



SPECIAL MEETING AGENDA

**Planning and Zoning Board
City of St. Augustine, Florida**

Alcazar Room

Wednesday, July 16, 2025, at 1:30 pm

Agenda

- 1. Roll Call**
- 2. General Public Comments for Items Not on the Agenda**
- 3. Discussion and Recommendation Regarding an Initiative to Develop more Resilient Criteria for Building for Flood Prevention**
 - a. Discussion related to developing criteria in the land development code to incorporate more resilient types of construction and site development techniques in flood prone areas
 - b. Public Comment
 - c. Planning and Zoning Board discussion and recommendation
- 4. Discussion Regarding the Required Evaluation and Appraisal Report (EAR) of the City's Comprehensive Plan**
 - a. Discussion related to the required evaluation of the city's adopted 2040 Comprehensive Plan
 - b. Public Comment
 - c. Planning and Zoning Board discussion and recommendation
- 5. Adjournment**

Notices: In accordance with Florida Statute 286.0105: "If any person decides to appeal any decision made by the Planning and Zoning Board with respect to any matter considered at this scheduled meeting or hearing, the person will need a record of the proceedings, and for such purpose the person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the individual or agency sending notice not later than seven days prior to the proceeding at the address given on the notice. Telephone: (904) 825-1007; 1-800-955-8771 (TDD) or 1-800-955-8770 (V), via Florida Relay Service.

Please note that one or more members of the City Commission or its appointed boards or committees may attend this meeting and participate, however they may not engage in a discussion or debate amongst themselves on any issue that will likely come before their respectively elected or appointed body.

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Planning and Zoning Board

Planning Division Memorandum
Planning and Building Department

TO: Planning and Zoning Board

DATE: July 16, 2025

RE: Discussion and Recommendation regarding an Initiative to Develop more Resilient Criteria for Building for Flood Prevention.

The City Commission has directed staff to work with the city’s Citizen Boards to examine concerns related to development in low-lying and/or flood prone areas. This issue has become more of a concern recently with more frequent development applications proposing significant amounts of fill, higher than minimum finished floor elevations, and building techniques or design, such as on slab construction that minimizes the options to control drainage, runoff and water for residential development.

You may recall that several years ago the city did have an initiative with a “Building Code Task Force” that looked at this issue. This group recommended the adoption of a maximum impervious surface ratio (70% of the lot) in addition to the preexisting lot coverage limits, and the requirement for lot grading plans for new single-family development. These recommendations were adopted and are enforced through the city’s building permit process.

However, the Planning and Zoning Board (PZB) has recognized that these issues impact proposed development which includes infill development in older areas, redevelopment as properties are demolished and redeveloped with new proposals, and character defining features in our historic districts, historic neighborhoods and our entry corridors. As well as, on specific historic structures as property owners and others work to protect their “investment” in the city.

The city held a joint meeting with all three (3) citizen boards in December 2024 to give the Boards an opportunity to discuss these issues as an introduction to the topic. Subsequently, the PZB held its own workshop in February 2025 to specifically discuss this issue. At this meeting staff was able to review current city projects, review current floodplain, CRS and building requirements, and discuss potential enforcement options with the Board.

Additionally, the PZB requested that staff hold a Public Workshop specifically so that the public can provide feedback and input on this issue. This Workshop was held in March.

The March Public Workshop was well attended. Staff worked through a presentation with relevant information that included several stopping points to garner as much feedback from attendees as possible. Those that attended included a mix of contractors as well as property owners.

The main concerns expressed at the Workshop related to the fill issue included:

- Bringing in fill should not adversely impact neighboring properties.
- The need to clarify if any requirements/limitations related to fill are for bringing in fill to raise the entire property or is the fill just related to the type of construction.
- Requirements/limitations on fill should consider surrounding grade and be defined so that the points/references are measurable and can be consistently applied.
- And that the definition of side yards, swales and grading requirements and if fill is considered a structure and therefore limited by a height of less than 30 inches within yards needs to be clarified.

Since the April 1st PZB meeting city staff have worked diligently on drafting potential land development code language. Including holding another PZB Special Meeting on April 30th. The staff draft language focuses on the lot grading issue, which relates to fill and construction techniques and stormwater and master drainage plans.

The draft Chapter 28 language includes:

- Specific lot grading requirements and clarification that this would apply to 1 and 2 family dwellings that are exempt from the Stormwater code.
- Recognition that buildable lots are in different areas that may have different levels of existing conditions in the area or neighborhood related to stormwater controls. This creates a table that refers an applicant to certain standards based on the specific situation of a stormwater system in the specific subdivision.
- Establishing guidelines and clarifying grading plans, and
- Recognizing the importance of erosion control and low impact design.

The draft Chapter 11 language includes:

- Includes changes to clarify certain conditions consistent with the proposed lot grading section.

Based on feedback from the Public Workshop, the several PZB meetings and internal staff review, staff would like the PZB to discuss and provide a recommendation on whether to move forward with an adoption Ordinance to the City Commission.

Thank you for your attention to this matter. We look forward to hearing any of your questions, concerns and input on this important topic.

If you have any questions or require additional information, please do not hesitate to call me at (904) 209-4320 or email at askinner@citystaug.com. Or contact other staff members, Sarah Daugherty, Jessica Beach, Buddy Schauland or Ray Deschler.

Amy McClure Skinner, AICP
Director
Planning and Building Department

Draft Code Amendment Language
Chapter 28 Zoning Code, Supplementary Regulations

Sec. 28-2. - Definitions.

Impervious surface means those surfaces which do not absorb water. They consist of all buildings, parking areas, driveways, roads, sidewalks, any areas of concrete or asphalt and other surfaces not pervious to water. Including any hard surface that prevents or restricts the flow of water into the soil, **including pools.**

Impervious surface, on-lot, means the total amount of impervious surface which is present on a lot **as opposed to lot coverage limitations which are related to roofed area only.**

Impervious surface ratio means a measure of the intensity of land use which is determined by dividing the total area of all impervious surfaces on a site by **that portion of the lot landward of the Mean High-Water Line (MHWL).**

Sec. 28-357. - Residential Lot Grading.

Introduction. The City of St. Augustine contains many platted lots that were recorded prior to local and state agencies requiring storm water management. In addition, the platting did not always take into consideration the natural geographic and drainage conditions affecting each lot. Typically, there was no master drainage infrastructure or master grading plan to guide the platting that occurred. As a result, applicants that wish to build homes now must deal with the existing topographic conditions on the lot and the drainage patterns, limitations or constraints that exist in the vicinity of the lot. The City of St. Augustine Lot Grading section of the code attempts to provide builders with regulatory guidance in dealing with lot grading challenges and issues. More contemporary subdivisions and lots that have been permitted in compliance with current governmental drainage and grading regulations may have more specific considerations based on the specific subdivision plat or development plan.

(1) *Residential Lot Grading Submittal Procedure*

Purpose and Intent. The residential lot grading requirements ensure stormwater impact from applicable residential development is respectful of existing development. This requirement is for single-family development excluded by Sec. 29-26. - Standards and criteria (a.) of Chapter 29 Stormwater Management of the Land Development Code (LDC).

a. Residential Lot Grading Plan Requirements

To achieve these objectives, a residential lot grading plan shall be required to accompany any application for single-family or duplex residential structures constructed in subdivisions platted on or before July 22, 1991, and containing impervious area in excess of five hundred (500) square feet. The proposed grading plan shall be drawn to a legible conventional engineering scale (1-inch = 20 feet, smallest scale accepted) using the site plan and survey as a base map.

Lot Grading Plans should include the following information:

1. North arrow and bar scale.

2. Show proposed Lot Grading Type (A, B, C) as applicable.
 3. Spot elevations of the existing parcel in question—shown on a 25' grid.
 4. Spot elevations on all adjacent properties - 10-feet from the boundaries of the subject property at approximately 25-foot intervals.
 5. Spot elevations at the crown of any roadway abutting the property.
 6. FEMA Flood Zones and BFE.
 7. Limits of impervious surfaces (patios, pool decks, driveways, etc.).
 8. Limits of fill.
 9. Jurisdictional lines (wetlands or conservation easements) and 25-foot buffer as defined in Chapter 11 of the COSA Municipal Code.
 10. Mean High Water
 11. Proposed erosion and sediment control measures during construction and proposed weekly maintenance of silt fences and other erosion control measures during construction.
 12. Necessary easements and rights of way,
 13. Location and use of existing structure(s) and proposed structure(s) with Finish Floor Elevation (FFE) in NAVD88.
 14. Swale locations with typical cross-sections of all proposed swales and of all significant slopes, including the continuation of such features on adjacent properties or right-of-way (exceeding 4:1).
 15. Bulkhead/ retaining wall locations with Top of Wall (TOW) and Bottom of Wall (BOW) elevations in NAVD88 including cross-sections stamped and signed by an engineer.
- b. A separate Right-of-Way Use Permit is required for any work on City right-of-way or property.

(2) General Lot Grading Conditions

Each lot located within the City will have existing conditions associated with it. There may be design and permitting activities that would also have an impact on the lot. A drainage hierarchy exists which will determine the extent to which an applicant will be required to gather survey, drainage and design information for a lot. Each applicant should consider this hierarchy and the implications that result from the actual field and permitted conditions for the lot. These guidelines and this hierarchy cannot cover all possible site conditions to be encountered in the City.

Each applicant must determine the condition and situation that a lot is subject to or the closest existing condition to a defined category in the below chart that would apply, prior to submitting a lot grading application. This can be determined using the following chart:

Category	Condition of Subdivision or Lot	Resulting Design Solution
1	Development on piers, pilings, or crawl space with no fill over six (6) inches regardless of lot condition.	No lot grading plan required.
2	Master planned with approved master drainage plan and master lot & block grading plan and/or part of a permitted stormwater management system	Show compliance with approved master plan(s) and/or permitted system. Grading must conform to any applicable drainage plan as part of the master plan and/or permitted stormwater management system.
3	Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system). This could include some surface drainage with an outfall system and/or paved roadway access.	<ol style="list-style-type: none"> 1. Direct drainage to an existing stormwater system, or roadside swale via drainage swales along lot lines or through gutters. 2. If no roadside swale or stormwater system exists, then direct drainage to the road via lot line swales or gutters. In either case, positive drainage and no impacts to adjacent lots must be demonstrated. 3. For cases where drainage to the street is not feasible, i.e. lots with no stormwater system access that partially or fully drain to the back of the lots (drainage types B and C), use of retention systems, swales and other Low Impact Development (LID) or Best Management Practices should be incorporated as appropriate. 4. Lot grading should demonstrate a positive outfall and identify the receiving waters, stormwater system or outfall.
4	Not Category 2 (not part of a common plan of development with an approved master drainage and/or lot grading plan or permitted drainage system) and adjacent to natural wetland systems, waterways, canals, or bulkheads.	Grade lots based on guidelines, factoring in condition for abutting lots and using positive lot grading; direct drainage via side lot lines and roadway swales; drainage directed to surface waters shall be through a maintained or restored 25-buffer. Confirm no apparent downstream stormwater runoff impacts. Lots within Conservation Overlay Zones will also be reviewed by the requirements found in Chapter 11.

(3) *Lot Grading and Drainage Guidelines*

a. Swales

Swale Types:

Conveyance Swales (those with a positive slope to an outfall or discharge point for drainage) shall be the preferred method for conveying stormwater runoff from residential lots to an appropriate outfall or discharge point such as public rights-of-way or a stormwater management area.

Retention swales (those that are essentially flat and do not provide drainage, they percolate runoff water) are only allowed when onsite storage of water is required.

Protective swales shall be installed on all lots where the drainage flow pattern is directed toward the proposed dwelling and should generally function as a “conveyance swale” although some “retention” may be acceptable in limited areas around the structure.

Swales shall be constructed using the following guidelines:

1. The preferred side slopes should be at least 4:1 (horizontal: vertical), however under no circumstances be steeper than 3:1 and only with City approval
2. Minimum desired (when feasible) depth of 1 foot measured from the swale bottom to the minimum top of bank elevation.
3. Conveyance swales shall be placed alongside property lines.
4. Protective swales must be placed between structure and drainage flow pattern directed towards the structure.
5. Sod all swales from top of slope to top of slope. Maintain and water sod until root system is established.
6. When possible, the lot line will be the centerline of the protective side lot drainage swales.

b. Retaining walls/Bulkheads and related Wingwalls/Floodwalls

Definitions:

Bulkheads are structural in nature and their primary purpose is to provide shoreline protection from waves while retaining upland soil.

Wingwalls are structural elements that extend from a retaining wall or bulkhead. Its primary function is to retain earth and prevent erosion and/or to support the main structure.

Retaining walls are structural in nature and their primary purpose is to hold back earth that would otherwise be unstable and prone to failure. There may be a significant risk to public health, safety and welfare if a retaining wall is improperly constructed.

Floodwalls are structural in nature and their primary purpose is to prevent encroachment of floodwaters.

Landscape planters are decorative in nature and its primary purpose is to elevate a small amount of earth for a landscape planting bed. An elevated bed for a home vegetable garden (non-commercial) or a "tree well" is considered a Landscape Planter. A landscape planter cannot exceed 30 inches or will be considered a retaining wall.

Retaining walls/Bulkheads and related Wingwalls/Floodwalls shall be constructed using the following guidelines:

1. All bulkheads, retaining walls and flood walls shall be designed, signed and sealed by a registered design professional in the State of Florida.
 2. All Bulkheads/Retaining walls/Flood walls placed within Conservation Overlay Zones 1 or 2 shall be reviewed per Section 11-28 to determine if Planning and Zoning Board approval is required.
 3. Retaining walls will be no closer than three (3) feet from any property line and cannot impede the proposed drainage flow pattern.
 4. Retaining walls are limited to a height of three (3) feet which is measured as the distance between the Top of Wall (TOW) and Bottom of Wall (BOW) elevations.
 5. Floodwalls must be designed to allow a minimum of thirty (30) percent of the lot outside of the floodwall. Floodwall height and setbacks must meet fence requirements in Section 28-331.
- c. Driveways and other pervious materials must be a minimum of three (3) feet from any property line except for points of ingress/egress.
- d. Maintenance of fill and erosion control measures

Erosion control associated with lot grading plans shall meet the minimum standards mandated by the State of Florida and the National Pollutant Discharge Elimination System within the City. Approved Best Management Practices (BMP) shall be employed during construction. Reference the Florida Department of Environmental Protection's Florida Development Manual, and Florida Erosion and Sediment Control Inspector's Manual or most recent equivalent. The Florida Erosion and Sediment Control Inspector's Manual is available online.

Maintenance of erosion control and fill shall be presumed to be in disrepair if exposed soil or fill are not contained onsite impacting adjacent properties, roadways, or waterways.

e. Low Impact Development (LID) Stormwater Techniques

Stormwater is recommended to be incorporated into the overall design of the project as amenities. The goal of encouraging the use of these mechanisms is to reduce stormwater runoff, capture contaminants closer to the source and reduce the use of potable water for irrigation and grey water activities. The below list are options other options based on BMP may also be used as demonstrated in the required grading plan:

1. Raised pier construction for homes (allowing for movement of stormwater and additional infiltration area)
2. Rainwater harvesting (rain barrels, underground cisterns, and similar to assist in water conservation)
3. Green roofs
4. Bio-swales
5. Rain gardens
6. Pervious pavement (pervious concrete, pervious pavers, and/or other pervious pavements)

(4) Lots ***With*** an Approved Master Grading Plan

The Proposed Lot Grading Plan shall be submitted for review. The engineering guidelines provide illustrations of the standard FHA types A, B, and C drainage. A, B, and C drainage types should match approved stormwater plans in Category 2. The builder shall propose lot grading and a finished floor elevation consistent with the approved Master Lot Grading Plan. Variances may be requested for requirements of the Lot Grading Plan according to Section 28-29 that are outside of the scope of the Master Lot Grading Plan.

(5) Lots ***Without*** an Approved Master Grading Plan

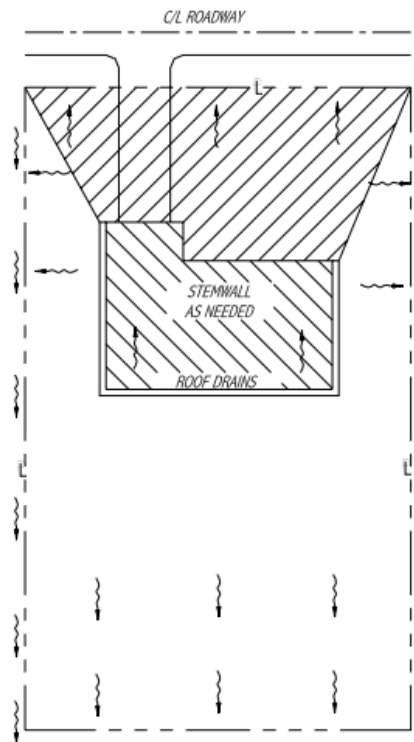
a. Types of Lot Drainage

In Category 3 - 4, A, B, and C drainage types should match the historic or natural drainage pattern except for the below exemption.

1. Type C drainage is discouraged on lots in Category 3 when the rear of the lot does not have sufficient outfall or discharge points. This is because many of these lots trap water and exacerbate existing nuisance conditions. Type "C" lot with no drainage outfall or discharge point will require stem wall, pier, pile, walkout or

similar construction, and shall have grading and drainage plans prepared by a registered design professional in the State of Florida, demonstrating no impacts to neighboring properties or can provide a “Modified Type B” as an exemption from keeping the historic or natural drainage pattern.

2. A “Modified Type B” drainage with gutters directing roof drainage to the front of the lot, and ultimately to the roadside swale, is the preferred method of dealing with lots that slope away from a street where a standard Type “B” lot is not practical. A modified Type “B” lot with no drainage outfall or discharge point will require stem wall, pier, pile, walkout or similar construction.
 - (a) The modified "B" grading shall have at least the impervious roof area of the house, driveway and immediate front yard brought forward to the public right-of-way.
 - (b) The grading transitions by forming a wedge from the foundation of the home to the corners of the lot.
 - (c) In order to ensure that the entire impervious portion of the house drains to the front, roof drains are required over the entire house, manifolded to collection pipes that drain forward with positive outfall to the public right-of-way.



MODIFIED "B"

BRINGS MOST IMPERVIOUS SURFACES FORWARD

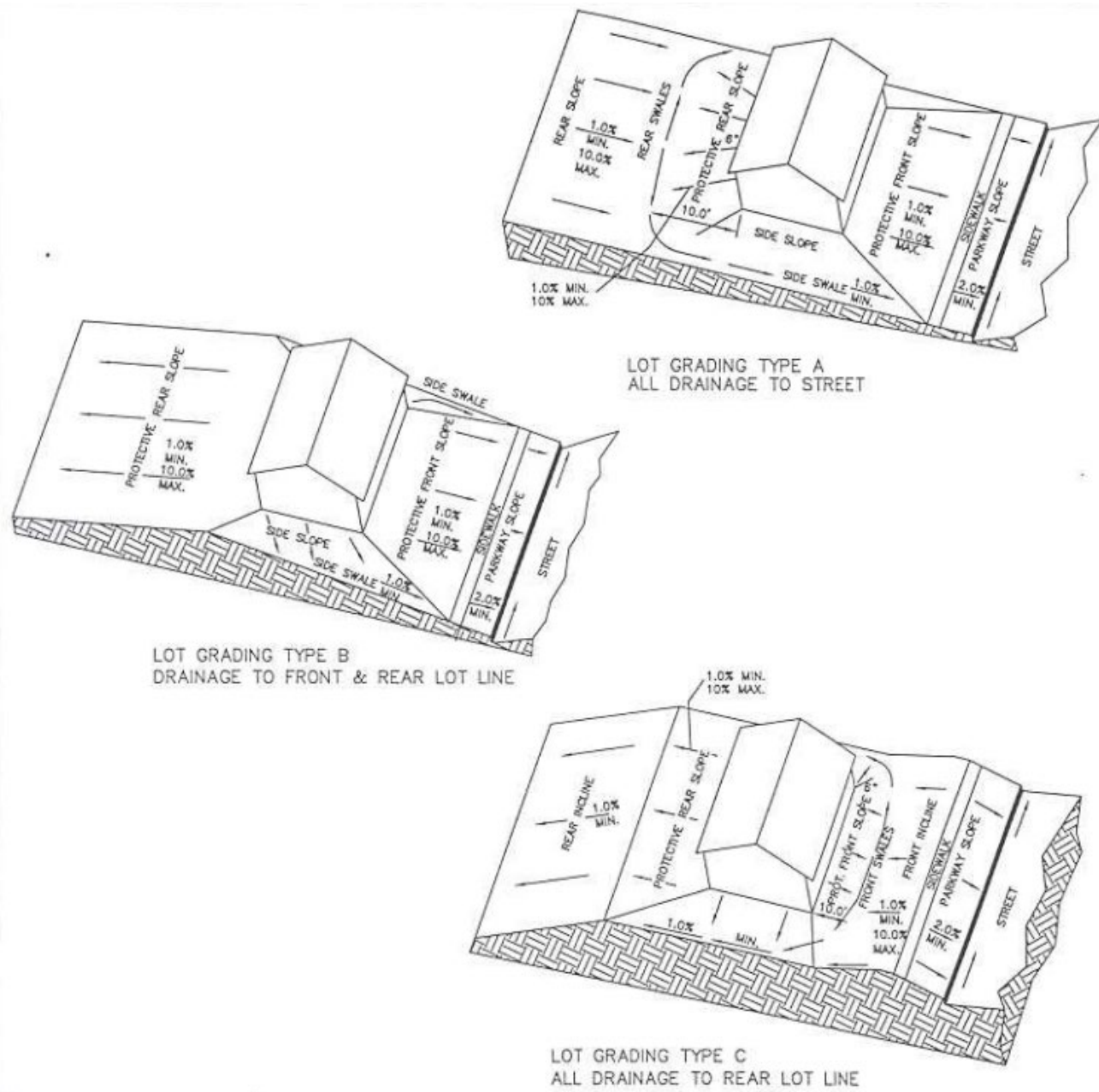
b. Fill requirements:

1. The maximum elevation of the fill on any lot shall be the lesser of a maximum of 1 foot above the highest adjacent grade or .5 feet above the current base flood elevation of the property based on the current FEMA Flood Insurance Rate Map.
2. Fill within stem-wall foundations shall be allowed to exceed the base flood elevation as necessary.
3. The grade shall fall to a minimum of 6 inches above existing or historic grade within the first 10 feet. The final grade along the property boundaries shall match that of the adjacent lot.
4. Lots shall be graded with a minimum slope of 1% (1 ft/ 100ft) in accordance with Type A, B, or C grading pattern.

c. Maximum Impervious Surface Ratio (ISR):

There shall be a maximum impervious surface ratio (ISR) of seventy (70) percent of the lot size for all single-family residential dwelling and duplex development regardless of the zoning district, except as established within the historic preservation districts and not within any master planned communities.

- d. For development not in an approved master grading plan that propose to exceed the above a-c requirements they would need to submit engineered plans through the Utilities/Public Works Civil plan review that demonstrates that the use of Low Impact Development (LID) Stormwater Techniques with a net benefit in storm water retention.
- e. Variances may be requested according to Section 28-29.



Draft Code Amendment Language

Chapter 11 Environmental Protection

Sec. 11-28. Issuance of building permits.

- (a) The planning and zoning board shall review all applications for development in Conservation Overlay Zone 1; all applications for development in Conservation Overlay Zone 2, except as specified in subsection (b); and all applications for development in Conservation Overlay Zone 3, except as specified in subsection (c). Such approval by the planning and zoning board shall be after a public hearing as required by chapter 28.
- (b) The planning and building division may issue permits in Conservation Overlay Zone 2 for:
 - 1. Additions to existing structures, for construction of new secondary structures, such as fences, driveways, decks, patios, greenhouses, garages and sheds, and use permits for uses otherwise permitted to be conducted in these structures located in Conservation Overlay Zone 2 when:
 - a. No drainage into the jurisdictional wetlands is proposed without a maintained or restored 25-foot buffer,
 - b. No significant alteration of surface water hydrology will occur through the placement of fill, shoreline modification or otherwise, and
 - c. Native plant materials are preserved or replaced.
 - 2. The construction of new primary structures located in Conservation Overlay Zone 2 when the above conditions are met and when:
 - a. The subject property already contains a seawall, bulkhead or rip rap shoreline, or
 - b. Is located within one hundred fifty (150) feet of existing development and the primary structure is located no closer to the marsh edge or to the mean high water line than are adjacent primary structures.
 - c. In addition, such additions and new structures may not exceed the lesser of seventy-five (75) feet or seventy-five (75) percent of the lot width.
 - 3. The construction or modification of a bulkhead in Conservation Overlay Zone 2 when all adjacent waterfront properties have an existing bulkhead and either of the following conditions are met:
 - a. The Top of Wall (TOW) elevation of the new or modified bulkhead does not exceed seven (7) feet NAVD88, or
 - b. The Top of Wall (TOW) elevation does not exceed the lowest TOW elevation of any adjacent bulkhead, with the highest allowable TOW elevation of ten (10) feet NAVD88.
- (c) The planning and building division may issue permits for structures and uses otherwise permitted and located within Conservation Overlay Zone 3 provided that all healthy significant trees are retained on the site.

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- (d) Removal of a significant tree shall be approved by the planning and zoning board. All significant trees removed shall be replaced in accordance with the requirements of chapter 25.

(Code 1964, § 7-114; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 09-17, § 1, 5-11-09; Ord. No. 19-03, § 1, 1-28-19)

Sec. 11-29. Standards for review.

- (a) Permits for structures and uses located within Conservation Overlay Zone 1 shall be issued only for structures and related uses such as fishing piers and catwalks, boardwalks, boat docks, boat ramps, marinas, and marine railways, as well as dredging and filling, which are determined to be to the benefit of the public as a whole and which are determined as having no significant negative impact on natural systems, by either individual or cumulative effect. The planning and zoning board is authorized to impose limitations in the nature and manner of construction and/or use so as to avoid damage to adjacent salt marshes and the vegetative communities contained therein, to avoid impacts to adjacent or nearby property owners, eliminate any harm to the animal, fish or shellfish contained therein, to avoid blocking or disrupting vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole.
- (b) Permits for structures and uses located within Conservation Overlay Zone 2 shall be issued only for those structures and related uses which are determined as having no significant negative impact on adjacent properties or natural systems by either individual or cumulative effect and consistent with the purpose of Conservation Overlay Zone 2 to protect the functional integrity of Zone 1 and to protect Zone 3 from extreme high-water conditions. At no time shall the impervious area in Conservation Overlay Zone 2 exceed twenty-five (25) percent without that area receiving treatment equivalent to the St. Johns River Water Management District water quality treatment provisions required when new development is proposed along an unaltered shoreline. The first (landward of the most restrictive jurisdictional line, which may be the mean high-water line or wetlands jurisdictional line) twenty-five (25) feet, measured in width perpendicular to the most restrictive jurisdictional line, in Conservation Overlay Zone 2 shall remain undeveloped except as provided in subsections (1)—(4) of this subsection. If the area is already disturbed, a restoration plan is required. The planning and zoning board is authorized to impose limitations in the following manner so as to avoid damage to adjacent properties, salt marshes and the vegetative communities contained therein, to eliminate any harm to any animal, fish or shellfish life contained therein, to avoid blocking Conservation Overlay Zone 1 vistas and scenic opportunities, and to enhance those vistas and scenic opportunities which are determined to benefit the public as a whole. Rear or side lot drainage from grassed or altered areas of new development along an altered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland; however, the area not treated must be compensated elsewhere in the system. This may be accomplished by providing additional water quality treatment in the system equivalent to that which will be discharged untreated. Water discharged shall be at non-erosive velocities. Rear or side lot drainage from grassed or

altered areas of new development along an unaltered shoreline not directed to a water management system may be discharged to an adjacent water body/wetland through the twenty-five (25) feet buffer (water discharged shall be at non-erosive velocities), with the following permitted activities:

- (1) Pruning vegetation to retain or create a reasonable view. Ground cover and shrub vegetation to a height of thirty-six (36) inches should be retained.
- (2) A maximum of fifty (50) percent of the basal area of trees, and a maximum of fifty (50) percent of the total number of saplings, may be removed for any purpose in a twenty-year period. A healthy, well-distributed strand of trees, saplings, shrubs and ground covers and their living, undamaged root systems shall be left in place. Replacement planting with native, low maintenance vegetation is permitted to maintain the fifty (50) percent level.
- (3) Dead, diseased, unsafe, or fallen trees may be removed.
- (4) Bridges, paths, walkways, gazebos, docks and decks, bulkheads, seawalls, and retaining walls, and accessways to such amenities are permitted across the buffer provided such activities have minimal impact to the wetlands and are scaled to preserve the integrity of the buffer (less than ten (10) percent of the total area calculation of the buffer). These structures must demonstrate that they are of a reasonable, compatible scale to similar structures in the neighboring area. Structures in Conservation Overlay Zone 2 that are connected to adjacent structures in Zones 1 or 3 shall be sized relative to that adjacent structure and be designed so as to minimize off-site visual and environmental impacts. The applicant will present any mitigating design and environmental elements as part of the review of the structure in Conservation Overlay Zone 2.
- (5) For commercial properties with an approved storm water management system, the required 25 foot buffer can be reduced to provide public access to vistas and scenic opportunities which are determined to benefit the public as a whole.

Restoration plan(s) shall be developed to achieve the fifty (50) percent criteria above for those sites already disturbed. If the altered shoreline is bulk-headed, softening of this hardened shoreline with riprap, environmentally engineered materials or other techniques to soften wave energies and promote vegetation is encouraged. Should a softening effort be employed, a reduction in the twenty-five (25) feet buffer may be permitted.

- (c) The following information shall be provided and applications for development in Conservation Overlay Zones shall be evaluated according to the following criteria:
 - (1) Site specific conditions.
 - (2) The site's relationship to adjacent properties including parcel and existing grade elevations, bodies of water and surrounding conservation zones.
 - (3) Natural and proposed drainage patterns.
 - (4) Effect of point and nonpoint discharge in the marine environment.

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- (5) Proposed soil stabilization and erosion control methods.
 - (6) Impact on floodplain including general impacts related to flood management or fill.
 - (7) Impact of development on vegetative and animal communities.
 - (8) Potential for contaminated drainage, storage of pollutants and the use of poisonous chemicals and materials.
 - (9) Effect of shade on vegetation and shellfish.
 - (10) Effect of boat wake and boat traffic on manatees, vegetation, shellfish and wildlife, as well as shoreline erosion.
 - (11) Impact of development on shoreline by linear feet and percent of site.
 - (12) Impact of development on vistas and scenic opportunities by linear feet, height, mass and percent of site.
 - (13) Existing amounts of native plants and proposed retention and use of native plants for landscape and open space purposes.
 - (14) Impact of development on plant and animal habitat and potential loss in acres and percent of site.
 - (15) Impact of development on water quality. Water quality objectives will be presumed to have been met if runoff water is routed to a surface water management system permitted by the St. Johns River Water Management District or to a treatment facility that is equivalent to the water quality treatment criteria (water retention/detention) of the water management district. (An engineer or landscape architect licensed in the State of Florida is required to certify that the treatment facility is equivalent to the district's criteria.)
 - (16) Impact of development on shellfish and on commercial and sport fish and waterfowl.
 - (17) Specific conditions applicable to docks. In addition to the considerations listed in subsections (1) through (16) herein, no boathouse, roofed structure or wall shall be constructed on any dock. This section shall not prohibit the use of bumpers or similar structures built at or near the water line and below deck elevation to protect the dock from damage caused by moored vessels. The deck of any private boat dock shall not exceed eight (8) feet in height above mean high water. Boatlifts mounted on docks, or constructed on or adjacent to a dock, shall be limited to a capacity of twelve thousand (12,000) pounds or less. All boatlifts shall be low profile boatlifts or no profile boatlifts, and no boats in excess of thirty-two (32) feet in length shall be allowed on a boatlift. In addition, the maximum height, excluding masts, antennas and other non-occupiable features, of a boat suspended in a boatlift shall not exceed eight (8) feet above the gunwale (gunnel); whereby, the gunwale (gunnel) is defined as the upper edge of the side of the ship or boat. A low-profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall exceed three (3) feet above the deck. A no profile boatlift is a boatlift for a single watercraft in which no part of the boatlift shall protrude above the deck.

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- (d) Permits for structures and uses located within Conservation Overlay Zone 3 shall be issued only for those structures and uses which do not significantly alter the surface water hydrology or tree canopy cover or cause the removal of significant trees or impact adjacent parcels through the placement of fill. The planning and zoning board is authorized to impose limitations on the nature and manner of construction and/or so as to avoid alteration of surface water hydrology which would increase the flood hazard potential and to minimize the impact on existing trees and native vegetation. Limitations may also be imposed to protect against impacts to adjacent or nearby parcels related to the placement of fill.
- (1) In determining whether or not a permit required by this section should be issued, the city planning and zoning board shall consider and base all decisions on the following:
- a. The condition of the tree with respect to disease, insect attack, danger of falling, proximity to existing or proposed structures and interferences with utility services.
 - b. The necessity of removing a tree to construct proposed improvements in order to allow reasonable economic use of the property.
 - c. The relief of the land where the tree is located and the effect removal of the tree would have on erosion, soil moisture retention, diversion, increased or decreased flow of surface waters and the city master drainage plan or similar plan adopted by the city commission.
 - d. The number and density of trees existing in the neighborhood on improved or unimproved property. The planning and building division shall also be guided by the effect removal of a tree would have on property values in the neighborhood where the property is located and on other vegetation in the neighborhood.
 - e. Whether the tree has been designated a significant tree.
 - f. Impact upon the urban and natural environment, including:
 1. Ground and surface water stabilization.
 2. Water quality and aquifer recharge.
 3. Ecological impacts.
 4. Noise pollution.
 5. Air movement.
 6. Air quality.
 7. Wildlife habitat.
 - g. The ease with which the property owner or agent can alter or revise the proposed development or improvements to accommodate existing trees, including the tree or trees proposed to be removed.
- (e) Issuance of permit. The planning and building division shall issue the removal permit for trees not identified as significant trees under section 11-27 unless, upon consideration of the criteria set forth above, it finds any of the following will result:

-
- (1) That the property owner or agent will not be unreasonably affected in shifting the location of the proposed structure, building or improvement, which shift will maintain the existence of the subject trees and still permit construction of such building or improvement on the site.
 - (2) That the property owner or agent will not be unreasonably affected in modifying the design of the proposed structure, building or other improvement, which modification will maintain the existence of the trees proposed to be removed and still permit construction substantially similar to that originally proposed.
 - (3) That the removal of the subject trees will have a substantial adverse impact on the urban and natural environment.
 - (4) That the subject trees are significant trees and removal must be reviewed by the planning and zoning board.

(Code 1964, § 7-115; Ord. No. 96-02, § 1, 2-26-96; Ord. No. 00-34, § 1, 10-9-00; Ord. No. 01-14, § 1, 7-23-01; Ord. No. 04-01, § 1, 1-26-04; Ord. No. 14-14, § 1, 9-22-14; Ord. No. 19-03, § 1, 1-28-19; Ord. No. 24-17, § 2, 6-10-24)



City of St. Augustine

Planning Division Memorandum
Planning and Building Department

TO: Planning and Zoning Board

DATE: July 16, 2025

RE: Discussion Regarding the Required Evaluation and Appraisal Report (EAR) of the City's Comprehensive Plan

The City of St. Augustine is undertaking a state required Comprehensive Plan Evaluation and Appraisal Report (EAR). Every local government in the state of Florida is required to have and maintain a Comprehensive Plan. Rule Chapter 73C-49, Florida Administrative Code and Section 163.3191 of Florida Statutes require, at least every seven (7) years, local governments determine whether the need exists to amend the comprehensive plan to reflect changes since the last time the Comprehensive Plan was updated.

The last Evaluation and Appraisal Report was completed in 2018. The City of St. Augustine is required to determine if an Evaluation and Appraisal Report is required prior to December of 2025. If required, related amendments would require to be adopted within one-year of notification to the Florida Department of Commerce (formerly the Department of Economic Opportunity). If amendments are not adopted within one year of notification, the city would not be allowed to make any amendments to the city's comprehensive plan.

Below is a tentative project schedule. It is important to note that the schedule is tentative. All Planning and Zoning Board review meetings would allow public comments. The purpose of this item is to introduce the Planning Board to the review process, obtain any input, and identify any concerns or issues with the proposed process. If you have any questions or require additional information, please do not hesitate to call me at (904) 209-4331 or email at jfredriksson@citystaug.com or Amy Skinner at (904) 209-4320 or email at askinner@citystaug.com.

Date	Type of Meeting	Topic
July 16, 2025	Planning and Zoning Board	General discussion of the required Evaluation and Appraisal Report (EAR)
September 2, 2025	Planning and Zoning Board	Presentation of staff findings
September 18, 2025	Historic Architectural Review Board	Presentation of staff findings
October 20, 2025	Planning and Zoning Board	Recommendation of EAR to the City Commission
November 10, 2025	City Commission	Approve city EAR letter to State

Jacob Fredriksson, CNU-A
Planning Manager
Planning and Building Department

**CHAPTER 73C-49
COMMUNITY PLANNING SCHEDULE FOR
LOCAL GOVERNMENTS' EVALUATION AND APPRAISAL NOTIFICATION LETTER**

73C-49.001 Purpose and Effect; Schedule
73C-49.002 Schedule (Repealed)

73C-49.001 Purpose and Effect; Schedule.

(1) The purpose of this chapter is to establish the due dates for the evaluation and appraisal notification letter to be submitted by the local governing body and sent to the department pursuant to Section 163.3191(1), F.S. The evaluation and appraisal notification letter is the principal process for updating local comprehensive plans to reflect changes in state requirements in Chapter 163, Part II, F.S., since the last update of the comprehensive plan. The schedule divides the workload for the department over the submittal period and meets the required local governments deadlines set in Section 163.3191, F.S. Local governments which fail to submit the notification letter by their scheduled due date are subject to provisions of Section 163.3191(4), F.S.

(2) Local governing bodies shall submit their evaluation and appraisal notification letter to the Department of Economic Opportunity, Bureau of Community Planning, Caldwell Building, 107 East Madison Street, MSC 160, Tallahassee, FL 32399-6545, Attention Plan Processing Unit, in accordance with the schedule set forth below, and on the same day and month every seven years thereafter:

LOCAL GOVERNMENT	NOTIFICATION DUE DATE
ALACHUA CITY	1/1/2019
ALACHUA COUNTY	4/1/2018
ALFORD	1/1/2020
ALTAMONTE SPRINGS	10/1/2017
ALTHA	5/1/2021
ANNA MARIA	12/1/2021
APALACHICOLA	2/1/2019
APOPKA	8/1/2017
ARCADIA	2/1/2019
ARCHER	12/1/2020
ASTATULA	2/1/2020
ATLANTIC BEACH	3/1/2017
ATLANTIS	11/1/2020
AUBURNDALE	11/1/2017
AVENTURA	1/1/2021
AVON PARK	3/1/2022
BAKER COUNTY	4/1/2018
BAL HARBOUR	1/1/2020
BALDWIN	6/1/2018
BARTOW	10/1/2017
BASCOM	2/1/2020
BAY COUNTY	10/1/2023
BAY HARBOR ISLAND	2/1/2019
BAY LAKE	7/1/2017
BELL	11/1/2021
BELLE GLADE	2/1/2022
BELLE ISLE	2/1/2017
BELLEAIR	2/1/2022
BELLEAIR BEACH	2/1/2022
BELLEAIR BLUFFS	2/1/2022
BELLEAIR SHORE	3/1/2022

BELLEVIEW	6/1/2020
BEVERLY BEACH	11/1/2020
BISCAYNE PARK	10/1/2017
BLOUNTSTOWN	3/1/2019
BOCA RATON	10/1/2017
BONIFAY	7/1/2022
BONITA SPRINGS	4/1/2023
BOWLING GREEN	10/1/2020
BOYNTON BEACH	8/1/2022
BRADENTON	9/1/2023
BRADENTON BEACH	7/1/2018
BRADFORD COUNTY	8/1/2018
BRANFORD	12/1/2020
BREVARD COUNTY	12/1/2023
BRINY BREEZES	4/1/2019
BRISTOL	11/1/2020
BRONSON	5/1/2019
BROOKER	4/1/2021
BROOKSVILLE	1/1/2023
BROWARD COUNTY	12/1/2020
BUNNELL	12/1/2020
BUSHNELL	6/1/2021
CALHOUN COUNTY	6/1/2019
CALLAHAN	11/1/2019
CALLAWAY	4/1/2023
CAMPBELLTON	5/1/2020
CAPE CANAVERAL	10/1/2017
CAPE CORAL	10/1/2021
CARRABELLE	4/1/2019
CARYVILLE	10/1/2017
CASSELBERRY	7/1/2023
CEDAR KEY	8/1/2023
CENTER HILL	7/1/2021
CENTURY	10/1/2019
CHARLOTTE COUNTY	4/1/2021
CHATTAHOOCHEE	12/1/2022
CHIEFLAND	5/1/2017
CHIPLEY	8/1/2019
CINCO BAYOU	8/1/2023
CITRUS COUNTY	7/1/2020
CLAY COUNTY	10/1/2023
CLEARWATER	12/1/2022
CLERMONT	10/1/2021
CLEWISTON	3/1/2021
CLOUD LAKE	3/1/2022
COCOA	10/1/2017
COCOA BEACH	1/1/2021
COCONUT CREEK	5/1/2022
COLEMAN	8/1/2021
COLLIER COUNTY	1/1/2021

COLUMBIA COUNTY	7/1/2019
COOPER CITY	12/1/2021
CORAL GABLES	11/1/2023
CORAL SPRINGS	8/1/2020
COTTONDALE	6/1/2020
CRESCENT CITY	6/1/2021
CRESTVIEW	5/1/2017
CROSS CITY	2/1/2019
CRYSTAL RIVER	6/1/2018
CUTLER BAY	4/1/2021
DADE CITY	4/1/2017
DANIA BEACH	2/1/2023
DAVENPORT	10/1/2017
DAVIE	8/1/2023
DAYTONA BEACH	10/01/2023
DAYTONA BEACH SHORES	1/1/2024
DEBARY	10/1/2017
DEERFIELD BEACH	5/1/2021
DEFUNIAK SPRINGS	10/1/2017
DELAND	11/1/2023
DELRAY BEACH	12/1/2022
DELTONA	10/1/2017
DESOTO COUNTY	9/1/2020
DESTIN	1/1/2019
DIXIE COUNTY	11/1/2020
DORAL	6/1/2018
DUNDEE	10/1/2017
DUNEDIN	12/1/2022
DUNNELLON	12/1/2021
DUVAL/JACKSONVILLE	11/1/2023
EAGLE LAKE	5/1/2018
EATONVILLE	12/1/2021
EBRO	10/1/2017
EDGEWATER	4/1/2018
EDGEWOOD	8/1/2019
EL PORTAL	3/1/2019
ESCAMBIA COUNTY	6/1/2017
ESTO	4/1/2020
EUSTIS	11/1/2017
EVERGLADES CITY	3/1/2019
FANNING SPRINGS	2/1/2021
FELLSMERE	7/1/2020
FERNANDINA BEACH	9/1/2019
FLAGLER BEACH	1/1/2019
FLAGLER COUNTY	12/1/2018
FLORIDA CITY	1/1/2022
FORT LAUDERDALE	5/1/2022
FORT MEADE	10/1/2020
FORT MYERS	9/1/2021
FORT MYERS BEACH	8/1/2023

FORT PIERCE	2/1/2018
FORT WALTON BEACH	1/1/2018
FORT WHITE	10/1/2020
FRANKLIN COUNTY	5/1/2023
FREEPORT	4/1/2019
FROSTPROOF	11/1/2017
FRUITLAND PARK	11/1/2021
GADSDEN COUNTY	5/1/2019
GAINESVILLE	5/1/2019
GILCHRIST COUNTY	9/1/2020
GLADES COUNTY	6/1/2017
GLEN RIDGE	2/1/2023
GLEN ST. MARY	12/1/2019
GOLDEN BEACH	8/1/2023
GOLF	6/1/2021
GRACEVILLE	3/1/2022
GRAND RIDGE	7/1/2020
GRANT-VALKARIA	4/1/2018
GREEN COVE SPRINGS	9/1/2018
GREENACRES	9/1/2022
GREENSBORO	1/1/2021
GREENVILLE	2/1/2021
GREENWOOD	8/1/2020
GRETNA	1/1/2021
GROVELAND	10/1/2017
GULF BREEZE	12/1/2018
GULF COUNTY	12/1/2023
GULFPORT	4/1/2023
GULFSTREAM	7/1/2023
HAINES CITY	1/1/2018
HALLANDALE BEACH	9/1/2023
HAMILTON COUNTY	11/1/2019
HAMPTON	6/1/2021
HARDEE COUNTY	10/1/2017
HASTINGS	3/1/2019
HAVANA	1/1/2021
HAVERHILL	4/1/2016
HAWTHORNE	12/1/2021
HENDRY COUNTY	10/1/2017
HERNANDO COUNTY	12/1/2019
HIALEAH	8/1/2021
HIALEAH GARDENS	5/1/2021
HIGH SPRINGS	6/1/2020
HIGHLAND BEACH	1/1/2018
HIGHLAND PARK	11/1/2017
HIGHLANDS COUNTY	9/1/2017
HILLCREST HEIGHTS	2/1/2020
HILLIARD	1/1/2020
HILLSBORO BEACH	4/1/2017
HILLSBOROUGH COUNTY	6/1/2022

HOLLY HILL	9/1/2017
HOLLYWOOD	2/1/2022
HOLMES BEACH	2/1/2023
HOLMES COUNTY	3/1/2020
HOMESTEAD	7/1/2023
HORSESHOE BEACH	4/1/2019
HOWEY-IN-THE-HILLS	10/1/2017
HYPOLUXO	1/1/2023
INDIALANTIC	11/1/2023
INDIAN CREEK VILLAGE	12/1/2019
INDIAN HARBOUR BEACH	10/1/2017
INDIAN RIVER COUNTY	10/1/2017
INDIAN RIVER SHORES	10/1/2017
INDIAN ROCKS BEACH	4/1/2017
INDIAN SHORES	7/1/2022
INGLIS	7/1/2017
INTERLACHEN	8/1/2021
INVERNESS	4/1/2022
ISLAMORADA	12/1/2022
JACKSON COUNTY	11/1/2017
JACKSONVILLE BEACH	5/1/2020
JACOB CITY	8/1/2020
JASPER	3/1/2020
JAY	11/1/2019
JEFFERSON COUNTY	11/1/2023
JENNINGS	6/1/2020
JUNO BEACH	5/1/2019
JUPITER	6/1/2022
JUPITER INLET COLONY	9/1/2022
JUPITER ISLAND	5/1/2018
KENNETH CITY	5/1/2022
KEY BISCAYNE	7/1/2018
KEY COLONY BEACH	7/1/2021
KEY WEST	1/1/2019
KEYSTONE HEIGHTS	6/1/2018
KISSIMMEE	8/1/2017
LABELLE	10/1/2018
LA CROSSE	4/1/2021
LADY LAKE	5/1/2020
LAFAYETTE COUNTY	11/1/2019
LAKE ALFRED	10/1/2017
LAKE BUENA VISTA	7/1/2017
LAKE BUTLER	8/1/2021
LAKE CITY	4/1/2021
LAKE CLARKE SHORES	6/1/2023
LAKE COUNTY	5/1/2017
LAKE HAMILTON	5/1/2018
LAKE HELEN	7/1/2019
LAKE MARY	7/1/2017
LAKE PARK	10/1/2022

LAKE PLACID	1/1/2020
LAKE WALES	6/1/2019
LAKE WORTH	10/1/2023
LAKELAND	8/1/2017
LANTANA	6/1/2023
LARGO	12/1/2022
LAUDERDALE-BY-THE-SEA	9/1/2022
LAUDERDALE LAKES	5/1/2018
LAUDERHILL	6/1/2013
LAUREL HILL	6/1/2018
LAWTEY	7/1/2014
LAYTON	2/1/2022
LAZY LAKE	3/1/2019
LEE TOWN	3/1/2021
LEE COUNTY	5/1/2021
LEESBURG	9/1/2021
LEON/TALLAHASSEE	1/1/2023
LEVY COUNTY	12/1/2022
LIBERTY COUNTY	8/1/2020
LIGHTHOUSE POINT	6/1/2023
LIVE OAK	3/1/2021
LONGBOAT KEY	12/1/2021
LONGWOOD	6/1/2023
LOXAHATCHEE GROVES	8/1/2021
LYNN HAVEN	2/1/2017
MACCLENNY	10/1/2017
MADEIRA BEACH	5/1/2022
MADISON CITY	3/1/2021
MADISON COUNTY	5/1/2020
MAITLAND	9/1/2017
MALABAR	8/1/2023
MALONE	8/1/2020
MANALAPAN	3/1/2022
MANATEE COUNTY	12/1/2020
MANGONIA PARK	5/1/2019
MARATHON	1/1/2019
MARCO ISLAND	3/1/2022
ARGATE	1/1/2024
MARIANNA	8/1/2019
MARINELAND	10/1/2019
MARION COUNTY	2/1/2018
MARTIN COUNTY	12/1/2023
MARY ESTHER	3/1/2017
MASCOTTE	9/1/2020
MAYO	10/1/2020
MCINTOSH	5/1/2021
MEDLEY	2/1/2023
MELBOURNE	1/1/2024
MELBOURNE BEACH	10/1/2017
MELBOURNE VILLAGE	8/1/2012

MEXICO BEACH	6/1/2019
MIAMI	11/1/2022
MIAMI BEACH	4/1/2018
MIAMI GARDENS	4/1/2021
MIAMI LAKES	9/1/2019
MIAMI SHORES	7/1/2022
MIAMI SPRINGS	8/1/2016
MIAMI-DADE COUNTY	12/1/2019
MICANOPY	5/1/2021
MIDWAY	1/1/2021
MILTON	1/1/2020
MINNEOLA	9/1/2020
MIRAMAR	6/1/2017
MONROE COUNTY	5/1/2021
MONTICELLO	9/1/2020
MONTVERDE	10/1/2020
MOORE HAVEN	9/1/2017
MOUNT DORA	4/1/2019
MULBERRY	4/1/2019
NAPLES	9/1/2023
NASSAU COUNTY	10/1/2017
NEPTUNE BEACH	11/1/2018
NEW PORT RICHEY	12/1/2021
NEW SMYRNA BEACH	4/1/2018
NEWBERRY	7/1/2021
NICEVILLE	10/1/2017
NORTH BAY	12/1/2021
NORTH LAUDERDALE	5/1/2022
NORTH MIAMI	12/1/2021
NORTH MIAMI BEACH	4/1/2018
NORTH PALM BEACH	1/1/2024
NORTH PORT	12/1/2022
NORTH REDINGTON BEACH	11/1/2021
NOMA	4/1/2020
OAK HILL	7/1/2019
OAKLAND	9/1/2019
OAKLAND PARK	12/1/2021
OCALA	8/1/2019
OCEAN BREEZE PARK	3/1/2020
OCEAN RIDGE	4/1/2017
OCOE	1/1/2020
OKALOOSA COUNTY	10/1/2023
OKEECHOBEE CITY	9/1/2019
OKEECHOBEE COUNTY	5/1/2019
OLDSMAR	8/1/2022
OPA-LOCKA	2/1/2019
ORANGE CITY	1/1/2018
ORANGE COUNTY	5/1/2023
ORANGE PARK	1/1/2024
ORCHID	10/1/2020

ORLANDO	6/1/2023
ORMOND BEACH	6/1/2017
OSCEOLA COUNTY	8/1/2017
OTTER CREEK	6/1/2019
OVIEDO	11/1/2017
PAHOKEE	9/1/2023
PALATKA	7/1/2022
PALM BAY	3/1/2021
PALM BEACH TOWN	4/1/2023
PALM BEACH COUNTY	11/1/2019
PALM BEACH GARDENS	12/1/2022
PALM BEACH SHORES	12/1/2017
PALM COAST	2/1/2021
PALM SHORES	9/1/2017
PALM SPRINGS	11/1/2023
PALMETTO	11/1/2017
PALMETTO BAY	3/1/2021
PANAMA CITY	8/1/2017
PANAMA CITY BEACH	12/1/2023
PARKER	9/1/2017
PARKLAND	8/1/2022
PASCO COUNTY	6/1/2020
PAXTON	5/1/2019
PEMBROKE PARK	8/1/2020
PEMBROKE PINES	10/1/2021
PENNEY FARMS	11/1/2017
PENSACOLA	11/1/2018
PERRY	7/1/2020
PIERSON	11/1/2019
PINECREST	5/1/2018
PINELLAS COUNTY	3/1/2022
PINELLAS PARK	6/1/2023
PLANT CITY	4/1/2023
PLANTATION	11/1/2020
POLK CITY	6/1/2020
POLK COUNTY	8/1/2017
POMONA PARK	10/1/2021
POMPANO BEACH	1/1/2024
PONCE DE LEON	4/1/2020
PONCE INLET	11/1/2022
PORT ORANGE	10/1/2017
PORT RICHEY	11/1/2022
PORT ST. JOE	3/1/2017
PORT ST. LUCIE	9/1/2019
PUNTA GORDA	11/1/2022
PUTNAM COUNTY	10/1/2017
QUINCY	1/1/2022
RAIFORD	9/1/2021
REDDICK	9/1/2021
REDINGTON BEACH	12/1/2022

REDINGTON SHORES	1/1/2023
REEDY CREEK	7/1/2017
RIVIERA BEACH	7/1/2017
ROCKLEDGE	2/1/2018
ROYAL PALM BEACH	4/1/2023
SAFETY HARBOR	4/1/2022
SAN ANTONIO	9/1/2016
SANFORD	11/1/2023
SANIBEL	8/1/2021
SANTA ROSA COUNTY	12/1/2023
SARASOTA CITY	12/1/2022
SARASOTA COUNTY	4/1/2020
SATELLITE BEACH	12/1/2023
SEA RANCH LAKES	10/1/2019
SEBASTIAN	8/1/2019
SEBRING	10/1/2017
SEMINOLE CITY	3/1/2018
SEMINOLE COUNTY	12/1/2022
SEWALL'S POINT	4/1/2020
SHALIMAR	9/1/2019
SNEADS	8/1/2020
SOUTH BAY	4/1/2018
SOUTH DAYTONA	5/1/2017
SOUTH MIAMI	4/1/2017
SOUTH PALM BEACH	12/1/2022
SOUTH PASADENA	3/1/2022
SOUTHWEST RANCHES	12/1/2023
SOPCHOPPY	12/1/2019
SPRINGFIELD	8/1/2017
ST. AUGUSTINE	12/1/2018
ST. AUGUSTINE BEACH	4/1/2018
ST. CLOUD	2/1/2021
ST. JOHNS COUNTY	8/1/2017
ST. LEO	8/1/2023
ST. LUCIE COUNTY	10/1/2017
ST. LUCIE VILLAGE	7/1/2020
ST. MARKS	1/1/2018
ST. PETERSBURG	5/1/2023
ST. PETE BEACH	7/1/2023
STARKE	9/1/2020
STUART	6/1/2019
SUMTER COUNTY	9/1/2019
SUNNY ISLES BEACH	12/1/2021
SUNRISE	7/1/2023
SURFSIDE	1/1/2024
SUWANNEE COUNTY	6/1/2019
SWEETWATER	7/1/2018
TAMARAC	6/1/2022
TAMPA	2/1/2023
TARPON SPRINGS	8/1/2023

TAVARES	7/1/2021
TAYLOR COUNTY	6/1/2017
TEMPLE TERRACE	6/1/2023
TEQUESTA	2/1/2023
TITUSVILLE	6/1/2017
TREASURE ISLAND	11/1/2019
TRENTON	11/1/2021
UMATILLA	3/1/2020
UNION COUNTY	10/1/2021
VALPARAISO	2/1/2019
VENICE	6/1/2017
VERNON	10/1/2017
VERO BEACH	2/1/2022
VIRGINIA GARDENS	8/1/2023
VOLUSIA COUNTY	11/1/2022
WAKULLA COUNTY	5/1/2017
WALDO	9/1/2021
WALTON COUNTY	3/1/2018
WASHINGTON COUNTY	10/1/2017
WAUCHULA	10/1/2018
WAUSAU	10/1/2017
WEBSTER	1/1/2019
WEEKI WACHEE	4/1/2019
WELAKA	10/1/2021
WELLINGTON	7/1/2023
WEST MELBOURNE	10/1/2017
WEST MIAMI	10/1/2022
WEST PALM BEACH	12/1/2022
WEST PARK	6/1/2021
WESTON	1/1/2023
WESTVILLE	4/1/2020
WEWAHITCHKA	10/1/2018
WHITE SPRINGS	7/1/2020
WILDWOOD	2/1/2020
WILLISTON	7/1/2017
WILTON MANORS	6/1/2017
WINDERMERE	6/1/2017
WINTER GARDEN	6/1/2017
WINTER HAVEN	10/1/2018
WINTER PARK	2/1/2023
WINTER SPRINGS	9/1/2023
WORTHINGTON SPRINGS	10/1/2014
YANKEETOWN	7/1/2019
ZEPHYRHILLS	9/1/2017
ZOLFO SPRINGS	5/1/2022

Rulemaking Authority 163.3191(5) FS. Law Implemented 163.3191 FS. History–New 9-26-12, Amended 4-30-17.

73C-49.002 Schedule.

Rulemaking Authority 163.3191(1), 163.3191(5) FS. Law Implemented 163.3191 FS. History–New 9-26-12, Repealed 4-30-17.

The 2024 Florida Statutes (including 2025 Special Session C)

Title XI
COUNTY ORGANIZATION AND
INTERGOVERNMENTAL RELATIONS

Chapter 163
INTERGOVERNMENTAL PROGRAMS

163.3191 Evaluation and appraisal of comprehensive plan.—

(1) At least once every 7 years, each local government shall evaluate its comprehensive plan to determine if plan amendments are necessary to reflect a minimum planning period of at least 10 years as provided in s. 163.3177(5) or to reflect changes in state requirements in this part since the last update of the comprehensive plan, and notify the state land planning agency as to its determination. The notification must include a separate affidavit, signed by the chair of the governing body of the county or the mayor of the municipality, attesting that all elements of its comprehensive plan comply with this subsection. The affidavit must also include a certification that the adopted comprehensive plan contains the minimum planning period of 10 years, as provided in s. 163.3177(5), and must cite the source and date of the population projections used in establishing the 10-year planning period.

(2) If the local government determines amendments to its comprehensive plan are necessary to reflect changes in state requirements, the local government must prepare and transmit within 1 year such plan amendment or amendments for review pursuant to s. 163.3184.

(3) Local governments shall comprehensively evaluate and, as necessary, update comprehensive plans to reflect changes in local conditions. Plan amendments transmitted pursuant to this section must be reviewed pursuant to s. 163.3184(4). Updates to the required elements and optional elements of the comprehensive plan must be processed in the same plan amendment cycle.

(4) If a local government fails to submit the letter and affidavit prescribed by subsection (1) or to transmit the update to its plan pursuant to subsection (3) within 1 year after the date the letter was transmitted to the state land planning agency, it may not initiate or adopt any publicly initiated plan amendments to its comprehensive plan until such time as it complies with this section, unless otherwise required by general law. This prohibition on plan amendments does not apply to privately initiated plan amendments. The failure of the local government to timely update its plan may not be the basis for the denial of privately initiated comprehensive plan amendments.

(5) If it is determined that a local government has failed to update its comprehensive plan pursuant to this section, the state land planning agency must provide the required population projections that must be used by the local government to update the comprehensive plan. The local government shall initiate an update to its comprehensive plan within 3 months following the receipt of the population projections and must transmit the update within 12 months. If the state land planning agency finds the update is not in compliance, it must establish the timeline to address the deficiencies, not to exceed an additional 12-month period. If the update is challenged

by a third party, the local government may seek approval from the state land planning agency to process publicly initiated plan amendments that are necessary to accommodate population growth during the pendency of the litigation. During the update process, the local government may provide alternative population projections based on professionally accepted methodologies, but only if those population projections exceed the population projections provided by the state land planning agency and only if the update is completed within the timeframe set forth in this subsection.

(6) 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 the requirements of this section.

History.—s. 11, ch. 75-257; s. 10, ch. 85-55; s. 11, ch. 86-191; s. 10, ch. 92-129; s. 13, ch. 93-206; s. 6, ch. 95-322; s. 29, ch. 96-410; s. 5, ch. 96-416; s. 4, ch. 98-146; ss. 6, 14, ch. 98-176; s. 5, ch. 98-258; s. 17, ch. 2000-158; s. 9, ch. 2002-296; s. 905, ch. 2002-387; s. 4, ch. 2004-230; s. 8, ch. 2005-290; s. 12, ch. 2005-291; s. 13, ch. 2007-196; s. 5, ch. 2007-198; s. 4, ch. 2007-204; s. 5, ch. 2010-205; s. 20, ch. 2011-139; s. 8, ch. 2012-96; s. 9, ch. 2012-99; s. 2, ch. 2023-31.

Statutory Changes to the Community Planning Act

Chapter 163, Part II, Florida Statutes: 2016-2022



2016: [Chapter 2016-10, section 13, Laws of Florida, effective May 10, 2016; Chapter 2016-148, sections 2-4, Laws of Florida, effective July 1, 2016]

1. Section 163.3177, Florida Statutes (F.S.), **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2016-10, section 13, Laws of Florida)
 - Removes language in subsection (6)(a)11., requiring local governments to transmit comprehensive plan updates or amendments to address compatibility of lands adjacent to or closely proximate to existing military installations or lands adjacent to an airport to the state land planning agency by June 30, 2012.
2. Section 163.3175, F.S., **Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information Between Local Governments and Military Installations** (Chapter 2016-148, section 2, Laws of Florida)
 - Modifies subsection (7) to state that a representative of a military installation is not required to file a statement of financial interest pursuant to section 112.3145, F.S., solely due to his or her service on the local government's land planning or zoning board.
3. Section 163.3184, F.S., **Process for Adoption of Comprehensive Plans or Plan Amendments** (Chapter 2016-148, section 3, Laws of Florida)
 - 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.

4. Section 163.3245, F.S., **Sector Plans** (Chapter 2016-148, section 4, Laws of Florida)
 - 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.

2017: [None]

2018: [Chapter 2018-34, section 1, Laws of Florida, Effective March 19, 2018; Chapter 2018-158, sections 7, 8, and 21, Laws of Florida, Effective April 6, 2018.]

1. Section 163.3221, F.S., **Florida Local Government Development Agreement Act; Definitions** (Chapter 2018-34, section 1, Laws of Florida)
 - 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.
2. Section 163.3245, F.S., **Sector Plans** (Chapter 2018-158, section 7, Laws of Florida)
 - Updates statutory cross references within subsection (3)(e) and subsection (12).
 - Revises subsection (6) to amend the requirements associated with a master development approval.
3. Section 163.3246, F.S., **Local Government Comprehensive Planning Certification Program** (Chapter 2018-158, section 8, Laws of Florida)
 - Updates the Local Government Comprehensive Planning Certification Program to modify language of subsections (11), (12), and (14) referencing Developments of Regional Impact.
4. Section 163.3164, F.S., **Community Planning Act; Definitions** (Chapter 2018-158, section 21, Laws of Florida)
 - Renumbers existing subsections (31) through (51) as (32) through (52) and adds a new subsection (31) to define “master development plan” or “master plan”.

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

1. Section 163.3177, F.S., **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2019-3, section 31, Laws of Florida)
 - Updates statutory reference related to affordable workforce housing within subsection (6)(f).

2. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges** (Chapter 2019-106, section 1, Laws of Florida)
 - 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.

3. Section 163.3175, F.S., **Legislative Findings on Compatibility of Development with Military Installations; Exchange of Information Between Local Governments and Military Installations** (Chapter 2019-144, section 1, Laws of Florida)
 - Redesignates existing paragraphs (i) through (n) of subsection (2) as paragraphs (j) through (o).
 - Adds new paragraphs (i) and (p) to subsection (2) to specify additional local governments that must coordinate with certain military installations regarding the compatibility of land development.

4. Section 163.3209, F.S., **Electric Transmission and Distribution Line Right-of-way Maintenance** (Chapter 2019-155, section 2, Laws of Florida)
 - 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.

5. Section 163.3187, F.S., **Process for Adoption of Small-Scale Comprehensive Plan Amendment** (Chapter 2019-157, section 1, Laws of Florida)
 - Removes subsection (1)(b), which specified the cumulative annual acreage maximum of adopted small-scale comprehensive plan amendments.

6. Section 163.3167, F.S., **Scope of Act** (Chapter 2019-165, section 3, Laws of Florida)
 - 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.

7. Section 163.3180, F.S., **Concurrency** (Chapter 2019-165, section 4, Laws of Florida)
 - 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.

8. Section 163.31801, F.S., **Impact Fees; Short Title; Minimum Requirements: Audits;**

Challenges (Chapter 2019-165, section 5, Laws of Florida)

- 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.
9. Section 163.3202, F.S., **Land Development Regulations** (Chapter 2019-165, section 6, Laws of Florida)
- Adds paragraph (j) to subsection (2) to require preexisting development orders to be incorporated into local land development regulations.
10. Section 163.3215, F.S., **Standing to Enforce Local Comprehensive Plans Through Development Orders** (Chapter 2019-165, section 7, Laws of Florida)
- 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.

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

1. Section 163.3178, F.S., **Coastal Management** (Chapter 2020-2, section 27, Laws of Florida)
- Amends subsection (2)(k) to update statutory references.
 - Revises paragraphs (b) and (c) within subsection (8) to remove outdated deadlines.

2. Section 163.31771, F.S., **Accessory Dwelling Units** (Chapter 2020-27, section 4, Laws of Florida)
 - 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.

3. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges** (Chapter 2020-27, section 5, Laws of Florida)
 - 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.

4. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits, Challenges** (Chapter 2020-58, section 1, Laws of Florida)
 - 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.

5. Section 163.3168, F.S., **Planning Innovations and Technical Assistance** (Chapter 2020-122, section 2, Laws of Florida)
 - 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.

6. Section 163.3180, F.S., **Concurrency** (Chapter 2020-150, section 28, Laws of Florida)
 - 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.

2021: [Chapter 2021-7, sections 6 and 7, Laws of Florida, Effective July 1, 2021; Chapter 2021-63, section 1, Laws of Florida, Effective June 4, 2021; Chapter 2021-161, section 1, Laws of Florida, Effective July 1, 2021;

Chapter 2021-178, section 1, Laws of Florida, Effective July 1, 2021;
Chapter 2021-186, section 1, Laws of Florida, Effective July 1, 2021;
Chapter 2021-195, sections 1-3, Laws of Florida, Effective July 1, 2021;
Chapter 2021-201, section 1, Laws of Florida, Effective July 1, 2021;
Chapter 2021-206, sections 1 and 3, Laws of Florida, Effective July 1, 2021]

1. Section 163.3162, F.S., **Agricultural Lands and Practices**, (Chapter 2021-7, section 6, Laws of Florida)
 - Reenacts subsection (2)(b) to provide a definition for “Farm operation.”
2. Section 163.3163, F.S., **Applications for Development Permits; Disclosure and Acknowledgement of Contiguous Sustainable Agricultural Land**, (Chapter 2021-7, section 7, Laws of Florida)
 - Reenacts subsection (3)(b) to provide a definition for “Farm operation.”
3. Section 163.31801, F.S., **Impact Fees; Short Title; Intent; Minimum Requirements; Audits; Challenges**, (Chapter 2021-63, section 1, Laws of Florida)
 - 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.
4. Section 163.3168, F.S., **Planning Innovations and Technical Assistance** (Chapter 2021-161, section 1, Laws of Florida; and Chapter 2021-186, section 1, Laws of Florida)
 - 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.
5. Section 163.3205, F.S., **Solar Facility Approval Process**, (Chapter 2021-178, section 1, Laws of Florida)
 - 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.
6. Section 163.3167, F.S., **Scope of Act** (Chapter 2021-195, section 1, Laws of Florida)

- 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.
7. Section 163.3177, F.S., **Required and Optional Elements of Comprehensive Plan; Studies and Surveys** (Chapter 2021-195, section 2, Laws of Florida)
 - 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.
 8. Section 163.3237, F.S., **Amendment or Cancellation of a Development Agreement** (Chapter 2021-195, section 3, Laws of Florida)
 - 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.
 9. Section 163.3202, F.S., **Land Development Regulations** (Chapter 2021-201, section 1, Laws of Florida)
 - 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.
 10. Section 163.3167, F.S., **Scope of Act** (Chapter 2021-206, section 1, Laws of Florida)
 - 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.
 11. Section 163.3187, F.S., **Process for Adoption of Small-Scale Comprehensive Plan Amendment** (Chapter 2021-206, section 3, Laws of Florida)
 - 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).

2022: [Chapter 2022-83, section 1, Laws of Florida, Effective July 1, 2022; Chapter 2022-122, section 1, Laws of Florida, Effective July 1, 2022; Chapter 2022-183, section 5, Laws of Florida, Effective July 1, 2022; Chapter 2022-204, section 2, Laws of Florida, Effective July 1, 2022]

1. Section 163.32051, F.S., **Floating Solar Facilities**, (Chapter 2022-83, section 1, Laws of Florida)

- 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.
2. Section 163.3180, F.S., **Amending Concurrency**, (Chapter 2022-122, section 1, Laws of Florida)
 - 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.
 3. Section 163.3175, F.S., **Updating Military Base Names**, (Chapter 2022-183, section 5, Laws of Florida)
 - Amends paragraph (n) subsection (2) to update two military base names to Patrick Space Force Base and Cape Canaveral Space Force Station, associated with Brevard County and Satellite Beach.
 4. Section 163.3178, F.S., **Coastal Management**, (Chapter 2022-204, section 2, Laws of Florida)
 - Reenacts Subsections (2)(k), (5), and (6) to incorporate the amendment made to Section 311.09 by Chapter 2022-204, Laws of Florida, adding Putnam County to the Florida Seaport Transportation and Economic Development Council.