



**Evaluation and Appraisal of the 2020
City of Bonifay Comprehensive Plan**
(Adopted 2008)

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Executive Summary

The accompanying analysis is conducted to evaluate the 2020 City of Bonifay Comprehensive Plan (Plan), adopted in 2008. There are two parts to this analysis. The first portion reviews the Plan against legislative changes that have occurred since 2011. This year was chosen because the Florida legislature heavily amended the Community Planning Act in 2010, and accordingly many of those changes listed prior no longer exist. The second portion reviews the Goals, Objectives, and Policies against the 2022 Florida Statutes for the required content pursuant to §163.3177, F.S. The following pages cite the relevant Florida Statute and provide the Plan Goal, Objective, or Policy that addresses the requirement of the statute. Additional notes are provided as applicable.

There are many necessary minor amendments needed to update citations and references to the Florida Statutes to consider the Plan consistent with state legislation. For example, references to the Department of Community Affairs are now obsolete.

This evaluation discovered some policies were not included pursuant to Florida Statutes, which is sometimes a result of changes in the past several years made by the legislature. These needs are identified in **red text** in the following tables. Some needed policies are simple strategies, others may require study or analysis.

There are some citations in the table that describes legislative changes since 2009 that may not seem relevant. However, these are included to bring awareness of what the City may encounter throughout particular processes or interactions.

Finally, in order to be more concise and deliberate with the tables showing changes since 2011, some statutory changes that do not apply to the City of Bonifay were deleted or otherwise removed. These include references to sector planning, the coastal management element, and military installation compatibility among others. If these issues become relevant to the City of Bonifay, then at that time the City should look to the Florida statutes for direction on formulation of policy.

Please note: This summary only applies to language in the Comprehensive Plan. The Land Development Regulations should be reviewed after the updates are made to the Plan for consistency and to implement new policy, if introduced. These will include changes as a result to recent legislative preemptive issues. These changes are required to be made within one year after the adoption of the Plan updates (see §163.3202(1)).

Disclaimers: The “Notes and Observations” at the end of the master and each Plan Element worksheet are not to be considered all inclusive. Comments that are offered are as a courtesy and should be considered for informational purposes. There may be additional goals, objectives, and policies that have concerns or may need amendment. References to Florida Statutory citations should be verified for correct citations at the Plan update.

2011		
163.2517(4)	Deleted the exemption for plan amendments to designate an urban infill and redevelopment area from the twice per year amendment limitation of Section 163.3187.	Designation of urban infill and redevelopment area now may be adopted at any time during the year (not a twice per year limitation).
163.3161(1)	Changed "Local Government Comprehensive Planning and Land Development Act" to "Community Planning Act".	Name Change. Revise mentions of "Local Government Comprehensive Planning and Land Development Act" to "Community Planning Act".
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."	No action needed. Informational only.
163.3161(10)	Modifies the intent of the legislature with respect to how comprehensive plans and amendments affect property rights.	No action needed. Describes intent of the legislature regarding private property rights. Creates awareness of property rights.
163.3161(12) [New]	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.	Applicable for all of the Plan. Requires any amendment to the Plan to comply with the requirements of the Community Planning Act.
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.	No action needed. However, reference may be made within the Plan for awareness.
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.	Name Change. Revise mentions of "Local Government Comprehensive Planning and Land Development Act" to "Community Planning Act".
163.3164(45) [previously in Rule Chapter 9J-5] (now part 46)	Establishes definition of "suitability."	No action needed. However, this definition is important to reference regarding compatibility of uses.
163.3164(50) (now part 51)	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.	No action needed. However, this definition is important for policy reference.

163.3164(51) [replaces definition previously in Rule Chapter 9J-5] (<i>now part 52</i>)	Establishes new definition of “urban sprawl.”	No action needed. However, this definition is important for policy reference.
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	No action needed. Subsection retains requirements that each local government adopts a Comprehensive Plan and maintains (processes amendments) as set forth in Statutes.
163.3167(11) [Deleted]	Deletes provisions for encouraging each local government to articulate a vision of its future physical appearance and qualities of its community.	No action needed. Vision statements are now a local option preference, rather than encouraged by the state. Visit “ City Visioning Process ” in Public Participation Procedures on Page 5.5 for consideration.
163.3168(1) – (4) [New]	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, that the state land planning agency 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).	No action needed. Encourages local government to be innovative and provides direction to the state land planning agency (DEO).
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.	No action needed. Provides authority for local government interlocal agreements with each other and agreements with landowners.

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. Provides that the plan shall establish meaningful and predictable standards for the use and development of land and provide meaningful guidelines for the content of more detailed land development and use regulations. Provides for adoption of documents by reference. Requires that plan amendments be based on relevant and appropriate data taken from professionally accepted sources and an analysis by the local government. Provides that the comprehensive plan shall be based upon permanent and seasonal population estimates and projections	See individual Element Worksheets.
163.3177(2)	Deletes financial feasibility requirements.	Financial feasibility no longer required. Can omit mentions from Policy IC 7.3; CIE Policy 1.1; CIE Objective 2; CIE Policy 2.2; CIE Table 1; PSF Policy 5.1.8, if desired.
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. Deletes the requirement that the element include standards for the management of debt.	See Capital Improvements Worksheet. Standards for measuring debt no longer required.

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. Deletes the requirement that the annual 5-year capital improvements schedule be updated annually pursuant to a plan amendment; provides that the 5-year capital improvements schedule may be updated by separate ordinance and may not be deemed an amendment to the local comprehensive plan.	See Capital Improvements Worksheet.
163.3177(4)(a)	Deletes the requirement that the local comprehensive plan be coordinated with the state comprehensive plan.	No action needed.
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.	No action needed. Plan must be evaluated against two planning periods (5 years and 10 years). Other years are at the discretion of local government.
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 the 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. Deletes requirement that the future land use element address the general distribution, location, and extent of land uses for public buildings and grounds.	See Future Land Use Element Worksheet.

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. Deletes requirement that the data on which comprehensive plans and plan amendments are based include data on energy-efficient land use patterns accounting for existing and future electric power generation and transmission systems and greenhouse gas reduction strategies.	See Future Land Use Element Worksheet.
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.” Provides that in the future land use element, the amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. Deletes a requirement that the future land use element address future industrial uses in rural areas.	See Future Land Use Element Worksheet.
163.3177(6)(a)6	Deletes the requirement that in coastal counties, the future land use element must include regulatory incentives and criteria that encourage the preservation of recreational and commercial working waterfronts.	No action needed. Not applicable.
163.3177(6)(a)8 [New]	Establishes requirements for analyzing future land use map amendments based on portions of repealed Rule 9J-5.006, Florida Administrative Code.	See Future Land Use Element Worksheet.

163.3177(6)(a)9 and 10 [New]	Establishes requirements for the future land use element and map series, including with slight revisions to 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.	See Future Land Use Element Worksheet.
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. Provides that the purpose of the transportation element is to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible.	See Transportation Element Worksheet.
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.	See Public Facilities and Services Element Worksheet.
163.3177(6)(c)3	Modifies potable water supply planning requirements to remove the provision that “amendments to incorporate the work plan do not count toward the limitation on the frequency of adoption of amendments to the comprehensive plan.”	See Public Facilities and Services Element Worksheet.
163.3177(6)(d)1 and 2 [New]	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.	See Conservation Element Worksheet.

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.	See Conservation Element Worksheet.
163.3177(6)(f)1 and 2	Provides 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.	See Housing Element Worksheet. Replacing language from 9J-5, F.A.C., which was repealed.
163.3177(6)(f)2 [Deleted]	Deletes requirement for an affordable housing needs assessment conducted by the state land planning agency.	Remove mentions of Affordable Housing Needs Assessment in Housing Objective 1 and Housing Policy 3.3.
163.3177(6)(f)3 [New]	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.	See Housing Element Worksheet.
163.3177(6)(g)	Modifies the objectives of the coastal management element and includes a new requirement for preserving historic and archaeological resources.	No action needed. Not applicable.
163.3177(6)(g)2 [Deleted]	Deletes provisions for local government adoption of recreational surface water use policies.	No action needed.
163.3177(6)(g)10 [New]	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.	No action needed. Not applicable.

Statutory Changes Since 2011 That May Impact Policy

163.3177(6)(h)3.a and b [New]	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.	See Intergovernmental Coordination Element Worksheet.
163.3177(6)(h)3 and 4 [Deleted]	Deletes requirements in the 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.	No action needed.
163.3177(6)(i), (j), (k) [Deleted]	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.	No action needed. This is now a local option and not state mandated.
163.3177(6)(k) [Deleted]	Deletes provisions for airport master plans.	No action needed. Not mentioned in the Plan.
163.3177(7)(a)-(l) [Deleted]	Deletes provisions for additional plan elements, or portions or phases thereof, including an economic development element.	No action needed.
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.	No action needed.
163.3177(1)(b)-(d) and (2)	Deletes requirements for submittal of public schools interlocal 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.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

163.31777(3)(a)-(c) and (4)-(7) [Deleted]	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.	No action needed.
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.	No action needed. This becomes an optional concurrency requirement and a local policy decision.
163.3180 (1)(a) and (b) [New]	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.	Requires facilities with concurrency requirements to have adopted LOS and strategies and standards for implementation. Any optional concurrency rescinded can be done so by expedited amendment. Requires Plan to describe for required and optional concurrency requirements that the levels of service adopted can be reasonably met.
163.3180(1)(b) [Deleted]	Deletes requirement that professionally accepted techniques be used for measuring levels of service for automobiles, bicycles, pedestrians, transit and trucks.	No action needed.
163.3180(2)(b) and (c) [Deleted]	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.	No action needed. This becomes an optional concurrency requirement and is now a local policy decision.
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	No action needed. Prevents other governmental agencies that are not service providers from establishing binding level-of-service standards on Bonifay.
163.3180(4)(b) and (c) [Deleted]	Deletes concurrency provisions specifically related to public transit facilities and urban infill and redevelopment areas.	No action needed. This becomes an optional concurrency requirement and is now a local policy decision to incorporate transit as a concurrency measure.

163.3180(5)(a)-(h) [New]	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.”	Transportation concurrency evaluation must include these provisions.
163.3180(6)(a) [New]	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.	No action needed. Allows school concurrency to continue even if one or more local governments do not enter into the interlocal agreement so long as those governments do not contain more than 80% of the school population.
163.3180(6)(f)1 and 2	Modifies school concurrency provisions to provide that adoption and application of school concurrency is optional.	No action needed.
163.3180(d) [2014 Section 163.3180(g)] cite:	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 to be identified and consistent with the school board’s educational facilities plan.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

163.3180(h)1.a., b. and c. [New]	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.	No action needed.
163.3182 [Revised]	Changes "transportation concurrency backlogs" to "transportation deficiencies" and makes related modifications.	No action needed.
163.3182(2) [Revised]	Changes "creation of transportation concurrency backlog authorities" to "creation of transportation development authorities" and makes related modifications.	No action needed.
163.3182(4) [Revised]	Changes "powers of a transportation concurrency backlog authority" to "powers of a transportation development authority" and makes related modifications.	No action needed.
163.3184(1)(b) [Revised]	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.	No action needed.
163.3184(1)(c) [New]	Provides a list of the "reviewing agencies."	No action needed.
163.3184(2) [New]	Sets forth the "expedited" and "coordinated" review processes.	No action needed.
163.3184(3) and (4) [New]	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.	No action needed.
163.3184(5)-(7) [New]	Sets forth requirements for administrative challenges to plans and plan amendments, compliance agreements and mediation and expeditious resolution.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

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.	No action needed. Legislative action.
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.	No action needed. Allows local government to charge a fee for plan amendments.
163.3184(12) [New]	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.	No action needed. Allows land use and zoning changes to be considered concurrently.
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.	No action needed.
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.	No action needed.

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 its plan to occur at least once every 7 years. The required local government evaluation is limited to whether plan amendments are necessary to reflect changes in state requirements (only) since the last update. The local government is required 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.	No action needed. The Comprehensive Plan shall be evaluated and updated every seven (7) years through the preparation and adoption of an Evaluation and Appraisal Report. Amendments will be required within one (1) year of submittal of this review to the State Land Planning Agency.
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.	No action needed.
163.3220(3)	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	No action needed.
163.3221(2) and (11)	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	No action needed.
163.3229	Extends 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.	No action needed. The Plan does not address time limitations or compliance determinations for development agreements. This language is typically located in the LDRs.

Statutory Changes Since 2011 That May Impact Policy

163.3235	Modifies provisions for periodic review of a development agreement to delete requirements for annual review conducted during years 6 through 10, incorporates the review into a written report and the state land planning agency adoption of rules regarding the contents of the report.	
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 effective date of the agreement based on receipt by the state land planning agency.	No action needed. The Plan does not address time limitations or compliance determinations for development agreements. This language is typically located in the LDRs.
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.	No action needed.
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.	No action needed.
163.3246(14) [Deleted]	Deletes the requirement that the Office of Program Policy Analysis and Government Accountability prepare a report evaluating the certification program.	No action needed.
163.360(2)(a)	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	No action needed.
163.516(3)(a)	Changes “Local Government Comprehensive Planning and Land Development Regulation Act” to “Community Planning Act.”	No action needed.
2012		
163.3162(2)(a)	Rewords the definition of “farm” to the same meaning provided in section 823.14.	No action needed.
163.3162(2)(b)	Rewords the definition of farm operation to the same meaning provided in section 823.14.	No action needed.
163.3162 Note	Adds provisions related to agricultural enclaves	No action needed.

Statutory Changes Since 2011 That May Impact Policy

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	Does not apply to Bonifay. The Plan does not address a requirement for a referendum process for the issuance of a development order.
163.3174(4)(b)	Changes the “preparation of the periodic reports” to “the periodic evaluation and appraisal of the comprehensive plan”	No action needed. Pertains to the Local Planning Agency evaluation and appraisal review of the plan; reference to what the process is called.
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.	No action needed. Pertains to how data is developed, and analysis is made to population projections in support of the plan.
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.”	No action needed.
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.	No action needed.
163.3177(6)(f)2.	Deletes the requirement that the housing element be based in part on an inventory taken from the latest Census.	No action needed. Pertains to the source of the data collected and analysis made to support housing needs.
163.31777(3)	Moves the exemptions for a public school interlocal agreement from section 163.3180(6)(i) to section 163.31777(3).	No action needed.
163.3178(3)	Replaces “Department of Community Affairs” with “state land planning agency” and changes the language that stated intermodal transportation facilities “shall” not be designated as developments of regional impact to “may” not be designated as developments of regional impact.	Replace mentions of “DCA” or “Department of Community Affairs” with “state land planning agency” from the Monitoring and Evaluation Procedures and Public Participation Procedures sections of the Plan and Intergovernmental Coordination Policy 3.1.

163.3178(6)	Deletes the provision that the Coastal Resources Interagency Management Committee shall identify incentives to encourage local governments to adopt siting plans and uniform criteria and standards to be used by local governments to implement state goals related to marina siting	No action needed. Not applicable.
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.	No action needed. Will apply if Bonifay elects to remove any of the following optional concurrency requirements: roads and recreation and open space. Allows for the removal of said concurrency requirements to be processed as an expedited state review.
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.	No action needed. Applies to school concurrency which Bonifay has not adopted. In an Interlocal Agreement with the City, the County, and the School Board.
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.	No action needed. 380.06, F.S. pertains to Developments of Regional Impact.
163.3184(3)(b)1.	Changes the number of days a local government has to transmit an amendment from “10 days” to “10 working days”.	No action needed. Timeline for transmittal of amendments are not mentioned in the Plan.
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	No action needed.
163.3184(3)(c)2.	Changed the number of days a local government has to transmit an amendment from “days” to “working days.”	No action needed.

Statutory Changes Since 2011 That May Impact Policy

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	No action needed. However, Bonifay should be aware of the process requirements.
163.3184(4)(e)2.	Changed the number of days a local government has to transmit an amendment from “days” to “working days.”	No action needed. However, Bonifay should be aware of the process requirements.
163.3184(5)(b)	Corrects the citation related to plan amendment package completeness from subsection (3)(c)3. to subsection (4)(e)3.	No action needed.
163.3184(5)(d)	Changes the time limit by which the Administration Commission must enter a final order from 45 days after the receipt of the recommended order to the time period specified in section 120.569.	No action needed.
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.	No action needed.
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.	No action needed.
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.”	No action needed.
163.3184(8)(b)1.a.	Changes the statutory reference for the Florida Small Cities Community Development Block Grant program.	No action needed.
163.3191(3)	Changes “in accordance with” to “pursuant to” and adds subsection (4) to the section 163.3184 citation.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

163.3204	Replaces “Department of Community Affairs” with “state land planning agency” and changes “this” Act to “the Community Planning” Act.	Replace mentions of “DCA” or “Department of Community Affairs” with “state land planning agency” from the Monitoring and Evaluation Procedures and Public Participation Procedures sections of the Plan and Intergovernmental Coordination Policy 3.1.
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.	No action needed.
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.	Replace mentions of “DCA” or “Department of Community Affairs” with “state land planning agency” from the Monitoring and Evaluation Procedures and Public Participation Procedures sections of the Plan and Intergovernmental Coordination Policy 3.1.
2013		
163.3162(2)(d)	Amends the definition of “governmental entity” in the provisions for agricultural lands and practices to provide that the term does not include a water management district (in addition to the term not including a water control district established under chapter 298 and a special district created by special act for water management purposes).	No action needed.
163.3162(3)(a)	Replaces “county” with “governmental entity.”	No action needed.

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.	No action needed.
163.3167(8)(a)	Provides that an initiative or referendum process in regard to any development order is prohibited. Removes language that allowed an initiative or referendum process by a local government charter in effect as of June 1, 2011 to be retained and implemented.	No action needed.
163.3167(8)(b)	Provides that an initiative or referendum process in regard to any local comprehensive plan amendment or map amendment is prohibited, except for those amendments that affect more than five parcels of land if it is expressly authorized by specific language in a local government charter that was lawful and in effect on June 1, 2011. A general local government charter provision for an initiative or referendum process is not sufficient.	No action needed.
163.3167(8)(c) [New]	States the intent of the Legislature to prohibit any initiative and referendum in regard to any development order, and prohibit any initiative and referendum in regard to any local comprehensive plan or map amendment except as specifically and narrowly permitted in paragraph (b). States that these prohibitions are remedial in nature and apply retroactively to any initiative or referendum process commenced after June 1, 2011, and that any such initiative or referendum process commenced or completed thereafter is null and void and of no legal force and effect.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

163.3180(5)(h)1 [New]	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.	Address in new policy in the Traffic Circulation Element.
163.3180(5)(h)1.c [New]	Adds “development agreement” in the listed land use development permits for which an applicant may satisfy transportation concurrency requirements of the local comprehensive plan, the local government’s concurrency management system and section 380.06 when applicable, if conditions in subsequent sections are met.	Development Agreement mentioned in Concurrency Management System section of the Plan. Address in new policy in the Traffic Circulation Element.
163.3180(5)(h)1.c.II [New]	Adds language allowing a local government to accept contributions from multiple applicants for a planned improvement if it maintains contributions in a separate account designated for that purpose.	No action needed.
163.3180(5)(h)1.d [New]	Modifies language to require local governments that continue to implement a transportation concurrency system to provide the basis upon which the landowners will be assessed a proportionate share of the cost addressing the transportation impacts resulting from a proposed development.	Mentioned in Capital Improvements Element and Public Schools Facilities Element. Address in new policy in the Traffic Circulation Element.
163.3180(5)(h)3 [New]	Clarifies that a local government is not required to approve a development that, for reasons other than transportation impacts, is not qualified for approval pursuant to the applicable local comprehensive plan and land development regulations.	No action needed.

163.3180(5)(i) [New]	Sets forth new provisions for any local government that elects to repeal transportation concurrency. Encourages adoption of alternative mobility funding system that uses one or more of the tools and techniques identified in subsection (f). Provides that any alternative mobility funding system adopted may not be used to deny, time or phase an application for site plan approval, plat approval, final subdivision approval, building permits, or the functional equivalent of such approvals provided that the developer agrees to pay for the development's identified transportation impacts via the funding mechanism implemented by the local government. States that the revenue from the funding mechanism used in the alternative system must be used to implement the needs of the local government's plan which serves as the basis for the fee imposed. Requires a mobility fee-based funding system to comply with the dual rational nexus test applicable to impact fees. An alternative system that is not mobility fee-based shall not be applied in a manner that imposes upon new development any responsibility for funding an existing transportation deficiency as defined in subsection (h).	Only applies if Bonifay repeals transportation concurrency. If Bonifay elects to repeal transportation concurrency, then the state "encourages" Bonifay to adopt an alternative mobility funding system. This section provides parameters on what control the new system may have.
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."	No action needed.
163.325 [New]	Creates short title for sections 163.325-163.3253 as the "Manufacturing Competitiveness Act."	No action needed.
163.3251(1)-(6) [New]	Creates six definitions as used in the provisions for manufacturing development in sections 163.3251-163.3253	New definitions that apply to the local manufacturing development program of 163.3252 and the coordinated manufacturing development approval process in 163.3253. No action required. These definitions would apply if Bonifay elects to adopt these programs.

163.3252 [New]	Setting forth provisions for a local manufacturing development program and master development approval for manufacturers, allows a local government to adopt an ordinance establishing a local manufacturing development program through which the local government may grant master development approval for the development or expansion of sites that are, or are proposed to be, operated by manufacturers at specified locations within the local government's geographic boundaries.	Creates local manufacturing development program and sets parameters. There are several sections to this program. If Bonifay would like to consider this program, refer to this section.
163.3252(1)(a) and (b) [New]	Requires a local government that elects to establish a local manufacturing development program to submit a copy of the ordinance establishing the program to DEO within 20 days after the ordinance is enacted. Provides that a local government ordinance adopted before the effective date of this act establishes a local manufacturing development program if it satisfies the minimum criteria established in subsection (3) and if the local government submits a copy of the ordinance to DEO on or before September 1, 2013.	Only applies if Bonifay adopts a manufacturing development program ordinance.
163.3252(2)[New]	Requires that DEO develop a model ordinance by December 1, 2013, to guide local governments that intend to establish a local manufacturing development program. Requires the model ordinance, which need not be adopted by a local government, to include the elements set forth in sections 163.3252(2)(a)-(k).	Applies to DEO and coordinated manufacturing development approval process.
163.340(2)	Updates a statutory reference in the definition of "public body" from section 165.031(5) to 163.031(7).	No action needed.
Section 163.3162 (2012 version of statute)	Repeals section 4 of Chapter 2012-75, Laws of Florida, which had established an alternate method for certain landowners to apply to DEO for an agricultural enclave designation. The right to apply for agricultural enclave designation under the alternate method expired on January 1, 2013.	No action needed.

2014		
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.	No action needed.
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.	No action needed.
163.3177(7)(a)2.	Changes “rural areas of critical economic concern” to “rural areas of opportunity.”	No action needed. However, Bonifay may consider reference to this since they are designated a RAO.
163.3177(7)(a)3.b.	Changes “rural area of critical economic concern” to “rural area of opportunity.”	
163.3177(7)(e)	Provides general re-wording and changes “rural area of critical economic concern” to “rural area of opportunity.”	
163.3187(3)	Changes “rural area of critical economic concern” to “rural area of opportunity.”	
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).	No action needed. Please note timelines however, for future action required.
163.3206(1) [New]	Provides legislative intent related to the importance of fuel terminals.	No action needed.
163.3206(3) [New]	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.	No action needed.

163.3206(4) [New]	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.	No action needed.
163.3206(5) [New]	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.	No action needed.
163.3246(10)	Changes “rural area of critical economic concern” to “rural area of opportunity.”	No action needed. However, Bonifay may consider reference to this since they are designated a RAO.
2015		
163.3178	Adds a requirement that the redevelopment component of the Coastal Management Element must: Reduce the flood risk in coastal areas that result from high tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea level rise. Encourage removal of coastal real property from FEMA flood zone designations. Be consistent with or more stringent than the flood resistant construction requirements in the Florida Building Code and federal flood plain management regulations. Require construction seaward of the coastal construction control line to be consistent with chapter 161, Florida Statutes. Encourage local governments to participate in the National Flood Insurance Program Community Rating System to achieve flood insurance premium discounts for their residents.	Coastal Management Element is not applicable for Bonifay. Encourages but does not require Bonifay to participate in the National Flood Insurance Program Community Rating System.

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. The local government must cooperate with any local government or utility provider that provides service within its jurisdiction. The local government must keep the element up to date in accordance with section 163.3191 (evaluation and appraisal).	Needs determination if applicable.
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.	No action needed.
163.3246(11) and (14)	Local Government Comprehensive Planning Certification Program and Connected-City Corridor Pilot Program	Bonifay is not a Certified Local Government. Not applicable. Established Pasco County as a pilot community for connected-city corridor.

2016		
163.3184, F.S.	Amends language of subsection (2)(c) pursuant to changes in section 380.06, F.S., to require a state coordinated review of plan amendments that approve Development of Regional Impact-sized proposed developments; no substantive change. Adds subsection (5)(e)3 to provide direction that when an administrative law judge issues an order recommending that a plan amendment be found in compliance, the recommended order becomes the final order 90 days after issuance unless the state land planning agency issues a final order finding the amendment in compliance, refers the recommended order to the Administration Commission, or all parties consent in writing to an extension of the 90- day period. Amends subsection (7)(d), for plan amendment challenges that are subject to mediation or expeditious resolution, to provide that when an administrative law judge issues a recommended order finding an amendment in compliance, except where the parties agree or there are exceptional circumstances, the state land planning agency must issue a final order within 45 days after issuance of a recommended order. If the final order is not issued in 45 days, the recommended order finding the amendment in compliance becomes the final order.	No action needed.
163.3245, F.S., Sector Plans	Modifies subsection (1) to reduce the minimum amount of total land area required for a sector plan from 15,000 acres to 5,000 acres.	No action needed.
2017		
None		
2018		
163.3221, F.S.	Amends the definition of “development” within subsection (4)(b) to exclude work by electric utility providers on utility infrastructure on certain rights-of-way or corridors and the creation or termination of distribution and transmission corridors.	No action needed.

Statutory Changes Since 2011 That May Impact Policy

163.3245, F.S.	Updates statutory cross references within subsection (3)(e) and subsection (12). Revises subsection (6) to amend the requirements associated with a master development approval.	No action needed.
163.3246, F.S.	Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact.	No action needed.
163.3164, F.S.	Renumbers existing subsections (31) through (51) as (32) through (52) and adds a new subsection (31) to define “master development plan” or “master plan”.	No action needed.
2019		
163.3177, F.S.	Updates statutory reference related to affordable workforce housing within subsection (6)(f).	No action needed.
163.31801, F.S.	Revises the section’s title. Amends language of paragraphs (a) through (d) of subsection (3) to clarify the local government responsibilities related to impact fees. Adds new paragraphs (e) through (i) to subsection (3) to amend the minimum requirements for the adoption of impact fees by specified local governments and note restrictions to the allowable uses of those impact fees. Adds a new subsection (6), which exempts water and sewer connection fees from the Florida Impact Fee Act.	School impact fees are mentioned in Capital Improvements Policy 7.8 and Public School Facilities Policy 6.1. Need to ensure that the City’s Impact Fees are aligned with this Section’s revisions to provide minimum requirements and restricts for impact fees. Exempts water and sewer connection fees from the Florida Impact Fee Act.
163.3209, F.S.	Removes language the requiring local government approval of a property owner’s request for electric utilities to perform certain right-of-way vegetation and tree maintenance.	No action needed. Local governments can no longer require local government approval of a property owner’s request for electric utilities to perform certain right-of-way vegetation and tree maintenance.
163.3187, F.S.	Removes subsection (1)(b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments.	No action needed. The Plan does not include a cumulative annual maximum acreage of adopted small-scale comprehensive plan amendments. There is now no maximum acreage limitation for adopted small-scale comprehensive plan amendments.

163.3167, F.S.	Amends subsection (3) to require local governments that have adopted comprehensive plans after January 1, 2019 to incorporate into their comprehensive plans development orders that existed before the comprehensive plan's effective date.	Include a vesting policy in the Future Land Use Element.
163.3180, F.S.	Amends subsection (5)(i) to clarify compliance requirements for a mobility fee-based funding system. Revises subsection (6)(h)2.b. to require a local government to credit certain contributions, constructions, expansions, or payments toward any other impact fee or exaction imposed by local ordinance for public educational facilities and provides the requirements for the basis of that credit.	Only necessary if Bonifay elects to repeal transportation concurrency. Provides compliance requirements for a mobility fee-based funding system.
163.31801, F.S.	Amends subsection (3) to add minimum conditions that certain impact fees must satisfy. Renumbers existing subsections (4) and (5) as subsections (6) and (7). Adds a new subsection (4) to require local governments to credit against the collection of an impact fee any contribution related to public education facilities. Adds subsection (5) so that if a local government increases its impact fee rates then the holder of impact fee credits is entitled to the full benefit of the intensity or density of the credit balance as of the date it was established and renumbers subsequent subsections. Amends renumbered subsection (7) to provide that in certain actions, the local government has the burden of proving by a preponderance of the evidence that the imposition or amount of certain required dollar-for-dollar credits for the payment of impact fees meets certain requirements and prohibits the court from using a deferential standard for the benefit of the government. Adds subsection (8) to authorize a local government to provide an exception or waiver for an impact fee for the development or construction of affordable housing, and in doing such is not required to use any revenues to offset the impact. Adds subsection (9) to clarify that this section does not apply to water and sewer connection fees.	School impact fees are mentioned in Capital Improvements Policy 7.8 and Public School Facilities Policy 6.1. Need to ensure that the City's Impact Fees are aligned with this Section's revisions to provide minimum requirements.
163.3202, F.S.	Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.	Not applicable. Pertains to Land Development Regulations. Also, only applies to municipalities incorporated after 2016.

163.3215, F.S.	Amends subsection (8)(a) to provide that either party is entitled to a certain summary procedure in certain court proceedings. Adds subsection (8)(b) clarifying how a court may find a summary procedure does not apply. Adds subsection (8)(c), which provides that a prevailing party in a challenge to certain development orders can be entitled to recover certain fees and costs.	No action needed. Change in state policy.
2020		
163.31771, F.S.	Amends subsections (3) and (4) to allow a local government to adopt an ordinance allowing accessory dwelling units to be located in any area zoned for single family residential use and removes the requirement that the ordinance be conditioned upon a finding that there is a shortage of affordable rentals within the jurisdiction.	Accessory dwelling units mentioned in Housing Policy 3.7, permitting these structures land use designations permitting residential development. This requirement is permissive and not mandatory.
163.31801, F.S.	Adds subsection (10) and supporting paragraphs (a) through (e) to address the data on impact fee charges that must be reported in an annual financial report by a county, municipality, or special district.	School impact fees are mentioned in Capital Improvements Policy 7.8 and Public School Facilities Policy 6.1. Need to ensure that the City's Impact Fees are aligned with this Section's reporting requirements.
163.31801, F.S.	Amends subsection (3)(d) to specify that a new or increased impact fee may not be charged to current or pending permit applications submitted before the effective date of an ordinance or resolution imposing such an impact fee unless the result is to reduce the total mitigation costs or impact fees imposed on an applicant. Amends subsection (4) to clarify that a local government must provide credit against the collection of an impact fee of any contribution related to public education facilities regardless of any charter provision, comprehensive plan policy, ordinance, or resolution. Renumbers existing subsections (8) and (9) as subsections (9) and (10). Adds a new subsection (8) that sets forth the provisions by which impact fee credits are assignable and transferable and renumbers subsequent subsections.	School impact fees are mentioned in Capital Improvements Policy 7.8 and Public School Facilities Policy 6.1. Need to ensure that the City's Impact Fees are aligned with this Section's information on new or increased impact fees, credit against the collection of an impact fee of any contribution related to public education facilities and provides that impact fee credits are assignable and transferable.

Statutory Changes Since 2011 That May Impact Policy

163.3168, F.S.	Adds subsection (4) providing guidance to the state land planning agency when selecting applications for technical assistance funding to give preference to counties with a population of 200,000 or less, and to municipalities located within such counties, in determining whether the area in and around a proposed multiuse corridor interchange as described in section 338.2278, F.S., contains appropriate land uses and protections and aiding in amending a comprehensive plan to provide such appropriate land uses and protections.	No action needed. Repealed in 2021.
163.3180, F.S.	Amends subsection (2) to alter the governmental entity that approves onsite sewage treatment and disposal systems from the Department of Health to the Department of Environmental Protection.	No action needed.
2021		
163.3162, F.S.	Reenacts subsection (2)(b) to provide a definition for “Farm operation.”	No action needed.
163.3163, F.S.	Reenacts subsection (3)(b) to provide a definition for “Farm operation.”	No action needed.
163.31801, F.S.	Adds a new subsection (3) to define “Infrastructure” and “Public facilities.” Renumbers existing subsections (3) through (11) and rewords existing subsections (3), (5), (6), (8), and (11) for clarity. Amends existing subsection (4) to provide additional regulations pertaining to impact fee credits. Adds a new subsection (6), which prescribes the circumstances under which impact fees may be increased, sets forth limitations on those fee increases, and notes that this section applies retroactively to January 1, 2021.	Need to ensure that the City's Impact Fees are aligned with this Section's requirements for impact fee credits and provides the circumstances under which impact fees may be increased.

Statutory Changes Since 2011 That May Impact Policy

163.3168, F.S.	Repeals existing subsection (4) that directed the state land planning agency to give preference when selecting applications for funding for technical assistance to counties with a population of 200,000 or less, and to municipalities within those counties, for assistance in determining whether the area in and around a proposed multiuse corridor interchange contains appropriate land uses and natural resource protections and amending a comprehensive plan to provide for such land uses and protections.	No action needed. Repealed.
163.3205, F.S.	Creates section 163.3205, F.S., which applies to sites that are subject to an application to construct a solar facility submitted to a local government on, or after, July 1, 2021, to encourage renewable solar electrical generation, define “solar facility”, and set forth an allowance for solar facilities in all agricultural land use categories in a local government comprehensive plan and all agricultural zoning districts in an unincorporated area.	This policy exempts a solar utility from a local government requirement to obtain a conditional use for development. Add solar as an allowable use in the FLU Element category.
163.3167, F.S.	Amends subsection (3) to clarify that requirements pertaining to development orders and their incorporation and interaction with comprehensive plans are specifically related to plans for municipalities incorporated after January 1, 2016.	Not applicable. Bonifay was incorporated prior to 2016.
163.3177, F.S.	Adds subsection (6)(i) which requires each local government to include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decisionmaking. The statute also provides a statement of rights local governments may adopt in order to meet these requirements.	Met. By adopted Property Rights Element.
163.3237, F.S.	Amends this section to allow a party to a development agreement and a local government to amend or cancel a development agreement without consent of other affected property owners unless the amendment or cancellation will modify the allowable uses or entitlements on such owner’s property.	No action needed.
163.3202, F.S.	Adds new subsection (5) to specify that land development regulations relating to building design elements may not be applied to a single-family or two-family dwelling except under certain listed conditions.	No action needed.

163.3167, F.S.	Revises subsection (5) to allow landowners with a development order approved before the municipality was incorporated to abandon said development order and develop the order's vested density and intensity as long as the vested uses, density, and intensity are consistent with the municipality's comprehensive plan and all existing concurrency obligations in the development order remain in effect.	No action needed.
163.3187, F.S.	Amends subsection (1)(a) to increase the small-scale development amendment limit to 50 acres or fewer. Revises subsection (3) pertaining to small-scale development amendments for sites within a rural area of opportunity to allow a 100 percent increase to the 50-acre acreage limit now included in subsection (1)(a).	No action needed. Mentions of small-scale amendments do not include acreage limits (ICE Policy 2.9). Can however, amend the twice per year limitation now listed.
2022		
163.32051, F.S.	Creates 163.32051, which provides legislative findings regarding floating solar facilities. Defines the term "Floating solar facility". Requires a floating solar facility to be a permitted use in the appropriate land use categories and requires local governments to amend their land development regulations to promote expanded uses of floating solar facilities. Authorizes a county or municipality to specify buffer and landscaping requirements, which may not exceed the requirements for similar uses involving the construction of other solar facilities permitted in agricultural land use categories and zoning districts. Provides exceptions to the construction of floating solar facilities in an Everglades Agricultural Area reservoir project if it is determined to have negative impacts on the project.	Not required in the Plan; Requires local government to amend their land development regulations to promote expanded uses of floating solar facilities.

<p>163.3180, F.S.</p>	<p>Amends subsection (6)(h)2. to revise provisions specifying when school concurrency is deemed satisfied. Requires the district school board to notify the local government that capacity is available for development within 30 days after receipt of the developer's legally binding commitment. Specifies that any proportionate-share mitigation directed toward a school capacity improvement not identified in the 5-year school board educational facilities plan must be set aside and not spent until such an improvement has been identified.</p>	<p>No action needed. Bonifay does not have school concurrency. If school concurrency were adopted, these provisions would need to be considered.</p>
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Florida Statute 163.3177(6)(a)	Comment
A future land use plan element designating proposed future general distribution, location, and extent of the uses of land for residential uses, commercial uses, industry, agriculture, recreation, conservation, education, public facilities, and other categories of the public and private uses of land. The approximate acreage and the general range of density or intensity of use shall be provided for the gross land area included in each existing land use category. The element shall establish the long-term end toward which land use programs and activities are ultimately directed.	
1. Each future land use category must be defined in terms of uses included, and must include standards to be followed in the control and distribution of population densities and building and structure intensities. The proposed distribution, location, and extent of the various categories of land use shall be shown on a land use map or map series which shall be supplemented by goals, policies, and measurable objectives.	FLU Policy 5.1 provides uses, densities, and intensities for Future Land Use categories. Need map series.
2. The future land use plan and plan amendments shall be based upon surveys, studies, and data regarding the area, as applicable, including:	
a. The amount of land required to accommodate anticipated growth.	This data is needed to update the Plan policies or to adopt Future Land Use Map amendments. No policy is needed.
b. The projected permanent and seasonal population of the area.	
c. The character of undeveloped land.	
d. The availability of water supplies, public facilities, and services.	FLU Policy 4.1 mentions water supply and other municipal utility services. FLU Objective 7 and Policies 7.2 and 7.3.
e. The need for redevelopment, including the renewal of blighted areas and the elimination of nonconforming uses which are inconsistent with the character of the community.	FLU Objective 1 (in part). Need Policy regarding redevelopment, renewal of blighted areas, and the elimination of nonconforming uses.
f. The compatibility of uses on lands adjacent to or closely proximate to military installations.	Not applicable.
g. The compatibility of uses on lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.	No action needed. Not applicable.
h. The discouragement of urban sprawl.	FLU Objective 6 and subsequent policies.
i. The need for job creation, capital investment, and economic development that will strengthen and diversify the community's economy.	Needed.

Future Land Use Element

j. The need to modify land uses and development patterns within antiquated subdivisions.	If Bonifay has antiquated subdivisions, this is needed.
3. The future land use plan element shall include criteria to be used to:	
a. Achieve the compatibility of lands adjacent or closely proximate to military installations, considering factors identified in s. 163.3175(5).	Not applicable.
b. Achieve the compatibility of lands adjacent to an airport as defined in s. 330.35 and consistent with s. 333.02.	Not applicable.
c. Encourage preservation of recreational and commercial working waterfronts for water-dependent uses in coastal communities.	Not applicable.
d. Encourage the location of schools proximate to urban residential areas to the extent possible.	FLU Policy 5.7. Public or private primary or secondary schools shall be an allowable use in all land use categories except the "conservation", "recreation", "commercial" and "industrial" land use categories.
e. Coordinate future land uses with the topography and soil conditions, and the availability of facilities and services.	FLU Objective 4.
f. Ensure the protection of natural and historic resources.	FLU Objective 2 protects historic and archaeological resources. FLU Objective 3 protects natural resources and environmental lands.
g. Provide for the compatibility of adjacent land uses.	FLU Policy 1.5 considers the compatibility of adjacent land use districts.
h. Provide guidelines for the implementation of mixed-use development including the types of uses allowed, the percentage distribution among the mix of uses, or other standards, and the density and intensity of each use.	FLU Policy 5.1.h provides the guideline for Urban Mixed Use with types of uses and approximate distribution of uses for the category.

Future Land Use Element

4. The amount of land designated for future planned uses shall provide a balance of uses that foster vibrant, viable communities and economic development opportunities and address outdated development patterns, such as antiquated subdivisions. The amount of land designated for future land uses should allow the operation of real estate markets to provide adequate choices for permanent and seasonal residents and business and may not be limited solely by the projected population. The element shall accommodate at least the minimum amount of land required to accommodate the medium projections as published by the Office of Economic and Demographic Research for at least a 10-year planning period unless otherwise limited under s. 380.05, including related rules of the Administration Commission.	An updated analysis should be completed to determine if this is met.
5. The future land use plan of a county may designate areas for possible future municipal incorporation.	Not applicable.
6. The land use maps or map series shall generally identify and depict historic district boundaries and shall designate historically significant properties meriting protection.	FLU Policy 5.1.G is the Historic land use category for historic structures. This category has not been mapped. Consider an overlay district instead. See notes below. Needs to be visualized on map series.
7. The Future Land Use Element must clearly identify the land use categories in which public schools are an allowable use. When delineating the land use categories in which public schools are an allowable use, a local government shall include in the categories sufficient land proximate to residential development to meet the projected needs for schools in coordination with public school boards and may establish differing criteria for schools of different type or size. Each local government shall include lands contiguous to existing school sites, to the maximum extent possible, within the land use categories in which public schools are an allowable use.	FLU Policy 5.7. Public or private primary or secondary schools shall be an allowable use in all land use categories except the “conservation”, “recreation”, “commercial” and “industrial” land use categories.
8. Future land use map amendments shall be based upon the following analyses:	This section applies when a map amendment is conducted.
a. An analysis of the availability of facilities and services.	FLU Objective 7 and subsequent policies.
b. An analysis of the suitability of the plan amendment for its proposed use considering the character of the undeveloped land, soils, topography, natural resources, and historic resources on site.	Included for Future Land Use Map designations under Objective 4.
c. An analysis of the minimum amount of land needed to achieve the goals and requirements of this section.	Objective 5, et. al, Policy 6.4
9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.	Objective 6 and subsequent policies.

Future Land Use Element

<p>a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:</p>	
<p>(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.</p>	<p>Partially addressed under Objective 6. Recommend adding policy pursuant to this section of the Statute.</p>
<p>(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.</p>	
<p>(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.</p>	
<p>(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.</p>	
<p>(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.</p>	
<p>(VI) Fails to maximize use of existing public facilities and services.</p>	
<p>(VII) Fails to maximize use of future public facilities and services.</p>	
<p>(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.</p>	
<p>(IX) Fails to provide a clear separation between rural and urban uses.</p>	
<p>(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.</p>	
<p>(XI) Fails to encourage a functional mix of uses.</p>	
<p>(XII) Results in poor accessibility among linked or related land uses.</p>	
<p>(XIII) Results in the loss of significant amounts of functional open space.</p>	

Future Land Use Element

b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:	
(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.	Partially addressed under Objective 6. Recommend adding policy pursuant to this section of the Statute.
(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.	
(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.	
(IV) Promotes conservation of water and energy.	
(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.	
(VI) Preserves open space and natural lands and provides for public open space and recreation needs.	
(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.	Met by the mixed use category.
(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.	
10. The future land use element shall include a future land use map or map series.	
a. The proposed distribution, extent, and location of the following uses shall be shown on the future land use map or map series:	
(I) Residential.	This requirement is met.
(II) Commercial.	
(III) Industrial.	
(IV) Agricultural.	
(V) Recreational.	

Future Land Use Element

(VI) Conservation.	
(VII) Educational.	
(VIII) Public.	
b. The following areas shall also be shown on the future land use map or map series, if applicable:	
(I) Historic district boundaries and designated historically significant properties.	FLU Policy 5.1.g is the Historic land use category for historic structures. Needs to be visualized on map series.
(II) Transportation concurrency management area boundaries or transportation concurrency exception area boundaries.	Needed, if applicable.
(III) Multimodal transportation district boundaries.	Not applicable.
(IV) Mixed-use categories.	Met by the Future Land Use categories.
c. The following natural resources or conditions shall be shown on the future land use map or map series, if applicable:	
(I) Existing and planned public potable waterwells, cones of influence, and wellhead protection areas.	A map or series of maps as part of the Comprehensive Plan should have these resources or features shown.
(II) Beaches and shores, including estuarine systems.	
(III) Rivers, bays, lakes, floodplains, and harbors.	
(IV) Wetlands.	
(V) Minerals and soils.	
(VI) Coastal high hazard areas.	

Notes:

1. Amend the language detailing manufactured and mobile homes in the residential categories to align with §553.36, Florida Statutes.
2. Consider removal of the Historic category, since this can include varying types of uses. Create instead an overlay district for historic properties so that the underlying land use criteria apply to the type of use.

Future Land Use Element

3. Study the need for a 50% residential/50% non-residential threshold requirement in the Urban Mixed Use category. This ratio may need to be higher for the residential uses.
4. The Mixed Use County Future Land Use designation is noted as “applied to land that is classified urban mixed use county” which is presently within Bonifay’s City limits “after annexation but will hold the Holmes County land use designation until such time that the City of Bonifay may change it “ to a City designation. Technically, once the City changes it, the amendment is from the County designation and there cannot be an interim designation. This policy is not usable as written. Recommend deletion. The Future Land Use Map cannot be self-amending, and an ordinance must be processed to amend the map.
5. The same comment is made for the Agriculture/Silviculture County, and Rural Residential County category.
6. Consider adding criteria for determination of the needs analysis listed in Policies 6.4(1) and 6.5(1).
7. Amend Policies 7.2 and 7.3 to reflect current statutory language.

Traffic Circulation Element

Florida Statute 163.3177(6)(b)	Comment
<p>A transportation element addressing mobility issues in relationship to the size and character of the local government. The purpose of the transportation element shall be to plan for a multimodal transportation system that places emphasis on public transportation systems, where feasible. The element shall provide for a safe, convenient multimodal transportation system, coordinated with the future land use map or map series and designed to support all elements of the comprehensive plan. A local government that has all or part of its jurisdiction included within the metropolitan planning area of a metropolitan planning organization (M.P.O.) pursuant to s. 339.175 shall prepare and adopt a transportation element consistent with this subsection. Local governments that are not located within the metropolitan planning area of an M.P.O. shall address traffic circulation, mass transit, and ports, and aviation and related facilities consistent with this subsection, except that local governments with a population of 50,000 or less shall only be required to address transportation circulation. The element shall be coordinated with the plans and programs of any applicable metropolitan planning organization, transportation authority, Florida Transportation Plan, and Department of Transportation adopted work program.</p>	
<p>1. Each local government's transportation element shall address traffic circulation, including the types, locations, and extent of existing and proposed major thoroughfares and transportation routes, including bicycle and pedestrian ways. Transportation corridors, as defined in s. 334.03, may be designated in the transportation element pursuant to s. 337.273. If the transportation corridors are designated, the local government may adopt a transportation corridor management ordinance. The element shall include a map or map series showing the general location of the existing and proposed transportation system features and shall be coordinated with the future land use map or map series. The element shall reflect the data, analysis, and associated principles and strategies relating to:</p>	<p>Needed.</p>
<p>a. The existing transportation system levels of service and system needs and the availability of transportation facilities and services.</p>	<p>TC Policy 1.1 adopts level of services standards. Needs existing level of service and system needs and the availability of transportation facilities and services.</p>
<p>b. The growth trends and travel patterns and interactions between land use and transportation.</p>	<p>Needed.</p>
<p>c. Existing and projected intermodal deficiencies and needs.</p>	<p>Needed.</p>

Traffic Circulation Element

d. The projected transportation system levels of service and system needs based upon the future land use map and the projected integrated transportation system.	Needed.
e. How the local government will correct existing facility deficiencies, meet the identified needs of the projected transportation system, and advance the purpose of this paragraph and the other elements of the comprehensive plan.	Needed.
2. Local governments within a metropolitan planning area designated as an M.P.O. pursuant to s. 339.175 shall also address:	Bonifay is not located within an MPO.
a. All alternative modes of travel, such as public transportation, pedestrian, and bicycle travel.	Not applicable.
b. Aviation, rail, seaport facilities, access to those facilities, and intermodal terminals.	
c. The capability to evacuate the coastal population before an impending natural disaster.	
d. Airports, projected airport and aviation development, and land use compatibility around airports, which includes areas defined in ss. 333.01 and 333.02.	
e. An identification of land use densities, building intensities, and transportation management programs to promote public transportation systems in designated public transportation corridors so as to encourage population densities sufficient to support such systems.	
3. Municipalities having populations greater than 50,000, and counties having populations greater than 75,000, shall include mass-transit provisions showing proposed methods for the moving of people, rights-of-way, terminals, and related facilities and shall address:	Bonifay does not have a population of greater than 75,000.
a. The provision of efficient public transit services based upon existing and proposed major trip generators and attractors, safe and convenient public transit terminals, land uses, and accommodation of the special needs of the transportation disadvantaged.	Not applicable.
b. Plans for port, aviation, and related facilities coordinated with the general circulation and transportation element.	
c. Plans for the circulation of recreational traffic, including bicycle facilities, exercise trails, riding facilities, and such other matters as may be related to the improvement and safety of movement of all types of recreational traffic.	

Traffic Circulation Element

<p>4. At the option of a local government, an airport master plan, and any subsequent amendments to the airport master plan, prepared by a licensed publicly owned and operated airport under s. 333.06 may be incorporated into the local government comprehensive plan by the local government having jurisdiction under this act for the area in which the airport or projected airport development is located by the adoption of a comprehensive plan amendment. In the amendment to the local comprehensive plan that integrates the airport master plan, the comprehensive plan amendment shall address land use compatibility consistent with chapter 333 regarding airport zoning; the provision of regional transportation facilities for the efficient use and operation of the transportation system and airport; consistency with the local government transportation circulation element and applicable M.P.O. long-range transportation plans; the execution of any necessary interlocal agreements for the purposes of the provision of public facilities and services to maintain the adopted level-of-service standards for facilities subject to concurrency; and may address airport-related or aviation-related development. Development or expansion of an airport consistent with the adopted airport master plan that has been incorporated into the local comprehensive plan in compliance with this part, and airport-related or aviation-related development that has been addressed in the comprehensive plan amendment that incorporates the airport master plan, do not constitute a development of regional impact. Notwithstanding any other general law, an airport that has received a development-of-regional-impact development order pursuant to s. 380.06, but which is no longer required to undergo development-of-regional-impact review pursuant to this subsection, may rescind its development-of-regional-impact order upon written notification to the applicable local government. Upon receipt by the local government, the development-of-regional-impact development order shall be deemed rescinded.</p>	<p>Not applicable.</p>
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Notes:

1. Consider augmenting policies to include other modes of transportation such as pedestrian and bicycle modes under Objective 9.

Utilities (Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater) Element

Florida Statute 163.3177(6)(c)	Comment
<p>A general sanitary sewer, solid waste, drainage, potable water, and natural groundwater aquifer recharge element correlated to principles and guidelines for future land use, indicating ways to provide for future potable water, drainage, sanitary sewer, solid waste, and aquifer recharge protection requirements for the area. The element may be a detailed engineering plan including a topographic map depicting areas of prime groundwater recharge.</p>	
<p>1. Each local government shall address in the data and analyses required by this section those facilities that provide service within the local government's jurisdiction. Local governments that provide facilities to serve areas within other local government jurisdictions shall also address those facilities in the data and analyses required by this section, using data from the comprehensive plan for those areas for the purpose of projecting facility needs as required in this subsection. For shared facilities, each local government shall indicate the proportional capacity of the systems allocated to serve its jurisdiction.</p>	<p>Data and analysis should be updated.</p>
<p>2. The element shall describe the problems and needs and the general facilities that will be required for solution of the problems and needs, including correcting existing facility deficiencies. The element shall address coordinating the extension of, or increase in the capacity of, facilities to meet future needs while maximizing the use of existing facilities and discouraging urban sprawl; conserving potable water resources; and protecting the functions of natural groundwater recharge areas and natural drainage features.</p>	<p>PF Objective 1.2 corrects existing deficiencies for sanitary sewer. PF Policy 3.1.2 for stormwater. PF Objective 4.1 for potable water. CIE Goal. All need to be updated based on current problems and needs. Could use more clarity in policies to meet this requirement.</p>

Utilities (Sanitary Sewer, Solid Waste, Drainage, Potable Water, and Natural Groundwater) Element

<p>3. Within 18 months after the governing board approves an updated regional water supply plan, the element must incorporate the alternative water supply project or projects selected by the local government from those identified in the regional water supply plan pursuant to s. 373.709(2)(a) or proposed by the local government under s. 373.709(8)(b). If a local government is located within two water management districts, the local government shall adopt its comprehensive plan amendment within 18 months after the later updated regional water supply plan. The element must identify such alternative water supply projects and traditional water supply projects and conservation and reuse necessary to meet the water needs identified in s. 373.709(2)(a) within the local government's jurisdiction and include a work plan, covering at least a 10-year planning period, for building public, private, and regional water supply facilities, including development of alternative water supplies, which are identified in the element as necessary to serve existing and new development. The work plan shall be updated, at a minimum, every 5 years within 18 months after the governing board of a water management district approves an updated regional water supply plan. Local governments, public and private utilities, regional water supply authorities, special districts, and water management districts are encouraged to cooperatively plan for the development of multijurisdictional water supply facilities that are sufficient to meet projected demands for established planning periods, including the development of alternative water sources to supplement traditional sources of groundwater and surface water supplies.</p>	<p>Needed.</p>
<p>4. A local government that does not own, operate, or maintain its own water supply facilities, including, but not limited to, wells, treatment facilities, and distribution infrastructure, 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 to maintain a work plan if any such local government's usage of water constitutes less than 1 percent of the public water utility's total permitted allocation. However, any such local government is required to cooperate with, and provide relevant data to, any local government or utility provider that provides service within its jurisdiction, and to keep its general sanitary sewer, solid waste, potable water, and natural groundwater aquifer recharge element updated in accordance with s. 163.3191.</p>	<p>Not applicable.</p>

Conservation Element

Florida Statute 163.3177(6)(d)	Comment
A conservation element for the conservation, use, and protection of natural resources in the area, including air, water, water recharge areas, wetlands, waterwells, estuarine marshes, soils, beaches, shores, flood plains, rivers, bays, lakes, harbors, forests, fisheries and wildlife, marine habitat, minerals, and other natural and environmental resources, including factors that affect energy conservation.	
1. The following natural resources, where present within the local government's boundaries, shall be identified and analyzed and existing recreational or conservation uses, known pollution problems, including hazardous wastes, and the potential for conservation, recreation, use, or protection shall also be identified:	
a. Rivers, bays, lakes, wetlands including estuarine marshes, groundwaters, and springs, including information on quality of the resource available.	Wetlands mentioned in C Objective 8 and subsequent policies. Needs to include rivers, bays, and lakes as applicable. Needs to be more specific to this requirement and include pollution problems and potential conservation, recreation, use, or protection.
b. Floodplains.	C Objective 3 and subsequent policy. Needs to be more specific to this requirement and include pollution problems and potential conservation, recreation, use, or protection.
c. Known sources of commercially valuable minerals.	C Policy 5.1. Needs to be more specific to this requirement and include pollution problems and potential conservation, recreation, use, or protection.
d. Areas known to have experienced soil erosion problems.	C Policy 4.3 mentions BMPs to avoid impacts of erosion or sedimentation. Needs to be more specific to this requirement and include pollution problems and potential conservation, recreation, use, or protection.

Conservation Element

e. Areas that are the location of recreationally and commercially important fish or shellfish, wildlife, marine habitats, and vegetative communities, including forests, indicating known dominant species present and species listed by federal, state, or local government agencies as endangered, threatened, or species of special concern.	Fish, shellfish, wildlife, marine habitats, and vegetative communities, etc. need to be mentioned as applicable. Needs to be more specific to this requirement and include pollution problems and potential conservation, recreation, use, or protection.
2. The element must contain principles, guidelines, and standards for conservation that provide long-term goals and which:	
a. Protects air quality.	C Objective 1 and subsequent policies mention maintaining or improving air quality.
b. Conserves, appropriately uses, and protects the quality and quantity of current and projected water sources and waters that flow into estuarine waters or oceanic waters and protect from activities and land uses known to affect adversely the quality and quantity of identified water sources, including natural groundwater recharge areas, wellhead protection areas, and surface waters used as a source of public water supply.	C Objective 2 and subsequent policies prevent degradation of surface water. Need to include natural groundwater recharge areas and wellhead protection areas, as applicable.
c. Provides for the emergency conservation of water sources in accordance with the plans of the regional water management district.	C Policy 4.1.
d. Conserves, appropriately uses, and protects minerals, soils, and native vegetative communities, including forests, from destruction by development activities.	Objective 5 and subsequent policies protect minerals. Objective 6 and subsequent policies protect soils, native vegetative communities, wildlife, and wildlife habitats.
e. Conserves, appropriately uses, and protects fisheries, wildlife, wildlife habitat, and marine habitat and restricts activities known to adversely affect the survival of endangered and threatened wildlife.	Objective 6 and subsequent policies protect soils, native vegetative communities, wildlife, and wildlife habitats, with an emphasis on threatened and endangered species.
f. Protects existing natural reservations identified in the recreation and open space element.	Needed.
g. Maintains cooperation with adjacent local governments to conserve, appropriately use, or protect unique vegetative communities located within more than one local jurisdiction.	C Policy 6.3.
h. Designates environmentally sensitive lands for protection based on locally determined criteria which further the goals and objectives of the conservation element.	C Policy 6.1.

Conservation Element

<p>i. Manages hazardous waste to protect natural resources.</p>	<p>C Objective 7 and subsequent policies prohibits the disposal of hazardous waste into the public sewer system, canals, ditches, and the sanitary landfill. Needs to specify protection of natural resources.</p>
<p>j. Protects and conserves wetlands and the natural functions of wetlands.</p>	<p>Objective 8 and subsequent policies. Need to protect and conserve natural functions of wetlands e.g., by including a wetland setback and buffer requirement in the Plan.</p>
<p>k. Directs future land uses that are incompatible with the protection and conservation of wetlands and wetland functions away from wetlands. The type, intensity or density, extent, distribution, and location of allowable land uses and the types, values, functions, sizes, conditions, and locations of wetlands are land use factors that shall be considered when directing incompatible land uses away from wetlands. Land uses shall be distributed in a manner that minimizes the effect and impact on wetlands. The protection and conservation of wetlands by the direction of incompatible land uses away from wetlands shall occur in combination with other principles, guidelines, standards, and strategies in the comprehensive plan. Where incompatible land uses are allowed to occur, mitigation shall be considered as one means to compensate for loss of wetlands functions.</p>	<p>C Policy 8.2 mentions discouraging incompatible adjacent land uses that may potentially impact the functionality of identified wetlands in the City. Need to revise this Policy to more accurately address this requirement.</p>
<p>3. Current and projected needs and sources for at least a 10-year period based on the demands for industrial, agricultural, and potable water use and the quality and quantity of water available to meet these demands shall be analyzed. The analysis shall consider the existing levels of water conservation, use, and protection and applicable policies of the regional water management district and further must consider the appropriate regional water supply plan approved pursuant to s. 373.709, or, in the absence of an approved regional water supply plan, the district water management plan approved pursuant to s. 373.036(2). This information shall be submitted to the appropriate agencies.</p>	<p>Needed.</p>

Recreation and Open Space Element

Florida Statute 163.3177(6)(e)	Comment
A recreation and open space element indicating a comprehensive system of public and private sites for recreation, including, but not limited to, natural reservations, parks and playgrounds, parkways, beaches and public access to beaches, open spaces, waterways, and other recreational facilities.	This requirement is met.

Notes:

1. Little oversight is provided for this Element.
2. Concurrency/levels of service are no longer required by Florida Statute for parks and park facilities. (See 163.3180, F.S.)

Housing Element

Florida Statute 163.3177(6)(f)	Comment
A housing element consisting of principles, guidelines, standards, and strategies to be followed in:	
a. The provision of housing for all current and anticipated future residents of the jurisdiction.	H Goal. Needs policy.
b. The elimination of substandard dwelling conditions.	H Objective 2 and subsequent policies.
c. The structural and aesthetic improvement of existing housing.	Aesthetic qualities are mentioned in H Policy 2.6 and H Policy 3.7. Need Policy that specifically mentions improvements of structural and aesthetic improvements of existing housing.
d. The provision of adequate sites for future housing, including affordable workforce housing as defined in s. 380.0651(1)(h), housing for low-income, very low-income, and moderate-income families, mobile homes, and group home facilities and foster care facilities, with supporting infrastructure and public facilities. The element may include provisions that specifically address affordable housing for persons 60 years of age or older. Real property that is conveyed to a local government for affordable housing under this sub-subparagraph shall be disposed of by the local government pursuant to s. 125.379 or s. 166.0451.	H Objective 3 and subsequent policies allow development of flexible regulations for types of housing. Need to revise this section to more accurately meet this requirement to provide adequate sites for future housing for all groups mentioned.
e. Provision for relocation housing and identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.	H Objective 5 and subsequent policies discuss relocation housing. Need to add policy on identification of historically significant and other housing for purposes of conservation, rehabilitation, or replacement.
f. The formulation of housing implementation programs.	Needed.
g. The creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.	H Objective 1 and subsequent policies. Need to add information on minimizing the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction.

Housing Element

<p>2. The principles, guidelines, standards, and strategies of the housing element must be based on data and analysis prepared on housing needs, which shall include the number and distribution of dwelling units by type, tenure, age, rent, value, monthly cost of owner-occupied units, and rent or cost to income ratio, and shall show the number of dwelling units that are substandard. The data and analysis shall also include the methodology used to estimate the condition of housing, a projection of the anticipated number of households by size, income range, and age of residents derived from the population projections, and the minimum housing need of the current and anticipated future residents of the jurisdiction.</p>	<p>Update data and analysis.</p>
<p>3. The housing element must express principles, guidelines, standards, and strategies that reflect, as needed, the creation and preservation of affordable housing for all current and anticipated future residents of the jurisdiction, elimination of substandard housing conditions, adequate sites, and distribution of housing for a range of incomes and types, including mobile and manufactured homes. The element must provide for specific programs and actions to partner with private and nonprofit sectors to address housing needs in the jurisdiction, streamline the permitting process, and minimize costs and delays for affordable housing, establish standards to address the quality of housing, stabilization of neighborhoods, and identification and improvement of historically significant housing.</p>	<p>A determination of housing affordability needs to be conducted to formulate policy. H Objective 2 and subsequent policies mentions substandard housing. H Policy 2.4 mentions funding sources including CDBG. All policies addressing these issues need to be updated.</p>
<p>4. State and federal housing plans prepared on behalf of the local government must be consistent with the goals, objectives, and policies of the housing element. Local governments are encouraged to use job training, job creation, and economic solutions to address a portion of their affordable housing concerns.</p>	<p>Needed.</p>

Notes:

1. Consider adding language regarding 2023 SB 102 “Live Local Act”.

Florida Statute 163.3177(6)(h)	Comment
<p>An intergovernmental coordination element showing relationships and stating principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards, regional water supply authorities, and other units of local government providing services but not having regulatory authority over the use of land, with the comprehensive plans of adjacent municipalities, the county, adjacent counties, or the region, with the state comprehensive plan and with the applicable regional water supply plan approved pursuant to s. 373.709, as the case may require and as such adopted plans or plans in preparation may exist. This element of the local comprehensive plan must demonstrate consideration of the particular effects of the local plan, when adopted, upon the development of adjacent municipalities, the county, adjacent counties, or the region, or upon the state comprehensive plan, as the case may require.</p>	
<p>a. The intergovernmental coordination element must provide procedures for identifying and implementing joint planning areas, especially for the purpose of annexation, municipal incorporation, and joint infrastructure service areas.</p>	<p>Joint planning processes for public education facilities mentioned in ICE Objective 7. ICE Policy 2.10 mentions annexation. Needs additional policies on annexation and joint infrastructure service areas.</p>
<p>b. The intergovernmental coordination element shall provide for a dispute resolution process, as established pursuant to s. 186.509, for bringing intergovernmental disputes to closure in a timely manner.</p>	<p>Needed.</p>
<p>c. The intergovernmental coordination element shall provide for interlocal agreements as established pursuant to s. 333.03(1)(b).</p>	<p>s. 333.03(1)(b), F.S is for interlocal agreements with airports. Not applicable.</p>
<p>2. The intergovernmental coordination element shall also state principles and guidelines to be used in coordinating the adopted comprehensive plan with the plans of school boards and other units of local government providing facilities and services but not having regulatory authority over the use of land. In addition, the intergovernmental coordination element must describe joint processes for collaborative planning and decision making on population projections and public school siting, the location and extension of public facilities subject to concurrency, and siting facilities with countywide significance, including locally unwanted land uses whose nature and identity are established in an agreement.</p>	<p>ICE Policy 7.1.</p>

Intergovernmental Coordination Element

<p>3. Within 1 year after adopting their intergovernmental coordination elements, each county, all the municipalities within that county, the district school board, and any unit of local government service providers in that county shall establish by interlocal or other formal agreement executed by all affected entities, the joint processes described in this subparagraph consistent with their adopted intergovernmental coordination elements. The agreement must:</p>	<p>CIE Objective 2, Policy 2.7, Policy 2.8.</p>
<p>a. Ensure that the local government addresses through coordination mechanisms the impacts of development proposed in the local comprehensive plan upon development in adjacent municipalities, the county, adjacent counties, the region, and the state. The area of concern for municipalities shall include adjacent municipalities, the county, and counties adjacent to the municipality. The area of concern for counties shall include all municipalities within the county, adjacent counties, and adjacent municipalities.</p>	<p>Needs interlocal or other formal agreement with all affected entities, as applicable.</p>
<p>b. Ensure coordination in establishing level of service standards for public facilities with any state, regional, or local entity having operational and maintenance responsibility for such facilities.</p>	<p>ICE Objective 4 and subsequent policies.</p>

Notes:

1. Look for “plan that will specify services provided to location outside of municipal limits to unincorporated areas” (Policy 2.1) and incorporate policy accordingly.
2. Consider amending Policy 2.9 to be consistent with Florida Statutes when now does not limit the submission of plan amendments annually. However, the City is able to keep this limitation if growth management is preferred.

Property Rights Element

Florida Statute 163.3177(6)(i)	Comment
In accordance with the legislative intent expressed in ss. 163.3161(10) and 187.101(3) that governmental entities respect judicially acknowledged and constitutionally protected private property rights, each local government shall include in its comprehensive plan a property rights element to ensure that private property rights are considered in local decision making. A local government may adopt its own property rights element or use the following statement of rights:	
The following rights shall be considered in local decision making:	
1. The right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.	Recently adopted.
2. The right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.	
3. The right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.	
4. The right of a property owner to dispose of his or her property through sale or gift.	
2. Each local government must adopt a property rights element in its comprehensive plan by the earlier of the date of its adoption of its next proposed plan amendment that is initiated after July 1, 2021, or the date of the next scheduled evaluation and appraisal of its comprehensive plan pursuant to s. 163.3191. If a local government adopts its own property rights element, the element may not conflict with the statement of rights provided in subparagraph 1.	

Capital Improvements Element

Florida Statute 163.3177(3)(a) and (b)	Comment
The comprehensive plan shall contain a capital improvements element designed to consider the need for and the location of public facilities in order to encourage the efficient use of such facilities and set forth:	
1. A component that outlines principles for construction, extension, or increase in capacity of public facilities, as well as a component that outlines principles for correcting existing public facility deficiencies, which are necessary to implement the comprehensive plan. The components shall cover at least a 5-year period.	CIE Policy 1.1 provides evaluation criteria. Can remove financial feasibility from this policy. Needs more information based on this requirement.
2. Estimated public facility costs, including a delineation of when facilities will be needed, the general location of the facilities, and projected revenue sources to fund the facilities.	Needs updating based on current conditions and to include when facilities will be needed.
3. Standards to ensure the availability of public facilities and the adequacy of those facilities to meet established acceptable levels of service.	CIE Policy 5.2 mentions LDC regulations. Needs standards as a Policy.
4. A schedule of capital improvements which includes any publicly funded projects of federal, state, or local government, and which may include privately funded projects for which the local government has no fiscal responsibility. Projects necessary to ensure that any adopted level-of-service standards are achieved and maintained for the 5-year period must be identified as either funded or unfunded and given a level of priority for funding.	Update Needed.
5. The schedule must include transportation improvements included in the applicable metropolitan planning organization's transportation improvement program adopted pursuant to s. 339.175(8) to the extent that such improvements are relied upon to ensure concurrency and financial feasibility. The schedule must be coordinated with the applicable metropolitan planning organization's long-range transportation plan adopted pursuant to s. 339.175(7).	Update Needed.
(b) The capital improvements element must be reviewed by the local government on an annual basis. Modifications to update the 5-year capital improvement schedule may be accomplished by ordinance and may not be deemed to be amendments to the local comprehensive plan.	Update Needed. The Capital Improvements Schedule must be updated annually.