Noted.	
230		The local government must keep the element up to date in accordance with section 163.3191 (evaluation and appraisal).		The City is working with Orlando Utilities Commission to update the water supply plan by May 2017.
231	163.3184(2)	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 section 380.06, Florida Statutes.	Noted.	
232	163.3245	Revisions related to Sector Plans.	N/A	
233	163.3246(11) and (14)	Revisions related to the Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program.	N/A	
234	163.3248(4)	Deletes regional planning councils as entities that provide assistance and participate in developing a plan for the rural land stewardship area.	N/A	
2016 - ADD Airport Master Plan etc				
2016 [HB-1361, SB1508]				
235	125.001 (2)	Revisions to County board procedures	N/A	
236	163.3175 (7)	Revisions to coordination between local governments and military installations	N/A	
237	163.3184 (2) (c)	Requires state coordinated review process for plan amendments related to development that is subject to state coordinated review.	Noted.	
238	163.3184 (5) (e) 3.	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
239	163.3184 (7)	Revisions to mediation procedures.	Noted.	
240	163.3245	Revisions to sector plan process to reduce the minimum size to 5000 acres.	Noted.	
241	171.046	Allows expedited annexation for enclaves up to 110 acres.	Noted.	
242	380.0555	Revisions to Apalachicola Bay Area of critical state concern.	N/A	
243	380.06 (14) (c)	Allows local governments to approve a change to a DRI without further review, in certain circumstances.	Noted.	
244	380.06 (15) (g)	Changes to procedures if a DRI reaches a buildout date or is essentially built out.	Noted.	
245	380.06 (19) (e) 2. l.	Allows phase date extensions to be considered a non-substantial deviation.	Noted.	
246	380.06 (30)	Allows proposed developments to be reviewed pursuant to 163.3184(4) in lieu of the DRI requirements in section 380.06.	Future Land Use Policy 1.3.5 requires a local development order for projects that exceed 120% of DRI thresholds. This appears to no longer be required.	Update Future Land Use Policy 1.3.5
247	380.0651(4)(c) 6.	Allows newly acquired lands not to count toward DRI aggregation rules if the acquisition is 10% or less of the total DRI acreage.	Noted.	
248	333.01	Updates numerous definitions related to airport zoning	Transportation Objectives 1.17 through 1.25 and associated policies address the aviation system.	Update the transportation element to reflect revised definitions.
249	333.025 (1)	Requires a permit to construct an obstruction.	Noted.	
250	333.025 (2)	Protects certain airport facilities from hazards.	Noted.	
251	333.025 (3)	States that permits are not required for existing facilities.	Noted.	

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
252	333.025 (4)	Procedure for state review of local government airport protection zoning regulations.	Noted.	The City will provide general policies in the GMP and specific standards in the LDC.
253	333.025 (5) to (9)	Procedures for review of permits.	Noted.	
254	333.03	Requires local governments to adopt airport protection zoning regulations including provisions related to proximity of landfills, permit process, noise study, and incompatible uses.	Transportation Policy 1.19.2 requires the City to adopt and maintain airport-related land use standards. City Code Chapter 58, Part 2R addresses noise requirements.	The City will update the GMP policies and standards in the LDC to meet the new statutory requirements.
255	333.04	In cases of a conflict in regulations, the more stringent requirement prevails.	Noted.	
256	333.05	Procedures for adopting zoning regulations	Noted.	The City will update its land development code according to these procedures.
257	333.06 (4)	Requires each public use airport to prepare an airport master plan.	Noted.	Such plans will be prepared by GOAA, the operator of Orlando's two airports.
258	333.07	Local government permitting of airspace obstructions.	Noted.	The City will update its land development code according to these procedures.
259	333.09	Enforcement and administration of airport zoning.	Noted.	The City will update its land development code according to these procedures.

Changes to Chapter 163, F.S. 2007-2016				
	Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed By Element
260	333.11	Judicial review for airport zoning.	Noted.	The City will update its land development code according to these procedures.
261	333.12	Acquisition of air rights.	Noted.	The City will update its land development code according to these procedures.
262	333.13	Enforcement of violations.	Noted.	The City will update its land development code according to these procedures.
263	333.135	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.	Noted.	The City intends to meet this deadline.