

1 A bill to be entitled
2 An act relating to community development districts;
3 amending s. 190.005, F.S.; specifying a procedure for
4 establishing certain new community development
5 districts; amending s. 190.046, F.S.; providing
6 procedures for adding parcels to certain community
7 development districts; providing noticing and filing
8 requirements; specifying that the expansion of a
9 district's boundaries does not alter certain voting
10 methods; authorizing the use of existing procedures
11 for adding parcels to such community development
12 districts; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

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16 Section 1. Subsection (3) of section 190.005, Florida
17 Statutes, is renumbered as subsection (4), and a new subsection
18 (3) is added to that section to read:

19 190.005 Establishment of district.—

20 (3) A petition to establish a new community development
21 district of less than 2500 acres as set forth in subsection (2)
22 over land located solely in one county or one municipality may
23 identify adjacent parcels located within that county or
24 municipality that the petitioner expects to add to the
25 district's boundaries within the next 10 years. Such petition

26 | shall include the legal description, the name of the current
 27 | landowner, the acreage, and the current land use designation of
 28 | each additional parcel to be added to the district. The current
 29 | landowners shall receive notice of the filing of the petition to
 30 | establish the district, the date and time of the public hearing
 31 | on the petition, and the name and address of the petitioner at
 32 | least 14 days before the hearing required by paragraph (2)(b). A
 33 | parcel may not be included in the petition without the written
 34 | consent of the landowner.

35 | Section 2. Paragraph (h) is added to subsection (1) of
 36 | section 190.046, Florida Statutes, to read:

37 | 190.046 Termination, contraction, or expansion of
 38 | district.—

39 | (1) A landowner or the board may petition to contract or
 40 | expand the boundaries of a community development district in the
 41 | following manner:

42 | (h)1. For those districts established using the procedures
 43 | under s. 190.005(2) and (3), a person may file a petition with
 44 | the applicable county commission to amend the district's
 45 | boundaries to include parcels that were identified in the
 46 | petition that established the district. The county commission
 47 | may not charge a filing fee for the petition. Each petition must
 48 | include:

49 | a. A metes and bounds description of each parcel to be
 50 | added to the district.

51 b. A new legal description by metes and bounds of the
52 district with the parcels added.

53 c. Written consent of 100 percent of the landowners of the
54 parcels to be added to the district.

55 d. A map of the district with the parcels added.

56 e. A description of the development proposed on each
57 parcel to be added to the district.

58 f. A copy of the original petition.

59 2. Before filing the petition with the establishing county
60 commission, the petitioner shall provide a copy of the petition
61 to the district and to the landowner of each parcel to be added
62 to the district.

63 3. Once the petition is determined to be sufficient and
64 complete, the county commission shall process the addition of
65 the parcels to the district as an amendment to the ordinance
66 that established the district. The county commission may process
67 each petition to amend such ordinance even if adding a parcel
68 would cause the district to be larger than 2500 acres.

69 4. The petitioner shall cause a notice of intent to amend
70 the ordinance that established the district to be published in a
71 newspaper of general circulation within the county. The notice
72 must be published at least 10 days before the scheduled hearing
73 on the ordinance amendment and may be published in that portion
74 of the newspaper where legal notices appear. The notice must
75 include a general description of the parcel to be added to the

76 | district and the date and time of the scheduled hearing to amend
77 | the ordinance. The notice shall also be mailed by the petitioner
78 | to the district and, if applicable, to each landowner of each
79 | parcel to be added to the district at least 14 days before the
80 | scheduled hearing. The notice required in this subparagraph is
81 | in addition to any notice required to adopt the ordinance
82 | amendment.

83 | 5. The expansion of a district's boundaries by the
84 | addition of a parcel does not alter the method of transitioning
85 | from landowner to qualified elector voting as set forth in s.
86 | 190.006, even if the total size of the district after the
87 | addition of the parcel exceeds 5000 acres. Upon adoption of the
88 | ordinance amendment expanding the district's boundaries, the
89 | petitioner must file a notice of boundary amendment with the
90 | Florida Land and Water Adjudicatory Commission identifying the
91 | district's new boundaries.

92 |
93 | Nothing contained in this paragraph prohibits a community
94 | development district established under s. 190.005(3) from adding
95 | parcels to the district using the procedures set forth in this
96 | section.

97 | Section 3. This act shall take effect July 1, 2018.