



April 21, 2017

Ray Eubanks
Division of Community Development
Department of Economic Opportunity
107 East Madison Street, MSC 160
Tallahassee, Florida 32399

RE: 2017 Lake County Evaluation and Appraisal Report Notification Letter

Dear Mr. Eubanks:

In accordance with the Evaluation and Appraisal Notification Schedule 2012-2018 posted on the Department of Economic Opportunity's website, Lake County hereby provides notice to the State Land Planning Agency that it has evaluated its Comprehensive Growth Management Plan and has determined that amendments are necessary to address changes in state requirements, pursuant to Section 163.3191(1), Florida Statutes. The attached matrices indicate the statutory review conducted to identify the needed amendments.

Lake County will be amending its Comprehensive Growth Management Plan in 2017 to address the changes in statutory compliance and may also consider amendments to address issues of local concern as well as any subsequent changes to the Florida Statutes in 2017.

For additional information or clarification regarding this Evaluation and Appraisal Notification Letter please contact me at 352-343-9641 or tmccclendon@lakecountyfl.gov.

Sincerely,

Tim McClendon,
Planning and Zoning Division Manager

Enclosure: Lake County EAR Chart for changes to F.S. 2010-Current

cc: Robert Chandler, Economic Growth Director, rchandler@lakecountyfl.gov
Adam Biblo, Regional Planning Administrator, Adam.Biblo@deo.myflorida.com

PLANNING AND ZONING DIVISION | A division of the Department of Economic Growth
P.O. BOX 7800 • 315 W. MAIN ST., TAVARES, FL 32778 • P 352.343.9641 • F 352.343.9767
Board of County Commissioners • www.lakecountyfl.gov

TIMOTHY I. SULLIVAN
District 1

SEAN M. PARKS, AICP, QEP
District 2

WENDY R. BREEDEN
District 3

LESLIE CAMPIONE
District 4

JOSH BLAKE
District 5

2010 [Ch. 2010-5, 2010-33, 2010-70, 2010-102, 2010-182, 2010-205, and 2010-209, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
163.31777(1)(a) and (3)(a)	Deleted the phrase "SMART Schools Clearinghouse" Ch. 2010-70, §11, Laws of Florida.	Noted	
163.3175(2)	Lists the 14 military installations and 43 local governments affected by special coordination and communication requirements. Ch. 2010-182, §1, Laws of Florida.	Objective I-6.4 <i>Pinecastle Military Operations Area Overlay District</i> , establishes an overlay within the Pinecastle Military Operating Area. The overlay is depicted on Exhibit 10 of the Future Land Use Map Series.	No Amendments needed to the Comprehensive Plan to address this provision.
163.3177(6)(a)	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.	Comprehensive Plan Policy I-6.4.1 <i>Land Use Compatibility with the MOA</i> , requires that "The County shall ensure that future development within areas underlying the MOA will not negatively impact the current and long-term viability and use of this installation and will protect the public health, safety and welfare by ensuring land use activities are compatible with the testing and training mission of the U.S. Armed Forces by allowing only compatible land uses within this area."	No Amendments needed to the Comprehensive Plan to address this provision.
163.3180(4)(b)	Defines hangars for the assembly, manufacture, maintenance or storage of aircraft as public transit facilities. Ch. 2010-33, §1, Laws of Florida.	Noted.	

2011 [Ch. 2011-139, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
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.	
163.3161(1)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted; "Local Government Comprehensive Planning and Land Development Regulation Act" is not referenced within the Comprehensive Plan.	
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.	
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.	
163.3161(10)	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	Noted.	
163.3161(11)	Expresses legislative intent to recognize and protect agriculture, tourism, and military presence as being the state's traditional economic base.	Noted.	
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 Comprehensive Plan Amendments.	
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.	Noted.	
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.	The Comprehensive Plan defines Comprehensive Plan defined as "A plan adopted pursuant to the "Local Comprehensive Planning and Land Development Regulation Act" and meeting the requirements of F.S. 163.3177 and 163.3178" and references 9J-5 in numerous provisions.	An amendment is needed to revise the incorrect verbiage.

163.3164(1)	Establishes definition for “adaptation action area.”	Noted.	
163.3164(3)	Establishes definition for “affordable housing” [same meaning as in Section 420.0004(3)].	Noted.	
163.3164(5)	Establishes definition of “antiquated subdivision.”	Noted.	
163.3164(7)	Establishes definition of “capital improvement.”	Noted.	
163.3164(9)	Establishes definition of “compatibility.”	Noted.	
163.3164(11)	Establishes definition of “deepwater ports.”	Noted.	
163.3164(12)	Establishes definition of “density.”	Noted.	
163.3164(18)	Establishes definition of “flood prone areas.”	Noted.	
163.3164(19)	Establishes definition of “goal.”	Noted.	
163.3164(22)	Establishes definition of “intensity.”	Noted.	
163.3164(23)	Establishes definition of “internal trip capture.”	Noted.	
163.3164(28)	Establishes definition of “level of service.”	Noted.	
163.3164(32)	Deletes definition of “financial feasibility.”	Noted.	
163.3164(32)	Establishes definition of “new town.”	Noted.	
163.3164(33)	Establishes definition of “objective.”	Noted.	
163.3164(34)	Deletes definition of “dense urban land areas.”	Noted.	
163.3164(36)	Establishes definition of “policy.”	Noted.	
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.	
163.3164(40)	Changes definition of “regional planning agency” to “the council created pursuant to chapter 186.”	Noted.	
163.3164(41)	Establishes definition of “seasonal population.”	Noted.	
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.	
163.3164(45)	Establishes definition of “suitability.”	Noted.	
163.3164(46)	Establishes definition of “transit-oriented development.”	Noted.	
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.	
163.3164(51)	Establishes new definition of “urban sprawl.”	Noted.	
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.	

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.	
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.	
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.	
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.	
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.	
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.	
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.	
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	Noted.	

	basing these elements on relevant, appropriate and professionally accepted data.		
163.3177(2)	Deletes financial feasibility requirements.	Noted.	
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 County maintains certain financial feasibility policies as a local goal.	
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 County maintains certain financial feasibility policies as a local goal.	
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.	
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.	Table FLUE 2 - Future Land Use Categories Table satisfies this requirement.	
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.	Policy I-7.13.5 <i>Standards of Review for Amending the Future Land Use Map</i> and Objective I-1.2 <i>Future Land Use</i> . The Comprehensive Plan does not differentiate between permanent and seasonal populations.	
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.”	Policy I-7.13.5 requires applicants to “demonstration that additional lands for residential use are needed to accommodate population projections.”	
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.	Policy I-7.13.5 <i>Standards of Review for Amending the Future Land Use Map</i>	

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.	Policy I-1.1.4 Direct Density to Existing Urban Centers; Policy I-7.13.5 Standards of Review for Amending the Future Land Use Map; and Policy I-1.1.3 Direct Orderly, Compact Growth.	
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.	Airport master plans are optional per section 163.3177(6)(b)4; the County is looking into providing an Airport master plan in conjunction with the LDR rewrite. The Transportation Element of the Comprehensive Plan includes provisions for airports, rail expansion, bicycle and pedestrian accessibility, and mass transit.	
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.	Noted.	
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.	
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.	The Conservation Element provides goals, objectives and policies relating to natural resources by four broad categories: Air, Water, Land and Environmental Systems.	
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	Goal IX-2 Potable Water, and its associated objectives and policies, is to coordinate with central	

	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.	water providers for the adequate production, treatment and distribution of potable water in a cost effective manner balancing the needs of growth, environment and public health, safety and welfare.	
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.	Noted.	
163.3177(6)(f)2	Deletes requirement for an affordable housing needs assessment conducted by the state land planning agency.	Noted.	
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.	Goal V-1 <i>Housing</i> , provides that Lake County will adopt standards, plans and principles, and participate in partnerships that will provide energy efficient, decent, safe, and sanitary housing for all current and anticipated future residents regardless of income.	
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	
163.3177(6)(g)2	Deletes provisions for local government adoption of recreational surface water use policies.	N/A	
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	
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.	
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	Goal VI-1 <i>Intergovernmental Coordination</i> , and its associated	

	municipalities and coordinating the establishment of level of service standards.	objectives and policies address these requirements.	
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.	
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.	
163.3177(6)(k)	Deletes provisions for airport master plans.	Noted.	
163.3177(7)(a)-(l)	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	Noted; Lake County continues to apply policies contained within the Economic Element of its Comprehensive Plan.	
163.3177(8)-(14)	See prior table entries for description of deleted provisions.	Noted.	
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.	
163.31777(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.	
163.31777(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.	
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 County is continuing to maintain concurrency for parks and recreation, schools, and	Amendment required to Policy II-1.1.2 Apply Level of

		transportation, as provided for in Goal II-3 Concurrency Management.	Service Categories to Public Facilities, to reclassify Parks and Recreation, Schools, and Transportation from Category A to Category B.
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.	Goal II-3 Concurrency Management and Capital Improvements Element	
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.	
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. The County continues to review concurrency for Parks and Recreational Facilities.	
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.	
163.3180(4)(b) and (c)	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	Noted.	
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."	Noted; Objective VIII-1.4 <i>Transportation Concurrency</i> and its associated policies address these requirements.	Amendment needed to satisfy 163.3180(5)(h) which states that Local governments that implement transportation concurrency must

			Exempt public transit facilities from concurrency
163.3180(6)-(13)	See prior table entries for description of deleted provisions.	Noted.	
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.	Goal IX-7 <i>School Concurrency</i> , and associated objectives and policies.	
163.3180(6)(f)1 and 2	Modifies school concurrency provisions to clarify that adoption and application of school concurrency is optional.	Noted; Lake County continues to enforce school concurrency measures.	
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.	
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.	Goal IX-7 <i>School Concurrency</i> , and associated objectives and policies.	
163.3180(14)-(17)	See prior entries for description of deleted provisions.	Noted.	
163.3182	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related clarifications.	Noted.	
163.3182(2)	Changes "creation of transportation concurrency backlog authorities" to "creation of transportation development authorities" and makes related clarifications.	Noted.	
163.3182(4)	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related clarifications.	Noted.	

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.	
163.3184(1)(c)	Provides a list of the “reviewing agencies.”	Noted.	
163.3184(2)	Sets forth the “expedited” and “coordinated” review processes.	Noted.	
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.	
163.3184(5)-(7)	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	Noted.	
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.	
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.	
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.	
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.	
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	Noted.	

	text changes that relate directly to and are adopted simultaneously with small scale future land use map amendments are permissible.		
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.	
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.	
163.3217(2)	Deletes the reference to section 163.3187(1) and provisions regarding the frequency of adoption of plan amendments as they relate to adoption of a municipal overlay.	Noted.	
163.3220(3)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
163.3221(2) and (11)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
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.	

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 into a written report and the state land planning agency adoption of rules regarding the contents of the report.	Noted.	
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.	
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.	
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 County is not part of the certification program.	
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.	
163.3246(14)	Deletes the requirement that the Office of Program Policy Analysis and Government Accountability prepare a report evaluating the certification program.	Noted.	
163.3247	Repeals Section regarding Century Commission for a Sustainable Florida and states that the commission will be abolished on June 30, 2013	Noted.	
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.	
163.360(2)(a)	Changes "Local Government Comprehensive Planning and Land Development Regulation Act" to "Community Planning Act."	Noted.	
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, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
163.3162(2)(a)	Rewords the definition of "farm" to the same meaning provided in section 823.14	Noted.	
163.3162(2)(b)	Rewords the definition of "farm operation" to the same meaning provided in section 823.14	Noted.	
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.	
163.3162(3)	Changes "county" to "governmental entity"	Noted.	
163.3162	Adds provisions related to agricultural enclaves	Noted.	
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.	
163.3174(4)(b)	Changes the "preparation of the periodic reports" to "the periodic evaluation and appraisal of the comprehensive plan"	The Planning and Zoning Board will fulfill this requirements when they review the amendments at their transmittal hearing.	
163.3175(5) - (6)	Revisions related to local government coordination with military bases.	Noted. This requirement is satisfied in Objective I-6.4 Pinecastle Military Operations Area Overlay District.	
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	Noted.	
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.	
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	Noted.	

	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)(f)2.	Deletes the requirement that the housing element be based in part on an inventory taken from the latest Census	Noted.	
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.	
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	Noted.	
163.3178(3), (6)	Revisions to the coastal management requirements.	N/A. The County does not have a coastline.	
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.	
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.	
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. The County contains two areas of critical state concern and staff understands that amendments in these areas are subject to the state coordinated review process.	

163.3184(3)(b)1.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
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.	
163.3184(3)(c)2.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
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.	
163.3184(4)(e)2.	Added the word “working” to clarify the number of days a local government has to transmit an amendment	Noted.	
163.3184(5)(b)	Corrects the citation related to plan amendment package completeness from (3)(c)3. to (4)(e)3.	Noted.	
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.	
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.	
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.	
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.	
163.3184(8)(b)1.a.	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program	Noted.	
163.3204	Replaces “Department of Community Affairs” with “state land planning agency” and changes “this” Act to “the Community Planning Act”	Noted.	
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.	

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; The Comprehensive Plan mentions the Department of Community Affairs 21 times.	Revisions are needed; The Comprehensive Plan mentions the Department of Community Affairs 21 times.
163.3245(7)	Deletes the requirement that the department provide an annual status report to the legislature regarding every optional sector plan.	Noted.	
163.3246(1)	Replaces "Department of Community Affairs" with "state land planning agency"	Noted.	
163.3247(5)(a)	Replaces "Secretary of Community Affairs" with "executive director of the state land planning agency"	Noted.	
163.3247(5)(b)	Replaces "Department of Community Affairs" with "state land planning agency"	Noted.	
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, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
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.	
163.3162(3)(a)	Replaces “county” with “governmental entity.”	Noted.	
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.	Noted.	
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.	Noted. The County does not require a referendum for any land use decision.	
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.	Noted. The County continues to enforce transportation concurrency.	
163.3180(5)(i)	Sets forth new provisions for any local government that elects to repeal transportation concurrency.	Noted.	
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.	
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 County does not plan to adopt a local manufacturing development program.	

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.	
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2014 [2014-93, 2014-178, and 2014-218, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
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.	Noted.	
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.	Noted.	
163.3177(7)(a)2.	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	Noted. There are no references to 'rural areas of critical economic concern' in the comprehensive plan	
163.3177(7)(a)3.b.	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	Noted.	
163.3177(7)(e)	Provides general re-wording and changes "rural area of critical economic concern" to "rural area of opportunity"	Noted.	
163.3187(3)	Changes "rural areas of critical economic concern" to "rural areas of opportunity"	N/A	
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 County is currently in the process of rewriting our Land Development Regulations to ensure consistency with the Comprehensive Plan.	Proceed with rewriting the Land Development Regulations to ensure consistency with the Comprehensive Plan.
163.3206(1)	Provides legislative intent related to the importance of fuel terminals.	Noted.	
163.3206(2)(a)1.-9.	Provides a definition of "fuel" with cross references	Noted.	
163.3206(2)(b)	Provides a definition of "fuel terminal"	Noted.	
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	A bulk petroleum storage is permitted in the Heavy Industrial	

	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.	Zoning District and is a permitted use within the Industrial Future Land Use Category. No changes to the CP or LDR, other than FLU map amendments or rezonings requested by property owners, impact the allowable location of a fuel terminal.	
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. The Land Development Regulations contain provisions to allow non-conforming development to rebuild to their prior conditions after being destroyed by a natural disaster.	
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.	
163.3246(10)	Changes “rural area of critical economic concern” to “rural area of opportunity”	Noted.	

2015 [2015-30, 2015-69, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
163.3178	Adds requirements for the redevelopment component of the Coastal Management Element	N/A; the County does not have a coast line.	
163.3175(9)	Deletes obsolete provisions establishing 2012 deadlines for a local government to adopt plan amendments related to military base compatibility.	Noted.	
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.	Noted.	
	The local government must cooperate with any local government or utility provider that provides service within its jurisdiction.	Noted.	
	The local government must keep the element up to date in accordance with section 163.3191 (evaluation and appraisal).	Noted	
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.	
163.3245	Revisions related to Sector Plans.	N/A; The County has not adopted a Sector Plan	
163.3246(11) and (14)	Revisions related to the Local Government Comprehensive Planning Certification Program – Connected-City Corridor Pilot Program.	N/A	
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 [Ch. 2016-10, 2016-148, 2016-239, 2016-148, Laws of Florida]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
125.001 (2)	Revisions to County board procedures	N/A	
163.3175 (7)	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.	Noted.	
163.3177(6)(a)11	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.		
163.3184 (2) (c)	Requires state coordinated review process for plan amendments related to development that is subject to state coordinated review.	Noted.	
163.3184 (5) (e) 3.	The recommended order from an administrative challenge becomes effective in 90 days, with some exceptions.	Noted.	
163.3184 (7)	Revisions to mediation procedures.	Noted.	
163.3245	Revisions to sector plan process to reduce the minimum size to 5000 acres.	Noted.	
171.046	Allows expedited annexation for enclaves up to 110 acres.	Noted.	
380.0555	Revisions to Apalachicola Bay Area of critical state concern.	N/A	
380.06 (14) (c)	Allows local governments to approve a change to a DRI without further review, in certain circumstances.	Noted.	
380.06 (15) (g)	Changes to procedures if a DRI reaches a buildout date or is essentially built out.	Noted.	
380.06 (19) (e) 2. l.	Allows phase date extensions to be considered a non-substantial deviation.	Noted.	
380.06 (30)	Allows proposed developments to be reviewed pursuant to 163.3184(4) in lieu of the DRI requirements in section 380.06.	Noted.	
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.	
380.115	Provides procedures to be used by a development that elects to rescind a development order.	Noted.	
333.01	Updates numerous definitions related to airport zoning	Noted.	
333.025 (1)	Requires a permit to construct an obstruction.	Noted.	

333.025 (2)	Protects certain airport facilities from hazards.	Noted.	The County is looking into adopting additional regulations and revising the existing language pertaining to airport zoning. This will be accomplished in the LDR rewrite. The County will adhere to these provisions.
333.025 (3)	States that permits are not required for existing facilities.	Noted.	
333.025 (4)	Procedure for state review of local government airport protection zoning regulations.	Noted.	
333.025 (5) to (9)	Procedures for review of permits.	Noted.	
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.		
333.04	In cases of a conflict in regulations, the more stringent requirement prevails.	Noted.	
333.05	Procedures for adopting zoning regulations	Noted.	
333.06 (4)	Requires each public use airport to prepare an airport master plan.	Noted.	
333.07	Local government permitting of airspace obstructions.	Noted.	
333.09	Enforcement and administration of airport zoning.	Noted.	
333.11	Judicial review for airport zoning.	Noted.	
333.12	Acquisition of air rights.	Noted.	
333.13	Enforcement of violations.	Noted.	
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.	

2017 [Senate Bill 940 (Proposed)]			
Chapter 163, F.S. Citations	Description	Addressed (Where/how)	Amendment Needed by Element
163.3167 (9)	Requires local government to address the protection of private property rights within their comprehensive plan.	Policy I-1.1.9 Protection of Private Property Rights, provides that the County shall comply with all constitutional and statutory requirements governing the protection of property rights when enacting its Land Development Regulations.	
163.3177 (6) (i)	Requires the Comprehensive Plan to provide a property rights element that protects private property rights. The private property rights element must set forth the principles, guidelines, standards, and strategies to guide the local government's decisions and program implementation.		An Amendment is needed to address these regulations if Senate Bill 940 is approved.