

612-137AX-05

Bill No. CS/CS/HB 17

Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Transportation & Economic Development  
Appropriations offered the following:

**Amendment (with title amendment)**

Remove from the bill: Everything after the enacting clause  
and insert in lieu thereof:

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

163.2511 Urban infill and redevelopment.--

(1) Sections 163.2511-163.2526 may be cited as the  
"Growth Policy Act."

(2) It is declared that:

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

(b) The health and vibrancy of the urban cores benefit  
their respective regions and the state; conversely, the  
deterioration of those urban cores negatively impacts the

1 surrounding area and the state.

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

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

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

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

27 163.2514 Definitions.--As used in ss.

28 163.2511-163.2526:

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

31 (2) "Urban infill and redevelopment area" means an

1 area or areas designated by a local government where:

2 (a) Public services such as water and wastewater,  
3 transportation, schools, and recreation are already available  
4 or are scheduled to be provided in an adopted 5-year schedule  
5 of capital improvements;

6 (b) The area, or one or more neighborhoods within the  
7 area, suffers from pervasive poverty, unemployment, and  
8 general distress as defined by s. 290.0058;

9 (c) The area exhibits a proportion of properties that  
10 are substandard, overcrowded, dilapidated, vacant or  
11 abandoned, or functionally obsolete which is higher than the  
12 average for the local government;

13 (d) More than 50 percent of the area is within 1/4  
14 mile of a transit stop, or a sufficient number of such transit  
15 stops will be made available concurrent with the designation;  
16 and

17 (e) The area includes or is adjacent to community  
18 redevelopment areas, brownfields, enterprise zones, or Main  
19 Street programs, or has been designated by the state or  
20 Federal Government as an urban redevelopment, revitalization,  
21 or infill area under empowerment zone, enterprise community,  
22 or brownfield showcase community programs or similar programs.

23 163.2517 Designation of urban infill and redevelopment  
24 area.--

25 (1) A local government may designate a geographic area  
26 or areas within its jurisdiction as an urban infill and  
27 redevelopment area for the purpose of targeting economic  
28 development, job creation, housing, transportation, crime  
29 prevention, neighborhood revitalization and preservation, and  
30 land use incentives to encourage urban infill and  
31 redevelopment within the urban core.

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1           (2)(a) As part of the preparation and implementation  
2 of an urban infill and redevelopment plan, a collaborative and  
3 holistic community participation process must be implemented  
4 to include each neighborhood within the area targeted for  
5 designation as an urban infill and redevelopment area. The  
6 objective of the community participation process is to  
7 encourage communities within the proposed urban infill and  
8 redevelopment area to participate in the design and  
9 implementation of the plan, including a "visioning" of the  
10 urban core, before redevelopment.

11           (b)1. A neighborhood participation process must be  
12 developed to provide for the ongoing involvement of  
13 stakeholder groups including, but not limited to,  
14 community-based organizations, neighborhood associations,  
15 financial institutions, faith organizations, housing  
16 authorities, financial institutions, existing businesses,  
17 businesses interested in operating in the community, schools,  
18 and neighborhood residents, in preparing and implementing the  
19 urban infill and redevelopment plan.

20           2. The neighborhood participation process must include  
21 a governance structure whereby the local government shares  
22 decisionmaking authority for developing and implementing the  
23 urban infill and redevelopment plan with communitywide  
24 representatives. For example, the local government and  
25 community representatives could organize a corporation under  
26 s. 501(c)(3) of the Internal Revenue Code to implement  
27 specific redevelopment projects.

28           (3) A local government seeking to designate a  
29 geographic area within its jurisdiction as an urban infill and  
30 redevelopment area shall prepare a plan that describes the  
31 infill and redevelopment objectives of the local government

1 within the proposed area. In lieu of preparing a new plan, the  
2 local government may demonstrate that an existing plan or  
3 combination of plans associated with a community redevelopment  
4 area, Florida Main Street program, Front Porch Florida  
5 Community, sustainable community, enterprise zone, or  
6 neighborhood improvement district includes the factors listed  
7 in paragraphs (a)-(n), including a collaborative and holistic  
8 community participation process, or amend such existing plans  
9 to include these factors. The plan shall demonstrate the local  
10 government and community's commitment to comprehensively  
11 address the urban problems within the urban infill and  
12 redevelopment area and identify activities and programs to  
13 accomplish locally identified goals such as code enforcement;  
14 improved educational opportunities; reduction in crime;  
15 neighborhood revitalization and preservation; provision of  
16 infrastructure needs, including mass transit and multimodal  
17 linkages; and mixed-use planning to promote multifunctional  
18 redevelopment to improve both the residential and commercial  
19 quality of life in the area. The plan shall also:  
20 (a) Contain a map depicting the geographic area or  
21 areas to be included within the designation.  
22 (b) Confirm that the infill and redevelopment area is  
23 within an area designated for urban uses in the local  
24 government's comprehensive plan.  
25 (c) Identify and map existing enterprise zones,  
26 community redevelopment areas, community development  
27 corporations, brownfield areas, downtown redevelopment  
28 districts, safe neighborhood improvement districts, historic  
29 preservation districts, and empowerment zones or enterprise  
30 communities located within the area proposed for designation  
31 as an urban infill and redevelopment area and provide a

1 framework for coordinating infill and redevelopment programs  
2 within the urban core.

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

10 (e) Identify each neighborhood within the proposed  
11 area and state community preservation and revitalization goals  
12 and projects identified through a collaborative and holistic  
13 community participation process and how such projects will be  
14 implemented.

15 (f) Identify how the local government and  
16 community-based organizations intend to implement affordable  
17 housing programs, including, but not limited to, economic and  
18 community development programs administered by federal and  
19 state agencies, within the urban infill and redevelopment  
20 area.

21 (g) Identify strategies for reducing crime.

22 (h) If applicable, provide guidelines for the adoption  
23 of land development regulations specific to the urban infill  
24 and redevelopment area which include, for example, setbacks  
25 and parking requirements appropriate to urban development.

26 (i) Identify and map any existing transportation  
27 concurrency exception areas and any relevant public  
28 transportation corridors designated by a metropolitan planning  
29 organization in its long-range transportation plans or by the  
30 local government in its comprehensive plan for which the local  
31 government seeks designation as a transportation concurrency

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1 exception area. For those areas, describe how public  
2 transportation, pedestrian ways, and bikeways will be  
3 implemented as an alternative to increased automobile use.

4 (j) Identify and adopt a package of financial and  
5 local government incentives which the local government will  
6 offer for new development, expansion of existing development,  
7 and redevelopment within the urban infill and redevelopment  
8 area. Examples of such incentives include:

9 1. Waiver of license and permit fees.

10 2. Waiver of local option sales taxes.

11 3. Waiver of delinquent taxes or fees to promote the  
12 return of property to productive use.

13 4. Expedited permitting.

14 5. Lower transportation impact fees for development  
15 which encourages more use of public transit, pedestrian, and  
16 bicycle modes of transportation.

17 6. Prioritization of infrastructure spending within  
18 the urban infill and redevelopment area.

19 7. Local government absorption of developers'  
20 concurrency costs.

21 (k) Identify how activities and incentives within the  
22 urban infill and redevelopment area will be coordinated and  
23 what administrative mechanism the local government will use  
24 for the coordination.

25 (l) Identify how partnerships with the financial and  
26 business community will be developed.

27 (m) Identify the governance structure that the local  
28 government will use to involve community representatives in  
29 the implementation of the plan.

30 (n) Identify performance measures to evaluate the  
31 success of the local government in implementing the urban

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1 infill and redevelopment plan.

2 (4) In order for a local government to designate an  
3 urban infill and redevelopment area, it must amend its  
4 comprehensive land use plan under s. 163.3187 to delineate the  
5 boundaries of the urban infill and redevelopment area within  
6 the future land use element of its comprehensive plan. The  
7 state land planning agency shall review the boundary  
8 delineation of the urban infill and redevelopment area in the  
9 future land use element under s. 163.3184. However, an urban  
10 infill and redevelopment plan adopted by a local government is  
11 not subject to review for compliance as defined by s.  
12 163.3184(1)(b), and the local government is not required to  
13 adopt the plan as a comprehensive plan amendment. An amendment  
14 to the local comprehensive plan to designate an urban infill  
15 and redevelopment area is exempt from the twice-a-year  
16 amendment limitation of s. 163.3187.

17 (5) After the preparation of an urban infill and  
18 redevelopment plan or designation of an existing plan, the  
19 local government shall adopt the plan by ordinance. Notice for  
20 the public hearing on the ordinance must be in the form  
21 established in s. 166.041(3)(c)2. for municipalities, and s.  
22 125.66(4)(b)2. for counties.

23 (6)(a) In order to continue to be eligible for the  
24 economic and regulatory incentives granted with respect to an  
25 urban infill and redevelopment area, the local government must  
26 demonstrate during the evaluation, assessment, and review of  
27 its comprehensive plan required pursuant to s. 163.3191, that  
28 within designated urban infill and redevelopment areas, the  
29 amount of combined annual residential, commercial, and  
30 institutional development has increased by at least 10  
31 percent.



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1           (b) If the local government fails to implement the  
2 urban infill and redevelopment plan in accordance with the  
3 deadlines set forth in the plan, the Department of Community  
4 Affairs may seek to rescind the economic and regulatory  
5 incentives granted to the urban infill and redevelopment area,  
6 subject to the provisions of chapter 120. The action to  
7 rescind may be initiated 90 days after issuing a written  
8 letter of warning to the local government.

9           163.2520 Economic incentives; report.--

10           (1) A local government with an adopted urban infill  
11 and redevelopment plan or plan employed in lieu thereof may  
12 issue revenue bonds under s. 163.385 and employ tax increment  
13 financing under s. 163.387 for the purpose of financing the  
14 implementation of the plan, except that in a charter county  
15 such incentives shall be employed consistent with the  
16 provisions of s. 163.410.

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

22           (3) State agencies that provide infrastructure  
23 funding, cost reimbursement, grants, or loans to local  
24 governments, including, but not limited to, the Department of  
25 Environmental Protection (Clean Water State Revolving Fund,  
26 Drinking Water Revolving Loan Trust Fund, and the state  
27 pollution control bond program); the Department of Community  
28 Affairs (economic development and housing programs, Florida  
29 Communities Trust); the Florida Housing Finance Corporation;  
30 and the Department of Transportation (Intermodal Surface  
31 Transportation Efficiency Act funds), are directed to report

1 to the President of the Senate and the Speaker of the House of  
2 Representatives by January 1, 2000, regarding statutory and  
3 rule changes necessary to give urban infill and redevelopment  
4 areas identified by local governments under this act an  
5 elevated priority in infrastructure funding, loan, and grant  
6 programs.

7 (4) Prior to June 1 each year, areas designated by a  
8 local government as urban infill and redevelopment areas shall  
9 be given a priority in the allocation of private activity  
10 bonds from the state pool pursuant to s. 159.807.

11 163.2523 Grant program.--An Urban Infill and  
12 Redevelopment Assistance Grant Program is created for local  
13 governments. A local government may allocate grant money to  
14 special districts, including community redevelopment agencies,  
15 and nonprofit community development organizations to implement  
16 projects consistent with an adopted urban infill and  
17 redevelopment plan or plan employed in lieu thereof. Thirty  
18 percent of the general revenue appropriated for this program  
19 shall be available for planning grants to be used by local  
20 governments for the development of an urban infill and  
21 redevelopment plan, including community participation  
22 processes for the plan. Sixty percent of the general revenue  
23 appropriated for this program shall be available for  
24 fifty/fifty matching grants for implementing urban infill and  
25 redevelopment projects that further the objectives set forth  
26 in the local government's adopted urban infill and  
27 redevelopment plan or plan employed in lieu thereof. The  
28 remaining 10 percent of the revenue must be used for outright  
29 grants for implementing projects requiring an expenditure of  
30 under \$50,000. Projects that provide employment opportunities  
31 to clients of the WAGES program and projects within urban

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1 infill and redevelopment areas that include a community  
2 redevelopment area, Florida Main Street program, Front Porch  
3 Florida Community, sustainable community, enterprise zone,  
4 federal enterprise zone, enterprise community, or neighborhood  
5 improvement district must be given an elevated priority in the  
6 scoring of competing grant applications. The Division of  
7 Housing and Community Development of the Department of  
8 Community Affairs shall administer the grant program. The  
9 Department of Community Affairs shall adopt rules establishing  
10 grant review criteria consistent with this section.

11 163.2526 Review and evaluation.--Before the 2004  
12 Regular Session of the Legislature, the Office of Program  
13 Policy Analysis and Government Accountability shall perform a  
14 review and evaluation of ss. 163.2511-163.2526, including the  
15 financial incentives listed in s. 163.2520. The report must  
16 evaluate the effectiveness of the designation of urban infill  
17 and redevelopment areas in stimulating urban infill and  
18 redevelopment and strengthening the urban core. A report of  
19 the findings and recommendations of the Office of Program  
20 Policy Analysis and Government Accountability shall be  
21 submitted to the President of the Senate and the Speaker of  
22 the House of Representatives before the 2004 Regular Session  
23 of the Legislature.

24 Section 2. Subsection (28) of section 163.3164,  
25 Florida Statutes, 1998 Supplement, is amended to read:

26 163.3164 Definitions.--As used in this act:

27 (28) "Projects that promote public transportation"  
28 means projects that directly affect the provisions of public  
29 transit, including transit terminals, transit lines and  
30 routes, separate lanes for the exclusive use of public transit  
31 services, transit stops (shelters and stations), ~~and~~ office

1 buildings or projects that include fixed-rail or transit  
2 terminals as part of the building, and projects which are  
3 transit-oriented and designed to complement reasonably  
4 proximate planned or existing public facilities.

5 Section 3. Paragraph (a) of subsection (6) of section  
6 163.3177, Florida Statutes, 1998 Supplement, is amended to  
7 read:

8 163.3177 Required and optional elements of  
9 comprehensive plan; studies and surveys.--

10 (6) In addition to the requirements of subsections  
11 (1)-(5), the comprehensive plan shall include the following  
12 elements:

13 (a) A future land use plan element designating  
14 proposed future general distribution, location, and extent of  
15 the uses of land for residential uses, commercial uses,  
16 industry, agriculture, recreation, conservation, education,  
17 public buildings and grounds, other public facilities, and  
18 other categories of the public and private uses of land. The  
19 future land use plan shall include standards to be followed in  
20 the control and distribution of population densities and  
21 building and structure intensities. The proposed  
22 distribution, location, and extent of the various categories  
23 of land use shall be shown on a land use map or map series  
24 which shall be supplemented by goals, policies, and measurable  
25 objectives. Each land use category shall be defined in terms  
26 of the types of uses included and specific standards for the  
27 density or intensity of use. The future land use plan shall  
28 be based upon surveys, studies, and data regarding the area,  
29 including the amount of land required to accommodate  
30 anticipated growth; the projected population of the area; the  
31 character of undeveloped land; the availability of public

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1 services; and the need for redevelopment, including the  
2 renewal of blighted areas and the elimination of nonconforming  
3 uses which are inconsistent with the character of the  
4 community. The future land use plan may designate areas for  
5 future planned development use involving combinations of types  
6 of uses for which special regulations may be necessary to  
7 ensure development in accord with the principles and standards  
8 of the comprehensive plan and this act. The future land use  
9 plan of a county may also designate areas for possible future  
10 municipal incorporation. The land use maps or map series  
11 shall generally identify and depict historic district  
12 boundaries and shall designate historically significant  
13 properties meriting protection. The future land use element  
14 must clearly identify the land use categories in which public  
15 schools are an allowable use. When delineating the land use  
16 categories in which public schools are an allowable use, a  
17 local government shall include in the categories sufficient  
18 land proximate to residential development to meet the  
19 projected needs for schools in coordination with public school  
20 boards and may establish differing criteria for schools of  
21 different type or size. Each local government shall include  
22 lands contiguous to existing school sites, to the maximum  
23 extent possible, within the land use categories in which  
24 public schools are an allowable use. All comprehensive plans  
25 must comply with the school siting requirements of this  
26 paragraph no later than October 1, 1999, or the deadline for  
27 the local government evaluation and appraisal report,  
28 whichever occurs first. The failure by a local government to  
29 comply with these school siting requirements by October 1,  
30 1999, this requirement will result in the prohibition of the  
31 local government's ability to amend the local comprehensive

1 plan, except for plan amendments described in s.  
2 163.3187(1)(b), until the school siting requirements are met  
3 ~~as provided by s. 163.3187(6)~~. An amendment proposed by a  
4 local government for purposes of identifying the land use  
5 categories in which public schools are an allowable use is  
6 exempt from the limitation on the frequency of plan amendments  
7 contained in s. 163.3187. The future land use element shall  
8 include criteria which encourage the location of schools  
9 proximate to urban residential areas to the extent possible  
10 and shall require that the local government seek to collocate  
11 public facilities, such as parks, libraries, and community  
12 centers, with schools to the extent possible.

13 Section 4. Subsections (1), (4), (5), and (10) of  
14 section 163.3180, Florida Statutes, 1998 Supplement, are  
15 amended, subsections (12) and (13) are renumbered as  
16 subsections (13) and (14), respectively, and new subsections  
17 (12) and (15) are added to said section, to read:

18 163.3180 Concurrency.--

19 (1)(a) ~~Roads~~, Sanitary sewer, solid waste, drainage,  
20 potable water, parks and recreation, and transportation  
21 facilities, including mass transit, where applicable, are the  
22 only public facilities and services subject to the concurrency  
23 requirement on a statewide basis. Additional public facilities  
24 and services may not be made subject to concurrency on a  
25 statewide basis without appropriate study and approval by the  
26 Legislature; however, any local government may extend the  
27 concurrency requirement so that it applies to additional  
28 public facilities within its jurisdiction.

29 (b) Local governments shall use professionally  
30 accepted techniques for measuring level of service for  
31 automobiles, bicycles, pedestrians, transit, and trucks.

1 These techniques may be used to evaluate increased  
2 accessibility by multiple modes and reductions in vehicle  
3 miles of travel in an area or zone. The Department of  
4 Transportation shall develop methodologies to assist local  
5 governments in implementing this multimodal level-of-service  
6 analysis. The Department of Community Affairs and the  
7 Department of Transportation shall provide technical  
8 assistance to local governments in applying these  
9 methodologies.

10 (4)(a) The concurrency requirement as implemented in  
11 local comprehensive plans applies to state and other public  
12 facilities and development to the same extent that it applies  
13 to all other facilities and development, as provided by law.

14 (b) The concurrency requirement as implemented in  
15 local comprehensive plans does not apply to public transit  
16 facilities. For the purposes of this paragraph, public  
17 transit facilities include transit stations and terminals,  
18 transit station parking, park-and-ride lots, intermodal public  
19 transit connection or transfer facilities, and fixed bus,  
20 guideway, and rail stations. As used in this paragraph, the  
21 terms "terminals" and "transit facilities" do not include  
22 airports or seaports or commercial or residential development  
23 constructed in conjunction with a public transit facility.

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

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

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

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

16  
17 Exceptions under this paragraph may be requested by an  
18 affected property owner, an affected local government, or, in  
19 those counties which have countywide concurrency requirements  
20 for transportation facilities, by the county.

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

31 (d) A local government shall establish guidelines for



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

10 (10) With regard to facilities on the Florida  
11 Intrastate Highway System as defined in s. 338.001, with  
12 concurrence from the Department of Transportation, the  
13 level-of-service standard for general-lanes in urbanized  
14 areas, as defined in s. 334.03(36), may be established by the  
15 local government in the comprehensive plan. For all other  
16 facilities on the Florida Intrastate Highway System, local  
17 governments shall adopt the level-of-service standard  
18 established by the Department of Transportation by rule. For  
19 all other roads on the State Highway System, local governments  
20 shall establish an adequate level-of-service standard that  
21 need not be consistent with any level-of-service standard  
22 established by the Department of Transportation.

23 (12) When authorized by a local comprehensive plan, a  
24 multiuse development of regional impact may satisfy the  
25 transportation concurrency requirements of the local  
26 comprehensive plan, the local government's concurrency  
27 management system, and s. 380.06 by payment of a  
28 proportionate-share contribution for local and regionally  
29 significant traffic impacts, if:

30 (a) The development of regional impact meets or  
31 exceeds the guidelines and standards of s. 380.0651(3)(i) and

1 rule 28-24.032(2), Florida Administrative Code, and includes a  
2 residential component that contains at least 100 residential  
3 dwelling units or 15 percent of the applicable residential  
4 guideline and standard, whichever is greater;

5 (b) The proportionate-share contribution for local and  
6 regionally significant traffic impacts is sufficient to pay  
7 for one or more required improvements that will benefit a  
8 regionally significant transportation facility;

9 (c) The owner and developer of the development of  
10 regional impact pays or assures payment of the  
11 proportionate-share contribution; and

12 (d) If the regionally significant transportation  
13 facility to be constructed or improved is under the  
14 maintenance authority of a governmental entity, as defined by  
15 s. 334.03(12), other than the local government with  
16 jurisdiction over the development of regional impact, the  
17 developer is required to enter into a binding and legally  
18 enforceable commitment to transfer funds to the governmental  
19 entity having maintenance authority or to otherwise assure  
20 construction or improvement of the facility.

21 (15)(a) Multimodal transportation districts may be  
22 established under a local government comprehensive plan in  
23 areas delineated on the future land use map for which the  
24 local comprehensive plan assigns secondary priority to vehicle  
25 mobility and primary priority to assuring a safe, comfortable,  
26 and attractive pedestrian environment, with convenient  
27 interconnection to transit. Such districts must incorporate  
28 community design features that will reduce the number of  
29 automobile trips or vehicle miles of travel and will support  
30 an integrated, multimodal transportation system.

31 (b) Community design elements of such a district

1 include: a complementary mix and range of land uses,  
2 including educational, recreational, and cultural uses;  
3 interconnected networks of streets designed to encourage  
4 walking and bicycling, with traffic-calming where desirable;  
5 appropriate densities and intensities of use within walking  
6 distance of transit stops; daily activities within walking  
7 distance of residences, allowing independence to persons who  
8 do not drive; public uses, streets, and squares that are safe,  
9 comfortable, and attractive for the pedestrian, with adjoining  
10 buildings open to the street and with parking not interfering  
11 with pedestrian, transit, automobile, and truck travel modes.

12 (c) Local governments may establish multimodal  
13 level-of-service standards that rely primarily on nonvehicular  
14 modes of transportation within the district, when justified by  
15 an analysis demonstrating that the existing and planned  
16 community design will provide an adequate level of mobility  
17 within the district based upon professionally accepted  
18 multimodal level-of-service methodologies. The analysis must  
19 take into consideration the impact on the Florida Intrastate  
20 Highway System. The analysis must also demonstrate that the  
21 capital improvements required to promote community design are  
22 financially feasible over the development or redevelopment  
23 timeframe for the district and that community design features  
24 within the district provide convenient interconnection for a  
25 multimodal transportation system. Local governments may issue  
26 development permits in reliance upon all planned community  
27 design capital improvements that are financially feasible over  
28 the development or redevelopment timeframe for the district,  
29 without regard to the period of time between development or  
30 redevelopment and the scheduled construction of the capital  
31 improvements. A determination of financial feasibility shall

1 be based upon currently available funding or funding sources  
2 that could reasonably be expected to become available over the  
3 planning period.

4 (d) Local governments may reduce impact fees or local  
5 access fees for development within multimodal transportation  
6 districts based on the reduction of vehicle trips per  
7 household or vehicle miles of travel expected from the  
8 development pattern planned for the district.

9 Section 5. Subsection (1) of section 163.3187, Florida  
10 Statutes, 1998 Supplement, is amended to read:

11 163.3187 Amendment of adopted comprehensive plan.--

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

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

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

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

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

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

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

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

18 (I) A maximum of 120 acres in a local government that  
19 contains areas specifically designated in the local  
20 comprehensive plan for urban infill, urban redevelopment, or  
21 downtown revitalization as defined in s. 163.3164, urban  
22 infill and redevelopment areas designated under s. 163.2517,  
23 transportation concurrency exception areas approved pursuant  
24 to s. 163.3180(5), or regional activity centers and urban  
25 central business districts approved pursuant to s.

26 380.06(2)(e); however, amendments under this paragraph may be  
27 applied to no more than 60 acres annually of property outside  
28 the designated areas listed in this sub-sub-subparagraph.

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

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

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

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

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

13 e. The property that is the subject of the proposed  
14 amendment is not located within an area of critical state  
15 concern.

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

27 2.a. A local government that proposes to consider a  
28 plan amendment pursuant to this paragraph is not required to  
29 comply with the procedures and public notice requirements of  
30 s. 163.3184(15)(c) for such plan amendments if the local  
31 government complies with the provisions in s. 125.66(4)(a) for

1 a county or in s. 166.041(3)(c) for a municipality. If a  
2 request for a plan amendment under this paragraph is initiated  
3 by other than the local government, public notice is required.

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

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

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

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

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

1 (g) Any local government comprehensive plan amendments  
2 directly related to proposed redevelopment of brownfield areas  
3 designated under s. 376.80 may be approved without regard to  
4 statutory limits on the frequency of consideration of  
5 amendments to the local comprehensive plan.

6 (h) A comprehensive plan amendment for the purpose of  
7 designating an urban infill and redevelopment area under s.  
8 163.2517 may be approved without regard to the statutory  
9 limits on the frequency of amendments to the comprehensive  
10 plan.

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

13 187.201 State Comprehensive Plan adopted.--The  
14 Legislature hereby adopts as the State Comprehensive Plan the  
15 following specific goals and policies:

16 (17) URBAN AND DOWNTOWN REVITALIZATION.--

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

25 (b) Policies.--

26 1. Provide incentives to encourage private sector  
27 investment in the preservation and enhancement of downtown  
28 areas.

29 2. Assist local governments in the planning,  
30 financing, and implementation of development efforts aimed at  
31 revitalizing distressed downtown areas.



- 1           3. Promote state programs and investments which
- 2 encourage redevelopment of downtown areas.
- 3           4. Promote and encourage communities to engage in a
- 4 redesign step to include public participation of members of
- 5 the community in envisioning redevelopment goals and design of
- 6 the community core before redevelopment.
- 7           5. Ensure that local governments have adequate
- 8 flexibility to determine and address their urban priorities
- 9 within the state urban policy.
- 10          6. Enhance the linkages between land use, water use,
- 11 and transportation planning in state, regional, and local
- 12 plans for current and future designated urban areas.
- 13          7. Develop concurrency requirements that do not
- 14 compromise public health and safety for urban areas that
- 15 promote redevelopment efforts.
- 16          8. Promote processes for the state, general purpose
- 17 local governments, school boards, and local community colleges
- 18 to coordinate and cooperate regarding educational facilities
- 19 in urban areas, including planning functions, the development
- 20 of joint facilities, and the reuse of existing buildings.
- 21          9. Encourage the development of mass transit systems
- 22 for urban centers, including multimodal transportation feeder
- 23 systems, as a priority of local, metropolitan, regional, and
- 24 state transportation planning.
- 25          10. Locate appropriate public facilities within urban
- 26 centers to demonstrate public commitment to the centers and to
- 27 encourage private sector development.
- 28          11. Integrate state programs that have been developed
- 29 to promote economic development and neighborhood
- 30 revitalization through incentives to promote the development
- 31 of designated urban infill areas.

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

3           Section 7. Paragraph (b) of subsection (19) of section  
4 380.06, Florida Statutes, 1998 Supplement, is amended to read:

5           380.06 Developments of regional impact.--

6           (19) SUBSTANTIAL DEVIATIONS.--

7           (b) Any proposed change to a previously approved  
8 development of regional impact or development order condition  
9 which, either individually or cumulatively with other changes,  
10 exceeds any of the following criteria shall constitute a  
11 substantial deviation and shall cause the development to be  
12 subject to further development-of-regional-impact review  
13 without the necessity for a finding of same by the local  
14 government:

15           1. An increase in the number of parking spaces at an  
16 attraction or recreational facility by 5 percent or 300  
17 spaces, whichever is greater, or an increase in the number of  
18 spectators that may be accommodated at such a facility by 5  
19 percent or 1,000 spectators, whichever is greater.

20           2. A new runway, a new terminal facility, a 25-percent  
21 lengthening of an existing runway, or a 25-percent increase in  
22 the number of gates of an existing terminal, but only if the  
23 increase adds at least three additional gates. However, if an  
24 airport is located in two counties, a 10-percent lengthening  
25 of an existing runway or a 20-percent increase in the number  
26 of gates of an existing terminal is the applicable criteria.

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

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

31           5. An increase in the average annual acreage mined by

1 5 percent or 10 acres, whichever is greater, or an increase in  
2 the average daily water consumption by a mining operation by 5  
3 percent or 300,000 gallons, whichever is greater. An increase  
4 in the size of the mine by 5 percent or 750 acres, whichever  
5 is less.

6 6. An increase in land area for office development by  
7 5 percent or 6 acres, whichever is greater, or an increase of  
8 gross floor area of office development by 5 percent or 60,000  
9 gross square feet, whichever is greater.

10 7. An increase in the storage capacity for chemical or  
11 petroleum storage facilities by 5 percent, 20,000 barrels, or  
12 7 million pounds, whichever is greater.

13 8. An increase of development at a waterport of wet  
14 storage for 20 watercraft, dry storage for 30 watercraft, or  
15 wet/dry storage for 60 watercraft in an area identified in the  
16 state marina siting plan as an appropriate site for additional  
17 waterport development or a 5-percent increase in watercraft  
18 storage capacity, whichever is greater.

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

21 10. An increase in commercial development by 6 acres  
22 of land area or by 50,000 square feet of gross floor area, or  
23 of parking spaces provided for customers for 300 cars or a  
24 5-percent increase of any of these, whichever is greater.

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

27 12. An increase in a recreational vehicle park area by  
28 5 percent or 100 vehicle spaces, whichever is less.

29 13. A decrease in the area set aside for open space of  
30 5 percent or 20 acres, whichever is less.

31 14. A proposed increase to an approved multiuse

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1 development of regional impact where the sum of the increases  
2 of each land use as a percentage of the applicable substantial  
3 deviation criteria is equal to or exceeds 100 percent. The  
4 percentage of any decrease in the amount of open space shall  
5 be treated as an increase for purposes of determining when 100  
6 percent has been reached or exceeded.

7 15. A 15-percent increase in the number of external  
8 vehicle trips generated by the development above that which  
9 was projected during the original  
10 development-of-regional-impact review.

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

21  
22 The substantial deviation numerical standards in subparagraphs  
23 4., 6., 10., 14., excluding residential uses, and 15., are  
24 increased by 100 percent for a project certified under s.  
25 403.973 which creates jobs and meets criteria established by  
26 the Office of Tourism, Trade, and Economic Development as to  
27 its impact on an area's economy, employment, and prevailing  
28 wage and skill levels. The substantial deviation numerical  
29 standards in subparagraphs 4., 6., 9., 10., 11., and 14. are  
30 increased by 50 percent for a project located wholly within an  
31 urban infill and redevelopment area designated on the

1 applicable adopted local comprehensive plan future land use  
2 map and not located within the coastal high hazard area.

3 Section 8. Paragraph (b) of subsection (2) of section  
4 163.3220, Florida Statutes, is amended to read:

5 163.3220 Short title; legislative intent.--

6 (2) The Legislature finds and declares that:

7 (b) Assurance to a developer that upon receipt of his  
8 or her development permit or brownfield designation he or she  
9 may proceed in accordance with existing laws and policies,  
10 subject to the conditions of a development agreement,  
11 strengthens the public planning process, encourages sound  
12 capital improvement planning and financing, assists in  
13 assuring there are adequate capital facilities for the  
14 development, encourages private participation in comprehensive  
15 planning, and reduces the economic costs of development.

16 Section 9. Subsections (1) through (13) of section  
17 163.3221, Florida Statutes, are renumbered as subsections (2)  
18 through (14), respectively, and a new subsection (1) is added  
19 to said section to read:

20 163.3221 Definitions.--As used in ss.

21 163.3220-163.3243:

22 (1) "Brownfield designation" means a resolution  
23 adopted by a local government pursuant to the Brownfields  
24 Redevelopment Act, ss. 376.77-376.85.

25 Section 10. Subsection (1) of section 163.375, Florida  
26 Statutes, is amended to read:

27 163.375 Eminent domain.--

28 (1) Any county or municipality, or any community  
29 redevelopment agency pursuant to specific approval of the  
30 governing body of the county or municipality which established  
31 the agency, as provided by any county or municipal ordinance

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

22 Section 11. Subsection (1) of section 165.041, Florida  
23 Statutes, is amended to read:

24 165.041 Incorporation; merger.--

25 (1)(a) A charter for incorporation of a municipality,  
26 except in case of a merger which is adopted as otherwise  
27 provided in subsections (2) and (3), shall be adopted only by  
28 a special act of the Legislature upon determination that the  
29 standards herein provided have been met.

30 (b) To inform the Legislature on the feasibility of a  
31 proposed incorporation of a municipality, a feasibility study

- 1 shall be completed and submitted to the Legislature 90 days  
2 before the first day of the regular session of the Legislature  
3 during which in conjunction with a proposed special act for  
4 the enactment of the municipal charter would be enacted. The  
5 ~~Such~~ feasibility study shall contain the following:
- 6 1. The general location of territory subject to  
7 boundary change and a map of the area which identifies the  
8 proposed change.
  - 9 2. The major reasons for proposing the boundary  
10 change.
  - 11 3. The following characteristics of the area:
    - 12 a. A list of the current land use designations applied  
13 to the subject area in the county comprehensive plan.
    - 14 b. A list of the current county zoning designations  
15 applied to the subject area.
    - 16 c. A general statement of present land use  
17 characteristics of the area.
    - 18 d. A description of development being proposed for the  
19 territory, if any, and a statement of when actual development  
20 is expected to begin, if known.
  - 21 4. A list of all public agencies, such as local  
22 governments, school districts, and special districts, whose  
23 current boundary falls within the boundary of the territory  
24 proposed for the change or reorganization.
  - 25 5. A list of current services being provided within  
26 the proposed incorporation area, including, but not limited  
27 to, water, sewer, solid waste, transportation, public works,  
28 law enforcement, fire and rescue, zoning, street lighting,  
29 parks and recreation, and library and cultural facilities, and  
30 the estimated costs for each current service.
  - 31 6. A list of proposed services to be provided within

1 the proposed incorporation area, and the estimated cost of  
2 such proposed services.

3 7. The names and addresses of three officers or  
4 persons submitting the proposal.

5 8. Evidence of fiscal capacity and an organizational  
6 plan as it relates to the area seeking incorporation that, at  
7 a minimum, includes:

8 a. Existing tax bases, including ad valorem taxable  
9 value, utility taxes, sales and use taxes, franchise taxes,  
10 license and permit fees, charges for services, fines and  
11 forfeitures, and other revenue sources, as appropriate.

12 b. A 5-year operational plan that, at a minimum,  
13 includes proposed staffing, building acquisition and  
14 construction, debt issuance, and budgets.

15 ~~9.1.~~ Data and analysis to support the conclusions that  
16 incorporation is necessary and financially feasible, including  
17 population projections and population density calculations,  
18 and an explanation concerning methodologies used for such  
19 analysis.

20 ~~10.2.~~ Evaluation of the alternatives available to the  
21 area to address its policy concerns.

22 ~~11.3.~~ Evidence that the proposed municipality meets  
23 the requirements for incorporation pursuant to s. 165.061.

24 (c) In counties that have adopted a municipal overlay  
25 for municipal incorporation pursuant to s. 163.3217, such  
26 information shall be submitted to the Legislature in  
27 conjunction with any proposed municipal incorporation in the  
28 county. This information should be used to evaluate the  
29 feasibility of a proposed municipal incorporation in the  
30 geographic area.

31 Section 12. Section 171.0413, Florida Statutes, is



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1 amended to read:

2           171.0413 Annexation procedures.--Any municipality may  
3 annex contiguous, compact, unincorporated territory in the  
4 following manner:

5           (1) An ordinance proposing to annex an area of  
6 contiguous, compact, unincorporated territory shall be adopted  
7 by the governing body of the annexing municipality pursuant to  
8 the procedure for the adoption of a nonemergency ordinance  
9 established by s. 166.041. Prior to the adoption of the  
10 ordinance of annexation, the local governing body shall hold  
11 at least two advertised public hearings. The first public  
12 hearing shall be on a weekday at least 7 days after the day  
13 that the first advertisement is published. The second public  
14 hearing shall be held on a weekday at least 5 days after the  
15 day that the second advertisement is published. Each such  
16 ordinance shall propose only one reasonably compact area to be  
17 annexed. However, prior to the ordinance of annexation  
18 becoming effective, a referendum on annexation shall be held  
19 as set out below, and, if approved by the referendum, the  
20 ordinance shall become effective 10 days after the referendum  
21 or as otherwise provided in the ordinance, but not more than 1  
22 year following the date of the referendum.

23           (2) Following the final adoption of the ordinance of  
24 annexation by the governing body of the annexing municipality,  
25 the ordinance shall be submitted to a vote of the registered  
26 electors of the area proposed to be annexed. The governing  
27 body of the annexing municipality may also choose to submit  
28 the ordinance of annexation to a separate vote of the  
29 registered electors of the annexing municipality. ~~If the~~  
30 proposed ordinance would cause the total area annexed by a  
31 municipality pursuant to this section during any one calendar

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1 ~~year period cumulatively to exceed more than 5 percent of the~~  
2 ~~total land area of the municipality or cumulatively to exceed~~  
3 ~~more than 5 percent of the municipal population, the ordinance~~  
4 ~~shall be submitted to a separate vote of the registered~~  
5 ~~electors of the annexing municipality and of the area proposed~~  
6 ~~to be annexed.~~The referendum on annexation shall be called  
7 and conducted and the expense thereof paid by the governing  
8 body of the annexing municipality.

9 (a) The referendum on annexation shall be held at the  
10 next regularly scheduled election following the final adoption  
11 of the ordinance of annexation by the governing body of the  
12 annexing municipality or at a special election called for the  
13 purpose of holding the referendum. However, the referendum,  
14 whether held at a regularly scheduled election or at a special  
15 election, shall not be held sooner than 30 days following the  
16 final adoption of the ordinance by the governing body of the  
17 annexing municipality.

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

29 (c) On the day of the referendum on annexation there  
30 shall be prominently displayed at each polling place a copy of  
31 the ordinance of annexation and a description of the property

1 proposed to be annexed. The description shall be by metes and  
2 bounds and shall include a map clearly showing such area.

3 (d) Ballots or mechanical voting devices used in the  
4 referendum on annexation shall offer the choice "For  
5 annexation of property described in ordinance number .... of  
6 the City of ...." and "Against annexation of property  
7 described in ordinance number .... of the City of ...." in  
8 that order.

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

22 (3) Any parcel of land which is owned by one  
23 individual, corporation, or legal entity, or owned  
24 collectively by one or more individuals, corporations, or  
25 legal entities, proposed to be annexed under the provisions of  
26 this act shall not be severed, separated, divided, or  
27 partitioned by the provisions of said ordinance, but shall, if  
28 intended to be annexed, or if annexed, under the provisions of  
29 this act, be annexed in its entirety and as a whole. However,  
30 nothing herein contained shall be construed as affecting the  
31 validity or enforceability of any ordinance declaring an

1 intention to annex land under the existing law that has been  
2 enacted by a municipality prior to July 1, 1975. The owner of  
3 such property may waive the requirements of this subsection if  
4 such owner does not desire all of the tract or parcel included  
5 in said annexation.

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

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

24 (6) Notwithstanding subsections (1) and (2), if the  
25 area proposed to be annexed does not have any registered  
26 electors on the date the ordinance is finally adopted, a vote  
27 of electors of the area proposed to be annexed is not  
28 required. In addition to the requirements of subsection (5),  
29 the area may not be annexed unless the owners of more than 50  
30 percent of the parcels of land in the area proposed to be  
31 annexed consent to the annexation. If the governing body does

1 not choose to hold a referendum of the annexing municipality  
2 ~~is not required as well~~ pursuant to subsection (2), then the  
3 property owner consents required pursuant to subsection (5)  
4 shall be obtained by the parties proposing the annexation  
5 prior to the final adoption of the ordinance, and the  
6 annexation ordinance shall be effective upon becoming a law or  
7 as otherwise provided in the ordinance.

8 Section 13. Efficiency and accountability in local  
9 government services.--

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

12 (a) Allow municipalities and counties to resolve  
13 conflicts among local jurisdictions regarding the delivery and  
14 financing of local services.

15 (b) Increase local government efficiency and  
16 accountability.

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

19 (2) Any county or combination of counties, and the  
20 municipalities therein, may use the procedures provided by  
21 this section to develop and adopt a plan to improve the  
22 efficiency, accountability, and coordination of the delivery  
23 of local government services. The development of such a plan  
24 may be initiated by a resolution adopted by a majority vote of  
25 the governing body of each of the counties involved, by  
26 resolutions adopted by a majority vote of the governing bodies  
27 of a majority of the municipalities within each county, or by  
28 resolutions adopted by a majority vote of the governing bodies  
29 of the municipality or combination of municipalities  
30 representing a majority of the municipal population of each  
31 county. The resolution shall create a commission which will be

1 responsible for developing the plan. The resolution shall  
2 specify the composition of the commission, which shall include  
3 representatives of county and municipal governments, of any  
4 affected special districts, and of any other relevant local  
5 government entities or agencies. The resolution must include  
6 a proposed timetable for development of the plan and must  
7 specify the local government support and personnel services  
8 that will be made available to the representatives developing  
9 the plan.

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

14 (a) Designate the areawide and local government  
15 services that are the subject of the plan.

16 (b) Describe the existing organization of such  
17 services and the means of financing the services, and create a  
18 reorganization of such services and the financing thereof that  
19 will meet the goals of this section.

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

22 (d) Designate those services that should be delivered  
23 regionally or countywide. No provision of the plan shall  
24 operate to restrict the power of a municipality to finance and  
25 deliver services in addition to, or at a higher level than,  
26 the services designated for regional or countywide delivery  
27 under this paragraph.

28 (e) Provide means to reduce the cost of providing  
29 local services and enhance the accountability of service  
30 providers.

31 (f) Include a multiyear capital outlay plan for

1 infrastructure.

2 (g) Specifically describe any expansion of municipal  
3 boundaries that would further the goals of this section. Any  
4 area proposed to be annexed must meet the standards for  
5 annexation provided in chapter 171, Florida Statutes. The plan  
6 shall not contain any provision for contraction of municipal  
7 boundaries or elimination of any municipality.

8 (h) Provide specific procedures for modification or  
9 termination of the plan.

10 (i) Specify any special act modifications which must  
11 be made to effectuate the plan.

12 (j) Specify the effective date of the plan.

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

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

21 (5)(a) A plan developed pursuant to this section must  
22 be approved by a majority vote of the governing body of each  
23 county involved in the plan, and by a majority vote of the  
24 governing bodies of a majority of municipalities in each  
25 county, and by a majority vote of the governing bodies of the  
26 municipality or municipalities that represent a majority of  
27 the municipal population of each county.

28 (b) After approval by the county and municipal  
29 governing bodies as required by paragraph (a), the plan shall  
30 be submitted for referendum approval in a countywide election  
31 in each county involved. The plan shall not take effect unless

1 approved by a majority of the electors of each county who vote  
2 in the referendum, and also by a majority of the electors of  
3 the municipalities that represent a majority of the municipal  
4 population of each county who vote in the referendum. If  
5 approved by the electors as required by this paragraph, the  
6 plan shall take effect on the date specified in the plan.

7 (6) If the plan calls for merger or dissolution of  
8 special districts, such merger or dissolution shall comply  
9 with the provisions of chapter 189, Florida Statutes.

10 (7) If a plan developed pursuant to this section  
11 includes areas proposed for municipal annexation which meet  
12 the standards for annexation provided in chapter 171, Florida  
13 Statutes, such annexation shall take effect upon approval of  
14 the plan as provided in this section, notwithstanding the  
15 procedures for approval of municipal annexation specified in  
16 chapter 171, Florida Statutes.

17 Section 14. Subsection (2) of section 170.201, Florida  
18 Statutes, 1998 Supplement, is amended to read:

19 170.201 Special assessments.--

20 (2) Property owned or occupied by a religious  
21 institution and used as a place of worship or education; by a  
22 public or private elementary, middle, or high school; or by a  
23 governmentally financed, insured, or subsidized housing  
24 facility that is used primarily for persons who are elderly or  
25 disabled shall be exempt from any special assessment levied by  
26 a municipality to fund any service ~~emergency medical services~~  
27 if the municipality so desires. As used in this subsection,  
28 the term "religious institution" means any church, synagogue,  
29 or other established physical place for worship at which  
30 nonprofit religious services and activities are regularly  
31 conducted and carried on and the term "governmentally



1 financed, insured, or subsidized housing facility" means a  
 2 facility that is financed by a mortgage loan made or insured  
 3 by the United States Department of Housing and Urban  
 4 Development under s. 8, s. 202, s. 221(d)(3) or (4), s. 232,  
 5 or s. 236 of the National Housing Act and is owned or operated  
 6 by an entity that qualifies as an exempt charitable  
 7 organization under s. 501(c)(3) of the Internal Revenue Code.

8 Section 15. Section 196.1978, Florida Statutes, is  
 9 created to read:

10 196.1978 Low-income housing property  
 11 exemption.--Property used to provide housing pursuant to any  
 12 state housing program authorized under chapter 420 to  
 13 low-income or very-low-income persons as defined by s.  
 14 420.0004, which property is owned entirely by a nonprofit  
 15 corporation which is qualified as charitable under s.  
 16 501(c)(3) of the Internal Revenue Code and which complies with  
 17 Rev. Proc. 96-32, 1996-1 C.B. 717, shall be considered  
 18 property owned by an exempt entity and used for a charitable  
 19 purpose, and such property shall be exempt from ad valorem  
 20 taxation. All property identified in this section shall comply  
 21 with the criteria for determination of exempt status to be  
 22 applied by property appraisers on an annual basis as defined  
 23 in s. 196.195.

24 Section 16. Section 220.185, Florida Statutes, is  
 25 created to read:

26 220.185 State housing tax credit.--  
 27 (1) LEGISLATIVE FINDINGS.--The Legislature finds that:  
 28 (a) There exist within the urban areas of the state  
 29 conditions of blight evidenced by extensive deterioration of  
 30 public and private facilities, abandonment of sound  
 31 structures, and high unemployment, and these conditions impede

1 the conservation and development of healthy, safe, and  
2 economically viable communities.

3 (b) Deterioration of housing and industrial,  
4 commercial, and public facilities contributes to the decline  
5 of neighborhoods and communities and leads to the loss of  
6 their historic character and the sense of community which this  
7 inspires; reduces the value of property comprising the tax  
8 base of local communities; discourages private investment; and  
9 requires a disproportionate expenditure of public funds for  
10 the social services, unemployment benefits, and police  
11 protection required to combat the social and economic problems  
12 found in urban communities.

13 (c) In order to ultimately restore social and economic  
14 viability to urban areas, it is necessary to renovate or  
15 construct new infrastructure and housing, including housing  
16 specifically targeted for the elderly, and to specifically  
17 provide mechanisms to attract and encourage private economic  
18 activity.

19 (d) The various local governments and other  
20 redevelopment organizations now undertaking physical  
21 revitalization projects and new housing developments in urban  
22 areas are limited by tightly constrained budgets and  
23 inadequate resources.

24 (e) In order to significantly improve revitalization  
25 efforts by local governments and community development  
26 organizations and to retain as much of the historic character  
27 of our communities as possible, it is necessary to provide  
28 additional resources, and the participation of private  
29 enterprise in revitalization efforts is an effective means for  
30 accomplishing that goal.

31 (2) POLICY AND PURPOSE.--It is the policy of this

1 state to encourage the participation of private corporations  
2 in revitalization projects within urban areas. The purpose of  
3 this section is to provide an incentive for such participation  
4 by granting state corporate income tax credits to qualified  
5 low-income housing projects, including housing specifically  
6 designed for the elderly, and associated mixed-use projects.  
7 The Legislature thus declares this a public purpose for which  
8 public money may be borrowed, expended, loaned, and granted.

9 (3) DEFINITIONS.--As used in this section:

10 (a) "Credit period" means the period of 5 years  
11 beginning with the year the project is completed.

12 (b) "Eligible basis" means the adjusted basis of the  
13 housing portion of a qualified project as of the close of the  
14 first taxable year of the credit period.

15 (c) "Adjusted basis" means the owner's adjusted basis  
16 in the project, calculated in a manner consistent with the  
17 calculation of basis under the Internal Revenue Code, taking  
18 into account the adjusted basis of property of a character  
19 subject to the allowance for depreciation used in common areas  
20 or provided as comparable amenities to the entire project.

21 (d) "Designated project" means a qualified project  
22 designated pursuant to s. 420.5093 to receive the tax credit  
23 under this section.

24 (e) "Qualified project" means a project located in an  
25 urban infill area, at least 50 percent of which, on a cost  
26 basis, consists of a qualified low-income housing project  
27 within the meaning of s. 42(g) of the Internal Revenue Code,  
28 including such projects designed specifically for the elderly  
29 but excluding any income restrictions imposed pursuant to s.  
30 42(g) of the Internal Revenue Code upon residents of the  
31 project unless such restrictions are otherwise established by

1 the Florida Housing Finance Corporation pursuant to s.  
2 420.5093, and the remainder of which constitutes commercial or  
3 single-family residential development consistent with and  
4 servicing to complement the qualified low-income project.

5 (f) "Urban infill area" means an area designated for  
6 urban infill as defined by s. 163.3164.

7 (4) AUTHORIZATION TO GRANT STATE HOUSING TAX CREDITS;  
8 LIMITATION.--

9 (a) There shall be allowed a credit of 9 percent of  
10 the eligible basis of any designated project for each year of  
11 the credit period against any tax due for a taxable year under  
12 this chapter.

13 (b) The total amount of tax credits allocated for all  
14 projects shall not exceed the amount appropriated for the  
15 State Housing Tax Credit Program in the General Appropriations  
16 Act. The total tax credits allocated is defined as the total  
17 credits pledged over a 5-year period for all projects.

18 (c) The tax credit shall be allocated among designated  
19 projects by the Florida Housing Finance Corporation as  
20 provided in s. 420.5093.

21 (d) Each designated project must comply with the  
22 applicable provisions of s. 42 of the Internal Revenue Code  
23 with respect to the multifamily residential rental housing  
24 element of the project, including specifically the provisions  
25 of s. 42(h)(6).

26 (e) A tax credit shall be allocated to a designated  
27 project and shall not be subject to transfer by the recipient  
28 unless the transferee is also an owner of the designated  
29 project.

30 Section 17. Section 420.5093, Florida Statutes, is  
31 created to read:

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1           420.5093 State Housing Tax Credit Program.--  
2           (1) There is created the State Housing Tax Credit  
3 Program for the purposes of stimulating creative private  
4 sector initiatives to increase the supply of affordable  
5 housing in urban areas, including specifically housing for the  
6 elderly, and to provide associated commercial facilities  
7 associated with such housing facilities.  
8           (2) The Florida Housing Finance Corporation shall  
9 determine those qualified projects which shall be considered  
10 designated projects under s. 220.185 and eligible for the  
11 corporate tax credit under that section. The corporation shall  
12 establish procedures necessary for proper allocation and  
13 distribution of state housing tax credits, including the  
14 establishment of criteria for any single-family or commercial  
15 component of a project, and may exercise all powers necessary  
16 to administer the allocation of such credits. The board of  
17 directors of the corporation shall administer the allocation  
18 procedures and determine allocations on behalf of the  
19 corporation. The corporation shall prepare an annual plan,  
20 which must be approved by the Governor, containing general  
21 guidelines for the allocation and distribution of credits to  
22 designated projects.  
23           (3) The corporation shall adopt allocation procedures  
24 that will ensure the maximum use of available tax credits in  
25 order to encourage development of low-income housing and  
26 associated mixed-use projects in urban areas, taking into  
27 consideration the timeliness of the application, the location  
28 of the proposed project, the relative need in the area of  
29 revitalization and low-income housing and the availability of  
30 such housing, the economic feasibility of the project, and the  
31 ability of the applicant to proceed to completion of the

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1 project in the calendar year for which the credit is sought.

2 (4)(a) A taxpayer who wishes to participate in the  
3 State Housing Tax Credit Program must submit an application  
4 for tax credit to the corporation. The application shall  
5 identify the project and its location and include evidence  
6 that the project is a qualified project as defined in s.  
7 220.185. The corporation may request any information from an  
8 applicant necessary to enable the corporation to make tax  
9 credit allocations according to the guidelines set forth in  
10 subsection (3).

11 (b) The corporation's approval of an applicant as a  
12 designated project shall be in writing and shall include a  
13 statement of the maximum credit allowable to the applicant. A  
14 copy of this approval shall be transmitted to the executive  
15 director of the Department of Revenue, who shall apply the tax  
16 credit to the tax liability of the applicant.

17 (5) For purposes of implementing this program and  
18 assessing the property for ad valorem taxation under s.  
19 193.011, neither the tax credits nor financing generated by  
20 tax credits shall be considered as income to the property, and  
21 the rental income from rent-restricted units in a state  
22 housing tax credit development shall be recognized by the  
23 property appraiser.

24 (6) The corporation is authorized to expend fees  
25 received in conjunction with the allocation of state housing  
26 tax credits only for the purpose of administration of the  
27 program, including private legal services which relate to  
28 interpretation of s. 42 of the Internal Revenue Code.

29 Section 18. Subsection (19) of section 420.503,  
30 Florida Statutes, 1998 Supplement, is amended to read:

31 420.503 Definitions.--As used in this part, the term:

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1           (19) "Housing for the elderly" means, for purposes of  
2 s. 420.5087(3)(c)2., any nonprofit housing community that is  
3 financed by a mortgage loan made or insured by the United  
4 States Department of Housing and Urban Development under s.  
5 202, s. 202 with a s. 8 subsidy, s. 221(d)(3) or (4), or s.  
6 236 of the National Housing Act, as amended, and that is  
7 subject to income limitations established by the United States  
8 Department of Housing and Urban Development, or any program  
9 funded by the Rural Development Agency of the United States  
10 Department of Agriculture and subject to income limitations  
11 established by the United States Department of Agriculture. A  
12 project which qualifies for an exemption under the Fair  
13 Housing Act as housing for older persons as defined by s.  
14 760.29(4) shall qualify as housing for the elderly for  
15 purposes of s. 420.5087(3)(c)2. In addition, if the  
16 corporation adopts a qualified allocation plan pursuant to s.  
17 42(m)(1)(B) of the Internal Revenue Code or any other rules  
18 that prioritize projects targeting the elderly for purposes of  
19 allocating tax credits pursuant to s. 420.5099 or for purposes  
20 of the HOME program under s. 420.5089, a project which  
21 qualifies for an exemption under the Fair Housing Act as  
22 housing for older persons as defined by s. 760.29(4) shall  
23 qualify as a project targeted for the elderly, if the project  
24 satisfies the other requirements set forth in this part.

25           Section 19. Subsections (1) and (5) of section  
26 420.5087, Florida Statutes, 1998 Supplement, are amended to  
27 read:

28           420.5087 State Apartment Incentive Loan  
29 Program.--There is hereby created the State Apartment  
30 Incentive Loan Program for the purpose of providing first,  
31 second, or other subordinated mortgage loans or loan

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1 guarantees to sponsors, including for-profit, nonprofit, and  
2 public entities, to provide housing affordable to  
3 very-low-income persons.

4 (1) Program funds shall be distributed over successive  
5 3-year periods in a manner that meets the need and demand for  
6 very-low-income housing throughout the state. That need and  
7 demand must be determined by using the most recent statewide  
8 low-income rental housing market studies available at the  
9 beginning of each 3-year period. However, at least 10 percent  
10 of the program funds distributed during a 3-year period must  
11 be allocated to each of the following categories of counties,  
12 as determined by using the population statistics published in  
13 the most recent edition of the Florida Statistical Abstract:

14 (a) Counties that have a population of more than  
15 500,000 people;

16 (b) Counties that have a population between 100,000  
17 and 500,000 people; and

18 (c) Counties that have a population of 100,000 or  
19 less.

20  
21 Any increase in funding required to reach the 10-percent  
22 minimum shall be taken from the county category that has the  
23 largest allocation. The corporation shall adopt rules which  
24 establish an equitable process for distributing any portion of  
25 the 10 percent of program funds allocated to the county  
26 categories specified in this subsection which remains  
27 unallocated at the end of a 3-year period. Counties that have  
28 a population of 100,000 or less shall be given preference  
29 under these rules.

30 (5) The amount of the mortgage provided under this  
31 program combined with any other mortgage in a superior



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1 position shall be less than the value of the project without  
2 the housing set-aside required by subsection (2). However, the  
3 corporation may waive this requirement for projects in rural  
4 areas or urban infill areas which have market rate rents that  
5 are less than the allowable rents pursuant to applicable state  
6 and federal guidelines. In no event shall the mortgage  
7 provided under this program combined with any other mortgage  
8 in a superior position exceed total project cost.

9 Section 20. Sections 420.630, 420.631, 420.632,  
10 420.633, 420.634, and 420.635, Florida Statutes, are created  
11 to read:

12 420.630 Short title.--Sections 420.630-420.635 may be  
13 cited as the "Urban Homesteading Act."

14 420.631 Definitions.--As used in ss. 420.630-420.635:

15 (1) "Authority" or "housing authority" means any of  
16 the public corporations created under s. 421.04.

17 (2) "Department" means the Department of Community  
18 Affairs.

19 (3) "Homestead agreement" means a written contract  
20 between a local government or its designee and a qualified  
21 buyer which contains the terms under which the qualified buyer  
22 may acquire a single-family housing property.

23 (4) "Local government" means any county or  
24 incorporated municipality within this state.

25 (5) "Designee" means a housing authority appointed by  
26 a local government, or a nonprofit community organization  
27 appointed by a local government, to administer the urban  
28 homesteading program for single-family housing under ss.  
29 420.630-420.635.

30 (6) "Nonprofit community organization" means an  
31 organization that is exempt from taxation under s. 501(c)(3)

1 of the Internal Revenue Code.

2 (7) "Office" means the Office of Urban Opportunity  
3 within the Office of Tourism, Trade, and Economic Development.

4 (8) "Qualified buyer" means a person who meets the  
5 criteria under s. 420.633.

6 (9) "Qualified loan rate" means an interest rate that  
7 does not exceed the interest rate charged for home improvement  
8 loans by the Federal Housing Administration under Title I of  
9 the National Housing Act, ch. 847, 48 Stat. 1246, or 12 U.S.C.  
10 ss. 1702, 1703, 1705, and 1706b et seq.

11 420.632 Authority to operate.--By resolution, subject  
12 to federal and state law, and in consultation with the Office  
13 of Urban Opportunity, a local government or its designee may  
14 operate a program that makes foreclosed single-family housing  
15 properties available to qualified buyers to purchase. This  
16 urban homesteading program is intended to be one component of  
17 a comprehensive urban-core redevelopment initiative known as  
18 Front Porch Florida, implemented by the Office of Urban  
19 Opportunity.

20 420.633 Eligibility.--An applicant is eligible to  
21 enter into a homestead agreement to acquire single-family  
22 housing property as a qualified buyer under ss.  
23 420.630-420.635 if:

24 (1) The applicant or his or her spouse is employed and  
25 has been employed for the immediately preceding 12 months;

26 (2) The applicant or his or her spouse has not been  
27 convicted of a drug-related felony within the immediately  
28 preceding 3 years;

29 (3) All school-age children of the applicant or his or  
30 her spouse who will reside in the single-family housing  
31 property attend school regularly; and

1           (4) The applicant and his or her spouse have incomes  
2 below the median for the state, as determined by the United  
3 States Department of Housing and Urban Development, for  
4 families with the same number of family members as the  
5 applicant and his or her spouse.

6           420.634 Application process; deed to qualified  
7 buyer.--

8           (1) A qualified buyer may apply to a local government  
9 or its designee to acquire single-family housing property. The  
10 application must be in a form and in a manner provided by the  
11 local government or its designee. If the application is  
12 approved, the qualified buyer and the local government or its  
13 designee shall enter into a homestead agreement for the  
14 single-family housing property. The local government or its  
15 designee may add additional terms and conditions to the  
16 homestead agreement.

17           (2) The local government or its designee shall deed or  
18 cause to be deeded the single-family housing property to the  
19 qualified buyer for \$1 if the qualified buyer:

20           (a) Is in compliance with the terms of the homestead  
21 agreement for at least 5 years or has resided in the  
22 single-family housing property before the local government or  
23 its designee adopts the urban homesteading program;

24           (b) Resides in that property for at least 5 years;

25           (c) Meets the criteria in the homestead agreement; and

26           (d) Has otherwise promptly met his or her financial  
27 obligations with the local government or its designee.

28  
29 However, if the local government or its designee has received  
30 federal funds for which bonds or notes were issued and those  
31 bonds or notes are outstanding for the housing project where

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1 the single-family housing property is located, the local  
2 government or its designee shall deed the property to the  
3 qualified buyer only upon payment of the pro rata share of the  
4 bonded debt on that specific property by the qualified buyer.  
5 The local government or its designee shall obtain the  
6 appropriate releases from the holders of the bonds or notes.  
7 420.635 Loans to qualified buyers.--Contingent upon an  
8 appropriation, the department, in consultation with the Office  
9 of Urban Opportunity, shall provide loans to qualified buyers  
10 who are required to pay the pro rata portion of the bonded  
11 debt on single-family housing pursuant to s. 420.634. Loans  
12 provided under this section shall be made at a rate of  
13 interest which does not exceed the qualified loan rate. A  
14 buyer must maintain the qualifications specified in s. 420.633  
15 for the full term of the loan. The loan agreement may contain  
16 additional terms and conditions as determined by the  
17 department.

18 Section 21. This act shall take effect July 1, 1999.

19  
20

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

22 And the title is amended as follows:

23 remove from the title of the bill: the entire title

24

25 and insert in lieu thereof:

26

A bill to be entitled

27

An act relating to community revitalization;

28

creating ss. 163.2511, 163.2514, 163.2517,

29

163.2520, 163.2523, and 163.2526, F.S., the

30

Growth Policy Act; providing legislative

31

findings; providing definitions; authorizing

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1 counties and municipalities to designate urban  
2 infill and redevelopment areas based on  
3 specified criteria; providing for community and  
4 neighborhood participation; requiring  
5 preparation of a plan or designation of an  
6 existing plan and providing requirements with  
7 respect thereto; providing for amendment of the  
8 local comprehensive plan to delineate area  
9 boundaries; providing for adoption of the plan  
10 by ordinance; providing requirements for  
11 continued eligibility for economic and  
12 regulatory incentives and providing that such  
13 incentives may be rescinded if the plan is not  
14 implemented; providing that counties and  
15 municipalities that have adopted such plan may  
16 issue revenue bonds and employ tax increment  
17 financing under the Community Redevelopment Act  
18 and exercise powers granted to community  
19 redevelopment neighborhood improvement  
20 districts; requiring a report by certain state  
21 agencies; providing that such areas shall have  
22 priority in the allocation of private activity  
23 bonds; providing a program for grants to  
24 counties and municipalities with urban infill  
25 and redevelopment areas; providing for review  
26 and evaluation of the act and requiring a  
27 report; amending s. 163.3164, F.S.; revising  
28 the definition of "projects that promote public  
29 transportation" under the Local Government  
30 Comprehensive Planning and Land Development  
31 Regulation Act; amending s. 163.3177, F.S.;

1           modifying the date by which local government  
2           comprehensive plans must comply with school  
3           siting requirements, and the consequences of  
4           failure to comply; amending s. 163.3180, F.S.;  
5           specifying that the concurrency requirement  
6           applies to transportation facilities; providing  
7           requirements with respect to measuring level of  
8           service for specified transportation modes and  
9           multimodal analysis; providing that the  
10          concurrency requirement does not apply to  
11          public transit facilities; authorizing  
12          exemptions from the transportation facilities  
13          concurrency requirement for developments  
14          located in an urban infill and redevelopment  
15          area; specifying the parties that may request  
16          certain exemptions from the transportation  
17          facilities concurrency requirement; revising  
18          requirements for establishment of  
19          level-of-service standards for certain  
20          facilities on the Florida Intrastate Highway  
21          System; providing that a multiuse development  
22          of regional impact may satisfy certain  
23          transportation concurrency requirements by  
24          payment of a proportionate-share contribution  
25          for traffic impacts under certain conditions;  
26          authorizing establishment of multimodal  
27          transportation districts in certain areas under  
28          a local comprehensive plan, providing for  
29          certain multimodal level-of-service standards,  
30          and providing requirements with respect  
31          thereto; providing for issuance of development

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Amendment No. \_\_\_\_ (for drafter's use only)

1       permits; authorizing reduction of certain fees  
2       for development in such districts; amending s.  
3       163.3187, F.S.; providing that comprehensive  
4       plan amendments to designate urban infill and  
5       redevelopment areas are not subject to  
6       statutory limits on the frequency of plan  
7       amendments; including such areas within certain  
8       limitations relating to small scale development  
9       amendments; amending s. 187.201, F.S.;  
10      including policies relating to urban policy in  
11      the State Comprehensive Plan; amending s.  
12      380.06, F.S., relating to developments of  
13      regional impact; increasing certain numerical  
14      standards for determining a substantial  
15      deviation for projects located in certain urban  
16      infill and redevelopment areas; amending ss.  
17      163.3220 and 163.3221, F.S.; revising  
18      legislative intent with respect to the Florida  
19      Local Government Development Agreement Act to  
20      include intent with respect to certain  
21      assurance to a developer upon receipt of a  
22      brownfield designation; amending s. 163.375,  
23      F.S.; authorizing acquisition by eminent domain  
24      of property in unincorporated enclaves  
25      surrounded by a community redevelopment area  
26      when necessary to accomplish a community  
27      development plan; amending s. 165.041, F.S.;  
28      specifying the date for submission to the  
29      Legislature of a feasibility study in  
30      connection with a proposed municipal  
31      incorporation and revising requirements for

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Bill No. CS/CS/HB 17

Amendment No. \_\_\_\_ (for drafter's use only)

1 such study; amending s. 171.0413, F.S.,  
2 relating to municipal annexation procedures;  
3 requiring public hearings; deleting a  
4 requirement that a separate referendum be held  
5 in the annexing municipality when the  
6 annexation exceeds a certain size and providing  
7 that the governing body may choose to hold such  
8 a referendum; providing procedures by which a  
9 county or combination of counties and the  
10 municipalities therein may develop and adopt a  
11 plan to improve the efficiency, accountability,  
12 and coordination of the delivery of local  
13 government services; providing for initiation  
14 of the process by resolution; providing  
15 requirements for the plan; requiring approval  
16 by the local governments' governing bodies and  
17 by referendum; authorizing municipal annexation  
18 through such plan; amending s. 170.201, F.S.;  
19 revising provisions which authorize a  
20 municipality to exempt property owned or  
21 occupied by certain religious or educational  
22 institutions or housing facilities from special  
23 assessments for emergency medical services;  
24 extending application of such provisions to any  
25 service; creating s. 196.1978, F.S.; providing  
26 that property used to provide housing for  
27 certain persons under ch. 420, F.S., and owned  
28 by certain nonprofit corporations is exempt  
29 from ad valorem taxation; creating ss. 220.185  
30 and 420.5093, F.S.; creating the State Housing  
31 Tax Credit Program; providing legislative



1 findings and policy; providing definitions;  
2 providing for a credit against the corporate  
3 income tax in an amount equal to a percentage  
4 of the eligible basis of certain housing  
5 projects; providing a limitation; providing for  
6 allocation of credits and administration by the  
7 Florida Housing Finance Corporation; providing  
8 for an annual plan; providing application  
9 procedures; providing that neither tax credits  
10 nor financing generated thereby shall be  
11 considered income for ad valorem tax purposes;  
12 providing for recognition of certain income by  
13 the property appraiser; amending s. 420.503,  
14 F.S.; providing that certain projects shall  
15 qualify as housing for the elderly for purposes  
16 of certain loans under the State Apartment  
17 Incentive Loan Program, and shall qualify as a  
18 project targeted for the elderly in connection  
19 with allocation of low-income housing tax  
20 credits and with the HOME program under certain  
21 conditions; amending s. 420.5087, F.S.;  
22 directing the Florida Housing Finance  
23 Corporation to adopt rules for the equitable  
24 distribution of certain unallocated funds under  
25 the State Apartment Incentive Loan Program;  
26 authorizing the corporation to waive a mortgage  
27 limitation under said program for projects in  
28 certain areas; creating ss. 420.630, 420.631,  
29 420.632, 420.633, 420.634, and 420.635, F.S.,  
30 the Urban Homesteading Act; providing  
31 definitions; authorizing a local government or

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Bill No. CS/CS/HB 17

Amendment No. \_\_\_\_ (for drafter's use only)

1           its designee to operate a program to make  
2           foreclosed single-family housing available for  
3           purchase by qualified buyers; providing  
4           eligibility requirements; providing application  
5           procedures; providing conditions under which  
6           such property may be deeded to a qualified  
7           buyer; requiring payment of a pro rata share of  
8           certain bonded debt under certain conditions  
9           and providing for loans to buyers who are  
10          required to make such payment; providing an  
11          effective date.

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