

Table ____ Changes to Rule 9J-5, F. A. C

Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
November 22, 1989					
1	Defined availability or available , concurrency , concurrency management system , currently available revenue sources , and public facilities and services . <i>Note: the definition of availability or available was repealed March 23, 1994 and the definition of public facilities and services was repealed February 25, 2001.</i>	9J-5.003	X		
2	Required comprehensive 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 and established requirements for such systems.	9J-5.0055			
4	Required the capital improvement element to include requirements to ensure an adequate concurrency management system is implemented.	9J-5.016			
5	Clarified requirements relating to projected revenue sources that are contingent upon ratification by public referendum.	9J-5.016(4)(a)2.			
April 2, 1992					
6	Defined transportation concurrency management area , transportation demand management , transportation system management , and transportation mobility element . <i>Note: the definitions of transportation concurrency management area and transportation mobility element were repealed March 23, 1994.</i>	9J-5.003	X		
7	Authorized local governments to establish optional transportation concurrency management areas and provided requirements for such areas. <i>Note: this rule was repealed March 23, 1994.</i>	9J-5.0057		No Action Required	
8	Required transportation concurrency management areas to be shown on the future land use map.	9J-5.006(4)(a)	X		

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9	Required the capital improvement element to include requirements to ensure concurrency management areas are implemented, if designated.	9J-5.016		No Action Required	
March 23, 1994					
10	Defined central business district, coastal area, evaluation and appraisal report, partial evaluation and appraisal report, proposed evaluation and appraisal report, sufficiency review, and very low income family . <i>Note: the definition of very low income family was repealed March 21, 1999.</i>	9J-5.003		No Action Required	
11	Revised the definition of coastal high hazard areas and modified the definition of coastal area to provide a definition of the term coastal planning area . <i>Note: the definition of coastal planning area was revised March 21, 1999.</i>	9J-5.003			
12	Repealed definitions of availability or available, transportation concurrency management area, and transportation mobility element .	9J-5.003		No Action Required	
13	Required local comprehensive plans to include a countywide marina siting plan for participating local governments in the coastal area and intergovernmental coordination processes.	9-5.005(1)(c)	X		
14	Revised monitoring and evaluation requirements to include a description of the public participation process and components of the evaluation and appraisal process. <i>Note: Revised February 25, 2001.</i>	9-5.005(7)		No Action Required	
15	Added procedures for transmittal and review of evaluation and appraisal reports and evaluation and appraisal amendments . <i>Note: Repealed March 21, 1999 and February 25, 2001.</i>	9J-5.0053		No Action Required	

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16	Revised requirements for the concurrency management system to include provisions regarding level of service standards , and minimum requirements for concurrency , and 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 , and provisions for private contributions to local government capital improvement planning .	9J-5.0055			
17	Repealed provisions authorizing establishment of optional transportation concurrency management areas and providing requirements for such areas.	9J-5.0057	X		
18	Required the Future Land Use Element for coastal counties and municipalities that have dredge spoil disposal responsibilities to identify any existing dredge spoil disposal sites and include an analysis of the need for additional dredge spoil disposal sites.	9J-5.006(1)(f)3 and 9J-5.006(2)(f)			
19	Required the Future Land Use Element to include an analysis of proposed development and redevelopment based upon hazard mitigation reports.	9J-5.006(2)(g)			
20	Required the Future Land Use Element to include objectives to encourage elimination or reduction of uses that are inconsistent with an interagency hazard mitigation report and ensure the availability of dredge spoil disposal sites for affected coastal counties and municipalities.	9J-5.006(3)(b)			
21	Required policies of the future land use element to designate dredge spoil disposal sites for affected coastal counties and municipalities and establish site selection criteria for designation of future dredge spoil disposal sites.	9J-5.006(3)(c)			

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Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
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 and adopt adequate level of service standards for all other transportation facilities. <i>Note: 9J-5.007 was repealed February 20, 1996, and has been replaced by 9J-5.019.</i>	9J-5.007(3)(c)	X		
23	Required the Ports, Aviation and Related Facilities Element to include an analysis of the need for additional dredge spoil disposal sites for existing and proposed ports. <i>Note: 9J-5.009 was repealed February 20, 1996, and has been replaced by 9J-5.019</i>	9J-5.009(2)(c)	X		
24	Required the Housing Element inventory and analysis to: § Use data from the affordable housing needs assessment ; § Address housing needs of existing and future residents; § Avoid the concentration of affordable housing; and Address the needs of very-low income families as well as low and moderate income families.	9J-5.010(1) and (2)			
25	Required Housing Element objectives to address: § Housing needs of current and future residents; § Sites and distribution of housing for very-low income and low-income families; and Use of job training, job creation and economic solutions to address affordable housing concerns.	9J-5.010(3)			
26	Required Coastal Management Element inventories and analyses to be coordinated with the countywide marina siting plan .	9J-5.012(2)	X		

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27	Required Coastal Management Element policies to: § 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 ; and Include a procedure to resolve inconsistencies between the local comprehensive plan and the deepwater port master plan .	9J-5.012(3)			
28	Required affected local governments to incorporate the marina siting plan in the Coastal Management Element.	9J-5.012(4)			
29	Required objectives of the Intergovernmental Coordination Element to: § Ensure coordination in the designation of new dredge spoil disposal sites ; § Involve the navigation and inlet districts, state and federal agencies and the public in identifying dredge spoil disposal sites; and Resolve conflicts between a coastal local government and a public agency seeking a dredge spoil disposal site through the Coastal Resources Interagency Management Committee=s dispute resolution process.	9J-5.015(3)			
30	Required local governments having all or part of their jurisdiction within the urbanized area of a Metropolitan Planning Organization to prepare and adopt a transportation element which replaces the traffic circulation element, the mass transit element, and the ports, aviation and related facilities element and established requirements for the transportation element.	9J-5.019	X		
May 18, 1994					
31	Added provisions for settlement of conflicts through compliance agreements .			Intergovernmental Coordination Element Policy 1.1.3	

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	Changes to Rule 9J-5, F.A.C. 1989-2003	9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
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, Apattern, 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, and wetlands. <i>Note: the definitions of adjusted for family size, adjusted gross income, development, and high recharge area were repealed and the definitions of affordable housing and wetlands were revised March 21, 1999.</i>	9J-5.003		No Action Required	
33	Revised definitions of areas subject to coastal flooding, conservation uses, deepwater ports, estuary, low income household, mobile home, natural reservations, and oceanic waters.	9J-5.003		No Action Required	
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)		No Action Required	
35	Required all goals, objectives, policies, standards, findings and conclusions of the comprehensive plan and plan amendments to be based upon analysis as well as data, explained the meaning of being based upon data , referenced the Department’s guide to data sources and National Wetland Inventory Maps, and authorized local governments to submit textual portions of their plan or amendment on electronic processing storage media.	9J-5.005(2)		No Action Required	

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Changes to Rule 9J-5, F.A.C. 1989-2003		9J-5, F.A.C. Citations	NA	Addressed (where/how)	Amendment Needed By Element
36	Required goals, objectives and policies to establish standards for the use of land and guidelines for land development regulations.	9J-5.005(6)			
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 and revised adoption by reference requirements. <i>Note: adoption by reference requirements were further revised March 21, 1999.</i>	9J-5.005(2)(g)		No Action Required	
38	Authorized local governments to recognize in their comprehensive plans, statutory and common law vested rights .	9J-5.005(8)		No Action Required	
39	Required public potable water wells and wellhead protection areas to be shown on existing land use map or map series and provided that educational uses, public buildings and grounds and other public facilities may be shown as one land use category.	9J-5.006(1)]		Part of map series.	
40	Required policies of the Future Land Use Element to address protection of potable water wellfields by designating appropriate activities and land uses within wellhead protection areas .	9J-5.006(3)		Conservation Element Policy 1.2.1 & Part of map series.	
41	Required public potable waterwells, wellhead protection areas, and coastal high hazard areas to be shown on the future land use map and provided that educational uses, public buildings and grounds and 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, and the density and intensity of each use.	9J-5.006(4)		Part of map series. Land Use Element Policy 1.3.7	
42	Provided criteria for reviewing local comprehensive plans and plan amendments for adequacy in discouraging the proliferation of urban sprawl , including indicators of sprawl and measures for evaluating land uses, local conditions, and development controls.	9J-5.006(5)		No Action Required	

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43	Required the Housing Element to address housing for moderate income, low income, and very low income households, group homes, foster care facilities, and households with special housing needs, including rural and farmworker housing.	9J-5.010		Housing Element Policies 1.1.5; 1.1.6; 1.3.1; 1.4.1	
44	Required the Housing Element analysis to address the existing housing delivery system. [9J-5.010(2)		Housing Element Objective 1.3	
45	Required objectives of the Housing Element to address adequate sites for mobile and manufactured homes.	9J-5.010(3)(b)		Housing Element Policy 1.1.5	
46	Required policies of the Housing Element to: § Include specific programs and actions to streamline the permitting process and minimize costs and delays for housing; § Establish principles and criteria guiding the location of manufactured homes ; § Identify interlocal agreements with nearby local governments to provide affordable housing ; and § Designate sufficient sites at sufficient densities to accommodate affordable housing.	9J-5.010(3)(c)		Housing Element Objective 1.3 and policies	
47	Required the data and analysis of the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element to identify major natural drainage features and natural groundwater aquifer recharge areas , including areas identified by the water management district as prime or high groundwater recharge areas .	9J-5.011(1)		Water and Sewer & etc. Element Objective 1.5 and policies	
48	Required the policies of the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element to establish water quality standards for stormwater recharge .	9J-5.011(2)		Water and Sewer & etc. Element Policy 1.2.1	
49	Required the Conservation Element to identify and analyze groundwater and important fish or shellfish areas .	9J-5.013(1)		Conservation Element Objective 1.3 & policies	

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50	Required policies of the conservation element to address land uses known to affect adversely the quality and quantity of water sources , including natural groundwater recharge areas, well head protection areas and surface waters used as a source of public water supply, and the protection and conservation of wetlands .	9J-5.013(2) and (3)		Conservation Element Objective 1.2 and policies	
February 20, 1996					
51	Repealed rule requirements for the Traffic Circulation Element; Mass Transit Element; Ports, Aviation and Related Facilities Element . <i>Note: Certain local governments must continue to prepare these elements pursuant to 163.3177, F.S., and 9J-5.019, F.A.C.</i>	9J-5.007, 9J-5.008, and 9J-5.009	X		
52	Repealed rule requirements for the Recreation and Open Space Element . <i>Note: Section 163.3177, F.S., requires local governments to prepare this element.</i>	9J-5.014		Recreation and Open Space Element	
53	Repealed rule requirements for consistency of local government comprehensive plans with Comprehensive Regional Policy Plans and with the State Comprehensive Plan . <i>Note: Local government comprehensive plans are required by section 163.3184(1)(b), F.S., to be consistent with the applicable Strategic Regional Policy Plan and the State Comprehensive Plan.</i>	9J-5.021		No Action Required	
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		New Element under SB 360
March 21, 1999					
55	Defined public transit and stormwater management facilities	9J-5.003		No Action Required	
56	Revised the definitions of affordable housing, coastal planning area, port facility, and wetlands .	9J-5.003		No Action Required	
57	Repeal the definitions of adjusted for family size, adjusted gross income, development, high recharge area or prime recharge area, mass transit,	9J-5.003		No Action Required	

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	paratransit, public facilities, very low-income family.				
58	Revised provisions relating to adoption by reference into the local comprehensive plan.	9J-5.005(2)(g) and (8)(j)		No Action Required	
59	Repealed transmittal requirements for proposed evaluation and appraisal reports , submittal requirements for adopted evaluation and appraisal reports, criteria for determining the sufficiency of adopted evaluation and appraisal reports, procedures for adoption of evaluation and appraisal reports. <i>Note: transmittal requirements for proposed evaluation and appraisal reports and submittal requirements for adopted evaluation and appraisal reports were incorporated Rule Chapter 9J-11, F.A.C.</i>	9J-5.0053(2) through (5)		No Action Required	
60	Repealed conditions for de minimis impact and referenced conditions in subsection 163.3180(6), F.S.	9J-5.0055(3)6		No Action Required	
61	Required the future land use map to show the transportation concurrency exception area boundaries of such areas have been designated and areas for possible future municipal incorporation.	9J-5.006(4)	X		
62	Required objectives of the Sanitary Sewer, Solid Waste, Stormwater Management, Potable Water and Natural Groundwater Aquifer Recharge Element to address protection of high recharge and prime recharge areas.	9J-5.011(2)		Objective 1.5	
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, and provisions relating to resolution of disputes, modification of development orders, and the rendering of development orders to the Department of Community Affairs (DCA)	9J-5.015(4)		No Action Required	
64	Clarified that local governments not located within the urban area of a Metropolitan Planning Organization are required to adopt a Traffic Circulation Element and that local governments with a population of 50,000 or less are not required to prepare Mass Transit and Ports, Aviation and Related Facilities Elements .	9J-5.019(1)	X		

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65	Required objectives of the Transportation Element to:	9J-5.019(4)(b)			
	<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, and Conservation Elements; 				
	<ul style="list-style-type: none"> • Coordination surface transportation access to ports, airports, and related facilities with the traffic circulation system; 				
	<ul style="list-style-type: none"> • Coordination ports, airports, and related facilities plans with plans of other transportation providers; and 				
	<ul style="list-style-type: none"> • Ensure that access routes to ports, airports and related facilities are properly integrated with other modes of transportation. 				
66	Required policies of the Transportation Element to:	9J-5.019(4)(c)			
	<ul style="list-style-type: none"> • Provide for safe and convenient on-site traffic flow; 			Traffic Circulation Element Goal 1	
	<ul style="list-style-type: none"> • Establish measures for the acquisition and preservation of public transit rights-of-way and corridors; 				
	<ul style="list-style-type: none"> • Promote ports, airports and related facilities development and expansion; 				
	<ul style="list-style-type: none"> • Mitigate adverse structural and non-structural impacts from ports, airports and related facilities; 				
	<ul style="list-style-type: none"> • Protect and conserve natural resources within ports, airports and related facilities; 				
	<ul style="list-style-type: none"> • Coordinate intermodal management of surface and water transportation within ports, airports and related facilities; and 				
	<ul style="list-style-type: none"> • Protect ports, airports and related facilities from encroachment of incompatible land uses. 				
67	Added standards for the review of land development regulations by the Department.	9J-5.022		No Action Required	
68	Added criteria for determining consistency of land development regulations with the comprehensive plan.	9J-5.023		No Action Required	

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February 25, 2001					
69	Defined general lanes	9J-5.003			
70	Revised the definition of “ marine wetlands. ”	9J-5.003			
71	Repeal the definition of “ public facilities and services. ”	9J-5.003		No Action Required	
72	Revised procedures for monitoring , evaluating and appraising implementation of local comprehensive plans.	9J-5.005(7)		No Action Required	
73	Repealed requirements for evaluation and appraisal reports and evaluation and appraisal amendments.	9J-5.0053		No Action Required	
74	Revised concurrency management system requirements to include provisions for establishment of public school concurrency.	9J-5.005(1) and (2)			
75	Authorized local governments to establish multimodal transportation level of service standards and established requirements for multimodal transportation districts.	9J-5.0055(2)(b) and (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 Department 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)		No Action Required	
79	Required the future land use map to show multimodal transportation district boundaries, if established.	9J-5.006(4)	X		
80	Authorized local governments to establish multimodal transportation districts and, if established, required local governments to establish design standards for such districts.	9J-5.006(6)	X		
81	Required data for the Housing Element include a description of substandard dwelling units and repealed the requirement that the housing inventory include a locally determined definition of standard and substandard housing conditions.	9J-5.010(1)(c)			

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82	Authorized local governments to supplement the affordable housing needs assessment with locally generated data and repealed the authorization for local governments to conduct their own assessment.	9J-5.10(2)(b)			
83	Required the Intergovernmental Coordination Element to include objectives that ensure adoption of interlocal agreements within one year of adoption of the amended Intergovernmental Coordination Element and ensure intergovernmental coordination between all affected local governments and the school board for the purpose of establishing requirements for public school concurrency .	9J-5.015(3)(b)		Objective 1.2	
84	Required the Intergovernmental Coordination Element to include:	9J-5.015(3)(c)			
	<ul style="list-style-type: none"> • Policies that provide procedures to identify and implement joint planning areas for purposes of annexation, municipal incorporation and joint infrastructure service areas; 			Policy 1.1.4	
	<ul style="list-style-type: none"> • Recognize campus master plan and provide procedures for coordination of the campus master development agreement; 			Objective 1.2	
	<ul style="list-style-type: none"> • Establish joint processes for collaborative planning and decision-making with other units of local government; 			Objective 1.3 and policies	
	<ul style="list-style-type: none"> • Establish joint processes for collaborative planning and decision making with the school board on population projections and siting of public school facilities; 			Policy 1.2.6	
	<ul style="list-style-type: none"> • Establish joint processes for the siting of facilities with county-wide significance; and 			Objective 1.2	
	<ul style="list-style-type: none"> • Adoption of an interlocal agreement for school concurrency. 			Policy 1.2.6	
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 and maintained and a schedule of capital	9J-5.016(4)(a)			

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	improvements for multimodal transportation districts , if locally established.				
86	Required the Transportation Element analysis for multimodal transportation districts to demonstrate that community design elements will reduce vehicle miles of travel and 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 and attractive pedestrian environment with convenient access to public transportation.	9J-5.019(4)		Policy 1.1.1	
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)	X		