

1 A bill to be entitled
2 An act relating to growth management; amending s.
3 163.3184, F.S.; requiring plan amendments proposing a
4 development that qualifies as a development of
5 regional impact to be subject to the state coordinated
6 review process; amending s. 380.06, F.S.; providing
7 that new proposed developments are subject to the
8 state coordinated review process and not the
9 development of regional impact review process;
10 amending s. 163.3175, F.S.; deleting obsolete
11 provisions; amending s. 163.3245, F.S.; authorizing
12 certain conservation easements granted and recorded as
13 part of a detailed specific area plan to be modified
14 or substituted for other lands; providing criteria for
15 substituting such lands; requiring applicants to
16 provide copies of detailed specified area plans to
17 identified agencies; authorizing specific agencies to
18 allow an applicant to use previously recorded
19 conservation easements to offset impacts to wetlands
20 or uplands for permitting purposes; authorizing an
21 applicant to request that a consumptive use permit be
22 issued for the same period as an approved master
23 development order; providing construction; amending s.
24 373.236, F.S.; authorizing a water management district
25 to issue a consumptive use permit for the length of an
26 approved master development order under certain

27 | circumstances; specifying the criteria to be applied
28 | by the water management district in issuing such
29 | permit; amending s. 163.3246, F.S.; removing
30 | restrictions on certain review exemptions; amending s.
31 | 163.3248, F.S.; removing the requirement that regional
32 | planning councils provide assistance in developing a
33 | plan for a rural land stewardship area; amending s.
34 | 186.504, F.S.; conforming provisions to changes made
35 | by the act; amending s. 186.505, F.S.; removing the
36 | power of regional planning councils to establish and
37 | conduct cross-acceptance negotiation processes;
38 | creating s. 186.512, F.S.; subdividing the state into
39 | specified geographic regions for the purpose of
40 | regional comprehensive planning; providing procedures
41 | for the transition of a local government to a new
42 | regional planning council; amending s. 186.513, F.S.;
43 | deleting the requirement that regional planning
44 | councils make joint reports and recommendations;
45 | amending ss. 120.52, 218.32, and 253.7828, F.S.;
46 | conforming provisions to changes made by the act;
47 | amending s. 339.135, F.S.; deleting obsolete
48 | provisions; amending s. 339.155, F.S.; removing
49 | certain duties of regional planning councils; amending
50 | s. 380.06, F.S.; removing the requirement that
51 | developers submit biennial reports to regional
52 | planning agencies; amending s. 403.50663, F.S.;

53 removing requirements relating to certain
54 informational public meetings; amending s. 403.507,
55 F.S.; removing the requirement that regional planning
56 councils prepare reports addressing the impact of
57 proposed electrical power plants; amending s. 403.508,
58 F.S.; removing the requirement that regional planning
59 councils participate in certain proceedings; amending
60 s. 403.5115, F.S.; conforming provisions to changes
61 made by the act; amending s. 403.526, F.S.; removing
62 the requirement that regional planning councils
63 prepare reports addressing the impact of proposed
64 transmission lines or corridors; amending s. 403.527,
65 F.S.; removing the requirement that regional planning
66 councils participate in certain proceedings; amending
67 s. 403.5272, F.S.; conforming provisions to changes
68 made by the act; amending s. 403.7264, F.S.; removing
69 the requirement that regional planning councils assist
70 with amnesty days for purging small quantities of
71 hazardous wastes; amending s. 403.941, F.S.; removing
72 the requirement that regional planning councils
73 prepare reports addressing the impact of proposed
74 natural gas transmission pipelines or corridors;
75 amending s. 403.9411, F.S.; removing the requirement
76 that regional planning councils participate in certain
77 proceedings; amending ss. 419.001 and 985.682, F.S.;
78 removing provisions relating to the use of a certain

79 | dispute resolution process; repealing s. 186.0201,
80 | F.S., relating to electric substation planning;
81 | repealing s. 260.018, F.S., relating to agency
82 | recognition of certain publicly owned lands and
83 | waters; amending s. 163.3246, F.S.; providing
84 | legislative intent; designating Pasco County as a
85 | pilot community; requiring the state land planning
86 | agency to provide a written certification to Pasco
87 | County within a certain timeframe; providing
88 | requirements for certain plan amendments; requiring
89 | the Office of Program Policy Analysis and Government
90 | Accountability to submit a report and recommendations
91 | to the Governor and the Legislature by a certain date;
92 | providing requirements for the report; amending s.
93 | 190.005, F.S.; requiring a community development
94 | district up to a certain size located within a
95 | connected-city corridor to be established pursuant to
96 | an ordinance; amending s. 163.3167, F.S.; requiring
97 | local governments to address the protection of private
98 | property rights in their comprehensive plans; amending
99 | s. 163.3177, F.S.; providing that a local government
100 | is not required to amend its comprehensive plan in
101 | response to an updated regional water supply plan or
102 | maintain a work plan under certain circumstances;
103 | providing requirements; requiring the comprehensive
104 | plan to include a property rights element that

105 addresses certain objectives; requiring counties and
 106 municipalities to adopt land development regulations
 107 consistent with the property rights element; amending
 108 s. 380.0666, F.S.; authorizing the land authority to
 109 contribute funds to the City of Key West or the
 110 Housing Authority of the City of Key West for certain
 111 purposes; amending s. 125.0108, F.S.; requiring 50
 112 percent of tourist impact tax revenues to be used in
 113 accordance with s. 380.0666, F.S.; providing an
 114 effective date.

115
 116 Be It Enacted by the Legislature of the State of Florida:

117
 118 Section 1. Paragraph (c) of subsection (2) of section
 119 163.3184, Florida Statutes, is amended to read:

120 163.3184 Process for adoption of comprehensive plan or
 121 plan amendment.—

122 (2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

123 (c) Plan amendments that are in an area of critical state
 124 concern designated pursuant to s. 380.05; propose a rural land
 125 stewardship area pursuant to s. 163.3248; propose a sector plan
 126 pursuant to s. 163.3245; update a comprehensive plan based on an
 127 evaluation and appraisal pursuant to s. 163.3191; propose a
 128 development that qualifies as a development of regional impact
 129 pursuant to s. 380.06 ~~380.06(24)(x)~~; or are new plans for newly
 130 incorporated municipalities adopted pursuant to s. 163.3167

131 shall follow the state coordinated review process in subsection
132 (4).

133 Section 2. Subsection (30) is added to section 380.06,
134 Florida Statutes, to read:

135 380.06 Developments of regional impact.—

136 (30) NEW PROPOSED DEVELOPMENTS.—A new proposed development
137 otherwise subject to the review requirements of this section
138 shall be approved by a local government pursuant to s.
139 163.3184(4) in lieu of proceeding in accordance with this
140 section.

141 Section 3. Subsection (9) of section 163.3175, Florida
142 Statutes, is amended to read:

143 163.3175 Legislative findings on compatibility of
144 development with military installations; exchange of information
145 between local governments and military installations.—

146 ~~(9) If a local government, as required under s.~~
147 ~~163.3177(6)(a), does not adopt criteria and address~~
148 ~~compatibility of lands adjacent to or closely proximate to~~
149 ~~existing military installations in its future land use plan~~
150 ~~element by June 30, 2012, the local government, the military~~
151 ~~installation, the state land planning agency, and other parties~~
152 ~~as identified by the regional planning council, including, but~~
153 ~~not limited to, private landowner representatives, shall enter~~
154 ~~into mediation conducted pursuant to s. 186.509. If the local~~
155 ~~government comprehensive plan does not contain criteria~~
156 ~~addressing compatibility by December 31, 2013, the agency may~~

157 ~~notify the Administration Commission. The Administration~~
158 ~~Commission may impose sanctions pursuant to s. 163.3184(8). Any~~
159 ~~local government that amended its comprehensive plan to address~~
160 ~~military installation compatibility requirements after 2004 and~~
161 ~~was found to be in compliance is deemed to be in compliance with~~
162 ~~this subsection until the local government conducts its~~
163 ~~evaluation and appraisal review pursuant to s. 163.3191 and~~
164 ~~determines that amendments are necessary to meet updated general~~
165 ~~law requirements.~~

166 Section 4. Subsections (3) and (9) of section 163.3245,
167 Florida Statutes, are amended, subsection (13) is renumbered as
168 subsection (14), and new subsections (13) and (15) are added to
169 that section, to read:

170 163.3245 Sector plans.—

171 (3) Sector planning encompasses two levels: adoption
172 pursuant to s. 163.3184 of a long-term master plan for the
173 entire planning area as part of the comprehensive plan, and
174 adoption by local development order of two or more detailed
175 specific area plans that implement the long-term master plan and
176 within which s. 380.06 is waived.

177 (a) In addition to the other requirements of this chapter,
178 except for those that are inconsistent with or superseded by the
179 planning standards of this paragraph, a long-term master plan
180 pursuant to this section must include maps, illustrations, and
181 text supported by data and analysis to address the following:

182 1. A framework map that, at a minimum, generally depicts

183 areas of urban, agricultural, rural, and conservation land use;
184 identifies allowed uses in various parts of the planning area;
185 specifies maximum and minimum densities and intensities of use;
186 and provides the general framework for the development pattern
187 in developed areas with graphic illustrations based on a
188 hierarchy of places and functional place-making components.

189 2. A general identification of the water supplies needed
190 and available sources of water, including water resource
191 development and water supply development projects, and water
192 conservation measures needed to meet the projected demand of the
193 future land uses in the long-term master plan.

194 3. A general identification of the transportation
195 facilities to serve the future land uses in the long-term master
196 plan, including guidelines to be used to establish each modal
197 component intended to optimize mobility.

198 4. A general identification of other regionally
199 significant public facilities necessary to support the future
200 land uses, which may include central utilities provided onsite
201 within the planning area, and policies setting forth the
202 procedures to be used to mitigate the impacts of future land
203 uses on public facilities.

204 5. A general identification of regionally significant
205 natural resources within the planning area based on the best
206 available data and policies setting forth the procedures for
207 protection or conservation of specific resources consistent with
208 the overall conservation and development strategy for the

209 | planning area.

210 | 6. General principles and guidelines addressing the urban
211 | form and the interrelationships of future land uses; the
212 | protection and, as appropriate, restoration and management of
213 | lands identified for permanent preservation through recordation
214 | of conservation easements consistent with s. 704.06, which shall
215 | be phased or staged in coordination with detailed specific area
216 | plans to reflect phased or staged development within the
217 | planning area; achieving a more clean, healthy environment;
218 | limiting urban sprawl; providing a range of housing types;
219 | protecting wildlife and natural areas; advancing the efficient
220 | use of land and other resources; creating quality communities of
221 | a design that promotes travel by multiple transportation modes;
222 | and enhancing the prospects for the creation of jobs.

223 | 7. Identification of general procedures and policies to
224 | facilitate intergovernmental coordination to address
225 | extrajurisdictional impacts from the future land uses.

226 |
227 | A long-term master plan adopted pursuant to this section may be
228 | based upon a planning period longer than the generally
229 | applicable planning period of the local comprehensive plan,
230 | shall specify the projected population within the planning area
231 | during the chosen planning period, and may include a phasing or
232 | staging schedule that allocates a portion of the local
233 | government's future growth to the planning area through the
234 | planning period. A long-term master plan adopted pursuant to

235 | this section is not required to demonstrate need based upon
 236 | projected population growth or on any other basis.

237 | (b) In addition to the other requirements of this chapter,
 238 | except for those that are inconsistent with or superseded by the
 239 | planning standards of this paragraph, the detailed specific area
 240 | plans shall be consistent with the long-term master plan and
 241 | must include conditions and commitments that provide for:

242 | 1. Development or conservation of an area of at least
 243 | 1,000 acres consistent with the long-term master plan. The local
 244 | government may approve detailed specific area plans of less than
 245 | 1,000 acres based on local circumstances if it is determined
 246 | that the detailed specific area plan furthers the purposes of
 247 | this part and part I of chapter 380.

248 | 2. Detailed identification and analysis of the maximum and
 249 | minimum densities and intensities of use and the distribution,
 250 | extent, and location of future land uses.

251 | 3. Detailed identification of water resource development
 252 | and water supply development projects and related infrastructure
 253 | and water conservation measures to address water needs of
 254 | development in the detailed specific area plan.

255 | 4. Detailed identification of the transportation
 256 | facilities to serve the future land uses in the detailed
 257 | specific area plan.

258 | 5. Detailed identification of other regionally significant
 259 | public facilities, including public facilities outside the
 260 | jurisdiction of the host local government, impacts of future

261 land uses on those facilities, and required improvements
262 consistent with the long-term master plan.

263 6. Public facilities necessary to serve development in the
264 detailed specific area plan, including developer contributions
265 in a 5-year capital improvement schedule of the affected local
266 government.

267 7. Detailed analysis and identification of specific
268 measures to ensure the protection and, as appropriate,
269 restoration and management of lands within the boundary of the
270 detailed specific area plan identified for permanent
271 preservation through recordation of conservation easements
272 consistent with s. 704.06, which easements shall be effective
273 before or concurrent with the effective date of the detailed
274 specific area plan and other important resources both within and
275 outside the host jurisdiction. Any such conservation easement
276 may be based on digital orthophotography prepared by a surveyor
277 and mapper licensed under chapter 472 and may authorize the
278 grantor to modify portions of the area protected by a
279 conservation easement and to substitute other lands in their
280 place if the lands to be substituted contain no less gross
281 acreage than the lands to be removed; have equivalent values in
282 the proportion and quality of wetlands, uplands, and wildlife
283 habitat; and are contiguous to other lands protected by the
284 conservation easement. Substitution is accomplished upon the
285 recording of an amendment to the conservation easement as
286 accepted by and with the consent of the grantee, whose consent

287 may not be unreasonably withheld.

288 8. Detailed principles and guidelines addressing the urban
289 form and the interrelationships of future land uses; achieving a
290 more clean, healthy environment; limiting urban sprawl;
291 providing a range of housing types; protecting wildlife and
292 natural areas; advancing the efficient use of land and other
293 resources; creating quality communities of a design that
294 promotes travel by multiple transportation modes; and enhancing
295 the prospects for the creation of jobs.

296 9. Identification of specific procedures to facilitate
297 intergovernmental coordination to address extrajurisdictional
298 impacts from the detailed specific area plan.

299
300 A detailed specific area plan adopted by local development order
301 pursuant to this section may be based upon a planning period
302 longer than the generally applicable planning period of the
303 local comprehensive plan and shall specify the projected
304 population within the specific planning area during the chosen
305 planning period. A detailed specific area plan adopted pursuant
306 to this section is not required to demonstrate need based upon
307 projected population growth or on any other basis. All lands
308 identified in the long-term master plan for permanent
309 preservation shall be subject to a recorded conservation
310 easement consistent with s. 704.06 before or concurrent with the
311 effective date of the final detailed specific area plan to be
312 approved within the planning area. Any such conservation

313 easement may be based on digital orthophotography prepared by a
314 surveyor and mapper licensed under chapter 472 and may authorize
315 the grantor to modify portions of the area protected by a
316 conservation easement and to substitute other lands in their
317 place if the lands to be substituted contain no less gross
318 acreage than the lands to be removed; have equivalent values in
319 the proportion and quality of wetlands, uplands, and wildlife
320 habitat; and are contiguous to other lands protected by the
321 conservation easement. Substitution is accomplished upon the
322 recording of an amendment to the conservation easement as
323 accepted by and with the consent of the grantee, whose consent
324 may not be unreasonably withheld.

325 (c) In its review of a long-term master plan, the state
326 land planning agency shall consult with the Department of
327 Agriculture and Consumer Services, the Department of
328 Environmental Protection, the Fish and Wildlife Conservation
329 Commission, and the applicable water management district
330 regarding the design of areas for protection and conservation of
331 regionally significant natural resources and for the protection
332 and, as appropriate, restoration and management of lands
333 identified for permanent preservation.

334 (d) In its review of a long-term master plan, the state
335 land planning agency shall consult with the Department of
336 Transportation, the applicable metropolitan planning
337 organization, and any urban transit agency regarding the
338 location, capacity, design, and phasing or staging of major

339 transportation facilities in the planning area.

340 (e) Whenever a local government issues a development order
341 approving a detailed specific area plan, a copy of such order
342 shall be rendered to the state land planning agency and the
343 owner or developer of the property affected by such order, as
344 prescribed by rules of the state land planning agency for a
345 development order for a development of regional impact. Within
346 45 days after the order is rendered, the owner, the developer,
347 or the state land planning agency may appeal the order to the
348 Florida Land and Water Adjudicatory Commission by filing a
349 petition alleging that the detailed specific area plan is not
350 consistent with the comprehensive plan or with the long-term
351 master plan adopted pursuant to this section. The appellant
352 shall furnish a copy of the petition to the opposing party, as
353 the case may be, and to the local government that issued the
354 order. The filing of the petition stays the effectiveness of the
355 order until after completion of the appeal process. However, if
356 a development order approving a detailed specific area plan has
357 been challenged by an aggrieved or adversely affected party in a
358 judicial proceeding pursuant to s. 163.3215, and a party to such
359 proceeding serves notice to the state land planning agency, the
360 state land planning agency shall dismiss its appeal to the
361 commission and shall have the right to intervene in the pending
362 judicial proceeding pursuant to s. 163.3215. Proceedings for
363 administrative review of an order approving a detailed specific
364 area plan shall be conducted consistent with s. 380.07(6). The

365 commission shall issue a decision granting or denying permission
366 to develop pursuant to the long-term master plan and the
367 standards of this part and may attach conditions or restrictions
368 to its decisions.

369 (f) The applicant for a detailed specific area plan shall
370 transmit copies of the application to the reviewing agencies
371 specified in s. 163.3184(1)(c), or their successor agencies, for
372 review and comment as to whether the detailed specific area plan
373 is consistent with the comprehensive plan and the long-term
374 master plan. Any comments from the reviewing agencies shall be
375 submitted in writing to the local government with jurisdiction
376 and to the state land planning agency within 30 days after the
377 applicant's transmittal of the application.

378 (g)~~(f)~~ This subsection does not prevent preparation and
379 approval of the sector plan and detailed specific area plan
380 concurrently or in the same submission.

381 (h) If an applicant seeks to use wetland or upland
382 preservation that is achieved by granting a conservation
383 easement required under this section as compensatory mitigation
384 for permitting purposes under chapter 373 or chapter 379, the
385 Department of Environmental Protection, the Fish and Wildlife
386 Conservation Commission, or the water management district may
387 accept such mitigation using the criteria established in the
388 uniform assessment method required by s. 373.414, or pursuant to
389 chapter 379, as applicable, without considering the fact that a
390 conservation easement encumbering the same real property was

391 previously recorded pursuant to paragraph (b).

392 (9) The adoption of a long-term master plan or a detailed
393 specific area plan pursuant to this section does not limit the
394 right to continue existing agricultural or silvicultural uses or
395 other natural resource-based operations or to establish similar
396 new agricultural or silvicultural uses that are consistent with
397 the plans approved pursuant to this section.

398 (13) An applicant with an approved master development
399 order may request that the applicable water management district
400 issue a consumptive use permit as set forth in s. 373.236(8) for
401 the same period of time as the approved master development
402 order.

403 (15) The more specific provisions of this section shall
404 supersede the generally applicable provisions of this chapter
405 that otherwise would apply. This section does not preclude a
406 local government from requiring data and analysis beyond the
407 minimum criteria established in this section.

408 Section 5. Subsection (8) is added to section 373.236,
409 Florida Statutes, to read:

410 373.236 Duration of permits; compliance reports.—

411 (8) A water management district may issue to an applicant,
412 as set forth in s. 163.3245(13), a permit for the same period of
413 time as the applicant's approved master development order if the
414 master development order was issued under s. 380.06(21) by a
415 county which, at the time the order was issued, was designated
416 as a rural area of opportunity under s. 288.0656, was not

417 located in an area encompassed by a regional water supply plan
418 as set forth in s. 373.709(1), and was not located within the
419 basin management action plan of a first magnitude spring. In
420 reviewing the permit application and determining the permit
421 duration, the water management district shall apply s.
422 163.3245(4)(b).

423 Section 6. Subsection (11) of section 163.3246, Florida
424 Statutes, is amended to read:

425 163.3246 Local government comprehensive planning
426 certification program.—

427 (11) If the local government of an area described in
428 subsection (10) does not request that the state land planning
429 agency review the developments of regional impact that are
430 proposed within the certified area, an application for approval
431 of a development order within the certified area shall be exempt
432 from review under s. 380.06, ~~subject to the following:~~

433 ~~(a) Concurrent with filing an application for development~~
434 ~~approval with the local government, a developer proposing a~~
435 ~~project that would have been subject to review pursuant to s.~~
436 ~~380.06 shall notify in writing the regional planning council~~
437 ~~with jurisdiction.~~

438 ~~(b) The regional planning council shall coordinate with~~
439 ~~the developer and the local government to ensure that all~~
440 ~~concurrency requirements as well as federal, state, and local~~
441 ~~environmental permit requirements are met.~~

442 Section 7. Subsection (4) of section 163.3248, Florida

443 Statutes, is amended to read:

444 163.3248 Rural land stewardship areas.—

445 (4) A local government or one or more property owners may
 446 request assistance and participation in the development of a
 447 plan for the rural land stewardship area from the state land
 448 planning agency, the Department of Agriculture and Consumer
 449 Services, the Fish and Wildlife Conservation Commission, the
 450 Department of Environmental Protection, the appropriate water
 451 management district, the Department of Transportation, ~~the~~
 452 ~~regional planning council~~, private land owners, and
 453 stakeholders.

454 Section 8. Section 186.504, Florida Statutes, is amended
 455 to read:

456 186.504 Regional planning councils; ~~creation~~; membership.—

457 ~~(1) A regional planning council shall be created in each~~
 458 ~~of the several comprehensive planning districts of the state.~~
 459 ~~Only one agency shall exercise the responsibilities granted~~
 460 ~~herein within the geographic boundaries of any one comprehensive~~
 461 ~~planning district.~~

462 (1)(2) Membership on a ~~the~~ regional planning council shall
 463 be consistent with s. 186.512 and be as follows:

464 (a) Representatives appointed by each of the member
 465 counties in the geographic area covered by the regional planning
 466 council.

467 (b) Representatives from other member local general-
 468 purpose governments in the geographic area covered by the

469 regional planning council.

470 (c) Representatives appointed by the Governor from the
471 geographic area covered by the regional planning council,
472 including an elected school board member from the geographic
473 area covered by the regional planning council, to be nominated
474 by the Florida School Board Association.

475 (2)~~(3)~~ Not less than two-thirds of the representatives
476 serving as voting members on the governing bodies of such
477 regional planning councils shall be elected officials of local
478 general-purpose governments chosen by the cities and counties of
479 the applicable regional planning council ~~region~~, provided each
480 county shall have at least one vote. The remaining one-third of
481 the voting members on the governing board shall be appointed by
482 the Governor, to include one elected school board member,
483 subject to confirmation by the Senate, and shall reside within
484 the applicable regional planning council ~~in the region~~. No two
485 appointees of the Governor shall have their places of residence
486 in the same county until each county within the regional
487 planning council ~~region~~ is represented by a Governor's appointee
488 to the governing board. ~~Nothing contained in~~ This section does
489 not ~~shall~~ deny to local governing bodies or the Governor the
490 option of appointing either locally elected officials or lay
491 citizens provided at least two-thirds of the governing body of
492 the regional planning council is composed of locally elected
493 officials.

494 (3)~~(4)~~ In addition to voting members appointed pursuant to

495 paragraph (1)(c) ~~(2)(e)~~, the Governor shall appoint the
 496 following ex officio nonvoting members to each regional planning
 497 council:

498 (a) A representative of the Department of Transportation.

499 (b) A representative of the Department of Environmental
 500 Protection.

501 (c) A representative nominated by the Department of
 502 Economic Opportunity.

503 (d) A representative of the appropriate water management
 504 district or districts.

505
 506 The Governor may also appoint ex officio nonvoting members
 507 representing appropriate metropolitan planning organizations and
 508 regional water supply authorities.

509 ~~(4)(5) Nothing contained in This act does not shall be~~
 510 ~~construed to~~ mandate municipal government membership or
 511 participation in a regional planning council. However, each
 512 county shall be a member of the regional planning council
 513 created within the comprehensive planning district encompassing
 514 the county.

515 (5)(6) The existing regional planning council in each of
 516 the several comprehensive planning districts shall be designated
 517 as the regional planning council specified under subsections
 518 (1)-(4) ~~(1)-(5)~~, provided the council agrees to meet the
 519 membership criteria specified therein and is a regional planning
 520 council organized under either s. 163.01 or s. 163.02 or ss.

521 186.501-186.515.

522 Section 9. Subsection (22) of section 186.505, Florida
523 Statutes, is amended to read:

524 186.505 Regional planning councils; powers and duties.—Any
525 regional planning council created hereunder shall have the
526 following powers:

527 ~~(22) To establish and conduct a cross-acceptance~~
528 ~~negotiation process with local governments intended to resolve~~
529 ~~inconsistencies between applicable local and regional plans,~~
530 ~~with participation by local governments being voluntary.~~

531 Section 10. Section 186.512, Florida Statutes, is created
532 to read:

533 186.512 Regional planning council identification;
534 transition provisions.—

535 (1) The territorial area of the state is subdivided into
536 the following districts for the purpose of regional
537 comprehensive planning. The name and geographic area of each
538 respective district shall accord with the following:

539 (a) West Florida Regional Planning Council: Bay, Escambia,
540 Holmes, Okaloosa, Santa Rosa, Walton, and Washington Counties.

541 (b) Apalachee Regional Planning Council: Calhoun,
542 Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and
543 Wakulla Counties.

544 (c) North Central Florida Regional Planning Council:
545 Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton,
546 Lafayette, Levy, Madison, Marion, Suwannee, Taylor, and Union

547 Counties.

548 (d) Northeast Florida Regional Planning Council: Baker,
549 Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties.

550 (e) East Central Florida Regional Planning Council:
551 Brevard, Lake, Orange, Osceola, Seminole, Sumter, and Volusia
552 Counties.

553 (f) Central Florida Regional Planning Council: DeSoto,
554 Hardee, Highlands, Okeechobee, and Polk Counties.

555 (g) Tampa Bay Regional Planning Council: Citrus, Hernando,
556 Hillsborough, Manatee, Pasco, and Pinellas Counties.

557 (h) Southwest Florida Regional Planning Council:
558 Charlotte, Collier, Glades, Hendry, Lee, and Sarasota Counties.

559 (i) Treasure Coast Regional Planning Council: Indian
560 River, Martin, Palm Beach, and St. Lucie Counties.

561 (j) South Florida Regional Planning Council: Broward,
562 Miami-Dade, and Monroe Counties.

563 (2) Beginning January 1, 2016, the Governor may review and
564 update the district boundaries of the regional planning councils
565 pursuant to his or her authority under s. 186.506(4).

566 (3) For purposes of transitioning from one regional
567 planning council to another, a successor regional planning
568 council shall apply the prior strategic regional policy plan to
569 a county until the successor regional planning council amends
570 its plan pursuant to this chapter to include the affected county
571 within the new policy plan.

572 Section 11. Section 186.513, Florida Statutes, is amended

573 to read:

574 186.513 Reports.—Each regional planning council shall
 575 prepare and furnish an annual report on its activities to the
 576 state land planning agency as defined in s. 163.3164 and the
 577 local general-purpose governments within its boundaries and,
 578 upon payment as may be established by the council, to any
 579 interested person. ~~The regional planning councils shall make a~~
 580 ~~joint report and recommendations to appropriate legislative~~
 581 ~~committees.~~

582 Section 12. Paragraph (a) of subsection (1) of section
 583 120.52, Florida Statutes, is amended to read:

584 120.52 Definitions.—As used in this act:

585 (1) "Agency" means the following officers or governmental
 586 entities if acting pursuant to powers other than those derived
 587 from the constitution:

588 (a) The Governor; each state officer and state department,
 589 and each departmental unit described in s. 20.04; the Board of
 590 Governors of the State University System; the Commission on
 591 Ethics; the Fish and Wildlife Conservation Commission; a
 592 regional water supply authority; a regional planning agency; a
 593 multicounty special district, but only if a majority of its
 594 governing board is comprised of nonelected persons; educational
 595 units; and each entity described in chapters 163, 373, 380, and
 596 582 and s. 186.512 ~~186.504~~.

597
 598 This definition does not include a municipality or legal entity

599 created solely by a municipality; a legal entity or agency
600 created in whole or in part pursuant to part II of chapter 361;
601 a metropolitan planning organization created pursuant to s.
602 339.175; a separate legal or administrative entity created
603 pursuant to s. 339.175 of which a metropolitan planning
604 organization is a member; an expressway authority pursuant to
605 chapter 348 or any transportation authority or commission under
606 chapter 343 or chapter 349; or a legal or administrative entity
607 created by an interlocal agreement pursuant to s. 163.01(7),
608 unless any party to such agreement is otherwise an agency as
609 defined in this subsection.

610 Section 13. Paragraph (c) of subsection (1) of section
611 218.32, Florida Statutes, is amended to read:

612 218.32 Annual financial reports; local governmental
613 entities.—

614 (1)

615 (c) Each regional planning council as set forth in s.
616 186.512 ~~created under s. 186.504~~, each local government finance
617 commission, board, or council, and each municipal power
618 corporation created as a separate legal or administrative entity
619 by interlocal agreement under s. 163.01(7) shall submit to the
620 department a copy of its audit report and an annual financial
621 report for the previous fiscal year in a format prescribed by
622 the department.

623 Section 14. Section 253.7828, Florida Statutes, is amended
624 to read:

625 253.7828 Impairment of use or conservation by agencies
626 prohibited.—All agencies of the state, ~~regional planning~~
627 ~~councils~~, water management districts, and local governments
628 shall recognize the special character of the lands and waters
629 designated by the state as the Cross Florida Greenways State
630 Recreation and Conservation Area and shall not take any action
631 that ~~which~~ will impair its use and conservation.

632 Section 15. Paragraph (j) of subsection (4) of section
633 339.135, Florida Statutes, is amended to read:

634 339.135 Work program; legislative budget request;
635 definitions; preparation, adoption, execution, and amendment.—

636 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

637 ~~(j) Notwithstanding paragraph (a) and for the 2014-2015~~
638 ~~fiscal year only, the department may use up to \$15 million of~~
639 ~~appropriated funds to pay the costs of strategic and regionally~~
640 ~~significant transportation projects. Funds may be used to~~
641 ~~provide up to 75 percent of project costs for production-ready~~
642 ~~eligible projects. Preference shall be given to projects that~~
643 ~~support the state's economic regions, or that have been~~
644 ~~identified as regionally significant in accordance with s.~~
645 ~~339.155(4) (c), (d), and (e), and that have an increased level of~~
646 ~~nonstate match. This paragraph expires July 1, 2015.~~

647 Section 16. Paragraph (b) of subsection (4) of section
648 339.155, Florida Statutes, is amended to read:

649 339.155 Transportation planning.—

650 (4) ADDITIONAL TRANSPORTATION PLANS.—

651 (b) Each regional planning council, as provided for in s.
652 186.512 ~~186.504~~, or any successor agency thereto, shall develop,
653 as an element of its strategic regional policy plan,
654 transportation goals and policies. The transportation goals and
655 policies must be prioritized to comply with the prevailing
656 principles provided in subsection (1) and s. 334.046(1). The
657 transportation goals and policies shall be consistent, to the
658 maximum extent feasible, with the goals and policies of the
659 metropolitan planning organization and the Florida
660 Transportation Plan. The transportation goals and policies of
661 the regional planning council will be advisory only and shall be
662 submitted to the department and any affected metropolitan
663 planning organization for their consideration and comments.
664 Metropolitan planning organization plans and other local
665 transportation plans shall be developed consistent, to the
666 maximum extent feasible, with the regional transportation goals
667 and policies. ~~The regional planning council shall review~~
668 ~~urbanized area transportation plans and any other planning~~
669 ~~products stipulated in s. 339.175 and provide the department and~~
670 ~~respective metropolitan planning organizations with written~~
671 ~~recommendations, which the department and the metropolitan~~
672 ~~planning organizations shall take under advisement. Further, the~~
673 ~~regional planning councils shall directly assist local~~
674 ~~governments that are not part of a metropolitan area~~
675 ~~transportation planning process in the development of the~~
676 ~~transportation element of their comprehensive plans as required~~

677 ~~by s. 163.3177.~~

678 Section 17. Subsection (18) of section 380.06, Florida
679 Statutes, is amended to read:

680 380.06 Developments of regional impact.—

681 (18) BIENNIAL REPORTS.—The developer shall submit a
682 biennial report on the development of regional impact to the
683 local government, ~~the regional planning agency,~~ the state land
684 planning agency, and all affected permit agencies in alternate
685 years on the date specified in the development order, unless the
686 development order by its terms requires more frequent
687 monitoring. If the report is not received, ~~the regional planning~~
688 ~~agency or~~ the state land planning agency shall notify the local
689 government. If the local government does not receive the report
690 or receives notification that ~~the regional planning agency or~~
691 the state land planning agency has not received the report, the
692 local government shall request in writing that the developer
693 submit the report within 30 days. The failure to submit the
694 report after 30 days shall result in the temporary suspension of
695 the development order by the local government. If no additional
696 development pursuant to the development order has occurred since
697 the submission of the previous report, ~~then~~ a letter from the
698 developer stating that no development has occurred shall satisfy
699 the requirement for a report. Development orders that require
700 annual reports may be amended to require biennial reports at the
701 option of the local government.

702 Section 18. Subsections (2) and (3) of section 403.50663,

703 Florida Statutes, are amended to read:

704 403.50663 Informational public meetings.—

705 (2) Informational public meetings shall be held solely at
 706 the option of each local government ~~or regional planning council~~
 707 ~~if a public meeting is not held by the local government~~. It is
 708 the legislative intent that local governments ~~or regional~~
 709 ~~planning councils~~ attempt to hold such public meetings. Parties
 710 to the proceedings under this act shall be encouraged to attend;
 711 however, no party other than the applicant and the department
 712 shall be required to attend such informational public meetings.

713 (3) A local government ~~or regional planning council~~ that
 714 intends to conduct an informational public meeting must provide
 715 notice of the meeting to all parties not less than 5 days before
 716 ~~prior to~~ the meeting and to the general public in accordance
 717 with s. 403.5115(5). The expense for such notice is eligible for
 718 reimbursement under s. 403.518(2)(c)1.

719 Section 19. Paragraph (a) of subsection (2) of section
 720 403.507, Florida Statutes, is amended to read:

721 403.507 Preliminary statements of issues, reports, project
 722 analyses, and studies.—

723 (2)(a) No later than 100 days after the certification
 724 application has been determined complete, the following agencies
 725 shall prepare reports as provided below and shall submit them to
 726 the department and the applicant, unless a final order denying
 727 the determination of need has been issued under s. 403.519:

728 1. The Department of Economic Opportunity shall prepare a

729 report containing recommendations which address the impact upon
730 the public of the proposed electrical power plant, based on the
731 degree to which the electrical power plant is consistent with
732 the applicable portions of the state comprehensive plan,
733 emergency management, and other such matters within its
734 jurisdiction. The Department of Economic Opportunity may also
735 comment on the consistency of the proposed electrical power
736 plant with applicable strategic regional policy plans or local
737 comprehensive plans and land development regulations.

738 2. The water management district shall prepare a report as
739 to matters within its jurisdiction, including but not limited
740 to, the impact of the proposed electrical power plant on water
741 resources, regional water supply planning, and district-owned
742 lands and works.

743 3. Each local government in whose jurisdiction the
744 proposed electrical power plant is to be located shall prepare a
745 report as to the consistency of the proposed electrical power
746 plant with all applicable local ordinances, regulations,
747 standards, or criteria that apply to the proposed electrical
748 power plant, including any applicable local environmental
749 regulations adopted pursuant to s. 403.182 or by other means.

750 4. The Fish and Wildlife Conservation Commission shall
751 prepare a report as to matters within its jurisdiction.

752 ~~5. Each regional planning council shall prepare a report~~
753 ~~containing recommendations that address the impact upon the~~
754 ~~public of the proposed electrical power plant, based on the~~

755 ~~degree to which the electrical power plant is consistent with~~
756 ~~the applicable provisions of the strategic regional policy plan~~
757 ~~adopted pursuant to chapter 186 and other matters within its~~
758 ~~jurisdiction.~~

759 5.6. The Department of Transportation shall address the
760 impact of the proposed electrical power plant on matters within
761 its jurisdiction.

762 Section 20. Paragraph (a) of subsection (3) and paragraph
763 (a) of subsection (4) of section 403.508, Florida Statutes, are
764 amended to read:

765 403.508 Land use and certification hearings, parties,
766 participants.—

767 (3) (a) Parties to the proceeding shall include:

- 768 1. The applicant.
- 769 2. The Public Service Commission.
- 770 3. The Department of Economic Opportunity.
- 771 4. The Fish and Wildlife Conservation Commission.
- 772 5. The water management district.
- 773 6. The department.
- 774 ~~7. The regional planning council.~~

775 7.8. The local government.

776 8.9. The Department of Transportation.

777 (4) (a) The order of presentation at the certification
778 hearing, unless otherwise changed by the administrative law
779 judge to ensure the orderly presentation of witnesses and
780 evidence, shall be:

- 781 1. The applicant.
- 782 2. The department.
- 783 3. State agencies.
- 784 4. Regional agencies, including ~~regional planning councils~~
- 785 ~~and~~ water management districts.
- 786 5. Local governments.
- 787 6. Other parties.

788 Section 21. Subsection (5) of section 403.5115, Florida
 789 Statutes, is amended to read:

790 403.5115 Public notice.—

791 (5) A local government ~~or regional planning council~~ that
 792 proposes to conduct an informational public meeting pursuant to
 793 s. 403.50663 must publish notice of the meeting in a newspaper
 794 of general circulation within the county or counties in which
 795 the proposed electrical power plant will be located no later
 796 than 7 days before ~~prior to~~ the meeting. A newspaper of general
 797 circulation shall be the newspaper that has the largest daily
 798 circulation in that county and has its principal office in that
 799 county. If the newspaper with the largest daily circulation has
 800 its principal office outside the county, the notices shall
 801 appear in both the newspaper having the largest circulation in
 802 that county and in a newspaper authorized to publish legal
 803 notices in that county.

804 Section 22. Paragraph (a) of subsection (2) of section
 805 403.526, Florida Statutes, is amended to read:

806 403.526 Preliminary statements of issues, reports, and

807 project analyses; studies.—

808 (2) (a) No later than 90 days after the filing of the
809 application, the following agencies shall prepare reports as
810 provided below, unless a final order denying the determination
811 of need has been issued under s. 403.537:

812 1. The department shall prepare a report as to the impact
813 of each proposed transmission line or corridor as it relates to
814 matters within its jurisdiction.

815 2. Each water management district in the jurisdiction of
816 which a proposed transmission line or corridor is to be located
817 shall prepare a report as to the impact on water resources and
818 other matters within its jurisdiction.

819 3. The Department of Economic Opportunity shall prepare a
820 report containing recommendations which address the impact upon
821 the public of the proposed transmission line or corridor, based
822 on the degree to which the proposed transmission line or
823 corridor is consistent with the applicable portions of the state
824 comprehensive plan, emergency management, and other matters
825 within its jurisdiction. The Department of Economic Opportunity
826 may also comment on the consistency of the proposed transmission
827 line or corridor with applicable strategic regional policy plans
828 or local comprehensive plans and land development regulations.

829 4. The Fish and Wildlife Conservation Commission shall
830 prepare a report as to the impact of each proposed transmission
831 line or corridor on fish and wildlife resources and other
832 matters within its jurisdiction.

833 5. Each local government shall prepare a report as to the
 834 impact of each proposed transmission line or corridor on matters
 835 within its jurisdiction, including the consistency of the
 836 proposed transmission line or corridor with all applicable local
 837 ordinances, regulations, standards, or criteria that apply to
 838 the proposed transmission line or corridor, including local
 839 comprehensive plans, zoning regulations, land development
 840 regulations, and any applicable local environmental regulations
 841 adopted pursuant to s. 403.182 or by other means. A change by
 842 the responsible local government or local agency in local
 843 comprehensive plans, zoning ordinances, or other regulations
 844 made after the date required for the filing of the local
 845 government's report required by this section is not applicable
 846 to the certification of the proposed transmission line or
 847 corridor unless the certification is denied or the application
 848 is withdrawn.

849 ~~6. Each regional planning council shall present a report~~
 850 ~~containing recommendations that address the impact upon the~~
 851 ~~public of the proposed transmission line or corridor based on~~
 852 ~~the degree to which the transmission line or corridor is~~
 853 ~~consistent with the applicable provisions of the strategic~~
 854 ~~regional policy plan adopted under chapter 186 and other impacts~~
 855 ~~of each proposed transmission line or corridor on matters within~~
 856 ~~its jurisdiction.~~

857 6.7. The Department of Transportation shall prepare a
 858 report as to the impact of the proposed transmission line or

859 | corridor on state roads, railroads, airports, aeronautics,
 860 | seaports, and other matters within its jurisdiction.

861 | ~~7.8.~~ The commission shall prepare a report containing its
 862 | determination under s. 403.537, and the report may include the
 863 | comments from the commission with respect to any other subject
 864 | within its jurisdiction.

865 | ~~8.9.~~ Any other agency, if requested by the department,
 866 | shall also perform studies or prepare reports as to subjects
 867 | within the jurisdiction of the agency which may potentially be
 868 | affected by the proposed transmission line.

869 | Section 23. Paragraph (a) of subsection (2) and paragraph
 870 | (a) of subsection (3) of section 403.527, Florida Statutes, are
 871 | amended to read:

872 | 403.527 Certification hearing, parties, participants.—

873 | (2) (a) Parties to the proceeding shall be:

- 874 | 1. The applicant.
- 875 | 2. The department.
- 876 | 3. The commission.
- 877 | 4. The Department of Economic Opportunity.
- 878 | 5. The Fish and Wildlife Conservation Commission.
- 879 | 6. The Department of Transportation.
- 880 | 7. Each water management district in the jurisdiction of
 881 | which the proposed transmission line or corridor is to be
 882 | located.
- 883 | 8. The local government.
- 884 | ~~9. The regional planning council.~~

885 (3) (a) The order of presentation at the certification
 886 hearing, unless otherwise changed by the administrative law
 887 judge to ensure the orderly presentation of witnesses and
 888 evidence, shall be:

- 889 1. The applicant.
- 890 2. The department.
- 891 3. State agencies.
- 892 4. Regional agencies, including ~~regional planning councils~~
 893 ~~and~~ water management districts.
- 894 5. Local governments.
- 895 6. Other parties.

896 Section 24. Subsections (2) and (3) of section 403.5272,
 897 Florida Statutes, are amended to read:

898 403.5272 Informational public meetings.—

899 (2) Informational public meetings shall be held solely at
 900 the option of each local government ~~or regional planning~~
 901 ~~council~~. It is the legislative intent that local governments ~~or~~
 902 ~~regional planning councils~~ attempt to hold such public meetings.
 903 Parties to the proceedings under this act shall be encouraged to
 904 attend; however, a party other than the applicant and the
 905 department is not required to attend the informational public
 906 meetings.

907 (3) A local government ~~or regional planning council~~ that
 908 intends to conduct an informational public meeting must provide
 909 notice of the meeting, with notice sent to all parties listed in
 910 s. 403.527(2) (a), not less than 15 days before the meeting and

911 to the general public in accordance with s. 403.5363(4).

912 Section 25. Subsection (4) of section 403.7264, Florida
913 Statutes, is amended to read:

914 403.7264 Amnesty days for purging small quantities of
915 hazardous wastes.—Amnesty days are authorized by the state for
916 the purpose of purging small quantities of hazardous waste, free
917 of charge, from the possession of homeowners, farmers, schools,
918 state agencies, and small businesses. These entities have no
919 appropriate economically feasible mechanism for disposing of
920 their hazardous wastes at the present time. In order to raise
921 public awareness on this issue, provide an educational process,
922 accommodate those entities which have a need to dispose of small
923 quantities of hazardous waste, and preserve the waters of the
924 state, amnesty days shall be carried out in the following
925 manner:

926 ~~(4) Regional planning councils shall assist the department~~
927 ~~in site selection, public awareness, and program coordination.~~
928 ~~However, the department shall retain full responsibility for the~~
929 ~~state amnesty days program.~~

930 Section 26. Paragraph (a) of subsection (2) of section
931 403.941, Florida Statutes, is amended to read:

932 403.941 Preliminary statements of issues, reports, and
933 studies.—

934 (2) (a) The affected agencies shall prepare reports as
935 provided in this paragraph and shall submit them to the
936 department and the applicant within 60 days after the

937 application is determined sufficient:

938 1. The department shall prepare a report as to the impact
939 of each proposed natural gas transmission pipeline or corridor
940 as it relates to matters within its jurisdiction.

941 2. Each water management district in the jurisdiction of
942 which a proposed natural gas transmission pipeline or corridor
943 is to be located shall prepare a report as to the impact on
944 water resources and other matters within its jurisdiction.

945 3. The Department of Economic Opportunity shall prepare a
946 report containing recommendations which address the impact upon
947 the public of the proposed natural gas transmission pipeline or
948 corridor, based on the degree to which the proposed natural gas
949 transmission pipeline or corridor is consistent with the
950 applicable portions of the state comprehensive plan and other
951 matters within its jurisdiction. The Department of Economic
952 Opportunity may also comment on the consistency of the proposed
953 natural gas transmission pipeline or corridor with applicable
954 strategic regional policy plans or local comprehensive plans and
955 land development regulations.

956 4. The Fish and Wildlife Conservation Commission shall
957 prepare a report as to the impact of each proposed natural gas
958 transmission pipeline or corridor on fish and wildlife resources
959 and other matters within its jurisdiction.

960 5. Each local government in which the natural gas
961 transmission pipeline or natural gas transmission pipeline
962 corridor will be located shall prepare a report as to the impact

963 of each proposed natural gas transmission pipeline or corridor
964 on matters within its jurisdiction, including the consistency of
965 the proposed natural gas transmission pipeline or corridor with
966 all applicable local ordinances, regulations, standards, or
967 criteria that apply to the proposed natural gas transmission
968 pipeline or corridor, including local comprehensive plans,
969 zoning regulations, land development regulations, and any
970 applicable local environmental regulations adopted pursuant to
971 s. 403.182 or by other means. No change by the responsible local
972 government or local agency in local comprehensive plans, zoning
973 ordinances, or other regulations made after the date required
974 for the filing of the local government's report required by this
975 section shall be applicable to the certification of the proposed
976 natural gas transmission pipeline or corridor unless the
977 certification is denied or the application is withdrawn.

978 ~~6. Each regional planning council in which the natural gas~~
979 ~~transmission pipeline or natural gas transmission pipeline~~
980 ~~corridor will be located shall present a report containing~~
981 ~~recommendations that address the impact upon the public of the~~
982 ~~proposed natural gas transmission pipeline or corridor, based on~~
983 ~~the degree to which the natural gas transmission pipeline or~~
984 ~~corridor is consistent with the applicable provisions of the~~
985 ~~strategic regional policy plan adopted pursuant to chapter 186~~
986 ~~and other impacts of each proposed natural gas transmission~~
987 ~~pipeline or corridor on matters within its jurisdiction.~~

988 6.7. The Department of Transportation shall prepare a

989 | report on the effect of the natural gas transmission pipeline or
 990 | natural gas transmission pipeline corridor on matters within its
 991 | jurisdiction, including roadway crossings by the pipeline. The
 992 | report shall contain at a minimum:

993 | a. A report by the applicant to the department stating
 994 | that all requirements of the department's utilities
 995 | accommodation guide have been or will be met in regard to the
 996 | proposed pipeline or pipeline corridor; and

997 | b. A statement by the department as to the adequacy of the
 998 | report to the department by the applicant.

999 | ~~7.8.~~ The Department of State, Division of Historical
 1000 | Resources, shall prepare a report on the impact of the natural
 1001 | gas transmission pipeline or natural gas transmission pipeline
 1002 | corridor on matters within its jurisdiction.

1003 | ~~8.9.~~ The commission shall prepare a report addressing
 1004 | matters within its jurisdiction. The commission's report shall
 1005 | include its determination of need issued pursuant to s.
 1006 | 403.9422.

1007 | Section 27. Paragraph (a) of subsection (4) and subsection
 1008 | (6) of section 403.9411, Florida Statutes, are amended to read:

1009 | 403.9411 Notice; proceedings; parties and participants.—

1010 | (4) (a) Parties to the proceeding shall be:

- 1011 | 1. The applicant.
- 1012 | 2. The department.
- 1013 | 3. The commission.
- 1014 | 4. The Department of Economic Opportunity.

1015 5. The Fish and Wildlife Conservation Commission.

1016 6. Each water management district in the jurisdiction of

1017 which the proposed natural gas transmission pipeline or corridor

1018 is to be located.

1019 7. The local government.

1020 ~~8. The regional planning council.~~

1021 8.9. The Department of Transportation.

1022 9.10. The Department of State, Division of Historical

1023 Resources.

1024 (6) The order of presentation at the certification

1025 hearing, unless otherwise changed by the administrative law

1026 judge to ensure the orderly presentation of witnesses and

1027 evidence, shall be:

1028 (a) The applicant.

1029 (b) The department.

1030 (c) State agencies.

1031 (d) Regional agencies, including ~~regional planning~~

1032 ~~councils and~~ water management districts.

1033 (e) Local governments.

1034 (f) Other parties.

1035 Section 28. Subsection (6) of section 419.001, Florida

1036 Statutes, is amended to read:

1037 419.001 Site selection of community residential homes.—

1038 (6) If agreed to by both the local government and the

1039 sponsoring agency, a conflict may be resolved through informal

1040 mediation. The local government shall arrange for the services

1041 of an independent mediator ~~or may utilize the dispute resolution~~
 1042 ~~process established by a regional planning council pursuant to~~
 1043 ~~s. 186.509~~. Mediation shall be concluded within 45 days after ~~of~~
 1044 a request therefor. The resolution of any issue through the
 1045 mediation process shall not alter any person's right to a
 1046 judicial determination of any issue if that person is entitled
 1047 to such a determination under statutory or common law.

1048 Section 29. Subsection (4) of section 985.682, Florida
 1049 Statutes, is amended to read:

1050 985.682 Siting of facilities; criteria.—

1051 (4) When the department requests such a modification and
 1052 it is denied by the local government, the local government or
 1053 the department shall initiate a ~~the~~ dispute resolution process
 1054 ~~established under s. 186.509~~ to reconcile differences on the
 1055 siting of correctional facilities between the department, local
 1056 governments, and private citizens. ~~If the regional planning~~
 1057 ~~council has not established a dispute resolution process~~
 1058 ~~pursuant to s. 186.509~~, The department shall establish, by rule,
 1059 procedures for dispute resolution. The dispute resolution
 1060 process shall require the parties to commence meetings to
 1061 reconcile their differences. If the parties fail to resolve
 1062 their differences within 30 days after the denial, the parties
 1063 shall engage in voluntary mediation or similar process. If the
 1064 parties fail to resolve their differences by mediation within 60
 1065 days after the denial, or if no action is taken on the
 1066 department's request within 90 days after the request, the

1067 department must appeal the decision of the local government on
 1068 the requested modification of local plans, ordinances, or
 1069 regulations to the Governor and Cabinet. Any dispute resolution
 1070 process initiated under this section must conform to the time
 1071 limitations set forth herein. However, upon agreement of all
 1072 parties, the time limits may be extended, but in no event may
 1073 the dispute resolution process extend over 180 days.

1074 Section 30. Section 186.0201, Florida Statutes, is
 1075 repealed.

1076 Section 31. Section 260.018, Florida Statutes, is
 1077 repealed.

1078 Section 32. Subsection (14) is added to section 163.3246,
 1079 Florida Statutes, to read:

1080 163.3246 Local government comprehensive planning
 1081 certification program.—

1082 (14) It is the intent of the Legislature to encourage the
 1083 creation of connected-city corridors that facilitate the growth
 1084 of high-technology industry and innovation through partnerships
 1085 that support research, marketing, the workforce, and
 1086 entrepreneurship. It is the intent of the Legislature to provide
 1087 for a locally controlled, comprehensive plan amendment process
 1088 for such projects that are designed to achieve a cleaner,
 1089 healthier environment; limit urban sprawl by promoting diverse
 1090 but interconnected communities; provide a range of
 1091 intergenerational housing types; protect wildlife and natural
 1092 areas; ensure the efficient use of land and other resources;

1093 create quality communities of a design that promotes alternative
1094 transportation networks and travel by multiple transportation
1095 modes; and enhance the prospects for the creation of jobs. The
1096 Legislature finds and declares that this state's connected-city
1097 corridors require a reduced level of state and regional
1098 oversight because of their high degree of urbanization and the
1099 planning capabilities and resources of the local government.

1100 (a) Notwithstanding subsections (2), (4), (5), (6), and
1101 (7), Pasco County is named a pilot community and is considered
1102 certified for 10 years for connected-city corridor plan
1103 amendments. The state land planning agency shall provide a
1104 written notice of certification to Pasco County by July 15,
1105 2015, which shall be considered final agency action subject to
1106 challenge under s. 120.569. The notice of certification must
1107 include:

1108 1. The boundary of the connected-city corridor
1109 certification area.

1110 2. A requirement that Pasco County submit an annual or
1111 biennial monitoring report to the state land planning agency
1112 according to the schedule provided in the written notice. The
1113 monitoring report shall, at a minimum, include the number of
1114 amendments to the comprehensive plan adopted by Pasco County,
1115 the number of plan amendments challenged by an affected person,
1116 and the disposition of such challenges.

1117 (b) A plan amendment adopted under this subsection may be
1118 based on a planning period longer than the generally applicable

1119 planning period of the Pasco County local comprehensive plan,
1120 shall specify the projected population within the planning area
1121 during the chosen planning period, may include a phasing or
1122 staging schedule that allocates a portion of Pasco County's
1123 future growth to the planning area through the planning period,
1124 and may designate a priority zone or subarea within the
1125 connected-city corridor for initial implementation of the plan.
1126 A plan amendment adopted under this subsection is not required
1127 to demonstrate need based on projected population growth or on
1128 any other basis.

1129 (c) If Pasco County adopts a long-term transportation
1130 network plan and financial feasibility plan, and subject to
1131 compliance with the requirements of such a plan, the projects
1132 within the connected-city corridor are deemed to have satisfied
1133 all concurrency and other state agency or local government
1134 transportation mitigation requirements except for site-specific
1135 access management requirements.

1136 (d) If Pasco County does not request that the state land
1137 planning agency review the developments of regional impact that
1138 are proposed within the certified area, an application for
1139 approval of a development order within the certified area is
1140 exempt from review under s. 380.06.

1141 (e) The Office of Program Policy Analysis and Government
1142 Accountability (OPPAGA) shall submit to the Governor, the
1143 President of the Senate, and the Speaker of the House of
1144 Representatives by December 1, 2024, a report and

1145 recommendations for implementing a statewide program that
 1146 addresses the legislative findings in this subsection. In
 1147 consultation with the state land planning agency, OPPAGA shall
 1148 develop the report and recommendations with input from other
 1149 state and regional agencies, local governments, and interest
 1150 groups. OPPAGA shall also solicit citizen input in the
 1151 potentially affected areas and consult with the affected local
 1152 government and stakeholder groups. Additionally, OPPAGA shall
 1153 review local and state actions and correspondence relating to
 1154 the pilot program to identify issues of process and substance in
 1155 recommending changes to the pilot program. At a minimum, the
 1156 report and recommendations must include:

1157 1. Identification of local governments other than the
 1158 local government participating in the pilot program which should
 1159 be certified. The report may also recommend that a local
 1160 government is no longer appropriate for certification.

1161 2. Changes to the certification pilot program.

1162 Section 33. Subsection (2) of section 190.005, Florida
 1163 Statutes, is amended to read:

1164 190.005 Establishment of district.—

1165 (2) The exclusive and uniform method for the establishment
 1166 of a community development district of less than 1,000 acres in
 1167 size or a community development district of up to 2,000 acres in
 1168 size located within a connected-city corridor established
 1169 pursuant to s. 163.3246(14) shall be pursuant to an ordinance
 1170 adopted by the county commission of the county having

1171 jurisdiction over the majority of land in the area in which the
1172 district is to be located granting a petition for the
1173 establishment of a community development district as follows:

1174 (a) A petition for the establishment of a community
1175 development district shall be filed by the petitioner with the
1176 county commission. The petition shall contain the same
1177 information as required in paragraph (1) (a).

1178 (b) A public hearing on the petition shall be conducted by
1179 the county commission in accordance with the requirements and
1180 procedures of paragraph (1) (d).

1181 (c) The county commission shall consider the record of the
1182 public hearing and the factors set forth in paragraph (1) (e) in
1183 making its determination to grant or deny a petition for the
1184 establishment of a community development district.

1185 (d) The county commission shall not adopt any ordinance
1186 which would expand, modify, or delete any provision of the
1187 uniform community development district charter as set forth in
1188 ss. 190.006-190.041. An ordinance establishing a community
1189 development district shall only include the matters provided for
1190 in paragraph (1) (f) unless the commission consents to any of the
1191 optional powers under s. 190.012(2) at the request of the
1192 petitioner.

1193 (e) If all of the land in the area for the proposed
1194 district is within the territorial jurisdiction of a municipal
1195 corporation, then the petition requesting establishment of a
1196 community development district under this act shall be filed by

1197 the petitioner with that particular municipal corporation. In
1198 such event, the duties of the county, hereinabove described, in
1199 action upon the petition shall be the duties of the municipal
1200 corporation. If any of the land area of a proposed district is
1201 within the land area of a municipality, the county commission
1202 may not create the district without municipal approval. If all
1203 of the land in the area for the proposed district, even if less
1204 than 1,000 acres, is within the territorial jurisdiction of two
1205 or more municipalities, except for a proposed district within a
1206 connected-city corridor established pursuant to s. 163.3246(14),
1207 the petition shall be filed with the Florida Land and Water
1208 Adjudicatory Commission and proceed in accordance with
1209 subsection (1).

1210 (f) Notwithstanding any other provision of this
1211 subsection, within 90 days after a petition for the
1212 establishment of a community development district has been filed
1213 pursuant to this subsection, the governing body of the county or
1214 municipal corporation may transfer the petition to the Florida
1215 Land and Water Adjudicatory Commission, which shall make the
1216 determination to grant or deny the petition as provided in
1217 subsection (1). A county or municipal corporation shall have no
1218 right or power to grant or deny a petition that has been
1219 transferred to the Florida Land and Water Adjudicatory
1220 Commission.

1221 Section 34. Subsection (9) of section 163.3167, Florida
1222 Statutes, is amended to read:

1223 163.3167 Scope of act.—

1224 (9) Each local government shall address in its
 1225 comprehensive plan, as enumerated in this chapter:7

1226 (a) The water supply sources necessary to meet and achieve
 1227 the existing and projected water use demand for the established
 1228 planning period, considering the applicable plan developed
 1229 pursuant to s. 373.709.

1230 (b) The protection of private property rights.

1231 Section 35. Paragraph (c) of subsection (6) of section
 1232 163.3177, Florida Statutes, is amended, and paragraph (i) is
 1233 added to that subsection, to read:

1234 163.3177 Required and optional elements of comprehensive
 1235 plan; studies and surveys.—

1236 (6) In addition to the requirements of subsections (1)–
 1237 (5), the comprehensive plan shall include the following
 1238 elements:

1239 (c) A general sanitary sewer, solid waste, drainage,
 1240 potable water, and natural groundwater aquifer recharge element
 1241 correlated to principles and guidelines for future land use,
 1242 indicating ways to provide for future potable water, drainage,
 1243 sanitary sewer, solid waste, and aquifer recharge protection
 1244 requirements for the area. The element may be a detailed
 1245 engineering plan including a topographic map depicting areas of
 1246 prime groundwater recharge.

1247 1. Each local government shall address in the data and
 1248 analyses required by this section those facilities that provide

1249 service within the local government's jurisdiction. Local
1250 governments that provide facilities to serve areas within other
1251 local government jurisdictions shall also address those
1252 facilities in the data and analyses required by this section,
1253 using data from the comprehensive plan for those areas for the
1254 purpose of projecting facility needs as required in this
1255 subsection. For shared facilities, each local government shall
1256 indicate the proportional capacity of the systems allocated to
1257 serve its jurisdiction.

1258 2. The element shall describe the problems and needs and
1259 the general facilities that will be required for solution of the
1260 problems and needs, including correcting existing facility
1261 deficiencies. The element shall address coordinating the
1262 extension of, or increase in the capacity of, facilities to meet
1263 future needs while maximizing the use of existing facilities and
1264 discouraging urban sprawl; conserving potable water resources;
1265 and protecting the functions of natural groundwater recharge
1266 areas and natural drainage features.

1267 3. Within 18 months after the governing board approves an
1268 updated regional water supply plan, the element must incorporate
1269 the alternative water supply project or projects selected by the
1270 local government from those identified in the regional water
1271 supply plan pursuant to s. 373.709(2)(a) or proposed by the
1272 local government under s. 373.709(8)(b). If a local government
1273 is located within two water management districts, the local
1274 government shall adopt its comprehensive plan amendment within

1275 18 months after the later updated regional water supply plan.
1276 The element must identify such alternative water supply projects
1277 and traditional water supply projects and conservation and reuse
1278 necessary to meet the water needs identified in s. 373.709(2)(a)
1279 within the local government's jurisdiction and include a work
1280 plan, covering at least a 10-year planning period, for building
1281 public, private, and regional water supply facilities, including
1282 development of alternative water supplies, which are identified
1283 in the element as necessary to serve existing and new
1284 development. The work plan shall be updated, at a minimum, every
1285 5 years within 18 months after the governing board of a water
1286 management district approves an updated regional water supply
1287 plan. Local governments, public and private utilities, regional
1288 water supply authorities, special districts, and water
1289 management districts are encouraged to cooperatively plan for
1290 the development of multijurisdictional water supply facilities
1291 that are sufficient to meet projected demands for established
1292 planning periods, including the development of alternative water
1293 sources to supplement traditional sources of groundwater and
1294 surface water supplies.

1295 4. A local government that does not own, operate, or
1296 maintain its own water supply facilities, including, but not
1297 limited to, wells, treatment facilities, and distribution
1298 infrastructure, is not required to amend its comprehensive plan
1299 in response to an updated regional water supply plan or to
1300 maintain a work plan. However, any such local government must

1301 cooperate with, and provide relevant data to, any local
1302 government or utility provider that provides service within its
1303 jurisdiction and must keep its general sanitary sewer, solid
1304 waste, potable water, and natural groundwater aquifer recharge
1305 element updated according to the method described in s.
1306 163.3191.

1307 (i)1. In recognition of the legitimate and often competing
1308 public and private interests in land use regulations and other
1309 government action, a property rights element that protects
1310 private property rights. The property rights element shall set
1311 forth the principles, guidelines, standards, and strategies to
1312 guide the local government's decisions and program
1313 implementation with respect to the following objectives:

1314 a. Consideration of the impact to private property rights
1315 of all proposed development orders, plan amendments, ordinances,
1316 and other government decisions.

1317 b. Encouragement of economic development.

1318 c. Use of alternative, innovative solutions to provide
1319 equal or better protection than the comprehensive plan.

1320 d. Consideration of the degree of harm created by
1321 noncompliance with the comprehensive plan.

1322 2. Each county and each municipality within the county
1323 shall, within 1 year after adopting its property rights element,
1324 adopt land development regulations consistent with this
1325 paragraph.

1326 Section 36. Subsection (3) of section 380.0666, Florida

1327 Statutes, is amended to read:

1328 380.0666 Powers of land authority.—The land authority
 1329 shall have all the powers necessary or convenient to carry out
 1330 and effectuate the purposes and provisions of this act,
 1331 including the following powers, which are in addition to all
 1332 other powers granted by other provisions of this act:

1333 (3) To acquire and dispose of real and personal property
 1334 or any interest therein when such acquisition is necessary or
 1335 appropriate to protect the natural environment, provide public
 1336 access or public recreational facilities, preserve wildlife
 1337 habitat areas, provide affordable housing to families whose
 1338 income does not exceed 160 percent of the median family income
 1339 for the area, or provide access to management of acquired lands;
 1340 to acquire interests in land by means of land exchanges; to
 1341 contribute funds to the City of Key West or the Housing
 1342 Authority of the City of Key West, at the request of the city
 1343 commission, for the construction, redevelopment, or preservation
 1344 of affordable housing within the Key West Area of Critical State
 1345 Concern; and to enter into all alternatives to the acquisition
 1346 of fee interests in land, including, but not limited to, the
 1347 acquisition of easements, development rights, life estates,
 1348 leases, and leaseback arrangements. However, the land authority
 1349 shall make an ~~such~~ acquisition or contribution only if:

1350 (a) Such acquisition or contribution is consistent with
 1351 land development regulations and local comprehensive plans
 1352 adopted and approved pursuant to this chapter;

1353 (b) The property acquired is within an area designated as
 1354 an area of critical state concern at the time of acquisition or
 1355 is within an area that was designated as an area of critical
 1356 state concern for at least 20 consecutive years before ~~prior to~~
 1357 removal of the designation; and

1358 (c) The property to be acquired has not been selected for
 1359 purchase through another local, regional, state, or federal
 1360 public land acquisition program. Such restriction shall not
 1361 apply if the land authority cooperates with the other public
 1362 land acquisition programs that ~~which~~ listed the lands for
 1363 acquisition, to coordinate the acquisition and disposition of
 1364 such lands. In such cases, the land authority may enter into
 1365 contractual or other agreements to acquire lands jointly or for
 1366 eventual resale to other public land acquisition programs.

1367 Section 37. Subsection (3) of section 125.0108, Florida
 1368 Statutes, is amended to read:

1369 125.0108 Areas of critical state concern; tourist impact
 1370 tax.—

1371 (3) All tax revenues received pursuant to this section,
 1372 less administrative costs, shall be distributed as follows:

1373 (a) Fifty percent shall be transferred to the land
 1374 authority to be used in accordance with s. 380.0666 ~~to purchase~~
 1375 ~~property~~ in the area of critical state concern for which the
 1376 revenue is generated. An amount not to exceed 5 percent may be
 1377 used for administration and other costs incident to the exercise
 1378 of such powers ~~such purchases~~.

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1379 | (b) Fifty percent shall be distributed to the governing
1380 | body of the county where the revenue was generated. Such
1381 | proceeds shall be used to offset the loss of ad valorem taxes
1382 | due to acquisitions provided for by this act.

1383 | Section 38. This act shall take effect July 1, 2015.