

## **The Nuts and Bolts of 2011 Florida Growth Management Law Reform: Full Text of the New Laws Making Big Changes for Land Development in Florida**

Posted on June 07, 2011 by [Rosa Schechter](#)

For over 25 years, Florida land developers had to do business around state laws designed to protect the Florida environment and protect against issues such as urban sprawl. The purpose was a worthy one: to protect Florida's unique and beautiful natural habitats and to insure that development didn't spread without consideration of nature, beauty, and long term impact.

However, all that regulation at the state level over time meant that real estate developers faced growing costs that could make or break a project: building roads or school improvements in accordance with regulations as the economy slowed meant some developments were not feasible. Additionally, there was the time factor: development, like other industries, has time constraints - working with the state regulations could mean things just took too long.

Now, the State of Florida has tossed the baton of governing land development to the local governing bodies. They must oversee new development projects in their jurisdictions. Will concurrency be required? The local powers that be will decide.

### ***The Florida Growth Management Reform - Full Text***

A bill arising out of the Florida House of Representatives, **HB 7207** was passed as part of the Florida budgetary process (as a conforming bill) and represents a compromise in language of two earlier versions of the same law, HB 7129 and SB 1122.

Having been signed by Florida Governor Rick Scott, **HB 7207** is now law -- and represents a major change in Florida real estate law as it reforms or alters laws that have been on the books for 26 years. HB 7207 essentially [ends all responsibility of Florida's state government to control or oversee land development and planning, period:](#)

1. Makes concurrency for parks and recreation, schools, and transportation facilities optional for local governments.
2. Applies and revises the expedited comprehensive plan amendment process statewide.
3. Deletes the requirement that comprehensive plans be financially feasible.
4. Deletes the twice a year limitation on comprehensive plan amendments.
5. Revises the small scale amendment process.
6. Specifies that population projections should be a floor for requisite development except for areas of critical state concern.
7. Allows additional planning periods for specific parts of the comprehensive plan.
8. Abolishes 9J-5 (DCA's growth management regulations and incorporates certain provisions into the bill).

9. Removes many of the state specifications and requirements for optional elements in the comprehensive plan, but allows local governments to continue to include optional elements.
10. Expands and revises the optional sector plan process.
11. Reduces the requirements of the evaluation and appraisal process.
12. Revises the rural land stewardship program.
13. Restricts the state's ability to interpret joint planning agreements.
14. Clarifies and broadens the window for permit extensions.
15. Creates a 4-year development of regional impact permit extension.
16. Removes industrial areas, hotels/motels, and theaters from the list of developments of regional impact.
17. Creates an exemption from the DRI process for mining projects and allows those mines to enter into agreements with the Department of Transportation.
18. Adds a new 2-year permit extension, but caps the maximum extension at 4 years.
19. Prohibits local governments from having referenda for local comprehensive plan amendments.
20. Encourages planning innovation technical assistance.
21. Sunsets the Century Commission in two years.
22. Clarifies requirements for adopting criteria to address compatibility of lands relating to military installations.
23. Allows a certain plan amendment to be readopted by a local government without being resubmitted to the state land planning agency.
24. Clarifies when a local government can reject a proposed change to a development of regional impact.
25. Encourages adaptation strategies.
26. Requires DOT to study the proportionate share calculation.
27. Allows DCA to have procedural issues on their website.

To read the full text of the Florida Growth Management Reform Law, HB 7207, [download this pdf from the Florida Senate.](#)