

By Senator Meadows

30-1179-98

1                                   A bill to be entitled  
 2           An act relating to urban infill and  
 3           redevelopment; creating ss. 163.2511, 163.2514,  
 4           163.2517, 163.2520, 163.2523, 163.2526,  
 5           163.2529, F.S.; creating the Urban Infill and  
 6           Redevelopment Act; authorizing counties and  
 7           municipalities to designate urban infill and  
 8           redevelopment areas based on specified  
 9           criteria; providing for economic incentives;  
 10          providing for a grant program; providing for a  
 11          review and evaluation of the act; amending s.  
 12          163.3180, F.S.; providing an exception from  
 13          transportation concurrency requirements;  
 14          amending s. 163.3187, F.S.; providing  
 15          exceptions from limitations on amendments to  
 16          local government comprehensive plans; amending  
 17          s. 187.201, F.S.; providing additional goals  
 18          and policies for the state comprehensive plan;  
 19          amending s. 380.06, F.S.; providing for  
 20          substantial deviation numerical standards for  
 21          projects within a designated urban infill and  
 22          redevelopment area; providing an appropriation;  
 23          providing an effective date.

24  
 25 Be It Enacted by the Legislature of the State of Florida:

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 27           Section 1. Sections 163.2511, 163.2514, 163.2517,  
 28   163.2520, 163.2523, 163.2526, and 163.2529, Florida Statutes,  
 29   are created to read:

30           163.2511 Urban infill and redevelopment.--

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1           (1) Sections 163.2511-163.2529, may be cited as the  
2 "Urban Infill and Redevelopment Act."

3           (2) It is found and declared that:

4           (a) Fiscally strong urban centers are beneficial to  
5 regional and state economies and resources, are a method for  
6 reduction of future urban sprawl, and should be promoted by  
7 state, regional, and local governments.

8           (b) The health and vibrancy of the urban cores benefit  
9 their respective regions and the state. Conversely, the  
10 deterioration of those urban cores negatively impacts the  
11 surrounding area and the state.

12           (c) In recognition of the interwoven destiny between  
13 the urban center, the suburbs, its region, and the state, the  
14 respective governments need to establish a framework and work  
15 in partnership with communities and the private sector to  
16 revitalize urban centers.

17           (d) State urban policies should guide the state,  
18 regional agencies, local governments, and the private sector  
19 in preserving and redeveloping existing urban centers and  
20 ensuring the adequate provision of infrastructure, human  
21 services, safe neighborhoods, educational facilities, and  
22 economic development to sustain these centers into the future.

23           (e) Successfully revitalizing and sustaining the urban  
24 centers is dependent on addressing, through an integrated and  
25 coordinated community effort, a range of varied components  
26 essential to a healthy urban environment including cultural,  
27 educational, recreational, economic, transportation, and  
28 social service components.

29           (f) Infill development and redevelopment are  
30 recognized as one of the important components and useful  
31 mechanisms to promote and sustain urban centers. State,

1 regional entities, and local governments should provide  
2 incentives to promote urban infill and redevelopment. Existing  
3 programs and incentives should be integrated to the extent  
4 possible to promote urban infill and redevelopment and to  
5 achieve the goals of the state urban policy.

6 163.2514 Definitions.--As used in ss.  
7 163.2511-163.2529, the term:

8 (1) "Local government" means any county or  
9 municipality.

10 (2) "Urban Infill and Redevelopment Area" means an  
11 area or areas designated by a local government for the  
12 development of vacant, abandoned, or significantly  
13 underutilized parcels located where:

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

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

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

25 (d) The land area designated as an Urban Infill and  
26 Redevelopment Area does not exceed 2 percent of the land area  
27 of the local government jurisdiction or a total area of 3  
28 square miles, whichever is more.

29 163.2517 Designation of urban infill and redevelopment  
30 area.--

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1           (1) A local government may designate a geographic area  
2 or areas within its jurisdiction an urban infill and  
3 redevelopment area for the purpose of targeting economic, job  
4 creation, housing, transportation, and land-use incentives to  
5 encourage urban infill and redevelopment within the urban  
6 core.

7           (2) A local government seeking to designate a  
8 geographic area within its jurisdiction as an urban infill and  
9 redevelopment area shall first prepare a plan that describes  
10 the infill and redevelopment objectives of the local  
11 government within the proposed area. The plan should  
12 demonstrate the local government and community's commitment to  
13 comprehensively addressing the urban problems within the urban  
14 infill and redevelopment area and identify activities and  
15 programs to accomplish locally identified goals such as code  
16 enforcement; improved educational opportunities; reduction in  
17 crime; provision of infrastructure needs, including mass  
18 transit and multi-modal linkages; and mixed-use planning to  
19 promote multi-functional redevelopment to improve both the  
20 residential and commercial quality of life in the area. The  
21 plan must also:

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

24           (b) Identify the relationship between the proposed  
25 area and the "existing urban service area" defined in the  
26 local government's comprehensive plan.

27           (c) Identify existing enterprise zones, community  
28 redevelopment areas, community development corporations,  
29 brownfield areas, downtown redevelopment districts, safe  
30 neighborhood improvement districts, historic preservation  
31 districts, and empowerment zones located within the area

1 proposed for designation as an urban infill and redevelopment  
2 area and provide a framework for coordinating infill and  
3 redevelopment programs within the urban core.

4 (d) Identify a memorandum of understanding between the  
5 county school board and the local government jurisdiction  
6 regarding public school board facilities located within the  
7 urban infill and redevelopment area to identify how the school  
8 board will provide priority to enhancing public school  
9 facilities and programs in the designated urban infill and  
10 redevelopment area, including the reuse of existing buildings  
11 for schools within the proposed area.

12 (e) Identify how the local government intends to  
13 implement affordable housing programs, including, but not  
14 limited to, the State Housing Initiatives Partnership Program,  
15 within the urban infill and redevelopment area.

16 (f) Adopt, if applicable, land development regulations  
17 specific to the urban infill and redevelopment area which  
18 include, for example, setbacks and parking requirements  
19 appropriate to urban development.

20 (g) Identify any existing transportation concurrency  
21 exceptions areas and any relevant public transportation  
22 corridors designated by metropolitan planning organizations in  
23 their long-range transportation plans or by the local  
24 government in its comprehensive plan for which the local  
25 government seeks designation as a transportation concurrency  
26 exception area.

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

- 1           1. Waiver of license and permit fees.
- 2           2. Waiver of local option sales taxes.
- 3           3. Waiver of delinquent taxes or fees to promote the  
4 return of property to productive use.
- 5           4. Expedited permitting.
- 6           5. Prioritization of infrastructure spending within  
7 the urban infill and redevelopment area.
- 8           6. Local government absorption of developers'  
9 concurrency costs.
- 10           (i) Identify how activities and incentives within the  
11 urban infill and redevelopment area will be coordinated and  
12 what administrative mechanism the local government will use  
13 for the coordination.
- 14           (j) Identify performance measures to evaluate the  
15 success of the local government in implementing the urban  
16 infill and redevelopment plan.
- 17           (3) After the preparation of an urban infill and  
18 redevelopment plan and before the adoption hearing required  
19 for comprehensive plan amendments, the local government must  
20 conduct a public hearing in the area targeted for designation  
21 as an urban infill and redevelopment area to provide an  
22 opportunity for public input on the size of the area; the  
23 objectives for urban infill and redevelopment; coordination  
24 with existing redevelopment programs; goals for improving  
25 transit and transportation; the objectives for economic  
26 development; job creation; crime reduction; and neighborhood  
27 preservation and revitalization. The purpose of the public  
28 hearing is to encourage communities within the proposed urban  
29 infill and redevelopment area to participate in the design and  
30 implementation of the plan, including a "visioning" of the  
31 community core before redevelopment. Notice for the public

1 hearing must be in the form established in s. 166.041(3)(c)2.,  
2 for municipalities, and s. 125.66(4)(b)2. for counties.

3 (4) In order for a local government to designate an  
4 urban infill and redevelopment area, it must amend its  
5 comprehensive land use plan under s. 163.3187 to adopt the  
6 urban infill and redevelopment area plan and delineate the  
7 urban infill and redevelopment area within the future land-use  
8 plan element of its comprehensive plan. An amendment to the  
9 local comprehensive plan to designate an urban infill and  
10 redevelopment area is exempt from the twice a year amendment  
11 limitation of s. 163.3187.

12 (5) Upon amendment of its comprehensive plan to  
13 identify an urban infill and redevelopment area, the local  
14 government shall notify the Office of Tourism, Trade, and  
15 Economic Development of the boundaries of the area and provide  
16 the office with a copy of the urban infill and redevelopment  
17 plan.

18 Section 163.2520 Implementation of plan; economic  
19 incentives.--

20 (1) An urban infill and redevelopment area adopted  
21 under ss. 163.2511-163.2529 is eligible for the same  
22 incentives available to enterprise zones under s. 290.007, at  
23 50 percent of the value of the credit, including:

24 (a) The enterprise zones jobs credit provided in s.  
25 220.181.

26 (b) The enterprise zone property tax credit provided  
27 in s. 220.182.

28 (c) The sales tax exemption for building materials  
29 used in the rehabilitation of real property in enterprise  
30 zones provided in s. 212.08(5)(g).

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1           (d) The sales tax exemption for business equipment  
2 used in an enterprise zone provided in s. 212.08(5)(h).

3           (e) The sales tax exemption for electrical energy used  
4 in an enterprise zone provided in s. 212.08(5)(h).

5           (f) The enterprise zone jobs credit against the sales  
6 tax provided in s. 212.096.

7           (2) A local government with an adopted urban infill  
8 and redevelopment plan may issue revenue bonds under s.  
9 163.385 and employ tax increment financing under s. 163.387 of  
10 the Community Redevelopment Act for the purpose of financing  
11 the implementation of the urban infill and redevelopment plan.

12           (3) A local government with an adopted urban infill  
13 and redevelopment plan may exercise the powers granted under  
14 s. 163.512 for community redevelopment neighborhood  
15 improvement districts, including the authority to levy special  
16 assessments under s. 163.514.

17           (4) State agencies that provide infrastructure  
18 funding, cost reimbursement, grants, or loans to local  
19 governments, including, but not limited to, the Department of  
20 Environmental Protection (Clean Water State Revolving Fund),  
21 Drinking Water State Revolving Fund, and the State of Florida  
22 Pollution Control Bond Program; the Department of Community  
23 Affairs (State Housing Initiatives Partnership, Florida  
24 Communities Trust); and the Department of Transportation  
25 (Intermodal Transportation Efficiency Act funds) are directed  
26 to report to the President of the Senate and the Speaker of  
27 the House of Representatives by January 1, 1999, statutory and  
28 rule changes necessary to give urban infill and redevelopment  
29 areas identified by local governments under this act an  
30 elevated priority in infrastructure funding, loan, and grant  
31 programs.

1           163.2523 Grant program.--An Urban Infill and  
2 Redevelopment Assistance Grant Program is created for local  
3 governments with adopted urban infill and redevelopment areas  
4 in which 90 percent of the general revenue appropriated for  
5 this purpose is available for fifty/fifty matching grants for  
6 planning and implementing urban infill and redevelopment  
7 projects that further the objectives set forth in the local  
8 government's adopted urban infill and redevelopment plan. The  
9 remaining 10 percent of the revenue must be used for outright  
10 grants for smaller scale projects. The Department of Community  
11 Affairs, Division of Housing and Community Development, shall  
12 administer the grant program. The Department of Community  
13 Affairs shall adopt rules establishing grant review criteria  
14 consistent with this section.

15           Section 163.2526 Economic incentives.--

16           (1) The economic incentives in s. 163.2520 are granted  
17 for an initial 5-year period beginning with the effective date  
18 of the amendment of the local comprehensive plan designating  
19 the urban infill and redevelopment area and may be renewable,  
20 upon the approval of the Department of Community Affairs, for  
21 an additional 5-year period, subject to the continuation of  
22 the enterprise zone program under ss. 290.001-290.015. Six  
23 months before the expiration of the initial 5-year period, the  
24 local government shall submit a report to the Department of  
25 Community Affairs evaluating the success of the urban infill  
26 and redevelopment plan based on the performance criteria  
27 identified in the plan and the ability of the local government  
28 to maintain the local fiscal and regulatory incentives  
29 committed to in the urban infill and redevelopment plan. If  
30 the evaluation is acceptable, the economic incentives may be

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1 extended by the Department of Community Affairs for an  
2 additional 5 years.

3 (2) If the local government fails to implement the  
4 urban infill and redevelopment plan, the Department of  
5 Community Affairs may seek to rescind an urban infill and  
6 redevelopment designation subject to the provisions of chapter  
7 120. The action to rescind may be initiated 90 days after  
8 issuing a written letter of warning to the local government.  
9 With respect to enterprise zone credits or exemptions, the  
10 action does not act to deny credits or exemptions previously  
11 granted or affect any bonds that have been issued.

12 Section 163.2529 Review and evaluation.--Before the  
13 2003 Regular Session of the Legislature, the Office of Program  
14 Policy Analysis and Government Accountability shall perform a  
15 review and evaluation of ss. 163.2511-163.2529, including the  
16 financial incentives listed in s. 163.2520. The report must  
17 evaluate the effectiveness of the designation of urban infill  
18 and redevelopment areas in stimulating urban infill and  
19 redevelopment and strengthening the urban core. A report of  
20 the findings and recommendations of the Office of Program  
21 Policy Analysis and Government Accountability shall be  
22 submitted to the President of the Senate and the Speaker of  
23 the House of Representatives before the 2003 Regular Session  
24 of the Legislature.

25 Section 2. Subsection (5) of section 163.3180, Florida  
26 Statutes, is amended to read:

27 163.3180 Concurrency.--

28 (5)(a) The Legislature finds that under limited  
29 circumstances dealing with transportation facilities,  
30 countervailing planning and public policy goals may come into  
31 conflict with the requirement that adequate public facilities

1 and services be available concurrent with the impacts of such  
2 development. The Legislature further finds that often the  
3 unintended result of the concurrency requirement for  
4 transportation facilities is the discouragement of urban  
5 infill development and redevelopment. Such unintended results  
6 directly conflict with the goals and policies of the state  
7 comprehensive plan and the intent of this part. Therefore,  
8 exceptions from the concurrency requirement for transportation  
9 facilities may be granted as provided by this subsection.

10 (b) A local government may grant an exception from the  
11 concurrency requirement for transportation facilities if the  
12 proposed development is otherwise consistent with the adopted  
13 local government comprehensive plan and is a project that  
14 promotes public transportation or is located within an area  
15 designated in the comprehensive plan for:

- 16 1. Urban infill development,
- 17 2. Urban redevelopment, ~~or~~
- 18 3. Downtown revitalization, ~~or~~
- 19 4. Is designated as an urban infill and redevelopment  
20 area under s. 163.2517.

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

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1           (d) A local government shall establish guidelines for  
2 granting the exceptions authorized in paragraphs (b) and (c)  
3 in the comprehensive plan. These guidelines must include  
4 consideration of the impacts on the Florida Intrastate Highway  
5 System, as defined in s. 338.001. The exceptions may be  
6 available only within the specific geographic area of the  
7 jurisdiction designated in the plan. Pursuant to s. 163.3184,  
8 any affected person may challenge a plan amendment  
9 establishing these guidelines and the areas within which an  
10 exception could be granted.

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

13           163.3187 Amendment of adopted comprehensive plan.--

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

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

21 "Emergency" means any occurrence or threat thereof whether  
22 accidental or natural, caused by humankind, in war or peace,  
23 which results or may result in substantial injury or harm to  
24 the population or substantial damage to or loss of property or  
25 public funds.

26           (b) Any local government comprehensive plan amendments  
27 directly related to a proposed development of regional impact,  
28 including changes which have been determined to be substantial  
29 deviations and including Florida Quality Developments pursuant  
30 to s. 380.061, may be initiated by a local planning agency and  
31 considered by the local governing body at the same time as the

1 application for development approval using the procedures  
2 provided for local plan amendment in this section and  
3 applicable local ordinances, without regard to statutory or  
4 local ordinance limits on the frequency of consideration of  
5 amendments to the local comprehensive plan. Nothing in this  
6 subsection shall be deemed to require favorable consideration  
7 of a plan amendment solely because it is related to a  
8 development of regional impact.

9 (c) Any local government comprehensive plan amendments  
10 directly related to proposed small scale development  
11 activities may be approved without regard to statutory limits  
12 on the frequency of consideration of amendments to the local  
13 comprehensive plan. A small scale development amendment may  
14 be adopted only under the following conditions:

15 1. The proposed amendment involves a use of 10 acres  
16 or fewer and:

17 a. The cumulative annual effect of the acreage for all  
18 small scale development amendments adopted by the local  
19 government shall not exceed:

20 (I) A maximum of 120 acres in a local government that  
21 contains areas specifically designated in the local  
22 comprehensive plan for urban infill, urban redevelopment, or  
23 downtown revitalization as defined in s. 163.3164, urban  
24 infill and redevelopment areas designated under s. 163.2517,  
25 transportation concurrency exception areas approved pursuant  
26 to s. 163.3180(5), or regional activity centers and urban  
27 central business districts approved pursuant to s.  
28 380.06(2)(e); however, amendments under this paragraph may be  
29 applied to no more than 60 acres annually of property outside  
30 the designated areas listed in this sub-sub-subparagraph.

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

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

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

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

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

16 e. The property that is the subject of the proposed  
17 amendment is not located within an area of critical state  
18 concern.

19 f. If the proposed amendment involves a residential  
20 land use, the residential land use has a density of 10 units  
21 or less per acre, except that this limitation does not apply  
22 to small scale amendments described in sub-sub-subparagraph  
23 a.(I) that are designated in the local comprehensive plan for  
24 urban infill, urban redevelopment, or downtown revitalization  
25 as defined in s. 163.3164, transportation concurrency  
26 exception areas approved pursuant to s. 163.3180(5), or  
27 regional activity centers and urban central business districts  
28 approved pursuant to s. 380.06(2)(e).

29 2.a. A local government that proposes to consider a  
30 plan amendment pursuant to this paragraph is not required to  
31 comply with the procedures and public notice requirements of

1 s. 163.3184(15)(c) for such plan amendments if the local  
2 government complies with the provisions in s. 125.66(4)(a) for  
3 a county or in s. 166.041(3)(c) for a municipality. If a  
4 request for a plan amendment under this paragraph is initiated  
5 by other than the local government, public notice is required.

6 b. The local government shall send copies of the  
7 notice and amendment to the state land planning agency, the  
8 regional planning council, and any other person or entity  
9 requesting a copy. This information shall also include a  
10 statement identifying any property subject to the amendment  
11 that is located within a coastal high hazard area as  
12 identified in the local comprehensive plan.

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

19 (d) Any comprehensive plan amendment required by a  
20 compliance agreement pursuant to s. 163.3184(16) may be  
21 approved without regard to statutory limits on the frequency  
22 of adoption of amendments to the comprehensive plan.

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

27 (f) Any comprehensive plan amendment that changes the  
28 schedule in the capital improvements element, and any  
29 amendments directly related to the schedule, may be made once  
30 in a calendar year on a date different from the two times  
31 provided in this subsection when necessary to coincide with

1 the adoption of the local government's budget and capital  
2 improvements program.

3 (g) A comprehensive plan amendment for the purpose of  
4 designating an urban infill and redevelopment area under s.  
5 163.2517.

6 Section 4. Subsection (17) of section 187.201, Florida  
7 Statutes, is amended to read:

8 187.201 State Comprehensive Plan adopted.--The  
9 Legislature hereby adopts as the State Comprehensive Plan the  
10 following specific goals and policies:

11 (17) URBAN REDEVELOPMENT AND DOWNTOWN  
12 REVITALIZATION.--

13 (a) Goal.--In recognition of the importance of  
14 Florida's vital urban centers and of the need to develop and  
15 redevelop ~~developing and redeveloping~~ downtowns to the state's  
16 ability to use existing infrastructure and to accommodate  
17 growth in an orderly, efficient, and environmentally  
18 acceptable manner, Florida shall encourage the centralization  
19 of commercial, governmental, retail, residential, and cultural  
20 activities within downtown areas.

21 (b) Policies.--

22 1. Provide incentives to encourage private sector  
23 investment in the preservation and enhancement of downtown  
24 areas.

25 2. Assist local governments in the planning,  
26 financing, and implementation of development efforts aimed at  
27 revitalizing distressed downtown areas.

28 3. Promote state programs and investments which  
29 encourage redevelopment of downtown areas.

30 4. Develop strategies to guide the state, regional  
31 agencies, local governments, and the private sector in

1 preserving and redeveloping existing urban centers to ensure  
2 the adequate provision of infrastructure, human services, safe  
3 neighborhoods, educational facilities and economic development  
4 to sustain urban centers into the future.

5 5. Promote and encourage communities to engage in a  
6 redesign step to include public participation of members of  
7 the community in envisioning redevelopment goals and design of  
8 the community core before redevelopment.

9 6. Ensure that local governments have adequate  
10 flexibility to determine and address their urban priorities  
11 within the state urban policy.

12 7. Enhance the linkages between land, water use, and  
13 transportation planning in state, regional, and local plans  
14 for current and future designated urban areas.

15 8. Develop concurrency requirements for urban areas  
16 that promote redevelopment efforts where the requirements do  
17 not compromise public health and safety.

18 9. Encourage local governments to review and estimate  
19 the true costs of proposed developments that are incurred by  
20 the affected local governments and natural resources.

21 10. Promote processes for the state, general purpose  
22 local governments, school boards, and local community colleges  
23 to coordinate and cooperate regarding educational facilities  
24 in urban areas including; planning functions, the development  
25 of joint facilities, and the reuse of existing buildings.

26 11. Encourage that developing mass transit systems for  
27 urban centers, including multi-modal transportation feeder  
28 systems, is a priority of local, metropolitan, regional, and  
29 state transportation planning.

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1           12. Locate appropriate public facilities within urban  
2 centers to demonstrate public commitment to the centers and to  
3 encourage private sector development.

4           13. Integrate state programs that have been developed  
5 to promote economic development and neighborhood  
6 revitalization through incentives to promote the development  
7 of designated urban infill areas.

8           14. Promote infill development and redevelopment as an  
9 important mechanism to revitalize and sustain urban centers.

10           Section 5. Paragraph (b) of subsection (19) of section  
11 380.06, Florida Statutes, is amended to read:

12           380.06 Developments of regional impact.--

13           (19) SUBSTANTIAL DEVIATIONS.--

14           (b) Any proposed change to a previously approved  
15 development of regional impact or development order condition  
16 which, either individually or cumulatively with other changes,  
17 exceeds any of the following criteria shall constitute a  
18 substantial deviation and shall cause the development to be  
19 subject to further development-of-regional-impact review  
20 without the necessity for a finding of same by the local  
21 government:

22           1. An increase in the number of parking spaces at an  
23 attraction or recreational facility by 5 percent or 300  
24 spaces, whichever is greater, or an increase in the number of  
25 spectators that may be accommodated at such a facility by 5  
26 percent or 1,000 spectators, whichever is greater.

27           2. A new runway, a new terminal facility, a 25-percent  
28 lengthening of an existing runway, or a 25-percent increase in  
29 the number of gates of an existing terminal, but only if the  
30 increase adds at least three additional gates. However, if an  
31 airport is located in two counties, a 10-percent lengthening

1 of an existing runway or a 20-percent increase in the number  
2 of gates of an existing terminal is the applicable criteria.

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

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

7 5. An increase in the average annual acreage mined by  
8 5 percent or 10 acres, whichever is greater, or an increase in  
9 the average daily water consumption by a mining operation by 5  
10 percent or 300,000 gallons, whichever is greater. An increase  
11 in the size of the mine by 5 percent or 750 acres, whichever  
12 is less.

13 6. An increase in land area for office development by  
14 5 percent or 6 acres, whichever is greater, or an increase of  
15 gross floor area of office development by 5 percent or 60,000  
16 gross square feet, whichever is greater.

17 7. An increase in the storage capacity for chemical or  
18 petroleum storage facilities by 5 percent, 20,000 barrels, or  
19 7 million pounds, whichever is greater.

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

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

28 10. An increase in commercial development by 6 acres  
29 of land area or by 50,000 square feet of gross floor area, or  
30 of parking spaces provided for customers for 300 cars or a  
31 5-percent increase of any of these, whichever is greater.

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

3           12. An increase in a recreational vehicle park area by  
4 5 percent or 100 vehicle spaces, whichever is less.

5           13. A decrease in the area set aside for open space of  
6 5 percent or 20 acres, whichever is less.

7           14. A proposed increase to an approved multiuse  
8 development of regional impact where the sum of the increases  
9 of each land use as a percentage of the applicable substantial  
10 deviation criteria is equal to or exceeds 100 percent. The  
11 percentage of any decrease in the amount of open space shall  
12 be treated as an increase for purposes of determining when 100  
13 percent has been reached or exceeded.

14           15. A 15-percent increase in the number of external  
15 vehicle trips generated by the development above that which  
16 was projected during the original  
17 development-of-regional-impact review.

18           16. Any change which would result in development of  
19 any area which was specifically set aside in the application  
20 for development approval or in the development order for  
21 preservation or special protection of endangered or threatened  
22 plants or animals designated as endangered, threatened, or  
23 species of special concern and their habitat, primary dunes,  
24 or archaeological and historical sites designated as  
25 significant by the Division of Historical Resources of the  
26 Department of State. The further refinement of such areas by  
27 survey shall be considered under sub-subparagraph (e)5.b.

28  
29 The substantial deviation numerical standards in subparagraphs  
30 4., 6., 10., 14., excluding residential uses, and 15., are  
31 increased by 100 percent for a project certified under s.

1 403.973 which creates jobs and meets criteria established by  
2 the Office of Tourism, Trade, and Economic Development as to  
3 its impact on an area's economy, employment, and prevailing  
4 wage and skill levels. The substantial deviation numerical  
5 standards in subparagraphs 4., 6., 9., 10., 11., and 14. are  
6 increased by 50 percent for a project located wholly within an  
7 urban infill and redevelopment area designated on the  
8 applicable adopted local comprehensive plan future land-use  
9 map and not located within the coastal high hazard area.

10 Section 6. The sum of \$5 million is appropriated from  
11 the General Revenue Fund to the Department of Community  
12 Affairs for the 1998-1999 fiscal year for the purpose of  
13 funding the Urban Infill and Redevelopment Assistance Grant  
14 Program created in section 163.2523, Florida Statutes.

15 Section 7. This act shall take effect upon becoming a  
16 law.

17  
18 \*\*\*\*\*

19 SENATE SUMMARY

20 Authorizes counties and municipalities to designate urban  
21 infill and redevelopment areas based on specific  
22 criteria. Provides economic incentives, a grant  
23 assistance program, and requires a review and evaluation  
24 by the Office of Program Policy Analysis and Government  
25 Accountability. Provides exceptions to transportation  
26 concurrency and exceptions from limitations on amendments  
27 to local government comprehensive plans. Provides  
28 additional goals and policies for the state comprehensive  
29 plan. Allows deviations from development of regional  
30 impact requirements. Provides an appropriation.  
31