

Changes to Rule 9J-5, F. A. C, 1989-2001

Changes to Rule 9J-5, F.A.C., 1989-2001		9J-5, F.A.C. Citations	N/A*	Process	Addressed (where/how)	Amendment Needed By Element
November 22, 1989						
1	Defined availability or available, concurrency, concurrency management system, currently available revenue sources, & public facilities & services. <i>Note: the definition of availability or available was repealed March 23, 1994 & the that for public facilities & services was repealed Feb. 25, 2001.</i>	9J-5.003		x		
2	Required comp plan amendments applicable to the Wekiva River Protection Area to meet requirements of section 369.301, F.S., in addition to meeting compliance requirements of section 163.3184, F.S.	9J-5.005(8)	x			
3	Required local governments to adopt a concurrency management system in their comprehensive plans & established requirements for such systems.	9J-5.0055			Concurrency management system	If no CMS has been adopted, amendment is necessary
4	Required the capital improvement element (CIE) to include requirements to ensure an adequate concurrency management system is implemented.	9J-5.016			CIE	If no CMS has been adopted, CIE amendment is necessary
5	Clarified requirements relating to projected revenue sources that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.		x		
April 2, 1992						
6	Defined transportation concurrency management area, transportation demand management, transportation system management, & transportation mobility element. <i>Note: definitions of TCMA & TME were repealed March 23, 1994.</i>	9J-5.003		x		
7	Authorized local governments to establish optional transportation concurrency management areas & provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>	9J-5.0057	x			
8	Required transportation concurrency management areas to be shown on the future land use map.	9J-5.006(4)(a)		x		
9	Required CIE to ensure concurrency management areas are implemented, if designated.	9J-5.016		x	CIE	If designated but not shown on map, amend CIE.
March 23, 1994						
10	Defined central business district, coastal area, evaluation & appraisal report, partial evaluation & appraisal report, proposed evaluation & appraisal report, sufficiency review, & very low income family. <i>Note: definition of VLI family repealed March 21, 1999.</i>	9J-5.003		x		

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11	Revised definition of coastal high hazard areas & modified definition of coastal area & included the term coastal planning area. <i>Note: the definition of coastal planning area was revised March 21, 1999.</i>	9J-5.003		x	Coastal Element	Element should contain definition, if applicable.
12	Repealed definitions of availability or available, transportation concurrency management area, & transportation mobility element.	9J-5.003		x		
13	Required local comprehensive plans to include a countywide marina siting plan for participating local governments in the coastal area & intergovernmental coordination processes.	9J-5.005(1)(c)			Coastal Element	Required if applicable.
14	Revised monitoring & evaluation requirements to include a description of the public participation process & components of the evaluation & appraisal process. <i>Note: Revised Feb. 25, 2001.</i>	9J-5.005(7)		x	Monitoring & evaluation procedures	
15	Added procedures for transmittal & review of evaluation & appraisal reports & evaluation & appraisal amendments . <i>Note: Repealed March 21, 1999 & February 25, 2001.</i>	9J-5.0053	x			
16	Revised requirements for the concurrency management system to include provisions regarding level of service standards, & minimum requirements for concurrency , & authorized local governments to incorporate within their concurrency management system optional long term concurrency management systems, transportation concurrency management areas, transportation concurrency exception areas; concurrency exceptions for projects that promote public transportation, & provisions for private contributions to local government capital improvement planning.	9J-5.0055			Concurrency management system	Amendment is necessary if the CMS does not contain the required items.
17	Repealed provisions authorizing establishment of optional transportation concurrency management areas & providing requirements for such areas.	9J-5.0057		x		
18	Required the future land use element for coastal counties & municipalities that have dredge spoil disposal responsibilities to identify any existing dredge spoil disposal sites & include an analysis of the need for additional dredge spoil disposal sites.	9J-5.006(1)(f)3 & 9J-5.006(2)(f)		x	Only applicable if a jurisdiction has disposal responsibilities.	
19	Required the future land use element to include an analysis of proposed development & redevelopment based upon hazard mitigation reports.	9J-5.006(2)(g)			Future Land Use Element	Amendments are likely necessary

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20	Required the future land use element to include objectives encouraging elimination or reduction of uses that are inconsistent with an interagency hazard mitigation report & ensure the availability of dredge spoil disposal sites for coastal counties & cities.	9J-5.006(3)(b)		x		
21	Required policies of the future land use element to designate dredge spoil disposal sites for affected coastal counties & municipalities & establish site selection criteria for future dredge spoil disposal sites.	9J-5.006(3)(c)		x		
22	Required local governments to adopt the level of service standards established by the Department of Transportation for facilities on the Florida Intrastate Highway System & adopt adequate level of service standards for all other transportation facilities. <i>Note: 9J-5.007 repealed Feb. 20, 1996, & replaced by 9J-5.019.</i>	9J-5.007(3)(c)			Transportation Element	Amendment is necessary if the LOS standards have not been adopted.
23	Required the ports, aviation & related facilities element to include an analysis of the need for additional dredge spoil disposal sites for existing & proposed ports. <i>Note: 9J-5.009 repealed Feb. 20, 1996, & replaced by 9J-5.019, F.A.C.</i>	9J-5.009(2)(c)	x			
24	Required the housing element inventory & analysis to: <ul style="list-style-type: none"> • Use data from the affordable housing needs assessment; • Address housing needs of existing & future residents; • Avoid the concentration of affordable housing; & • Address the needs of very-low income families as well as low & moderate income families. 	9J-5.010(1) & (2)			Housing Element	Amendment is necessary if the element does not address these issues.
25	Required housing element objectives to address: <ul style="list-style-type: none"> • Housing needs of current & future residents; • Sites & distribution of housing for very-low income & low-income families; & • Use of job training, job creation & economic solutions to address affordable housing concerns. 	9J-5.010(3)			Housing Element	Amendment is necessary if the element does not address these issues.
26	Required coastal management element inventories & analyses to be coordinated with the countywide marina siting plan .	9J-5.012(2)	x			Potential affect for Pinellas County.

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27	<p>Required coastal management element policies to:</p> <ul style="list-style-type: none"> • Incorporate recommendations from interagency hazard mitigation reports; • Address the relocation, mitigation or replacement of infrastructure within the coastal high-hazard area; • Include criteria consistent with the countywide marina siting plan; & • Include a procedure to resolve inconsistencies between the local comprehensive plan & the deepwater port master plan. 	9J-5.012(3)	x x		Coastal Management Element	Amendment is necessary if the element does not address these issues.
28	Required affected local governments to incorporate the marina siting plan in the coastal management element.	9J-5.012(4)	x			
29	<p>Required objectives of the intergovernmental coordination element to:</p> <ul style="list-style-type: none"> • Ensure coordination in the designation of new dredge spoil disposal sites; • Involve the navigation & inlet districts, state & federal agencies & the public in identifying dredge spoil disposal sites; & • Resolve conflicts between a coastal local government & a public agency seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee's dispute resolution process. 	9J-5.015(3)	x x x			
30	Required & established criteria for local governments having all or part of their jurisdiction within the urbanized area of a MPO to prepare & adopt a transportation element which replaces the traffic circulation element, the mass transit element, & the ports, aviation & related facilities element.	9J-5.019			Transportation Element	Jurisdictions having the outdated Traffic Circulation Element will have to amend their plans & adopt the new element.
May 18, 1994						
31	Added provisions for settlement of conflicts through compliance agreements .			x		

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32	Defined adjusted for family size, adjusted gross income, affordable housing, agency, amendment, clustering, compatibility, composition, density, development, development controls, distribution, environmentally sensitive lands, extent, facility availability, floodprone areas, functional relationship, high recharge area, hurricane vulnerability zone, intensity, manufactured home, moderate income household, natural drainage flow, natural groundwater aquifer recharge areas or natural groundwater recharge areas, new town, pattern, potable water wellfield, purchase of development rights, rural areas, rural village or rural activity center, stormwater basin, stormwater facilities, stormwater management system, suitability, transfer of development rights, urban area, urban sprawl, very low income household, wellhead protection area, & wetlands. <i>Note: the definitions of adjusted for family size, adjusted gross income, development, & high recharge area were repealed & the definitions of affordable housing & wetlands were revised March 21, 1999.</i>	9J-5.003		x		
33	Revised definitions of areas subject to coastal flooding, conservation uses, deepwater ports, estuary, low income household, mobile home, natural reservations, & oceanic waters.	9J-5.003		x		
34	Revised comprehensive plan content requirements to clarify that the future land use map or map series must be included in the adopted comprehensive plan.	9J-5.005(1)		x	Future Land Use Element	
35	Required all goals, objectives, policies, standards, findings & conclusions of the comp plan & plan amendments to be based upon analysis as well as data, explained the meaning of being based upon data , referenced the DCA's guide to data sources & National Wetland Inventory Maps, & authorized local governments to submit textual portions of their plan or amendment on electronic processing storage media .	9J-5.005(2)		x		
36	Required goals, objectives & policies to establish standards for the use of land & guidelines for land development regulations.	9J-5.005(6)		x		

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37	Required plan amendments exempt from the twice-a-year restriction under the development of regional impact provision to be transmitted as required by law & revised adoption by reference requirements. <i>Note: adoption by reference requirements were further revised March 21, 1999.</i>	9J-5.005(8)				
38	Authorized local governments to recognize in their comprehensive plans, statutory & common law vested rights .	9J-5.005(8)				
39	Required public potable water wells & wellhead protection areas to be shown on existing land use map or map series & provided that educational uses, public buildings & grounds & other public facilities may be shown as one land use category.	9J-5.006(1)			If wells are used, they are required to be shown. Buildings & facilities can be shown if the jurisdiction want them to be.	
40	Required policies of the future land use element to address protection of potable water wellfields by designating appropriate activities & land uses within wellhead protection areas .	9J-5.006(3)			Applicable only to those jurisdictions with wellhead protection areas.	
41	Required public potable waterwells, wellhead protection areas, & coastal high hazard areas to be shown on the future land use map & provided that educational uses, public buildings & grounds & other public facilities may be shown as one land use category. Provided that if mixed-use categories are used, policies must specify types of land uses allowed, the percentage distribution among the mix of uses or other objective measurement, & the density & intensity of each use.	9J-5.006(4)				Amendments may be necessary for plans with mixed-use designations.
42	Provided criteria for reviewing local comprehensive plans & plan amendments for adequacy in discouraging the proliferation of urban sprawl , including indicators of sprawl & measures for evaluating land uses, local conditions, & development controls.	9J-5.006(5)		x		
43	Required the housing element to address housing for moderate income, low income, & very low income households, group homes, foster care facilities, & households with special housing needs, including rural & farmworker housing.	9J-5.010			Housing Element	Amendments may be necessary for plans that do not address the issues.
44	Required the housing element analysis to address the existing housing delivery system.	9J-5.010(2)(e)			Housing Element	Amendments may be necessary for plans that do not address the issues.

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45	Required objectives of the housing element to address adequate sites for mobile & manufactured homes .	9J-5.010(3)(b)3.			Housing Element	Amendments may be necessary for plans that do not address the issues.
46	Required policies of the housing element to: <ul style="list-style-type: none"> • Include specific programs & actions to streamline the permitting process & minimize costs & delays for housing; • Establish principles & criteria guiding the location of manufactured homes; • Identify interlocal agreements with nearby local governments to provide affordable housing; & • Designate sufficient sites at sufficient densities to accommodate affordable housing. 	9J-5.010(3)(c) 2. 5. 10. 11.			Housing Element	Amendments may be necessary for plans that do not address the issues.
47	Required the data & analysis of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to identify major natural drainage features & natural groundwater aquifer recharge areas , including areas identified by the water management district as prime or high groundwater recharge areas .	9J-5.011(1)(g)			Facilities Element	Amendments may be necessary for plans that do not address the issues.
48	Required the policies of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to establish water quality standards for stormwater recharge .	9J-5.011(2)(c)			Facilities Element	Amendments may be necessary for plans that do not address the issues.
49	Required conservation element to identify & analyze groundwater & important fish or shellfish areas .	9J-5.013(1)			Conservation Element	Not applicable to all jurisdictions.
50	Required policies of the conservation element to address land uses known to affect adversely the quality & quantity of water sources , including natural groundwater recharge areas, wellhead protection areas & surface waters used as a source of public water supply, & the protection & conservation of wetlands .	9J-5.013(2) & (3)			Conservation Element	Amendments may be necessary for plans that do not address the issues.
February 20, 1996						
51	Repealed rule requirements for the traffic circulation; mass transit; ports, aviation & related facilities elements. <i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., & 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, & 9J-5.009		x	Transportation Element	

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52	Repealed rule requirements for the recreation & open space element. <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014		x	Recreation & Open Space Element	
53	Repealed rule requirements for consistency of local government comp plans with Comprehensive Regional Policy Plans & with the State Comprehensive Plan. <i>Note: Local government comp plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan & the State Comprehensive Plan.</i>	9J-5.021		x		
October 20, 1998						
54	Established requirements for the public school facilities element for public school concurrency for local governments that adopt school concurrency.	9J-5.025	x			
March 21, 1999						
55	Defined public transit & stormwater management facilities.	9J-5.003		x		
56	Revised the definitions of affordable housing, coastal planning area, port facility, & wetlands.	9J-5.003		x		
57	Repealed the definitions of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit, paratransit, public facilities, & very low-income family.	9J-5.003		x		
58	Revised provisions relating to adoption by reference into the local comprehensive plan.	9J-5.005(2)(g) & (8)(j)		x		
59	Repealed transmittal requirements for proposed evaluation & appraisal reports, submittal requirements for adopted EARs, criteria for determining the sufficiency of adopted EARs, procedures for adoption of EARs. <i>Note: transmittal requirements for proposed EARs & submittal requirements for adopted EARs were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)		x		
60	Repealed conditions for deminimis impact & referenced conditions in subsection 163.3180(6), F.S.	9J-5.0055(3)(c)6.				
61	Required the future land use map to show the transportation concurrency exception area boundaries if designated & it may show areas for possible future municipal incorporation.	9J-5.006(4)(a) & (4)(f)	x			Not applicable to all jurisdictions.
62	Required objectives of the sanitary sewer, solid waste, stormwater management, potable water & natural groundwater aquifer recharge element to address	9J-5.011(2)(b)5.	x			

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	protection of high recharge & prime recharge areas.					
63	Repealed the intergovernmental coordination element process to determine if development proposals would have significant impacts on other local governments or state or regional resources or facilities, & provisions relating to resolution of disputes, modification of development orders, & the rendering of development orders to the DCA	9J-5.015(4)	x			
64	Clarified that local governments not located within the urban area of a MPO are required to adopt a traffic circulation element & that local governments with a population of 50,000 or less are not required to prepare mass transit & ports, aviation & related facilities elements .	9J-5.019(1)		x		
65	Required objectives of the transportation element to: <ul style="list-style-type: none"> • Coordination the siting of new, or expansion of existing ports, airports, or related facilities with the future land use, coastal management, & conservation elements; • Coordination surface transportation access to ports, airports, & related facilities with the traffic circulation system; • Coordination ports, airports, & related facilities plans with plans of other transportation providers; • Ensure that access routes to ports, airports & related facilities are properly integrated with other modes of transportation. 	9J-5.019(4)(b)	x			
66	Required policies of the transportation element to: <ul style="list-style-type: none"> • Provide for safe & convenient on-site traffic flow; • Establish measures for the acquisition & preservation of public transit rights-of-way & corridors; • Promote ports, airports & related facilities development & expansion; • Mitigate adverse structural & non-structural impacts from ports, airports & related facilities; 	9J-5.019(4)(c)15.			Transportation Element	Amendment is necessary if the comp plan does not have a policy addressing the issue.

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	<ul style="list-style-type: none"> • Protect & conserve natural resources within ports, airports & related facilities; • Coordinate intermodal management of surface & water transportation within ports, airports & related facilities; & • Protect ports, airports & related facilities from encroachment of incompatible land uses. 					
67	Added standards for the review of land development regulations by the DCA.	9J-5.022		x		
68	Added criteria for determining consistency of land development regulations with the comp plan.	9J-5.023		x		
February 25, 2001						
69	Defined "general lanes."	9J-5.003		x		
70	Revised the definition of "marine wetlands."	9J-5.003		x		
71	Repeal the definition of "public facilities & services."	9J-5.003		x		
72	Revised procedures for monitoring, evaluating & appraising implementation of local comp plans.	9J-5.005(7)		x		
73	Repealed requirements for evaluation & appraisal reports & evaluation & appraisal amendments.	9J-5.0053		x		
74	Revised concurrency management system requirements to include provisions for establishment of public school concurrency .	9J-5.005(1) & (2)	x			
75	Authorized local governments to establish multimodal transportation level of service standards & established requirements for multimodal transportation districts .	9J-5.0055(2)(b) & (3)(c)		x		
76	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Dept. of Transportation.	9J-5.0055(2)(c)		x		
77	Provide that public transit facilities are not subject to concurrency requirements.	9J-5.0055(8)		x		
78	Authorized local comprehensive plans to permit multi-use developments of regional impact to satisfy the transportation concurrency requirements by payment of a proportionate share contribution .	9J-5.0055(9)		x		
79	Required the future land use map to show multimodal transportation district boundaries, if established.	9J-5.006(4)(a)		x		
80	Authorized local governments to establish multimodal transportation districts &, if established, required local	9J-5.006(6)		x		

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	governments to establish design standards for such districts.					
81	Required data for the housing element include a description of substandard dwelling units & repealed the requirement that the housing inventory include a locally determined definition of standard & substandard housing conditions.	9J-5.010(1)(c)			Housing Element	Data & analysis will need to be updated & amendments may be necessary if the issues are not addressed.
82	Authorized local governments to supplement the affordable housing needs assessment with locally generated data & repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)			Housing Element	
83	Required the intergovernmental coordination element to include objectives that ensure adoption of interlocal agreements within one year of adoption of the amended ICE & ensure intergovernmental coordination between all affected local governments & the school board for the purpose of establishing requirements for public school concurrency .	9J-5.015(3)(b)5. & 6.			ICE	
84	Required the intergovernmental coordination element to include: <ul style="list-style-type: none"> • Policies that provide procedures to identify & implement joint planning areas for purposes of annexation, municipal incorporation & joint infrastructure service areas; • Recognize campus master plan & provide procedures for coordination of the campus master development agreement; • Establish joint processes for collaborative planning & decision-making with other units of local government; • Establish joint processes for collaborative planning & decision making with the school board on population projections & siting of public school facilities; • Establish joint processes for the siting of facilities with countywide significance; & • Adoption of an interlocal agreement for school concurrency. 	9J-5.015(3)(c)			ICE	Applicable only in certain jurisdictions.

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85	Required the capital improvements element to include implementation measures that provide a five-year financially feasible public school facilities program that demonstrates the adopted level of service standards will be achieved & maintained & a schedule of capital improvements for multimodal transportation districts , if locally established.	9J-5.016(4)(a)	x			
86	Required the transportation element analysis for multimodal transportation districts to demonstrate that community design elements will reduce vehicle miles of travel & support an integrated, multi-modal transportation system.	9J-5.019(3)	x			
87	Required transportation element objectives for multimodal transportation districts to address provision of a safe, comfortable & attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)	x			
88	Authorized local governments to establish level of service standards for general lanes of the Florida Intrastate Highway System within urbanized areas, with the concurrence of the Department of Transportation.	9J-5.019(4)(c)			Transportation Element	Amendments will be necessary if a local jurisdiction wants to adopt such levels of service.

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