

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5	<hr/>		
6			
7			
8			
9			
10	<hr/>		
11	Senator Meadows moved the following amendment to House		
12	amendment:		
13			
14	Senate Amendment (with title amendment)		
15	On page 5, line 7, through		
16	page 14, line 11, delete those lines		
17			
18	and insert:		
19	Section 2. Subsections (1) and (5) of section		
20	163.3180, Florida Statutes, are amended, and subsections (12)		
21	and (13) are added to said section, to read:		
22	163.3180 Concurrency.--		
23	(1) (a) Roads, sanitary sewer, solid waste, drainage,		
24	potable water, parks and recreation, and mass transit, where		
25	applicable, are the only public facilities and services		
26	subject to the concurrency requirement on a statewide basis.		
27	Additional public facilities and services may not be made		
28	subject to concurrency on a statewide basis without		
29	appropriate study and approval by the Legislature; however,		
30	any local government may extend the concurrency requirement so		
31	that it applies to additional public facilities within its		

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 jurisdiction.

2 ~~(b) If a local government elects to extend the~~
3 ~~concurrency requirement to public schools, it should first~~
4 ~~conduct a study to determine how the requirement would be met~~
5 ~~and shared by all affected parties. The local government shall~~
6 ~~provide an opportunity for full participation in this study by~~
7 ~~the school board. The state land planning agency may provide~~
8 ~~technical assistance to local governments that study and~~
9 ~~prepare for extension of the concurrency requirement to public~~
10 ~~schools. When establishing concurrency requirements for public~~
11 ~~schools, a local government shall comply with the following~~
12 ~~criteria for any proposed plan or plan amendment transmitted~~
13 ~~pursuant to s. 163.3184(3) after July 1, 1995:~~

14 ~~1. Adopt level-of-service standards for public schools~~
15 ~~with the agreement of the school board. Public school~~
16 ~~level-of-service standards shall be adopted as part of the~~
17 ~~capital improvements element in the local government~~
18 ~~comprehensive plan, which shall contain a financially feasible~~
19 ~~public school capital facilities program established in~~
20 ~~conjunction with the school board that will provide~~
21 ~~educational facilities at an adequate level of service~~
22 ~~necessary to implement the adopted local government~~
23 ~~comprehensive plan.~~

24 ~~2. Satisfy the requirement for intergovernmental~~
25 ~~coordination set forth in s. 163.3177(6)(h)1. and 2.~~

26 (5)(a) The Legislature finds that under limited
27 circumstances dealing with transportation facilities,
28 countervailing planning and public policy goals may come into
29 conflict with the requirement that adequate public facilities
30 and services be available concurrent with the impacts of such
31 development. The Legislature further finds that often the

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 unintended result of the concurrency requirement for
2 transportation facilities is the discouragement of urban
3 infill development and redevelopment. Such unintended results
4 directly conflict with the goals and policies of the state
5 comprehensive plan and the intent of this part. Therefore,
6 exceptions from the concurrency requirement for transportation
7 facilities may be granted as provided by this subsection.

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

- 14 1. Urban infill development,
- 15 2. Urban redevelopment, ~~or~~
- 16 3. Downtown revitalization, ~~or-~~
- 17 4. Urban infill and redevelopment under s. 163.2517.

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

28 (d) A local government shall establish guidelines for
29 granting the exceptions authorized in paragraphs (b) and (c)
30 in the comprehensive plan. These guidelines must include
31 consideration of the impacts on the Florida Intrastate Highway

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 System, as defined in s. 338.001. The exceptions may be
2 available only within the specific geographic area of the
3 jurisdiction designated in the plan. Pursuant to s. 163.3184,
4 any affected person may challenge a plan amendment
5 establishing these guidelines and the areas within which an
6 exception could be granted.

7 (12) School concurrency, if imposed by local option,
8 shall be established on a districtwide basis and shall include
9 all public schools in the district and all portions of the
10 district, whether located in a municipality or an
11 unincorporated area. The application of school concurrency to
12 development shall be based upon the adopted comprehensive
13 plan, as amended. All local governments within a county,
14 except as provided in paragraph (f), shall adopt and transmit
15 to the state land planning agency the necessary plan
16 amendments, along with the interlocal agreement, for a
17 compliance review pursuant to s. 163.3184(7) and (8). School
18 concurrency shall not become effective in a county until all
19 local governments, except as provided in paragraph (f), have
20 adopted the necessary plan amendments, which together with the
21 interlocal agreement, are determined to be in compliance with
22 the requirements of this part. The minimum requirements for
23 school concurrency are the following:

24 (a) Public school facilities element.--A local
25 government shall adopt and transmit to the state land planning
26 agency a plan or plan amendment which includes a public school
27 facilities element which is consistent with the requirements
28 of s. 163.3177(12) and which is determined to be in compliance
29 as defined in s. 163.3184(1)(b). All local government public
30 school facilities plan elements within a county must be
31 consistent with each other as well as the requirements of this

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 part.

2 (b) Level of service standards.--The Legislature
3 recognizes that an essential requirement for a concurrency
4 management system is the level of service at which a public
5 facility is expected to operate.

6 1. Local governments and school boards imposing school
7 concurrency shall exercise authority in conjunction with each
8 other to establish jointly adequate level of service
9 standards, as defined in rule 9J-5, Florida Administrative
10 Code, necessary to implement the adopted local government
11 comprehensive plan, based on data and analysis.

12 2. Public school level of service standards shall be
13 included and adopted into the capital improvements element of
14 the local comprehensive plan and shall apply districtwide to
15 all schools of the same type. Types of schools may include
16 elementary, middle, and high schools as well as
17 special-purpose facilities such as magnet schools.

18 3. Local governments and school boards shall have the
19 option to utilize tiered level of service standards to allow
20 time to achieve an adequate and desirable level of service as
21 circumstances warrant.

22 (c) Service areas.--The Legislature recognizes that an
23 essential requirement for a concurrency system is a
24 designation of the area within which the level of service will
25 be measured when an application for a residential development
26 permit is reviewed for school concurrency purposes. This
27 delineation is also important for purposes of determining
28 whether the local government has a financially feasible public
29 school capital facilities program that will provide schools
30 which will achieve and maintain the adopted level of service
31 standards.

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 1. In order to balance competing interests, preserve
 2 the constitutional concept of uniformity, and avoid disruption
 3 of existing educational and growth management processes, local
 4 governments are encouraged to apply school concurrency to
 5 development on a districtwide basis so that a concurrency
 6 determination for a specific development will be based upon
 7 the availability of school capacity districtwide.

8 2. For local governments applying school concurrency
 9 on a less than districtwide basis, such as utilizing school
 10 attendance zones or larger school concurrency service areas,
 11 local governments and school boards shall have the burden to
 12 demonstrate that the utilization of school capacity is
 13 maximized to the greatest extent possible in the comprehensive
 14 plan and amendment, taking into account transportation costs
 15 and court-approved desegregation plans, as well as other
 16 factors. In addition, in order to achieve concurrency within
 17 the service area boundaries selected by local governments and
 18 school boards, the service area boundaries, together with the
 19 standards for establishing those boundaries, shall be
 20 identified, included, and adopted as part of the comprehensive
 21 plan. Any subsequent change to the service area boundaries
 22 for purposes of a school concurrency system shall be by plan
 23 amendment and shall be exempt from the limitation on the
 24 frequency of plan amendments in s. 163.3187(1).

25 3. Where school capacity is available on a
 26 districtwide basis but school concurrency is applied on a less
 27 than districtwide basis in the form of concurrency service
 28 areas, if the adopted level of service standard cannot be met
 29 in a particular service area as applied to an application for
 30 a development permit and if the needed capacity for the
 31 particular service area is available in one or more contiguous

Bill No. CS for SB 2474, 1st Eng.

Amendment No.

1 service areas, as adopted by the local government, then the
2 development order shall be issued and mitigation measures
3 shall not be exacted.

4 (d) Financial feasibility.--The Legislature recognizes
5 that financial feasibility is an important issue because the
6 premise of concurrency is that the public facilities will be
7 provided in order to achieve and maintain the adopted level of
8 service standard. This part and chapter 9J-5, Florida
9 Administrative Code, contain specific standards to determine
10 the financial feasibility of capital programs. These standards
11 were adopted to make concurrency more predictable and local
12 governments more accountable.

13 1. A comprehensive plan amendment seeking to impose
14 school concurrency shall contain appropriate amendments to the
15 capital improvements element of the comprehensive plan,
16 consistent with the requirements of s. 163.3177(3) and rule
17 9J-5.016, Florida Administrative Code. The capital
18 improvements element shall set forth a financially feasible
19 public school capital facilities program, established in
20 conjunction with the school board, that demonstrates that the
21 adopted level of service standards will be achieved and
22 maintained.

23 2. Such amendments shall demonstrate that the public
24 school capital facilities program meets all of the financial
25 feasibility standards of this part and chapter 9J-5, Florida
26 Administrative Code, that apply to capital programs which
27 provide the basis for mandatory concurrency on other public
28 facilities and services.

29 3. When the financial feasibility of a public school
30 capital facilities program is evaluated by the state land
31 planning agency for purposes of a compliance determination,

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 the evaluation shall be based upon the service areas selected
2 by the local governments and school board.

3 (e) Availability standard.--Consistent with the public
4 welfare, a local government may not deny a development permit
5 authorizing residential development for failure to achieve and
6 maintain the level of service standard for public school
7 capacity in a local option school concurrency system where
8 adequate school facilities will be in place or under actual
9 construction within 3 years after permit issuance.

10 (f) Intergovernmental coordination.--

11 1. When establishing concurrency requirements for
12 public schools, a local government shall satisfy the
13 requirements for intergovernmental coordination set forth in
14 s. 163.3177(6)(h)1. and 2., except that a municipality is not
15 required to be a signatory to the interlocal agreement
16 required by s. 163.3177(6)(h)2. as a prerequisite for
17 imposition of school concurrency, and as a nonsignatory shall
18 not participate in the adopted local school concurrency
19 system, if the municipality meets all of the following
20 criteria for having no significant impact on school
21 attendance:

22 a. The municipality has issued development orders for
23 fewer than 50 residential dwelling units during the preceding
24 5 years, or the municipality has generated fewer than 25
25 additional public school students during the preceding 5
26 years.

27 b. The municipality has not annexed new land during
28 the preceding 5 years in land use categories which permit
29 residential uses that will affect school attendance rates.

30 c. The municipality has no public schools located
31 within its boundaries.

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 d. At least 80 percent of the developable land within
2 the boundaries of the municipality has been built upon.

3 2. A municipality which qualifies as having no
4 significant impact on school attendance pursuant to the
5 criteria of subparagraph 1. must review and determine at the
6 time of its evaluation and appraisal report pursuant to s.
7 163.3191 whether it continues to meet the criteria. If the
8 municipality determines that it no longer meets the criteria,
9 it must adopt appropriate school concurrency goals,
10 objectives, and policies in its plan amendments based on the
11 evaluation and appraisal report, and enter into the existing
12 interlocal agreement required by s. 163.3177(6)(h)2., in order
13 to fully participate in the school concurrency system. If
14 such a municipality fails to do so, it will be subject to the
15 enforcement provisions of s. 163.3191.

16 (g) Interlocal agreement for school concurrency.--When
17 establishing concurrency requirements for public schools, a
18 local government must enter into an interlocal agreement which
19 satisfies the requirements in s. 163.3177(6)(h)1. and 2. and
20 the requirements of this subsection. The interlocal agreement
21 shall acknowledge both the school board's constitutional and
22 statutory obligations to provide a uniform system of free
23 public schools on a countywide basis, and the land use
24 authority of local governments, including their authority to
25 approve or deny comprehensive plan amendments and development
26 orders. The interlocal agreement shall be submitted to the
27 state land planning agency by the local government as a part
28 of the compliance review, along with the other necessary
29 amendments to the comprehensive plan required by this part.
30 In addition to the requirements of s. 163.3177(6)(h), the
31 interlocal agreement shall meet the following requirements:

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 1. Establish the mechanisms for coordinating the
2 development, adoption, and amendment of each local
3 government's public school facilities element with each other
4 and the plans of the school board to ensure a uniform
5 districtwide school concurrency system.

6 2. Establish a process by which each local government
7 and the school board shall agree and base their plans on
8 consistent projections of the amount, type, and distribution
9 of population growth and coordinate and share information
10 relating to existing and planned public school facilities
11 projections and proposals for development and redevelopment,
12 and infrastructure required to support public school
13 facilities.

14 3. Establish a process for the development of siting
15 criteria which encourages the location of public schools
16 proximate to urban residential areas to the extent possible
17 and seeks to collocate schools with other public facilities
18 such as parks, libraries, and community centers to the extent
19 possible.

20 4. Specify uniform, districtwide level of service
21 standards for public schools of the same type and the process
22 for modifying the adopted levels of service standards.

23 5. Establish a process for the preparation, amendment,
24 and joint approval by each local government and the school
25 board of a public school capital facilities program which is
26 financially feasible, and a process and schedule for
27 incorporation of the public school capital facilities program
28 into the local government comprehensive plans on an annual
29 basis.

30 6. Define the geographic application of school
31 concurrency. If school concurrency is to be applied on a less

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 than districtwide basis in the form of concurrency service
2 areas, the agreement shall establish criteria and standards
3 for the establishment and modification of school concurrency
4 service areas. The agreement shall also establish a process
5 and schedule for the mandatory incorporation of the school
6 concurrency service areas and the criteria and standards for
7 establishment of the service areas into the local government
8 comprehensive plans. The agreement shall ensure maximum
9 utilization of school capacity, taking into account
10 transportation costs and court-approved desegregation plans,
11 as well as other factors. The agreement shall also ensure the
12 achievement and maintenance of the adopted level of service
13 standards for the geographic area of application throughout
14 the 5 years covered by the public school capital facilities
15 plan and thereafter by adding a new fifth year during the
16 annual update.

17 7. Establish a uniform districtwide procedure for
18 implementing school concurrency which provides for:

19 a. The evaluation of development applications for
20 compliance with school concurrency requirements;

21 b. An opportunity for the school board to review and
22 comment on the effect of comprehensive plan amendments and
23 rezonings on the public school facilities plan; and

24 c. The monitoring and evaluation of the school
25 concurrency system.

26 8. Include provisions relating to termination,
27 suspension, and amendment of the agreement. The agreement
28 shall provide that if the agreement is terminated or
29 suspended, the application of school concurrency shall be
30 terminated or suspended.

31 (13) The state land planning agency shall, by October

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 1, 1998, adopt by rule minimum criteria for the review and
2 determination of compliance of a public school facilities
3 element adopted by a local government for purposes of
4 imposition of school concurrency.

5 Section 3. Sections 163.2511, 163.2514, 163.2517,
6 163.2520, 163.2523, and 163.2526, Florida Statutes, are
7 created to read:

8 163.2511 Urban infill and redevelopment.--

9 (1) Sections 163.2511-163.2526 may be cited as the
10 "Urban Infill and Redevelopment Act."

11 (2) It is found and declared that:

12 (a) Fiscally strong urban centers are beneficial to
13 regional and state economies and resources, are a method for
14 reduction of future urban sprawl, and should be promoted by
15 state, regional, and local governments.

16 (b) The health and vibrancy of the urban cores benefit
17 their respective regions and the state. Conversely, the
18 deterioration of those urban cores negatively impacts the
19 surrounding area and the state.

20 (c) In recognition of the interwoven destiny between
21 the urban center, the suburbs, the region, and the state, the
22 respective governments need to establish a framework and work
23 in partnership with communities and the private sector to
24 revitalize urban centers.

25 (d) State urban policies should guide the state,
26 regional agencies, local governments, and the private sector
27 in preserving and redeveloping existing urban centers and
28 promoting the adequate provision of infrastructure, human
29 services, safe neighborhoods, educational facilities, and
30 economic development to sustain these centers into the future.

31 (e) Successfully revitalizing and sustaining the urban

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 centers is dependent on addressing, through an integrated and
2 coordinated community effort, a range of varied components
3 essential to a healthy urban environment, including cultural,
4 educational, recreational, economic, transportation, and
5 social service components.

6 (f) Infill development and redevelopment are
7 recognized as one of the important components and useful
8 mechanisms to promote and sustain urban centers. State and
9 regional entities and local governments should provide
10 incentives to promote urban infill and redevelopment. Existing
11 programs and incentives should be integrated to the extent
12 possible to promote urban infill and redevelopment and to
13 achieve the goals of the state urban policy.

14 163.2514 Definitions.--As used in ss.
15 163.2511-163.2526:

16 (1) "Local government" means any county or
17 municipality.

18 (2) "Urban infill and redevelopment area" means an
19 area or areas designated by a local government for the
20 development of vacant, abandoned, or significantly
21 underutilized parcels located where:

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

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

30 (c) The residential density is at least five dwelling
31 units per acre and the average nonresidential intensity is at

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 least a floor area ratio of 1.00; and

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

6 163.2517 Designation of urban infill and redevelopment
7 area.--

8 (1) A local government may designate a geographic area
9 or areas within its jurisdiction as an urban infill and
10 redevelopment area for the purpose of targeting economic, job
11 creation, housing, transportation, and land-use incentives to
12 encourage urban infill and redevelopment within the urban
13 core.

14 (2) A local government seeking to designate a
15 geographic area within its jurisdiction as an urban infill and
16 redevelopment area shall first prepare a plan that describes
17 the infill and redevelopment objectives of the local
18 government within the proposed area. In lieu of preparing a
19 new plan, the local government may demonstrate that an
20 existing plan or combination of plans associated with a
21 community development area, Florida Main Street program,
22 sustainable community, enterprise zone, or neighborhood
23 improvement district includes the factors listed in paragraphs

24 (a)-(j), or amend such existing plans to include the factors
25 listed in paragraphs (a)-(j). The plan shall demonstrate the
26 local government and community's commitment to comprehensively
27 addressing the urban problems within the urban infill and
28 redevelopment area and identify activities and programs to
29 accomplish locally identified goals such as code enforcement;
30 improved educational opportunities; reduction in crime;
31 provision of infrastructure needs, including mass transit and

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

- 1 multimodal linkages; and mixed-use planning to promote
2 multifunctional redevelopment to improve both the residential
3 and commercial quality of life in the area. The plan shall
4 also:
- 5 (a) Contain a map depicting the geographic area or
6 areas to be included within the designation.
- 7 (b) Identify the relationship between the proposed
8 area and the existing urban service area defined in the local
9 government's comprehensive plan.
- 10 (c) Identify existing enterprise zones, community
11 redevelopment areas, community development corporations,
12 brownfield areas, downtown redevelopment districts, safe
13 neighborhood improvement districts, historic preservation
14 districts, and empowerment zones located within the area
15 proposed for designation as an urban infill and redevelopment
16 area and provide a framework for coordinating infill and
17 redevelopment programs within the urban core.
- 18 (d) Identify a memorandum of understanding between the
19 district school board and the local government jurisdiction
20 regarding public school facilities located within the urban
21 infill and redevelopment area to identify how the school board
22 will provide priority to enhancing public school facilities
23 and programs in the designated area, including the reuse of
24 existing buildings for schools within the area.
- 25 (e) Identify how the local government intends to
26 implement affordable housing programs, including, but not
27 limited to, the State Housing Initiatives Partnership Program,
28 and economic and community development programs administered
29 by the Department of Community Affairs, within the urban
30 infill and redevelopment area.
- 31 (f) If applicable, provide guidelines for the adoption

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 of land development regulations specific to the urban infill
2 and redevelopment area which include, for example, setbacks
3 and parking requirements appropriate to urban development.

4 (g) Identify any existing transportation concurrency
5 exception areas, and any relevant public transportation
6 corridors designated by a metropolitan planning organization
7 in its long-range transportation plans or by the local
8 government in its comprehensive plan for which the local
9 government seeks designation as a transportation concurrency
10 exception area.

11 (h) Identify and adopt a package of financial and
12 local government incentives which the local government will
13 offer for new development, expansion of existing development,
14 and redevelopment within the urban infill and redevelopment
15 area. Examples of such incentives include:

- 16 1. Waiver of license and permit fees.
- 17 2. Waiver of local option sales taxes.
- 18 3. Waiver of delinquent taxes or fees to promote the
19 return of property to productive use.
- 20 4. Expedited permitting.
- 21 5. Prioritization of infrastructure spending within
22 the urban infill and redevelopment area.
- 23 6. Local government absorption of developers'
24 concurrency costs.

25 (i) Identify how activities and incentives within the
26 urban infill and redevelopment area will be coordinated and
27 what administrative mechanism the local government will use
28 for the coordination.

29 (j) Identify performance measures to evaluate the
30 success of the local government in implementing the urban
31 infill and redevelopment plan.

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

19 (4) In order for a local government to designate an
20 urban infill and redevelopment area, it must amend its
21 comprehensive land use plan under s. 163.3187 to adopt the
22 urban infill and redevelopment area plan and delineate the
23 urban infill and redevelopment area within the future land use
24 element of its comprehensive plan. If the local government
25 elects to employ an existing or amended community
26 redevelopment, Florida Main Street program, sustainable
27 community, enterprise zone, or neighborhood improvement
28 district plan or plans in lieu of preparation of an urban
29 infill and redevelopment plan, the local government must amend
30 its comprehensive land use plan under s. 163.3187 to delineate
31 the urban infill and redevelopment area within the future land

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 use element of its comprehensive plan. An amendment to the
2 local comprehensive plan to designate an urban infill and
3 redevelopment area is exempt from the twice-a-year amendment
4 limitation of s. 163.3187.

5 163.2520 Economic incentives; report.--

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

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

26 163.2523 Grant program.--

27 (1) An Urban Infill and Redevelopment Assistance Grant
28 Program is created for local governments with adopted urban
29 infill and redevelopment areas. Ninety percent of the general
30 revenue appropriated for this program shall be available for
31 fifty/fifty matching grants for planning and implementing

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 urban infill and redevelopment projects that further the
2 objectives set forth in the local government's adopted urban
3 infill and redevelopment plan or plan employed in lieu
4 thereof. The remaining 10 percent of the revenue must be used
5 for outright grants for projects requiring under \$50,000.
6 Projects that provide employment opportunities to clients of
7 the WAGES program and projects within urban infill and
8 redevelopment areas that include a community redevelopment
9 area, Florida Main Street Program, sustainable community,
10 enterprise zone, or neighborhood improvement district must be
11 given an elevated priority in the scoring of competing grant
12 applications. The Division of Housing and Community
13 Development of the Department of Community Affairs shall
14 administer the grant program. The Department of Community
15 Affairs shall adopt rules establishing grant review criteria
16 consistent with this section.

17 (2) If the local government fails to implement the
18 urban infill and redevelopment plan, the Department of
19 Community Affairs may seek to rescind the economic and
20 regulatory incentives granted to an urban infill and
21 redevelopment area, subject to the provisions of chapter 120.
22 The action to rescind may be initiated 90 days after issuing a
23 written letter of warning to the local government.

24 163.2526 Review and evaluation.--Before the 2003
25 Regular Session of the Legislature, the Office of Program
26 Policy Analysis and Government Accountability shall perform a
27 review and evaluation of ss. 163.2511-163.2526, including the
28 financial incentives listed in s. 163.2520. The report must
29 evaluate the effectiveness of the designation of urban infill
30 and redevelopment areas in stimulating urban infill and
31 redevelopment and strengthening the urban core. A report of

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 the findings and recommendations of the Office of Program
2 Policy Analysis and Government Accountability shall be
3 submitted to the President of the Senate and the Speaker of
4 the House of Representatives before the 2003 Regular Session
5 of the Legislature.

6 Section 4. Subsection (1) of section 163.3187, Florida
7 Statutes, is amended to read:

8 163.3187 Amendment of adopted comprehensive plan.--

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

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

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

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

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 subsection shall be deemed to require favorable consideration
2 of a plan amendment solely because it is related to a
3 development of regional impact.

4 (c) Any local government comprehensive plan amendments
5 directly related to proposed small scale development
6 activities may be approved without regard to statutory limits
7 on the frequency of consideration of amendments to the local
8 comprehensive plan. A small scale development amendment may
9 be adopted only under the following conditions:

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

12 a. The cumulative annual effect of the acreage for all
13 small scale development amendments adopted by the local
14 government shall not exceed:

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

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

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

31 b. The proposed amendment does not involve the same

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 property granted a change within the prior 12 months.

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

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

10 e. The property that is the subject of the proposed
11 amendment is not located within an area of critical state
12 concern.

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

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

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

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

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

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

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

29 (g) A comprehensive plan amendment for the purpose of
30 designating an urban infill and redevelopment area under s.
31 163.2517 may be approved without regard to the statutory

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 limits on the frequency of amendments to the comprehensive
2 plan.

3 Section 5. Subsection (17) of section 187.201, Florida
4 Statutes, is amended to read:

5 187.201 State Comprehensive Plan adopted.--The
6 Legislature hereby adopts as the State Comprehensive Plan the
7 following specific goals and policies:

8 (17) URBAN REDEVELOPMENT AND DOWNTOWN
9 REVITALIZATION.--

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

18 (b) Policies.--

19 1. Provide incentives to encourage private sector
20 investment in the preservation and enhancement of downtown
21 areas.

22 2. Assist local governments in the planning,
23 financing, and implementation of development efforts aimed at
24 revitalizing distressed downtown areas.

25 3. Promote state programs and investments which
26 encourage redevelopment of downtown areas.

27 4. Promote and encourage communities to engage in a
28 redesign step to include public participation of members of
29 the community in envisioning redevelopment goals and design of
30 the community core before redevelopment.

31 5. Ensure that local governments have adequate

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 flexibility to determine and address their urban priorities
2 within the state urban policy.

3 6. Enhance the linkages between land use, water use,
4 and transportation planning in state, regional, and local
5 plans for current and future designated urban areas.

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

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

14 9. Encourage the development of mass transit systems
15 for urban centers, including multimodal transportation feeder
16 systems, as a priority of local, metropolitan, regional, and
17 state transportation planning.

18 10. Locate appropriate public facilities within urban
19 centers to demonstrate public commitment to the centers and to
20 encourage private sector development.

21 11. Integrate state programs that have been developed
22 to promote economic development and neighborhood
23 revitalization through incentives to promote the development
24 of designated urban infill areas.

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

27 Section 6. Paragraph (b) of subsection (19) of section
28 380.06, Florida Statutes, is amended to read:

29 380.06 Developments of regional impact.--

30 (19) SUBSTANTIAL DEVIATIONS.--

31 (b) Any proposed change to a previously approved

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 development of regional impact or development order condition
2 which, either individually or cumulatively with other changes,
3 exceeds any of the following criteria shall constitute a
4 substantial deviation and shall cause the development to be
5 subject to further development-of-regional-impact review
6 without the necessity for a finding of same by the local
7 government:

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

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

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

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

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

30 6. An increase in land area for office development by
31 5 percent or 6 acres, whichever is greater, or an increase of

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 gross floor area of office development by 5 percent or 60,000
2 gross square feet, whichever is greater.

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

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

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

14 10. An increase in commercial development by 6 acres
15 of land area or by 50,000 square feet of gross floor area, or
16 of parking spaces provided for customers for 300 cars or a
17 5-percent increase of any of these, whichever is greater.

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

20 12. An increase in a recreational vehicle park area by
21 5 percent or 100 vehicle spaces, whichever is less.

22 13. A decrease in the area set aside for open space of
23 5 percent or 20 acres, whichever is less.

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

31 15. A 15-percent increase in the number of external

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 vehicle trips generated by the development above that which
2 was projected during the original
3 development-of-regional-impact review.

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

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

27 Section 7. Subsection (1) of section 163.375, Florida
28 Statutes, is amended to read:

29 163.375 Eminent domain.--

30 (1) Any county or municipality, or any community
31 redevelopment agency pursuant to specific approval of the

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

24 Section 8. Section 171.0413, Florida Statutes, is
25 amended to read:

26 171.0413 Annexation procedures.--Any municipality may
27 annex contiguous, compact, unincorporated territory in the
28 following manner:

29 (1) An ordinance proposing to annex an area of
30 contiguous, compact, unincorporated territory shall be adopted
31 by the governing body of the annexing municipality pursuant to

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 the procedure for the adoption of a nonemergency ordinance
2 established by s. 166.041. Prior to the adoption of the
3 ordinance of annexation, the local governing body shall hold
4 at least two advertised public hearings on the proposed
5 annexation. The first public hearing shall be on a weekday at
6 least 7 days after the day that the first advertisement is
7 published. The second public hearing shall be held on a
8 weekday at least 5 days after the day that the second
9 advertisement is published. The governing body of the annexing
10 municipality may choose to submit the ordinance of annexation
11 to a separate vote of the registered electors of the annexing
12 municipality. Each such ordinance shall propose only one
13 reasonably compact area to be annexed. However, prior to the
14 ordinance of annexation becoming effective, a referendum on
15 annexation shall be held as set out below, and, if approved by
16 the referendum, the ordinance shall become effective 10 days
17 after the referendum or as otherwise provided in the
18 ordinance, but not more than 1 year following the date of the
19 referendum.

20 (2) Following the final adoption of the ordinance of
21 annexation by the governing body of the annexing municipality,
22 the ordinance shall be submitted to a vote of the registered
23 electors of the area proposed to be annexed. ~~if the proposed~~
24 ~~ordinance would cause the total area annexed by a municipality~~
25 ~~pursuant to this section during any one calendar year period~~
26 ~~cumulatively to exceed more than 5 percent of the total land~~
27 ~~area of the municipality or cumulatively to exceed more than 5~~
28 ~~percent of the municipal population, the ordinance shall be~~
29 ~~submitted to a separate vote of the registered electors of the~~
30 ~~annexing municipality and of the area proposed to be annexed.~~
31 The referendum on annexation shall be called and conducted and

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 the expense thereof paid by the governing body of the annexing
2 municipality.

3 (a) The referendum on annexation shall be held at the
4 next regularly scheduled election following the final adoption
5 of the ordinance of annexation by the governing body of the
6 annexing municipality or at a special election called for the
7 purpose of holding the referendum. However, the referendum,
8 whether held at a regularly scheduled election or at a special
9 election, shall not be held sooner than 30 days following the
10 final adoption of the ordinance by the governing body of the
11 annexing municipality.

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

23 (c) On the day of the referendum on annexation there
24 shall be prominently displayed at each polling place a copy of
25 the ordinance of annexation and a description of the property
26 proposed to be annexed. The description shall be by metes and
27 bounds and shall include a map clearly showing such area.

28 (d) Ballots or mechanical voting devices used in the
29 referendum on annexation shall offer the choice "For
30 annexation of property described in ordinance number of
31 the City of" and "Against annexation of property

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 described in ordinance number of the City of" in
2 that order.

3 (e) If the referendum ~~is held only~~ in the area
4 proposed to be annexed ~~and~~ receives a majority vote, ~~or if the~~
5 ~~ordinance is submitted to a separate vote of the registered~~
6 ~~electors of the annexing municipality and the area proposed to~~
7 ~~be annexed and there is a separate majority vote for~~
8 ~~annexation in the annexing municipality and in the area~~
9 ~~proposed to be annexed,~~ the ordinance of annexation shall
10 become effective on the effective date specified therein. If
11 there is a any majority vote against annexation, the ordinance
12 shall not become effective, and the area proposed to be
13 annexed shall not be the subject of an annexation ordinance by
14 the annexing municipality for a period of 2 years from the
15 date of the referendum on annexation.

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

31 (4) Except as otherwise provided in this law, the

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 annexation procedure as set forth in this section shall
2 constitute a uniform method for the adoption of an ordinance
3 of annexation by the governing body of any municipality in
4 this state, and all existing provisions of special laws which
5 establish municipal annexation procedures are repealed hereby;
6 except that any provision or provisions of special law or laws
7 which prohibit annexation of territory that is separated from
8 the annexing municipality by a body of water or watercourse
9 shall not be repealed.

10 (5) If more than 70 percent of the land in an area
11 proposed to be annexed is owned by individuals, corporations,
12 or legal entities which are not registered electors of such
13 area, such area shall not be annexed unless the owners of more
14 than 50 percent of the land in such area consent to such
15 annexation. Such consent shall be obtained by the parties
16 proposing the annexation prior to the referendum to be held on
17 the annexation.

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

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 Section 9. Efficiency and accountability in local
2 government services.--

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

5 (a) Allow municipalities and counties to resolve
6 conflicts among local jurisdictions regarding the delivery and
7 financing of local services.

8 (b) Increase local government efficiency and
9 accountability.

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

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

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

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

7 (b) Describe the existing organization of such
8 services and the means of financing the services, and create a
9 reorganization of such services and the financing thereof that
10 will meet the goals of this section.

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

13 (d) Designate those services that should be delivered
14 regionally or countywide. No provision of the plan shall
15 operate to restrict the power of a municipality to finance and
16 deliver services in addition to, or at a higher level than,
17 the services designated for regional or countywide delivery
18 under this paragraph.

19 (e) Provide means to reduce the cost of providing
20 local services and enhance the accountability of service
21 providers.

22 (f) Include a multiyear capital outlay plan for
23 infrastructure.

24 (g) Specifically describe any expansion of municipal
25 boundaries that would further the goals of this section. Any
26 area proposed to be annexed must meet the standards for
27 annexation provided in chapter 171, Florida Statutes. The plan
28 shall not contain any provision for contraction of municipal
29 boundaries or elimination of any municipality.

30 (h) Provide specific procedures for modification or
31 termination of the plan.

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

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

6 (b) No provision of a plan developed pursuant to this
7 section shall restrict the authority of any state or regional
8 governmental agency to perform any duty required to be
9 performed by that agency by law.

10 (5)(a) A plan developed pursuant to this section must
11 be approved by a majority vote of the governing body of each
12 county involved in the plan, and by a majority vote of the
13 governing bodies of a majority of municipalities in each
14 county, and by a majority vote of the governing bodies of the
15 municipality or municipalities that represent a majority of
16 the municipal population of each county.

17 (b) After approval by the county and municipal
18 governing bodies as required by paragraph (a), the plan shall
19 be submitted for referendum approval in a countywide election
20 in each county involved. The plan shall not take effect unless
21 approved by a majority of the electors of each county who vote
22 in the referendum, and also by a majority of the electors of
23 the municipalities that represent a majority of the municipal
24 population of each county who vote in the referendum. If
25 approved by the electors as required by this paragraph, the
26 plan shall take effect on the date specified in the plan.

27 (6) If a plan developed pursuant to this section
28 includes areas proposed for municipal annexation that meet the
29 standards for annexation provided in chapter 171, Florida
30 Statutes, such annexation shall take effect upon approval of
31 the plan as provided in this section, notwithstanding the

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 procedures for approval of municipal annexation specified in
2 chapter 171, Florida Statutes.

3 Section 10. Section 166.251, Florida Statutes, is
4 amended to read:

5 166.251 Service fee for dishonored check.--The
6 governing body of a municipality may adopt a service fee not
7 to exceed the service fees authorized under s. 832.08(5) of
8 ~~\$20~~ or 5 percent of the face amount of the check, draft, or
9 order, whichever is greater, for the collection of a
10 dishonored check, draft, or other order for the payment of
11 money to a municipal official or agency. The service fee
12 shall be in addition to all other penalties imposed by law.
13 Proceeds from this fee, if imposed, shall be retained by the
14 collector of the fee.

15
16 (Redesignate subsequent sections.)

17
18

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

20 And the title is amended as follows:

21 On page 19, line 13, through
22 page 20, page 1, delete those lines

23
24 and insert:

25 to implement such requirement; authorizing
26 exemptions from the transportation facilities
27 concurrency requirement for developments
28 located in an urban infill and redevelopment
29 area; requiring a public schools facilities
30 element; providing requirements for level of
31 service standards; providing requirements for

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 designation of service areas; providing
2 requirements with respect to financial
3 feasibility; specifying an availability
4 standard; requiring that intergovernmental
5 coordination requirements be satisfied and
6 providing that certain municipalities are not
7 required to be a signatory of the required
8 interlocal agreement; providing duties of such
9 municipalities to evaluate their status and
10 enter into the interlocal agreement when
11 required, and providing effect of failure to do
12 so; providing requirements with respect to the
13 interlocal agreement; directing the state land
14 planning agency to adopt by rule minimum
15 criteria for review and determination of
16 compliance of a public schools facilities
17 element; creating ss. 163.2511, 163.2514,
18 163.2517, 163.2520, 163.2523, and 163.2526,
19 F.S., the Urban Infill and Redevelopment Act;
20 providing legislative findings; providing
21 definitions; authorizing counties and
22 municipalities to designate urban infill and
23 redevelopment areas based on specified
24 criteria; requiring preparation of a plan or
25 designation of an existing plan and providing
26 requirements with respect thereto; requiring a
27 public hearing; providing for amendment of the
28 local comprehensive plan; providing that
29 counties and municipalities that have adopted
30 such plan may exercise powers granted to
31 community redevelopment neighborhood

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

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

Bill No. CS for SB 2474, 1st Eng.

Amendment No. ____

1 adopt a plan to improve the efficiency,
2 accountability, and coordination of the
3 delivery of local government services;
4 providing for initiation of the process by
5 resolution; providing requirements for the
6 plan; requiring approval by the local
7 governments' governing bodies and by
8 referendum; authorizing municipal annexation
9 through such plan; amending s. 166.251, F.S.;
10 revising provisions with respect to service
11 fees for dishonored checks; amending s.

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31