

Bill No. CS for SB 1726

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Meadows moved the following amendment:

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13 **Senate Amendment (with title amendment)**

14 On page 55, between lines 5 and 6,

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16 insert:

17 Section 26. Sections 163.2511, 163.2514, 163.2517,

18 163.2520, 163.2523, and 163.2526, Florida Statutes, are

19 created to read:

20 163.2511 Urban infill and redevelopment.--

21 (1) Sections 163.2511-163.2526 may be cited as the

22 "Urban Infill and Redevelopment Act."

23 (2) It is found and declared that:

24 (a) Fiscally strong urban centers are beneficial to

25 regional and state economies and resources, are a method for

26 reduction of future urban sprawl, and should be promoted by

27 state, regional, and local governments.

28 (b) The health and vibrancy of the urban cores benefit

29 their respective regions and the state. Conversely, the

30 deterioration of those urban cores negatively impacts the

31 surrounding area and the state.

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1           (c) In recognition of the interwoven destiny between  
2 the urban center, the suburbs, the region, and the state, the  
3 respective governments need to establish a framework and work  
4 in partnership with communities and the private sector to  
5 revitalize urban centers.

6           (d) State urban policies should guide the state,  
7 regional agencies, local governments, and the private sector  
8 in preserving and redeveloping existing urban centers and  
9 promoting the adequate provision of infrastructure, human  
10 services, safe neighborhoods, educational facilities, and  
11 economic development to sustain these centers into the future.

12           (e) Successfully revitalizing and sustaining the urban  
13 centers is dependent on addressing, through an integrated and  
14 coordinated community effort, a range of varied components  
15 essential to a healthy urban environment, including cultural,  
16 educational, recreational, economic, transportation, and  
17 social service components.

18           (f) Infill development and redevelopment are  
19 recognized as one of the important components and useful  
20 mechanisms to promote and sustain urban centers. State and  
21 regional entities and local governments should provide  
22 incentives to promote urban infill and redevelopment. Existing  
23 programs and incentives should be integrated to the extent  
24 possible to promote urban infill and redevelopment and to  
25 achieve the goals of the state urban policy.

26           163.2514 Definitions.--As used in ss.

27 163.2511-163.2526:

28           (1) "Local government" means any county or  
29 municipality.

30           (2) "Urban infill and redevelopment area" means an  
31 area or areas designated by a local government for the

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1 development of vacant, abandoned, or significantly  
2 underutilized parcels located where:

3 (a) Public services such as water and wastewater,  
4 transportation, schools, and recreation are already available  
5 or are scheduled to be provided in an adopted 5-year schedule  
6 of capital improvements and are located within the existing  
7 urban service area as defined in the local government's  
8 comprehensive plan;

9 (b) The area contains not more than 10 percent  
10 developable vacant land;

11 (c) The residential density is at least five dwelling  
12 units per acre and the average nonresidential intensity is at  
13 least a floor area ratio of 1.00; and

14 (d) The land area designated as an urban infill and  
15 redevelopment area does not exceed 2 percent of the land area  
16 of the local government jurisdiction or a total area of 3  
17 square miles, whichever is greater.

18 163.2517 Designation of urban infill and redevelopment  
19 area.--

20 (1) A local government may designate a geographic area  
21 or areas within its jurisdiction as an urban infill and  
22 redevelopment area for the purpose of targeting economic, job  
23 creation, housing, transportation, and land-use incentives to  
24 encourage urban infill and redevelopment within the urban  
25 core.

26 (2) A local government seeking to designate a  
27 geographic area within its jurisdiction as an urban infill and  
28 redevelopment area shall first prepare a plan that describes  
29 the infill and redevelopment objectives of the local  
30 government within the proposed area. In lieu of preparing a  
31 new plan, the local government may demonstrate that an

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1 existing plan or combination of plans associated with a  
2 community development area, Florida Main Street program,  
3 sustainable community, enterprise zone, or neighborhood  
4 improvement district includes the factors listed in paragraphs  
5 (a)-(j), or amend such existing plans to include the factors  
6 listed in paragraphs (a)-(j). The plan shall demonstrate the  
7 local government and community's commitment to comprehensively  
8 addressing the urban problems within the urban infill and  
9 redevelopment area and identify activities and programs to  
10 accomplish locally identified goals such as code enforcement;  
11 improved educational opportunities; reduction in crime;  
12 provision of infrastructure needs, including mass transit and  
13 multimodal linkages; and mixed-use planning to promote  
14 multifunctional redevelopment to improve both the residential  
15 and commercial quality of life in the area. The plan shall  
16 also:

17 (a) Contain a map depicting the geographic area or  
18 areas to be included within the designation.

19 (b) Identify the relationship between the proposed  
20 area and the existing urban service area defined in the local  
21 government's comprehensive plan.

22 (c) Identify existing enterprise zones, community  
23 redevelopment areas, community development corporations,  
24 brownfield areas, downtown redevelopment districts, safe  
25 neighborhood improvement districts, historic preservation  
26 districts, and empowerment zones located within the area  
27 proposed for designation as an urban infill and redevelopment  
28 area and provide a framework for coordinating infill and  
29 redevelopment programs within the urban core.

30 (d) Identify a memorandum of understanding between the  
31 district school board and the local government jurisdiction

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1 regarding public school facilities located within the urban  
2 infill and redevelopment area to identify how the school board  
3 will provide priority to enhancing public school facilities  
4 and programs in the designated area, including the reuse of  
5 existing buildings for schools within the area.

6 (e) Identify how the local government intends to  
7 implement affordable housing programs, including, but not  
8 limited to, the State Housing Initiatives Partnership Program,  
9 and economic and community development programs administered  
10 by the Department of Community Affairs, within the urban  
11 infill and redevelopment area.

12 (f) If applicable, provide guidelines for the adoption  
13 of land development regulations specific to the urban infill  
14 and redevelopment area which include, for example, setbacks  
15 and parking requirements appropriate to urban development.

16 (g) Identify any existing transportation concurrency  
17 exception areas, and any relevant public transportation  
18 corridors designated by a metropolitan planning organization  
19 in its long-range transportation plans or by the local  
20 government in its comprehensive plan for which the local  
21 government seeks designation as a transportation concurrency  
22 exception area.

23 (h) Identify and adopt a package of financial and  
24 local government incentives which the local government will  
25 offer for new development, expansion of existing development,  
26 and redevelopment within the urban infill and redevelopment  
27 area. Examples of such incentives include:

- 28 1. Waiver of license and permit fees.
- 29 2. Waiver of local option sales taxes.
- 30 3. Waiver of delinquent taxes or fees to promote the
- 31 return of property to productive use.

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1           4. Expedited permitting.

2           5. Prioritization of infrastructure spending within  
3 the urban infill and redevelopment area.

4           6. Local government absorption of developers'  
5 concurrency costs.

6           (i) Identify how activities and incentives within the  
7 urban infill and redevelopment area will be coordinated and  
8 what administrative mechanism the local government will use  
9 for the coordination.

10          (j) Identify performance measures to evaluate the  
11 success of the local government in implementing the urban  
12 infill and redevelopment plan.

13          (3) After the preparation of an urban infill and  
14 redevelopment plan or designation of an existing plan and  
15 before the adoption hearing required for comprehensive plan  
16 amendments, the local government must conduct a public hearing  
17 in the area targeted for designation as an urban infill and  
18 redevelopment area to provide an opportunity for public input  
19 on the size of the area; the objectives for urban infill and  
20 redevelopment; coordination with existing redevelopment  
21 programs; goals for improving transit and transportation; the  
22 objectives for economic development; job creation; crime  
23 reduction; and neighborhood preservation and revitalization.  
24 The purpose of the public hearing is to encourage communities  
25 within the proposed urban infill and redevelopment area to  
26 participate in the design and implementation of the plan,  
27 including a "visioning" of the community core, before  
28 redevelopment. Notice for the public hearing must be in the  
29 form established in s. 166.041(3)(c)2., for municipalities,  
30 and s. 125.66(4)(b)2. for counties.

31          (4) In order for a local government to designate an

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1 urban infill and redevelopment area, it must amend its  
2 comprehensive land use plan under s. 163.3187 to adopt the  
3 urban infill and redevelopment area plan and delineate the  
4 urban infill and redevelopment area within the future land use  
5 element of its comprehensive plan. If the local government  
6 elects to employ an existing or amended community  
7 redevelopment, Florida Main Street program, sustainable  
8 community, enterprise zone, or neighborhood improvement  
9 district plan or plans in lieu of preparation of an urban  
10 infill and redevelopment plan, the local government must amend  
11 its comprehensive land use plan under s. 163.3187 to delineate  
12 the urban infill and redevelopment area within the future land  
13 use element of its comprehensive plan. An amendment to the  
14 local comprehensive plan to designate an urban infill and  
15 redevelopment area is exempt from the twice-a-year amendment  
16 limitation of s. 163.3187.

17 163.2520 Economic incentives; report.--

18 (1) A local government with an adopted urban infill  
19 and redevelopment plan or plan employed in lieu thereof may  
20 exercise the powers granted under s. 163.514 for community  
21 redevelopment neighborhood improvement districts, including  
22 the authority to levy special assessments.

23 (2) State agencies that provide infrastructure  
24 funding, cost reimbursement, grants, or loans to local  
25 governments, including, but not limited to, the Department of  
26 Environmental Protection (Clean Water State Revolving Fund,  
27 Drinking Water State Revolving Fund, and the State of Florida  
28 Pollution Control Bond Program); the Department of Community  
29 Affairs (State Housing Initiatives Partnership, Florida  
30 Communities Trust); and the Department of Transportation  
31 (Intermodal Transportation Efficiency Act funds), are directed

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1 to report to the President of the Senate and the Speaker of  
2 the House of Representatives by January 1, 1999, regarding  
3 statutory and rule changes necessary to give urban infill and  
4 redevelopment areas identified by local governments under this  
5 act an elevated priority in infrastructure funding, loan, and  
6 grant programs.

7 163.2523 Grant program.--

8 (1) An Urban Infill and Redevelopment Assistance Grant  
9 Program is created for local governments with adopted urban  
10 infill and redevelopment areas. Ninety percent of the general  
11 revenue appropriated for this program shall be available for  
12 fifty/fifty matching grants for planning and implementing  
13 urban infill and redevelopment projects that further the  
14 objectives set forth in the local government's adopted urban  
15 infill and redevelopment plan or plan employed in lieu  
16 thereof. The remaining 10 percent of the revenue must be used  
17 for outright grants for projects requiring under \$50,000.  
18 Projects that provide employment opportunities to clients of  
19 the WAGES program and projects within urban infill and  
20 redevelopment areas that include a community redevelopment  
21 area, Florida Main Street Program, sustainable community,  
22 enterprise zone, or neighborhood improvement district must be  
23 given an elevated priority in the scoring of competing grant  
24 applications. The Division of Housing and Community  
25 Development of the Department of Community Affairs shall  
26 administer the grant program. The Department of Community  
27 Affairs shall adopt rules establishing grant review criteria  
28 consistent with this section.

29 (2) If the local government fails to implement the  
30 urban infill and redevelopment plan, the Department of  
31 Community Affairs may seek to rescind the economic and



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1 regulatory incentives granted to an urban infill and  
2 redevelopment area, subject to the provisions of chapter 120.  
3 The action to rescind may be initiated 90 days after issuing a  
4 written letter of warning to the local government.

5 163.2526 Review and evaluation.--Before the 2003  
6 Regular Session of the Legislature, the Office of Program  
7 Policy Analysis and Government Accountability shall perform a  
8 review and evaluation of ss. 163.2511-163.2526, including the  
9 financial incentives listed in s. 163.2520. The report must  
10 evaluate the effectiveness of the designation of urban infill  
11 and redevelopment areas in stimulating urban infill and  
12 redevelopment and strengthening the urban core. A report of  
13 the findings and recommendations of the Office of Program  
14 Policy Analysis and Government Accountability shall be  
15 submitted to the President of the Senate and the Speaker of  
16 the House of Representatives before the 2003 Regular Session  
17 of the Legislature.

18 Section 27. Subsection (5) of section 163.3180,  
19 Florida Statutes, is amended to read:

20 163.3180 Concurrency.--

21 (5)(a) The Legislature finds that under limited  
22 circumstances dealing with transportation facilities,  
23 countervailing planning and public policy goals may come into  
24 conflict with the requirement that adequate public facilities  
25 and services be available concurrent with the impacts of such  
26 development. The Legislature further finds that often the  
27 unintended result of the concurrency requirement for  
28 transportation facilities is the discouragement of urban  
29 infill development and redevelopment. Such unintended results  
30 directly conflict with the goals and policies of the state  
31 comprehensive plan and the intent of this part. Therefore,

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1 exceptions from the concurrency requirement for transportation  
2 facilities may be granted as provided by this subsection.

3 (b) A local government may grant an exception from the  
4 concurrency requirement for transportation facilities if the  
5 proposed development is otherwise consistent with the adopted  
6 local government comprehensive plan and is a project that  
7 promotes public transportation or is located within an area  
8 designated in the comprehensive plan for:

- 9 1. Urban infill development,
- 10 2. Urban redevelopment, ~~or~~
- 11 3. Downtown revitalization, ~~or~~
- 12 4. Urban infill and redevelopment under s. 163.2517.

13 (c) The Legislature also finds that developments  
14 located within urban infill, urban redevelopment, existing  
15 urban service, or downtown revitalization areas or areas  
16 designated as urban infill and redevelopment areas under s.  
17 163.2517 which pose only special part-time demands on the  
18 transportation system should be excepted from the concurrency  
19 requirement for transportation facilities. A special  
20 part-time demand is one that does not have more than 200  
21 scheduled events during any calendar year and does not affect  
22 the 100 highest traffic volume hours.

23 (d) A local government shall establish guidelines for  
24 granting the exceptions authorized in paragraphs (b) and (c)  
25 in the comprehensive plan. These guidelines must include  
26 consideration of the impacts on the Florida Intrastate Highway  
27 System, as defined in s. 338.001. The exceptions may be  
28 available only within the specific geographic area of the  
29 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
30 any affected person may challenge a plan amendment  
31 establishing these guidelines and the areas within which an

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1 exception could be granted.

2 Section 28. Subsection (1) of section 163.3187,  
3 Florida Statutes, is amended to read:

4 163.3187 Amendment of adopted comprehensive plan.--

5 (1) Amendments to comprehensive plans adopted pursuant  
6 to this part may be made not more than two times during any  
7 calendar year, except:

8 (a) In the case of an emergency, comprehensive plan  
9 amendments may be made more often than twice during the  
10 calendar year if the additional plan amendment receives the  
11 approval of all of the members of the governing body.

12 "Emergency" means any occurrence or threat thereof whether  
13 accidental or natural, caused by humankind, in war or peace,  
14 which results or may result in substantial injury or harm to  
15 the population or substantial damage to or loss of property or  
16 public funds.

17 (b) Any local government comprehensive plan amendments  
18 directly related to a proposed development of regional impact,  
19 including changes which have been determined to be substantial  
20 deviations and including Florida Quality Developments pursuant  
21 to s. 380.061, may be initiated by a local planning agency and  
22 considered by the local governing body at the same time as the  
23 application for development approval using the procedures  
24 provided for local plan amendment in this section and  
25 applicable local ordinances, without regard to statutory or  
26 local ordinance limits on the frequency of consideration of  
27 amendments to the local comprehensive plan. Nothing in this  
28 subsection shall be deemed to require favorable consideration  
29 of a plan amendment solely because it is related to a  
30 development of regional impact.

31 (c) Any local government comprehensive plan amendments

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1 directly related to proposed small scale development  
2 activities may be approved without regard to statutory limits  
3 on the frequency of consideration of amendments to the local  
4 comprehensive plan. A small scale development amendment may  
5 be adopted only under the following conditions:

6 1. The proposed amendment involves a use of 10 acres  
7 or fewer and:

8 a. The cumulative annual effect of the acreage for all  
9 small scale development amendments adopted by the local  
10 government shall not exceed:

11 (I) A maximum of 120 acres in a local government that  
12 contains areas specifically designated in the local  
13 comprehensive plan for urban infill, urban redevelopment, or  
14 downtown revitalization as defined in s. 163.3164, urban  
15 infill and redevelopment areas designated under s. 163.2517,  
16 transportation concurrency exception areas approved pursuant  
17 to s. 163.3180(5), or regional activity centers and urban  
18 central business districts approved pursuant to s.  
19 380.06(2)(e); however, amendments under this paragraph may be  
20 applied to no more than 60 acres annually of property outside  
21 the designated areas listed in this sub-sub-subparagraph.

22 (II) A maximum of 80 acres in a local government that  
23 does not contain any of the designated areas set forth in  
24 sub-sub-subparagraph (I).

25 (III) A maximum of 120 acres in a county established  
26 pursuant to s. 9, Art. VIII of the State Constitution.

27 b. The proposed amendment does not involve the same  
28 property granted a change within the prior 12 months.

29 c. The proposed amendment does not involve the same  
30 owner's property within 200 feet of property granted a change  
31 within the prior 12 months.

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1           d. The proposed amendment does not involve a text  
2 change to the goals, policies, and objectives of the local  
3 government's comprehensive plan, but only proposes a land use  
4 change to the future land use map for a site-specific small  
5 scale development activity.

6           e. The property that is the subject of the proposed  
7 amendment is not located within an area of critical state  
8 concern.

9           f. If the proposed amendment involves a residential  
10 land use, the residential land use has a density of 10 units  
11 or less per acre, except that this limitation does not apply  
12 to small scale amendments described in sub-sub-subparagraph  
13 a.(I) that are designated in the local comprehensive plan for  
14 urban infill, urban redevelopment, or downtown revitalization  
15 as defined in s. 163.3164, urban infill and redevelopment  
16 areas designated under s. 163.2517, transportation concurrency  
17 exception areas approved pursuant to s. 163.3180(5), or  
18 regional activity centers and urban central business districts  
19 approved pursuant to s. 380.06(2)(e).

20           2.a. A local government that proposes to consider a  
21 plan amendment pursuant to this paragraph is not required to  
22 comply with the procedures and public notice requirements of  
23 s. 163.3184(15)(c) for such plan amendments if the local  
24 government complies with the provisions in s. 125.66(4)(a) for  
25 a county or in s. 166.041(3)(c) for a municipality. If a  
26 request for a plan amendment under this paragraph is initiated  
27 by other than the local government, public notice is required.

28           b. The local government shall send copies of the  
29 notice and amendment to the state land planning agency, the  
30 regional planning council, and any other person or entity  
31 requesting a copy. This information shall also include a

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1 statement identifying any property subject to the amendment  
2 that is located within a coastal high hazard area as  
3 identified in the local comprehensive plan.

4 3. Small scale development amendments adopted pursuant  
5 to this paragraph require only one public hearing before the  
6 governing board, which shall be an adoption hearing as  
7 described in s. 163.3184(7), and are not subject to the  
8 requirements of s. 163.3184(3)-(6) unless the local government  
9 elects to have them subject to those requirements.

10 (d) Any comprehensive plan amendment required by a  
11 compliance agreement pursuant to s. 163.3184(16) may be  
12 approved without regard to statutory limits on the frequency  
13 of adoption of amendments to the comprehensive plan.

14 (e) A comprehensive plan amendment for location of a  
15 state correctional facility. Such an amendment may be made at  
16 any time and does not count toward the limitation on the  
17 frequency of plan amendments.

18 (f) Any comprehensive plan amendment that changes the  
19 schedule in the capital improvements element, and any  
20 amendments directly related to the schedule, may be made once  
21 in a calendar year on a date different from the two times  
22 provided in this subsection when necessary to coincide with  
23 the adoption of the local government's budget and capital  
24 improvements program.

25 (g) A comprehensive plan amendment for the purpose of  
26 designating an urban infill and redevelopment area under s.  
27 163.2517 may be approved without regard to the statutory  
28 limits on the frequency of amendments to the comprehensive  
29 plan.

30 Section 29. Subsection (17) of section 187.201,  
31 Florida Statutes, is amended to read:

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1           187.201 State Comprehensive Plan adopted.--The  
2 Legislature hereby adopts as the State Comprehensive Plan the  
3 following specific goals and policies:

4           (17) URBAN REDEVELOPMENT AND DOWNTOWN  
5 REVITALIZATION.--

6           (a) Goal.--In recognition of the importance of  
7 Florida's vital urban centers and of the need to develop and  
8 redevelop ~~developing and redeveloping~~ downtowns to the state's  
9 ability to use existing infrastructure and to accommodate  
10 growth in an orderly, efficient, and environmentally  
11 acceptable manner, Florida shall encourage the centralization  
12 of commercial, governmental, retail, residential, and cultural  
13 activities within downtown areas.

14           (b) Policies.--

15           1. Provide incentives to encourage private sector  
16 investment in the preservation and enhancement of downtown  
17 areas.

18           2. Assist local governments in the planning,  
19 financing, and implementation of development efforts aimed at  
20 revitalizing distressed downtown areas.

21           3. Promote state programs and investments which  
22 encourage redevelopment of downtown areas.

23           4. Promote and encourage communities to engage in a  
24 redesign step to include public participation of members of  
25 the community in envisioning redevelopment goals and design of  
26 the community core before redevelopment.

27           5. Ensure that local governments have adequate  
28 flexibility to determine and address their urban priorities  
29 within the state urban policy.

30           6. Enhance the linkages between land use, water use,  
31 and transportation planning in state, regional, and local

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1 plans for current and future designated urban areas.

2 7. Develop concurrency requirements for urban areas  
3 that promote redevelopment efforts where the requirements do  
4 not compromise public health and safety.

5 8. Promote processes for the state, general purpose  
6 local governments, school boards, and local community colleges  
7 to coordinate and cooperate regarding educational facilities  
8 in urban areas, including planning functions, the development  
9 of joint facilities, and the reuse of existing buildings.

10 9. Encourage the development of mass transit systems  
11 for urban centers, including multimodal transportation feeder  
12 systems, as a priority of local, metropolitan, regional, and  
13 state transportation planning.

14 10. Locate appropriate public facilities within urban  
15 centers to demonstrate public commitment to the centers and to  
16 encourage private sector development.

17 11. Integrate state programs that have been developed  
18 to promote economic development and neighborhood  
19 revitalization through incentives to promote the development  
20 of designated urban infill areas.

21 12. Promote infill development and redevelopment as an  
22 important mechanism to revitalize and sustain urban centers.

23 Section 30. Paragraph (b) of subsection (19) of  
24 section 380.06, Florida Statutes, is amended to read:

25 380.06 Developments of regional impact.--

26 (19) SUBSTANTIAL DEVIATIONS.--

27 (b) Any proposed change to a previously approved  
28 development of regional impact or development order condition  
29 which, either individually or cumulatively with other changes,  
30 exceeds any of the following criteria shall constitute a  
31 substantial deviation and shall cause the development to be



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1 subject to further development-of-regional-impact review  
2 without the necessity for a finding of same by the local  
3 government:

4           1. An increase in the number of parking spaces at an  
5 attraction or recreational facility by 5 percent or 300  
6 spaces, whichever is greater, or an increase in the number of  
7 spectators that may be accommodated at such a facility by 5  
8 percent or 1,000 spectators, whichever is greater.

9           2. A new runway, a new terminal facility, a 25-percent  
10 lengthening of an existing runway, or a 25-percent increase in  
11 the number of gates of an existing terminal, but only if the  
12 increase adds at least three additional gates. However, if an  
13 airport is located in two counties, a 10-percent lengthening  
14 of an existing runway or a 20-percent increase in the number  
15 of gates of an existing terminal is the applicable criteria.

16           3. An increase in the number of hospital beds by 5  
17 percent or 60 beds, whichever is greater.

18           4. An increase in industrial development area by 5  
19 percent or 32 acres, whichever is greater.

20           5. An increase in the average annual acreage mined by  
21 5 percent or 10 acres, whichever is greater, or an increase in  
22 the average daily water consumption by a mining operation by 5  
23 percent or 300,000 gallons, whichever is greater. An increase  
24 in the size of the mine by 5 percent or 750 acres, whichever  
25 is less.

26           6. An increase in land area for office development by  
27 5 percent or 6 acres, whichever is greater, or an increase of  
28 gross floor area of office development by 5 percent or 60,000  
29 gross square feet, whichever is greater.

30           7. An increase in the storage capacity for chemical or  
31 petroleum storage facilities by 5 percent, 20,000 barrels, or

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1 7 million pounds, whichever is greater.

2 8. An increase of development at a waterport of wet  
3 storage for 20 watercraft, dry storage for 30 watercraft, or  
4 wet/dry storage for 60 watercraft in an area identified in the  
5 state marina siting plan as an appropriate site for additional  
6 waterport development or a 5-percent increase in watercraft  
7 storage capacity, whichever is greater.

8 9. An increase in the number of dwelling units by 5  
9 percent or 50 dwelling units, whichever is greater.

10 10. An increase in commercial development by 6 acres  
11 of land area or by 50,000 square feet of gross floor area, or  
12 of parking spaces provided for customers for 300 cars or a  
13 5-percent increase of any of these, whichever is greater.

14 11. An increase in hotel or motel facility units by 5  
15 percent or 75 units, whichever is greater.

16 12. An increase in a recreational vehicle park area by  
17 5 percent or 100 vehicle spaces, whichever is less.

18 13. A decrease in the area set aside for open space of  
19 5 percent or 20 acres, whichever is less.

20 14. A proposed increase to an approved multiuse  
21 development of regional impact where the sum of the increases  
22 of each land use as a percentage of the applicable substantial  
23 deviation criteria is equal to or exceeds 100 percent. The  
24 percentage of any decrease in the amount of open space shall  
25 be treated as an increase for purposes of determining when 100  
26 percent has been reached or exceeded.

27 15. A 15-percent increase in the number of external  
28 vehicle trips generated by the development above that which  
29 was projected during the original  
30 development-of-regional-impact review.

31 16. Any change which would result in development of

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1 any area which was specifically set aside in the application  
2 for development approval or in the development order for  
3 preservation or special protection of endangered or threatened  
4 plants or animals designated as endangered, threatened, or  
5 species of special concern and their habitat, primary dunes,  
6 or archaeological and historical sites designated as  
7 significant by the Division of Historical Resources of the  
8 Department of State. The further refinement of such areas by  
9 survey shall be considered under sub-subparagraph (e)5.b.

10

11 The substantial deviation numerical standards in subparagraphs  
12 4., 6., 10., 14., excluding residential uses, and 15., are  
13 increased by 100 percent for a project certified under s.  
14 403.973 which creates jobs and meets criteria established by  
15 the Office of Tourism, Trade, and Economic Development as to  
16 its impact on an area's economy, employment, and prevailing  
17 wage and skill levels. The substantial deviation numerical  
18 standards in subparagraphs 4., 6., 9., 10., 11., and 14. are  
19 increased by 50 percent for a project located wholly within an  
20 urban infill and redevelopment area designated on the  
21 applicable adopted local comprehensive plan future land use  
22 map and not located within the coastal high hazard area.

23 Section 31. Subsection (1) of section 163.375, Florida  
24 Statutes, is amended to read:

25 163.375 Eminent domain.--

26 (1) Any county or municipality, or any community  
27 redevelopment agency pursuant to specific approval of the  
28 governing body of the county or municipality which established  
29 the agency, as provided by any county or municipal ordinance  
30 has the right to acquire by condemnation any interest in real  
31 property, including a fee simple title thereto, which it deems

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1 necessary for, or in connection with, community redevelopment  
2 and related activities under this part. Any county or  
3 municipality, or any community redevelopment agency pursuant  
4 to specific approval by the governing body of the county or  
5 municipality which established the agency, as provided by any  
6 county or municipal ordinance may exercise the power of  
7 eminent domain in the manner provided in chapters 73 and 74  
8 and acts amendatory thereof or supplementary thereto, or it  
9 may exercise the power of eminent domain in the manner now or  
10 which may be hereafter provided by any other statutory  
11 provision for the exercise of the power of eminent domain.  
12 Property in unincorporated enclaves surrounded by the  
13 boundaries of a community redevelopment area may be acquired  
14 when it is determined necessary by the agency to accomplish  
15 the community redevelopment plan.Property already devoted to  
16 a public use may be acquired in like manner. However, no real  
17 property belonging to the United States, the state, or any  
18 political subdivision of the state may be acquired without its  
19 consent.

20 Section 32. Section 171.0413, Florida Statutes, is  
21 amended to read:

22 171.0413 Annexation procedures.--Any municipality may  
23 annex contiguous, compact, unincorporated territory in the  
24 following manner:

25 (1) An ordinance proposing to annex an area of  
26 contiguous, compact, unincorporated territory shall be adopted  
27 by the governing body of the annexing municipality pursuant to  
28 the procedure for the adoption of a nonemergency ordinance  
29 established by s. 166.041. Prior to the adoption of the  
30 ordinance of annexation, the local governing body shall hold  
31 at least two advertised public hearings on the proposed

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1 annexation. The first public hearing shall be on a weekday at  
 2 least 7 days after the day that the first advertisement is  
 3 published. The second public hearing shall be held on a  
 4 weekday at least 5 days after the day that the second  
 5 advertisement is published.Each such ordinance shall propose  
 6 only one reasonably compact area to be annexed. However,  
 7 prior to the ordinance of annexation becoming effective, a  
 8 referendum on annexation shall be held as set out below, and,  
 9 if approved by the referendum, the ordinance shall become  
 10 effective 10 days after the referendum or as otherwise  
 11 provided in the ordinance, but not more than 1 year following  
 12 the date of the referendum.

13 (2) Following the final adoption of the ordinance of  
 14 annexation by the governing body of the annexing municipality,  
 15 the ordinance shall be submitted to a vote of the registered  
 16 electors of the area proposed to be annexed. ~~If the proposed~~  
 17 ~~ordinance would cause the total area annexed by a municipality~~  
 18 ~~pursuant to this section during any one calendar year period~~  
 19 ~~cumulatively to exceed more than 5 percent of the total land~~  
 20 ~~area of the municipality or cumulatively to exceed more than 5~~  
 21 ~~percent of the municipal population, the ordinance shall be~~  
 22 ~~submitted to a separate vote of the registered electors of the~~  
 23 ~~annexing municipality and of the area proposed to be annexed.~~  
 24 The referendum on annexation shall be called and conducted and  
 25 the expense thereof paid by the governing body of the annexing  
 26 municipality.

27 (a) The referendum on annexation shall be held at the  
 28 next regularly scheduled election following the final adoption  
 29 of the ordinance of annexation by the governing body of the  
 30 annexing municipality or at a special election called for the  
 31 purpose of holding the referendum. However, the referendum,

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1 whether held at a regularly scheduled election or at a special  
2 election, shall not be held sooner than 30 days following the  
3 final adoption of the ordinance by the governing body of the  
4 annexing municipality.

5 (b) The governing body of the annexing municipality  
6 shall publish notice of the referendum on annexation at least  
7 once each week for 2 consecutive weeks immediately preceding  
8 the date of the referendum in a newspaper of general  
9 circulation in the area in which the referendum is to be held.  
10 The notice shall give the ordinance number, the time and  
11 places for the referendum, and a brief, general description of  
12 the area proposed to be annexed. The description shall  
13 include a map clearly showing the area and a statement that  
14 the complete legal description by metes and bounds and the  
15 ordinance can be obtained from the office of the city clerk.

16 (c) On the day of the referendum on annexation there  
17 shall be prominently displayed at each polling place a copy of  
18 the ordinance of annexation and a description of the property  
19 proposed to be annexed. The description shall be by metes and  
20 bounds and shall include a map clearly showing such area.

21 (d) Ballots or mechanical voting devices used in the  
22 referendum on annexation shall offer the choice "For  
23 annexation of property described in ordinance number .... of  
24 the City of ...." and "Against annexation of property  
25 described in ordinance number .... of the City of ...." in  
26 that order.

27 (e) If the referendum ~~is held only~~ in the area  
28 proposed to be annexed ~~and receives a majority vote, or if the~~  
29 ~~ordinance is submitted to a separate vote of the registered~~  
30 ~~electors of the annexing municipality and the area proposed to~~  
31 ~~be annexed and there is a separate majority vote for~~

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1 ~~annexation in the annexing municipality and in the area~~  
 2 ~~proposed to be annexed,~~the ordinance of annexation shall  
 3 become effective on the effective date specified therein. If  
 4 there is a any majority vote against annexation, the ordinance  
 5 shall not become effective, and the area proposed to be  
 6 annexed shall not be the subject of an annexation ordinance by  
 7 the annexing municipality for a period of 2 years from the  
 8 date of the referendum on annexation.

9 (3) Any parcel of land which is owned by one  
 10 individual, corporation, or legal entity, or owned  
 11 collectively by one or more individuals, corporations, or  
 12 legal entities, proposed to be annexed under the provisions of  
 13 this act shall not be severed, separated, divided, or  
 14 partitioned by the provisions of said ordinance, but shall, if  
 15 intended to be annexed, or if annexed, under the provisions of  
 16 this act, be annexed in its entirety and as a whole. However,  
 17 nothing herein contained shall be construed as affecting the  
 18 validity or enforceability of any ordinance declaring an  
 19 intention to annex land under the existing law that has been  
 20 enacted by a municipality prior to July 1, 1975. The owner of  
 21 such property may waive the requirements of this subsection if  
 22 such owner does not desire all of the tract or parcel included  
 23 in said annexation.

24 (4) Except as otherwise provided in this law, the  
 25 annexation procedure as set forth in this section shall  
 26 constitute a uniform method for the adoption of an ordinance  
 27 of annexation by the governing body of any municipality in  
 28 this state, and all existing provisions of special laws which  
 29 establish municipal annexation procedures are repealed hereby;  
 30 except that any provision or provisions of special law or laws  
 31 which prohibit annexation of territory that is separated from

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1 the annexing municipality by a body of water or watercourse  
2 shall not be repealed.

3 (5) If more than 70 percent of the land in an area  
4 proposed to be annexed is owned by individuals, corporations,  
5 or legal entities which are not registered electors of such  
6 area, such area shall not be annexed unless the owners of more  
7 than 50 percent of the land in such area consent to such  
8 annexation. Such consent shall be obtained by the parties  
9 proposing the annexation prior to the referendum to be held on  
10 the annexation.

11 (6) Notwithstanding subsections (1) and (2), if the  
12 area proposed to be annexed does not have any registered  
13 electors on the date the ordinance is finally adopted, a vote  
14 of electors of the area proposed to be annexed is not  
15 required. In addition to the requirements of subsection (5),  
16 the area may not be annexed unless the owners of more than 50  
17 percent of the parcels of land in the area proposed to be  
18 annexed consent to the annexation. ~~If a referendum of the~~  
19 ~~annexing municipality is not required as well pursuant to~~  
20 ~~subsection (2), then~~ The property owner consents required  
21 pursuant to subsection (5) shall be obtained by the parties  
22 proposing the annexation prior to the final adoption of the  
23 ordinance, and the annexation ordinance shall be effective  
24 upon becoming a law or as otherwise provided in the ordinance.

25 Section 33. Efficiency and accountability in local  
26 government services.--

27 (1) The intent of this section is to provide and  
28 encourage a process that will:

29 (a) Allow municipalities and counties to resolve  
30 conflicts among local jurisdictions regarding the delivery and  
31 financing of local services.



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1           (b) Increase local government efficiency and  
2 accountability.

3           (c) Provide greater flexibility in the use of local  
4 revenue sources for local governments involved in the process.

5           (2) Any county or combination of counties, and the  
6 municipalities therein, may use the procedures provided by  
7 this section to develop and adopt a plan to improve the  
8 efficiency, accountability, and coordination of the delivery  
9 of local government services. The development of such a plan  
10 may be initiated by a resolution adopted by a majority vote of  
11 the governing body of each of the counties involved, by  
12 resolutions adopted by a majority vote of the governing bodies  
13 of a majority of the municipalities within each county, or by  
14 resolutions adopted by a majority vote of the governing bodies  
15 of the municipality or combination of municipalities  
16 representing a majority of the municipal population of each  
17 county. The resolution shall specify the representatives of  
18 the county and municipal governments, of any affected special  
19 districts, and of any relevant local government agencies who  
20 will be responsible for developing the plan. The resolution  
21 shall include a proposed timetable for development of the plan  
22 and shall specify the local government support and personnel  
23 services which will be made available to the representatives  
24 developing the plan.

25           (3) Upon adoption of a resolution or resolutions as  
26 provided in subsection (2), the designated representatives  
27 shall develop a plan for delivery of local government  
28 services. The plan shall:

29           (a) Designate the areawide and local government  
30 services which are the subject of the plan.

31           (b) Describe the existing organization of such

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1 services and the means of financing the services, and create a  
2 reorganization of such services and the financing thereof that  
3 will meet the goals of this section.

4 (c) Designate the local agency that should be  
5 responsible for the delivery of each service.

6 (d) Designate those services that should be delivered  
7 regionally or countywide. No provision of the plan shall  
8 operate to restrict the power of a municipality to finance and  
9 deliver services in addition to, or at a higher level than,  
10 the services designated for regional or countywide delivery  
11 under this paragraph.

12 (e) Provide means to reduce the cost of providing  
13 local services and enhance the accountability of service  
14 providers.

15 (f) Include a multiyear capital outlay plan for  
16 infrastructure.

17 (g) Specifically describe any expansion of municipal  
18 boundaries that would further the goals of this section. Any  
19 area proposed to be annexed must meet the standards for  
20 annexation provided in chapter 171, Florida Statutes. The plan  
21 shall not contain any provision for contraction of municipal  
22 boundaries or elimination of any municipality.

23 (h) Provide specific procedures for modification or  
24 termination of the plan.

25 (i) Specify the effective date of the plan.

26 (4)(a) A plan developed pursuant to this section must  
27 conform to all comprehensive plans that have been found to be  
28 in compliance under part II of chapter 163, Florida Statutes,  
29 for the local governments participating in the plan.

30 (b) No provision of a plan developed pursuant to this  
31 section shall restrict the authority of any state or regional

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1 governmental agency to perform any duty required to be  
 2 performed by that agency by law.

3 (5)(a) A plan developed pursuant to this section must  
 4 be approved by a majority vote of the governing body of each  
 5 county involved in the plan, and by a majority vote of the  
 6 governing bodies of a majority of municipalities in each  
 7 county, and by a majority vote of the governing bodies of the  
 8 municipality or municipalities that represent a majority of  
 9 the municipal population of each county.

10 (b) After approval by the county and municipal  
 11 governing bodies as required by paragraph (a), the plan shall  
 12 be submitted for referendum approval in a countywide election  
 13 in each county involved. The plan shall not take effect unless  
 14 approved by a majority of the electors of each county who vote  
 15 in the referendum, and also by a majority of the electors of  
 16 the municipalities that represent a majority of the municipal  
 17 population of each county who vote in the referendum. If  
 18 approved by the electors as required by this paragraph, the  
 19 plan shall take effect on the date specified in the plan.

20 (6) If a plan developed pursuant to this section  
 21 includes areas proposed for municipal annexation that meet the  
 22 standards for annexation provided in chapter 171, Florida  
 23 Statutes, such annexation shall take effect upon approval of  
 24 the plan as provided in this section, notwithstanding the  
 25 procedures for approval of municipal annexation specified in  
 26 chapter 171, Florida Statutes.

27 Section 34. Section 166.251, Florida Statutes, is  
 28 amended to read:

29 166.251 Service fee for dishonored check.--The  
 30 governing body of a municipality may adopt a service fee not  
 31 to exceed the service fees authorized under s. 832.08(5) of

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1 ~~\$20~~ or 5 percent of the face amount of the check, draft, or  
 2 order, whichever is greater, for the collection of a  
 3 dishonored check, draft, or other order for the payment of  
 4 money to a municipal official or agency. The service fee  
 5 shall be in addition to all other penalties imposed by law.  
 6 Proceeds from this fee, if imposed, shall be retained by the  
 7 collector of the fee.

8  
 9 (Redesignate subsequent sections.)

10

11

12 ===== T I T L E A M E N D M E N T =====

13 And the title is amended as follows:

14 On page 3, line 3, after the semicolon

15

16 insert:

17 creating ss. 163.2511, 163.2514, 163.2517,  
 18 163.2520, 163.2523, and 163.2526, F.S., the  
 19 Urban Infill and Redevelopment Act; providing  
 20 legislative findings; providing definitions;  
 21 authorizing counties and municipalities to  
 22 designate urban infill and redevelopment areas  
 23 based on specified criteria; requiring  
 24 preparation of a plan or designation of an  
 25 existing plan and providing requirements with  
 26 respect thereto; requiring a public hearing;  
 27 providing for amendment of the local  
 28 comprehensive plan; providing that counties and  
 29 municipalities that have adopted such plan may  
 30 issue revenue bonds and employ tax increment  
 31 financing under the Community Redevelopment Act

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1           and exercise powers granted to community  
2           redevelopment neighborhood improvement  
3           districts; requiring a report by certain state  
4           agencies; providing a program for grants to  
5           counties and municipalities with urban infill  
6           and redevelopment areas; providing for review  
7           and evaluation of the act and requiring a  
8           report; amending s. 163.3180, F.S.; authorizing  
9           exemptions from the transportation facilities  
10          concurrency requirement for developments  
11          located in an urban infill and redevelopment  
12          area; amending s. 163.3187, F.S.; providing  
13          that comprehensive plan amendments to designate  
14          such areas are not subject to statutory limits  
15          on the frequency of plan amendments; including  
16          such areas within certain limitations relating  
17          to small scale development amendments; amending  
18          s. 187.201, F.S.; including policies relating  
19          to urban policy in the State Comprehensive  
20          Plan; amending s. 380.06, F.S., relating to  
21          developments of regional impact; increasing  
22          certain numerical standards for determining a  
23          substantial deviation for projects located in  
24          certain urban infill and redevelopment areas;  
25          amending s. 163.375, F.S.; authorizing  
26          acquisition by eminent domain of property in  
27          unincorporated enclaves surrounded by a  
28          community redevelopment area when necessary to  
29          accomplish a community development plan;  
30          amending s. 171.0413, F.S., relating to  
31          municipal annexation procedures; deleting a

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1 requirement that a separate referendum be held  
2 in the annexing municipality when the  
3 annexation exceeds a certain size; providing  
4 procedures by which a county or combination of  
5 counties and the municipalities therein may  
6 develop and adopt a plan to improve the  
7 efficiency, accountability, and coordination of  
8 the delivery of local government services;  
9 providing for initiation of the process by  
10 resolution; providing requirements for the  
11 plan; requiring approval by the local  
12 governments' governing bodies and by  
13 referendum; authorizing municipal annexation  
14 through such plan; amending s. 166.251, F.S.;

15 revising provisions with respect to service  
16 fees for dishonored checks;

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