

1 A bill to be entitled
2 An act relating to rural development; creating
3 the Florida Rural Heritage and Economic
4 Stimulus Act; providing legislative findings;
5 providing definitions; providing for the
6 designation of a Rural Heritage Area; providing
7 for a community-based planning process;
8 specifying guidelines for Rural Heritage Area
9 plans; providing procedure for adoption of a
10 plan; providing for economic incentives,
11 reports, and technical assistance; creating the
12 Rural Heritage Grant Program, to be
13 administered by the Department of Community
14 Affairs, to assist local governments in
15 adopting Rural Heritage Areas; providing for
16 priority of funding; requiring the Department
17 of Community Affairs to adopt rules; providing
18 for development of a micro-loan program for
19 nature-based tourism and heritage tourism
20 businesses; providing for wireless
21 community-based network technology pilot
22 programs to be recommended by the Department of
23 Health; providing for pilot projects to
24 encourage diversification of agricultural
25 products and marketing to be recommended by the
26 Department of Agriculture and Consumer
27 Services; providing for review and evaluation
28 by the Office of Program Policy Analysis and
29 Government Accountability; amending s.
30 163.3187, F.S.; providing conditions for
31 adoption of local comprehensive plan amendments

1 for Rural Heritage Areas or Rural Activity
2 Centers; amending s. 163.356, F.S.; authorizing
3 specified municipalities to increase the number
4 of commissioners appointed to the board of
5 commissioners of the community redevelopment
6 agency; amending s. 187.201, F.S.; modifying
7 goals of the State Comprehensive Plan to
8 include housing for specified persons in rural
9 areas and development of nature-based tourism;
10 providing a policy of fostering integrated and
11 coordinated community-based planning efforts;
12 providing support for rural communities in
13 developing nature-based tourism and heritage
14 tourism enterprises; providing support for
15 landowners who wish their lands to remain in
16 agricultural use; amending s. 420.507, F.S.;
17 modifying powers of the Florida Housing Finance
18 Corporation; amending ss. 420.5087 and
19 420.5088, F.S.; correcting cross references;
20 providing that specified provisions are subject
21 to appropriation or the availability of agency
22 funds; providing an effective date.

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

Section 1. Florida Rural Heritage and Economic
Stimulus Act.--

(1) SHORT TITLE.--This section may be cited as the
"Florida Rural Heritage and Economic Stimulus Act."

(2) FINDINGS.--The Legislature finds that:

1 (a) Fiscally and culturally strong rural communities
2 are beneficial to regional and state economies and resources,
3 are a method for reduction of future urban sprawl, encourage
4 compact, efficient urban growth patterns, and should be
5 promoted by state, regional, and local governments.

6 (b) The health and vibrancy of the state's rural areas
7 benefit their respective regions and the state; conversely,
8 the deterioration of those rural areas negatively impacts the
9 surrounding areas and the state.

10 (c) In recognition of the interwoven nature of the
11 relationships among rural communities, agricultural lands,
12 open space lands, urban centers, regions, and the state, the
13 respective governments should establish a framework and work
14 in partnership with communities and the private sector to
15 revitalize rural areas.

16 (d) A state rural policy should guide the state,
17 regional agencies, local governments, and the private sector
18 in creating economic prosperity and preserving the unique
19 character and heritage of the state's rural areas. The policy
20 should encourage and assist local governments in addressing
21 issues including adequate provision of infrastructure,
22 affordable housing, human services, safe neighborhoods,
23 agricultural profitability, educational facilities, sound land
24 uses, health care, and economic diversification and
25 development to sustain rural communities into the future.

26 (e) Successfully revitalizing and sustaining rural
27 areas depends on addressing, through an integrated and
28 coordinated community effort, a range of varied components
29 essential to a healthy rural environment, including cultural,
30 educational, recreational, economic, transportation, land use,
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1 information technology, and social service delivery
2 components.

3 (f) Identification of rural activity centers and of
4 strategies to promote economic prosperity while protecting
5 rural character are recognized as important components and
6 useful mechanisms to promote and sustain rural areas. State
7 and regional entities and local governments should provide
8 incentives to promote community-based processes to identify
9 such centers and strategies. Existing programs and incentives
10 should be integrated to the extent possible to promote sound
11 rural development and to achieve the goals of the state rural
12 policy.

13 (g) Full funding for rural transportation and water
14 infrastructure needs, rural schools, health care services, and
15 information technology is an important investment by the state
16 in the overall health of its rural communities and is an
17 integral component of a state rural policy.

18 (h) Many rural local governments are hindered by
19 limited staff and capacity in their efforts to secure
20 available resources. A state rural policy should assist local
21 governments in identifying and accessing needed resources for
22 which they are eligible and should promote creative ways to
23 maximize the efficiency of rural local governments' existing
24 staff and other resources.

25 (i) Agriculture plays an integral role in the economy,
26 ecology, and culture of the state's rural areas and of the
27 state as a whole. At the same time, the state is losing
28 agricultural lands to development at a rapid rate. A state
29 rural policy should assist state agencies and local
30 governments in creating and marketing tools for increasing the
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1 profitability of agricultural land uses and other incentives
2 for conserving the state's agricultural lands.

3 (j) In recognition that approximately one-half of all
4 visitors to this state include a nature-based experience in
5 their vacations, a state rural policy should encourage the
6 development of a nature-based tourism and heritage tourism
7 industry that meets this growing public demand, protects the
8 state's natural and cultural resources, and contributes to
9 economic prosperity, especially in the state's rural
10 communities.

11 (3) DEFINITIONS.--As used in this section, the term:

12 (a) "Local government" means any county or
13 municipality.

14 (b) "Rural Activity Center" means an area or areas:

15 1. Designated by a local government or by local
16 governments through interlocal agreement.

17 2. Located within a Rural Heritage Area.

18 3. In which public services, including water services,
19 transportation infrastructure, schools, and recreation, are
20 already available or are scheduled to be provided in an
21 adopted 5-year schedule of capital improvements, and which
22 have historically served as commercial business centers or
23 sites of public buildings for surrounding rural residents.

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25 The Rural Activity Center may consist of or include state
26 community redevelopment areas, brownfields, enterprise zones,
27 or Mainstreet programs, federal Empowerment Zones, Enterprise
28 Communities, Champion Communities, or Brownfield Showcase
29 Communities. The Rural Activity Center shall serve and be
30 developed as a "town center," promoting compact, efficient
31 development within the area and allowing lower-density

1 development that retains rural character within the remaining
2 portions of the designated Rural Heritage Area.

3 (c) "Rural Heritage Area" means an area or areas:

4 1. Designated by a local government or by local
5 governments through interlocal agreement.

6 2. Within which more than 50 percent of the land is in
7 agricultural, open space, recreational, or other nondeveloped
8 use.

9 3. That fit the definition of, or fall within an area
10 that fits the definition of, a rural county, rural
11 municipality, or rural community as defined in s. 288.106,
12 Florida Statutes.

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14 A Rural Heritage Area may comprise a single rural county as
15 defined in s. 288.106, Florida Statutes, a multicounty area,
16 or a subcounty area that is rural in nature and meets the
17 land-use, demographic, economic, and definitional criteria set
18 forth in this paragraph. If a subcounty area, a Rural Heritage
19 Area may comprise one or more rural municipalities, as defined
20 in s. 288.106, Florida Statutes, and may include
21 unincorporated areas between or surrounding the rural
22 municipalities, provided that all parts of the designated area
23 meet the criteria set forth in this paragraph.

24 (4) DESIGNATION OF A RURAL HERITAGE AREA.--

25 (a) A local government, or local governments through
26 interlocal agreement, may designate a geographic area or areas
27 within the applicable jurisdiction as a Rural Heritage Area
28 for the purpose of convening a community-based holistic
29 planning process to identify community problems and assets,
30 create a vision for the area's future, and formulate a
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1 strategic plan for implementing asset-based solutions to the
2 problems identified.

3 (b) A local government, or local governments through
4 interlocal agreement, may designate a geographic area or areas
5 within the applicable jurisdiction and within a designated
6 Rural Heritage Area as a Rural Activity Center for the purpose
7 of targeting economic development, job creation, housing,
8 transportation and other infrastructure, neighborhood
9 revitalization and preservation, the promotion of rural land
10 preservation, and the employment of land-use incentives to
11 encourage mixed-use development that will revitalize the Rural
12 Activity Center area as a functioning downtown that can serve
13 residents of surrounding rural areas.

14 (c) Designation of a Rural Heritage Area or Rural
15 Activity Center does not exempt the local government from the
16 process required under chapter 163, Florida Statutes, for
17 amending the comprehensive plan within the designated area.

18 (5) COMMUNITY-BASED PLANNING PROCESS.--

19 (a) As part of the designation of the Rural Heritage
20 Area and the preparation of a Rural Heritage Area plan, a
21 community-based planning process must be implemented in each
22 proposed Rural Heritage Area. The process must involve
23 stakeholders including, but not limited to, community-based
24 organizations; neighborhood associations; educational, health
25 care, and religious organizations; area residents, including
26 low-income residents; appropriate local government
27 representatives; local school boards; and, when appropriate,
28 institutions of higher education.

29 (b) The objective of the community-based planning
30 process is to produce an integrated plan that benefits the
31 community as a whole and to encourage residents within the

1 designated area to participate in the design and
2 implementation of the Rural Heritage Area plan, including the
3 visioning of the area's future, before prioritizing and
4 optimizing scarce resources. The planning process must be
5 collaborative and holistic and must address, at a minimum,
6 economic development including the nature-based tourism and
7 heritage tourism industry, land use, affordable housing,
8 infrastructure, education, health care, public safety, public
9 and private financial capacity, information technology,
10 workforce development, ecological conservation, social equity,
11 the role of agriculture in the local economy if applicable,
12 and the role of local government.

13 (c) In lieu of preparing a new plan, the local
14 government may demonstrate that an existing plan or
15 combination of plans includes the factors listed in paragraph
16 (d), or amend such existing plans to include the factors
17 listed in paragraph (d), including the community-based
18 planning process. If the area constitutes or contains a
19 federally designated Empowerment Zone, Enterprise Community,
20 or Champion Community, the plan and planning process done in
21 application for that designation shall serve to meet the
22 requirements of the community-based planning process and shall
23 allow the community to apply for implementation grants under
24 the Rural Heritage Grant program that are based on such plan.

25 (d) A local government seeking to designate a
26 geographic area as a Rural Heritage Area shall propose a plan
27 that describes means of promoting economic prosperity and
28 preserving the unique rural character of the area. The plan
29 must demonstrate the local government's and community's
30 commitment to comprehensively addressing the problems within
31 the Rural Heritage Area and identify activities, programs, and

1 resources that can help accomplish locally identified goals
2 such as improved educational opportunities; economic
3 diversification and development; the future of agricultural
4 land uses in the planning area; provision of infrastructure
5 needs, including information technology infrastructure;
6 prioritizing, pooling, and leveraging scarce resources; and
7 mixed-use planning for Rural Activity Centers to improve both
8 the residential and commercial quality of life in the area.

9 The plan must also:

10 1. Contain a map depicting the Rural Heritage Area or
11 areas, and Rural Activity Center if applicable, to be included
12 within the designation.

13 2. Contain interlocal agreements, as appropriate,
14 among participating local governments and any regional or
15 nonprofit organizations which express the entities' commitment
16 to collectively designating the area and to coordinated
17 implementation efforts based on the plan.

18 3. Identify any existing enterprise zones, community
19 redevelopment areas, community development districts,
20 brownfield areas, downtown redevelopment districts, safe
21 neighborhood improvement districts, historic preservation
22 districts, and empowerment zones located within the area
23 proposed for designation.

24 4. Identify a memorandum of understanding between the
25 district school board and the local government jurisdiction
26 regarding public school facilities located within the Rural
27 Heritage Area to identify how the school board will enhance
28 public school facilities and programs in the designated area.

29 5. Explain how projects identified in the plan advance
30 the goals of creating economic prosperity for area residents
31 and of preserving the rural character and heritage of the

1 planning area. Projects may include land acquisition;
2 demolition, construction, or renovation of structures;
3 purchase of conservation easements or development rights on
4 agricultural, conservation, or recreational lands;
5 job-training programs; investments in educational
6 technologies; capacity building through existing or new
7 nonprofit organizations; creation, enhancement, or marketing
8 of nature-based, agricultural, or heritage tourism or
9 recreational facilities; or improvement of the delivery of
10 health care services to rural residents.

11 6. Identify the geographic locations for projects
12 identified through the community-based planning process and
13 explain how such projects will be implemented.

14 7. Identify how the local government intends to
15 implement and enhance affordable housing programs as defined
16 in s. 420.602, Florida Statutes, including economic and
17 community development programs administered by the Department
18 of Community Affairs and the Florida Housing Finance
19 Corporation within the Rural Heritage Area.

20 8. If applicable, provide guidelines for the adoption
21 of land development regulations specific to the Rural Heritage
22 Area which provide for the use or purchase of conservation
23 easements, purchase or transfer of development rights, or the
24 use of other means available to local governments under s.
25 704.06, Florida Statutes, for the purpose of preserving
26 agricultural lands.

27 9. If applicable, identify and adopt a package of
28 financial and local government incentives which the local
29 government will offer for new development, expansion or
30 renovation of existing development, and redevelopment within
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1 any designated Rural Activity Center. Examples of such
2 incentives include:
3 a. Waiver of license and permit fees.
4 b. Waiver of delinquent taxes or fees to promote the
5 return of property to productive use.
6 c. Expedited permitting.
7 d. Prioritization of infrastructure spending within
8 the Rural Heritage Area and Rural Activity Center.
9 10. Identify how activities and incentives within the
10 Rural Heritage Area or Rural Activity Center will be
11 coordinated and what administrative mechanism the local
12 government will use for the coordination and monitoring of
13 Rural Heritage Area plan implementation.
14 11. Provide a list of stakeholders participating in
15 the community-based planning process, pursuant to paragraph
16 (a).
17 12. Identify goals, objectives, performance measures,
18 and baseline data on conditions for evaluating the success of
19 the local government, community-based organizations, and other
20 stakeholders in implementing the Rural Heritage Area plan and
21 in improving economic prosperity and preserving rural
22 character.
23 (e) The regional planning council covering the
24 geographic location of the Rural Heritage Area, or other
25 appropriate nonprofit, university-based, or for-profit
26 organizations, may assist the local government in convening
27 the community-based planning process and in preparing the
28 Rural Heritage Area plan, provided that the process and
29 resulting plan meet all other requirements as described in
30 this section.
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1 (f) After the preparation of a Rural Heritage Area
2 plan or the designation of an existing plan, the local
3 government must adopt the plan by ordinance. Notice for the
4 public hearing on the ordinance must be in the form
5 established in s. 166.041(3)(c)2., Florida Statutes, for
6 municipalities and s. 125.66(4)(b)2., Florida Statutes, for
7 counties.

8 (g) For a local government to designate a Rural
9 Heritage Area or Rural Activity Center, it must amend its
10 comprehensive land-use plan under s. 163.3187, Florida
11 Statutes, to delineate the Rural Heritage Area within the
12 future land-use element of its comprehensive plan. An
13 amendment to the local comprehensive plan to designate a Rural
14 Heritage Area or Rural Activity Center is exempt from the
15 twice-a-year amendment limitation of s. 163.3187, Florida
16 Statutes.

17 (6) ECONOMIC INCENTIVES; REPORTS; TECHNICAL
18 ASSISTANCE.--

19 (a) A local government with an adopted Rural Heritage
20 Area plan or a plan employed in lieu thereof may issue revenue
21 bonds under s. 163.385, Florida Statutes, and employ tax
22 increment financing under s. 163.387, Florida Statutes, for
23 the purpose of financing the implementation of the plan as
24 appropriate, particularly within designated Rural Activity
25 Centers.

26 (b) A local government with an adopted Rural Heritage
27 Area plan or a plan employed in lieu thereof may exercise the
28 powers granted under s. 163.514, Florida Statutes, for
29 community redevelopment neighborhood improvement districts,
30 including the authority to levy special assessments as
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1 appropriate, particularly within designated Rural Activity
2 Centers.

3 (c) State agencies that provide funding for
4 infrastructure, cost reimbursement, grants, or loans to local
5 governments, including the Department of Environmental
6 Protection (Clean Water State Revolving Fund, Drinking Water
7 Revolving Loan Trust Fund, and the State of Florida Pollution
8 Control Bond Program), the Department of Community Affairs
9 (Economic Development and Housing Program and Florida
10 Communities Trust), the Florida Housing Finance Corporation,
11 and the Department of Transportation, shall report to the
12 President of the Senate and the Speaker of the House of
13 Representatives by January 1, 2003, regarding statutory and
14 rule changes necessary to give Rural Heritage Areas identified
15 by local governments that have completed the community-based
16 planning process an elevated priority in infrastructure
17 funding, loan, and grant programs.

18 (d) State agencies that provide funding to local
19 governments shall identify grant programs for which local
20 government cash match requirements will be waived or replaced
21 by in-kind match, which can include the creation of a
22 permanent resource development staff position within the local
23 government to work on accessing a variety of grants, and loan
24 programs for which repayment will be forgiven, for rural local
25 government applicants that have successfully completed the
26 Rural Heritage Area grant program community-based planning
27 process. Agencies shall report to the President of the Senate
28 and the Speaker of the House of Representatives by September
29 1, 2002, on programs identified, statutory or rule changes
30 needed, and cost of implementation.

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1 (e) The Rural Economic Development Initiative (REDI),
2 as described in s. 288.0656, Florida Statutes, shall work with
3 state agencies and other organizations that provide loans,
4 grants, or technical assistance of any kind to the state's
5 rural communities to update, maintain, and distribute
6 semiannually to every rural county and city government as
7 defined in s. 288.106, Florida Statutes, the Rural Resource
8 Directory, which describes resources, including federal
9 resources, that are available to rural local governments and
10 how to access them. The publication must include statutory
11 provisions that enable local governments to raise or direct
12 revenues toward the goals of promoting economic prosperity
13 while preserving rural character. To the extent possible, REDI
14 shall provide, or shall work through the regional planning
15 councils, the Small County Technical Assistance Program, the
16 Local Government Financial Technical Assistance Program, the
17 State University System, or other relevant organizations to
18 provide, technical assistance to all rural local governments
19 to access these resources.

20 (f) Provision by REDI or other organizations
21 identified in paragraph (e) of technical assistance in
22 accessing available resources as described in paragraph (e) is
23 an automatic result of successful completion of the Rural
24 Heritage Area community-based planning process.

25 (g) REDI shall work with the Florida State Rural
26 Development Council and state agencies to develop a simple,
27 uniform grant application form for use by local government
28 grant applicants. To the extent feasible, such a uniform
29 application process should incorporate the sharing of known
30 information about local governments among state government
31 agencies in order to maximize the efficiency of local

1 governments' efforts to secure available resources. The
2 uniform grant application must be adopted for use by state
3 agencies by July 1, 2003.

4 (7) GRANT PROGRAM.--

5 (a) A Rural Heritage Grant Program is created to
6 assist local governments in adopting Rural Heritage Areas,
7 completing the community-based planning process, and
8 implementing elements of the resulting Rural Heritage Area
9 plan.

10 (b) Forty-five percent of the general revenue
11 appropriated for the Rural Heritage Grant Program must be
12 available for conducting the community-based planning process
13 and completing the Rural Heritage Area plans. Forty-nine
14 percent of the general revenue appropriated for the Rural
15 Heritage Grant Program must be available for implementing
16 projects that are identified in the local government's adopted
17 Rural Heritage Area plan or a plan employed in lieu thereof. A
18 local government may allocate grant money to special
19 districts, including community redevelopment agencies and
20 nonprofit community development organizations, to implement
21 projects consistent with an adopted Rural Heritage Area plan
22 or a plan employed in lieu thereof. Five percent of the
23 revenue must be made available for "seed money" grants of not
24 more than \$10,000 to assist local governments to begin the
25 process of identifying Rural Heritage Areas, assembling a core
26 group of community-based planning participants, and applying
27 for planning grants. The remaining 1 percent must be made
28 available for administrative costs incurred by the Department
29 of Community Affairs for implementing the Rural Heritage Grant
30 Program and the Urban Infill and Redevelopment Assistance
31 Grant Program. Projects that provide employment opportunities

1 to clients of the WAGES program must be given an elevated
2 priority in the scoring of competing grant applications. To
3 encourage rural-urban partnerships and regional planning,
4 grant applications may be made, and grant moneys may be used,
5 in regional or partnership projects with communities eligible
6 to participate in the Urban Infill and Redevelopment
7 Assistance Grant Program. The Division of Housing and
8 Community Development of the Department of Community Affairs
9 shall administer the grant program.

10 (c) Priority for funding under the Rural Heritage
11 Grant Program shall be given to Rural Heritage Areas in which
12 a majority of the populated portions of the area are
13 characterized by pervasive poverty, unemployment, and general
14 distress, as defined in s. 290.0058, Florida Statutes.

15 (d) The Department of Community Affairs, in
16 consultation with REDI, shall adopt rules establishing grant
17 review criteria consistent with this section. Actions required
18 by this paragraph are contingent upon funds being provided to
19 implement the Rural Heritage Grant Program.

20 (e) If the local government fails to implement
21 sections of the Rural Heritage Area plan funded through a
22 Rural Heritage Area implementation grant pursuant to the
23 deadlines specified in the grant agreement, the Department of
24 Community Affairs, in consultation with REDI, may seek to
25 rescind the economic and regulatory incentives granted to a
26 Rural Heritage Area or Rural Activity Center, subject to the
27 provisions of chapter 120, Florida Statutes. The action to
28 rescind may be initiated 90 days after issuing a written
29 letter of warning to the local government.

30 (8) MICRO-LOAN PROGRAM FOR NATURE-BASED TOURISM AND
31 HERITAGE TOURISM BUSINESSES.--The statewide advisory committee

1 on nature-based tourism and heritage tourism, as established
2 in s. 288.1224, Florida Statutes, shall work with Enterprise
3 Florida, Inc., the Office of Tourism, Trade, and Economic
4 Development, VISIT FLORIDA, the Rural Economic Development
5 Initiative, the Florida Fish and Wildlife Conservation
6 Commission, the Division of Recreation and Parks of the
7 Department of Environmental Protection, and other appropriate
8 entities to develop a statewide micro-loan program for the
9 purpose of financing the creation and enhancement of small
10 businesses providing nature-based tourism or heritage tourism
11 experiences. Examples include eco-tour operators and guides
12 and bicycle rentals, canoe outfitters, and bed-and-breakfast
13 facilities in proximity to natural areas. No later than
14 November 1, 2002, this group shall submit a report to the
15 President of the Senate and the Speaker of the House of
16 Representatives that provides the mission and structure of the
17 micro-loan program, guidelines for administering the program,
18 and criteria for and any limitations on loan recipient
19 eligibility and use of loan funds.

20 (9) WIRELESS COMMUNITY-BASED NETWORK PILOT PROGRAM.--
21 (a) The Department of Health, in consultation with the
22 State Technology Office, Department of Education, Department
23 of Community Affairs, rural health networks, local
24 governments, the Area Health Education Centers, and medical
25 schools shall develop recommendations regarding the
26 establishment of two pilot projects in rural communities that
27 use wireless or other technologies. The purposes of the
28 projects are to illustrate ways to increase access to quality
29 health care, health education, and other health resources in
30 the state's rural areas; to leverage federal funds available
31 for bridging the "digital divide"; to build on existing

1 applications to create community-based health networks; and to
2 foster opportunities for innovative distribution of existing
3 funds. The pilot projects must include linkages to existing
4 information technology systems in the pilot area, for example,
5 to a public health care facility, local or regional hospital,
6 medical school, library, a university, or a 4-year or
7 community college, or county or municipal government, or
8 private business network.

9 (b) The Department of Health shall, in consultation
10 with the State Technology Office, Department of Education,
11 Department of Community Affairs, Area Health Education
12 Centers, medical schools, and rural health networks, recommend
13 a process for the selection of the pilot participants. The
14 selection process shall consider criteria as follows:

15 1. The extent to which the project increases access of
16 rural residents to health services;

17 2. If the pilot project involves wireless technology,
18 demonstration of the applicant's ability to effectively deploy
19 wireless technology based on existing infrastructure;

20 3. Demonstration of commitment of the applicant to use
21 technology to improve the level of knowledge regarding
22 individual health and health services;

23 4. If the pilot project involves wireless technology,
24 potential cost savings or improved access resulting from the
25 use of wireless rather than traditional connectivity
26 technology;

27 5. The ability to use the technology infrastructure in
28 other applications within the service area;

29 6. Demonstration of willingness and ability of the
30 participants to assume ongoing costs to maintain the pilot
31 project for a minimum 3-year period. Such willingness and

1 ability may be demonstrated through intracommunity agreements
2 or other means; and

3 7. Such other criteria as determined by the agencies.

4 (c) The Department of Health, in consultation with the
5 State Technology Office, Department of Education, Department
6 of Community Affairs, rural health networks, Area Health
7 Education Centers, medical schools, and local governments,
8 shall include recommendations for performance standards and
9 evaluation of pilot projects.

10 (d) The Department of Health shall report its
11 recommendations relative to the structure and funding
12 necessary to implement the pilot programs to the President of
13 the Senate, the Speaker of the House of Representatives, and
14 the Governor by December 15, 2002. Recommendations will
15 address the implementation and funding of the pilot programs.

16 (10) AGRICULTURAL CONSERVATION AND PROFITABILITY.--

17 (a) The Department of Agriculture and Consumer
18 Services, in consultation with the University of Florida and
19 the Florida Agricultural and Mechanical University, shall
20 develop recommendations to establish three pilot projects
21 aimed at encouraging the diversification of agricultural
22 production and marketing throughout the state. The purpose of
23 the pilot projects is to demonstrate alternative crops,
24 techniques, and industries that can enhance the profitability
25 and sustainability of agriculture in the state. Each project
26 must do at least one of the following: introduce alternative
27 crops, such as hot peppers, amaranth, or pigeon peas, or
28 alternative growing techniques, for example, greenhouse
29 vegetable production in North Florida or early-season
30 blueberries and peaches; or introduce a value-added activity
31 or industry, such as fruit or vegetable processing or

1 packaging, into a farming community as a means of increasing
2 the profitability of current farm products for local growers.
3 At least one of these projects must include a tobacco farm
4 that is being adversely impacted by reductions in tobacco
5 quotas. In developing the recommendations, the Commissioner of
6 Agriculture, in consultation with the Agricultural Economic
7 Development Project Review Committee as described in s.
8 570.248, Florida Statutes, shall develop selection criteria
9 and evaluation criteria. The evaluation criteria shall be
10 consistent with that for agricultural economic development
11 projects delineated in s. 570.247, Florida Statutes, and
12 include appropriate performance standards.

13 (b) The Commissioner of Agriculture shall report the
14 department's recommendations to implement the pilot program
15 and necessary funding to the President of the Senate, the
16 Speaker of the House of Representatives, and the Governor by
17 December 15, 2002.

18 (c) As authorized in s. 403.0752, Florida Statutes,
19 and based on results of current "whole farm planning" pilot
20 projects, the Department of Environmental Protection shall
21 work with willing partners to streamline the permitting
22 process for agricultural land uses.

23 (11) REVIEW AND EVALUATION.--The Office of Program
24 Policy Analysis and Government Accountability shall perform a
25 review and evaluation of the grant program and financial
26 incentives and the wireless community-based network pilot
27 program. The report must evaluate the effectiveness of the
28 designation of rural planning areas in promoting economic
29 prosperity and preserving character in the state's rural
30 areas. This report may be conducted in conjunction with a
31 review of the Urban Infill and Redevelopment Assistance Grant

1 Program. A report of the findings and recommendations of the
2 Office of Program Policy Analysis and Government
3 Accountability must be submitted to the President of the
4 Senate and the Speaker of the House of Representatives before
5 the 2006 Regular Session of the Legislature.

6 Section 2. Paragraph (i) of subsection (1) of section
7 163.3187, Florida Statutes, is amended to read:

8 163.3187 Amendment of adopted comprehensive plan.--

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

12 (i) A comprehensive plan amendment for the purpose of
13 designating an urban infill and redevelopment area under s.
14 163.2517 or a Rural Heritage Area or Rural Activity Center
15 under the Florida Rural Heritage and Economic Stimulus Act may
16 be approved without regard to the statutory limits on the
17 frequency of amendments to the comprehensive plan.

18 Section 3. Subsection (2) of section 163.356, Florida
19 Statutes, is amended to read:

20 163.356 Creation of community redevelopment agency.--

21 (2) When the governing body adopts a resolution
22 declaring the need for a community redevelopment agency, that
23 body shall, by ordinance, appoint a board of commissioners of
24 the community redevelopment agency, which shall consist of not
25 fewer than five or more than seven commissioners. The
26 governing body of a municipality with a population of more
27 than 100,000 and an area of more than 100 square miles may
28 appoint up to nine commissioners.The terms of office of the
29 commissioners shall be for 4 years, except that three of the
30 members first appointed shall be designated to serve terms of
31 1, 2, and 3 years, respectively, from the date of their

1 appointments, and all other members shall be designated to
2 serve for terms of 4 years from the date of their
3 appointments. A vacancy occurring during a term shall be
4 filled for the unexpired term.

5 Section 4. Subsections (5), (10), (16), (22), (23),
6 and (24) of section 187.201, Florida Statutes, are amended to
7 read:

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

11 (5) HOUSING.--

12 (a) Goal.--The public and private sectors shall
13 increase the affordability and availability of housing for
14 low-income and moderate-income persons, including citizens in
15 rural areas, while at the same time encouraging
16 self-sufficiency of the individual and assuring environmental
17 and structural quality and cost-effective operations.

18 (b) Policies.--

19 1. Eliminate public policies which result in housing
20 discrimination, and develop policies which encourage housing
21 opportunities for all Florida's citizens.

22 2. Diminish the use of institutions to house persons
23 by promoting deinstitutionalization to the maximum extent
24 possible.

25 3. Increase the supply of safe, affordable, and
26 sanitary housing for low-income and moderate-income persons
27 and elderly persons by alleviating housing shortages,
28 recycling older houses and redeveloping residential
29 neighborhoods, identifying housing needs, providing incentives
30 to the private sector to build affordable housing, encouraging
31 public-private partnerships to maximize the creation of

1 affordable housing, and encouraging research into low-cost
2 housing construction techniques, considering life-cycle
3 operating costs.

4 4. Reduce the cost of housing construction by
5 eliminating unnecessary regulatory practices which add to the
6 cost of housing.

7 5. Provide incentives and encourage research to
8 increase the supply of safe, affordable, and sanitary housing
9 for low-income, very-low-income, and moderate-income residents
10 of rural areas, as defined in s. 420.602. Such incentives and
11 research must take into account the importance of development
12 that preserves the rural character of the area and must seek
13 to mitigate the increased per-unit cost of small housing
14 projects appropriate to rural areas over the per-unit cost for
15 larger developments.

16 (10) NATURAL SYSTEMS AND RECREATIONAL LANDS.--

17 (a) Goal.--Florida shall protect and acquire unique
18 natural habitats and ecological systems, such as wetlands,
19 tropical hardwood hammocks, palm hammocks, and virgin longleaf
20 pine forests, and restore degraded natural systems to a
21 functional condition.

22 (b) Policies.--

23 1. Conserve forests, wetlands, fish, marine life, and
24 wildlife to maintain their environmental, economic, aesthetic,
25 and recreational values.

26 2. Acquire, retain, manage, and inventory public lands
27 to provide recreation, conservation, and related public
28 benefits.

29 3. Prohibit the destruction of endangered species and
30 protect their habitats.

31

1 4. Establish an integrated regulatory program to
2 assure the survival of endangered and threatened species
3 within the state.

4 5. Promote the use of agricultural practices which are
5 compatible with the protection of wildlife and natural
6 systems.

7 6. Encourage multiple use of forest resources, where
8 appropriate, to provide for timber production, recreation,
9 wildlife habitat, watershed protection, erosion control, and
10 maintenance of water quality.

11 7. Protect and restore the ecological functions of
12 wetlands systems to ensure their long-term environmental,
13 economic, and recreational value.

14 8. Promote restoration of the Everglades system and of
15 the hydrological and ecological functions of degraded or
16 substantially disrupted surface waters.

17 9. Develop and implement a comprehensive planning,
18 management, and acquisition program to ensure the integrity of
19 Florida's river systems.

20 10. Emphasize the acquisition and maintenance of
21 ecologically intact systems in all land and water planning,
22 management, and regulation.

23 11. Expand state and local efforts to provide
24 recreational opportunities to urban areas, including the
25 development of activity-based parks.

26 12. Protect and expand park systems throughout the
27 state.

28 13. Encourage the use of public and private financial
29 and other resources for the development of recreational and
30 nature-based tourism opportunities at the state and local
31

1 levels when consistent with natural-system conservation
2 principles and practices.

3 (16) LAND USE.--

4 (a) Goal.--In recognition of the importance of
5 preserving the natural resources and enhancing the quality of
6 life of the state, development shall be directed to those
7 areas which have in place, or have agreements to provide, the
8 land and water resources, fiscal abilities, and service
9 capacity to accommodate growth in an environmentally
10 acceptable manner.

11 (b) Policies.--

12 1. Promote state programs, investments, and
13 development and redevelopment activities which encourage
14 efficient development and occur in areas which will have the
15 capacity to service new population and commerce.

16 2. Develop a system of incentives and disincentives
17 which encourages a separation of urban and rural land uses
18 while protecting water supplies, resource development, and
19 fish and wildlife habitats.

20 3. Enhance the livability and character of urban areas
21 through the encouragement of an attractive and functional mix
22 of living, working, shopping, and recreational activities.

23 4. Recognize the interwoven nature of the
24 relationships among rural communities, agricultural lands,
25 open space lands, urban centers, regions, and the state, and
26 the importance of fiscally and culturally strong rural
27 communities to state and regional economies and resources;
28 promote state and local programs that foster integrated and
29 coordinated community-based planning efforts; and pursue land
30 use, educational, recreational, economic, transportation,
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1 housing, information technology, and social service delivery
2 initiatives in the context of community planning goals.

3 ~~5.4.~~ Develop a system of intergovernmental negotiation
4 for siting locally unpopular public and private land uses
5 which considers the area of population served, the impact on
6 land development patterns or important natural resources, and
7 the cost-effectiveness of service delivery.

8 ~~6.5.~~ Encourage and assist local governments in
9 establishing comprehensive impact-review procedures to
10 evaluate the effects of significant development activities in
11 their jurisdictions.

12 ~~7.6.~~ Consider, in land use planning and regulation,
13 the impact of land use on water quality and quantity; the
14 availability of land, water, and other natural resources to
15 meet demands; and the potential for flooding.

16 ~~8.7.~~ Provide educational programs and research to meet
17 state, regional, and local planning and growth-management
18 needs.

19 (22) THE ECONOMY.--

20 (a) Goal.--Florida shall promote an economic climate
21 which provides economic stability, maximizes job
22 opportunities, and increases per capita income for its
23 residents.

24 (b) Policies.--

25 1. Attract new job-producing industries, corporate
26 headquarters, distribution and service centers, regional
27 offices, and research and development facilities to provide
28 quality employment for the residents of Florida.

29 2. Promote entrepreneurship and small and
30 minority-owned business startup by providing technical and
31 information resources, facilitating capital formation, and

1 removing regulatory restraints which are unnecessary for the
2 protection of consumers and society.

3 3. Maintain, as one of the state's primary economic
4 assets, the environment, including clean air and water,
5 beaches, forests, historic landmarks, and agricultural and
6 natural resources, and support rural communities in developing
7 nature-based tourism and heritage tourism enterprises
8 consistent with conservation of these natural resources in
9 order to provide economic benefit to those living in closest
10 proximity to those assets.

11 4. Strengthen Florida's position in the world economy
12 through attracting foreign investment and promoting
13 international banking and trade.

14 5. Build on the state's attractiveness to make it a
15 leader in the visual and performing arts and in all phases of
16 film, television, and recording production.

17 6. Promote economic development for Florida residents
18 through partnerships among education, business, industry,
19 agriculture, and the arts.

20 7. Provide increased opportunities for training
21 Florida's workforce to provide skilled employees for new and
22 expanding business.

23 8. Promote economic self-sufficiency through training
24 and educational programs which result in productive
25 employment.

26 9. Promote cooperative employment arrangements between
27 private employers and public sector employment efforts to
28 provide productive, permanent employment opportunities for
29 public assistance recipients through provisions of education
30 opportunities, tax incentives, and employment training.

31

1 10. Provide for nondiscriminatory employment
2 opportunities.

3 11. Provide quality child day care for public
4 assistance families and others who need it in order to work.

5 12. Encourage the development of a business climate
6 that provides opportunities for the growth and expansion of
7 existing state industries, particularly those industries which
8 are compatible with Florida's environment.

9 13. Promote coordination among Florida's ports to
10 increase their utilization.

11 14. Encourage the full utilization by businesses of
12 the economic development enhancement programs implemented by
13 the Legislature for the purpose of extensively involving
14 private businesses in the development and expansion of
15 permanent job opportunities, especially for the economically
16 disadvantaged, through the utilization of enterprise zones,
17 community development corporations, and other programs
18 designed to enhance economic and employment opportunities.

19 (23) AGRICULTURE.--

20 (a) Goal.--Florida shall maintain and strive to expand
21 its food, agriculture, ornamental horticulture, aquaculture,
22 forestry, and related industries in order to be a healthy and
23 competitive force in the national and international
24 marketplace.

25 (b) Policies.--

26 1. Ensure that goals and policies contained in state
27 and regional plans are not interpreted to permanently restrict
28 the conversion of agricultural lands to other uses, while
29 creating and providing economically viable options for those
30 landowners who wish their lands to remain in agricultural
31 uses.

1 2. Encourage diversification within the agriculture
2 industry, especially to reduce the vulnerability of
3 communities that are largely reliant upon agriculture for
4 either income or employment.

5 3. Promote and increase international agricultural
6 marketing opportunities for all Florida agricultural
7 producers.

8 4. Stimulate research, development, and application of
9 agricultural technology to promote and enhance the
10 conservation, production, and marketing techniques available
11 to the agriculture industry.

12 5. Encourage conservation, wastewater recycling, and
13 other appropriate measures to assure adequate water resources
14 to meet agricultural and other beneficial needs.

15 6. Promote entrepreneurship in the agricultural sector
16 by providing technical and informational services.

17 7. Stimulate continued productivity through investment
18 in education and research.

19 8. Encourage development of biological pest controls
20 to further the reduction in reliance on chemical controls.

21 9. Conserve soil resources to maintain the economic
22 value of land for agricultural pursuits and to prevent
23 sedimentation in state waters.

24 10. Promote the vitality of Florida's agricultural
25 industry through continued funding of basic research,
26 extension, inspection, and analysis services and of programs
27 providing for marketing and technical assistance and the
28 control and eradication of diseases and infestations.

29 11. Continue to promote the use of lands for
30 agricultural purposes by maintaining preferential property tax
31 treatment through the greenbelt law.

1 12. Ensure that coordinated state planning of road,
2 rail, and waterborne transportation systems provides adequate
3 facilities for the economical transport of agricultural
4 products and supplies between producing areas and markets.

5 13. Eliminate the discharge of inadequately treated
6 wastewater and stormwater runoff into waters of the state.

7 (24) TOURISM.--

8 (a) Goal.--Florida will attract at least 55 million
9 tourists annually by 1995 and shall support efforts by all
10 areas of the state wishing to develop or expand
11 tourist-related economies.

12 (b) Policies.--

13 1. Promote statewide tourism and support promotional
14 efforts in those parts of the state that desire to attract
15 visitors.

16 2. Acquire and manage public lands to offer visitors
17 and residents increased outdoor experiences.

18 3. Promote awareness of historic places and cultural
19 and historical activities.

20 4. Develop a nature-based tourism and heritage tourism
21 industry that meets growing public demand, protects the
22 state's natural and cultural resources, and contributes to
23 economic prosperity, especially in the state's rural
24 communities.

25 Section 5. Subsections (13) through (39) of section
26 420.507, Florida Statutes, are renumbered as subsections (14)
27 through (40), respectively, and a new subsection (13) is added
28 to said section, to read:

29 420.507 Powers of the corporation.--The corporation
30 shall have all the powers necessary or convenient to carry out
31 and effectuate the purposes and provisions of this part,

1 including the following powers which are in addition to all
2 other powers granted by other provisions of this part:

3 (13) To explore options to improve the availability of
4 affordable housing in rural areas.

5 Section 6. Paragraphs (a) and (f) of subsection (6) of
6 section 420.5087, Florida Statutes, are amended to read:

7 420.5087 State Apartment Incentive Loan
8 Program.--There is hereby created the State Apartment
9 Incentive Loan Program for the purpose of providing first,
10 second, or other subordinated mortgage loans or loan
11 guarantees to sponsors, including for-profit, nonprofit, and
12 public entities, to provide housing affordable to
13 very-low-income persons.

14 (6) On all state apartment incentive loans, except
15 loans made to housing communities for the elderly to provide
16 for lifesafety, building preservation, health, sanitation, or
17 security-related repairs or improvements, the following
18 provisions shall apply:

19 (a) The corporation shall establish two interest rates
20 in accordance with s. 420.507~~(23)~~~~(22)~~(a)1. and 2.

21 (f) The review committee established by corporation
22 rule pursuant to this subsection shall make recommendations to
23 the board of directors of the corporation regarding program
24 participation under the State Apartment Incentive Loan
25 Program. The corporation board shall make the final ranking
26 and the decisions regarding which applicants shall become
27 program participants based on the scores received in the
28 competitive ranking, further review of applications, and the
29 recommendations of the review committee. The corporation
30 board shall approve or reject applications for loans and shall
31 determine the tentative loan amount available to each

1 applicant selected for participation in the program. The
2 actual loan amount shall be determined pursuant to rule
3 adopted pursuant to s. 420.507(23)(~~22~~)(f).

4 Section 7. Subsections (1), (2), and (4) of section
5 420.5088, Florida Statutes, are amended to read:

6 420.5088 Florida Homeownership Assistance
7 Program.--There is created the Florida Homeownership
8 Assistance Program for the purpose of assisting low-income
9 persons in purchasing a home by reducing the cost of the home
10 with below-market construction financing, by reducing the
11 amount of down payment and closing costs paid by the borrower
12 to a maximum of 5 percent of the purchase price, or by
13 reducing the monthly payment to an affordable amount for the
14 purchaser. Loans shall be made available at an interest rate
15 that does not exceed 3 percent. The balance of any loan is due
16 at closing if the property is sold or transferred.

17 (1) For loans made available pursuant to s.
18 420.507(24)(~~23~~)(a)1. or 2.:

19 (a) The corporation may underwrite and make those
20 mortgage loans through the program to persons or families who
21 have incomes that do not exceed 80 percent of the state or
22 local median income, whichever is greater, adjusted for family
23 size.

24 (b) Loans shall be made available for the term of the
25 first mortgage.

26 (c) Loans are limited to the lesser of 25 percent of
27 the purchase price of the home or the amount necessary to
28 enable the purchaser to meet credit underwriting criteria.

29 (2) For loans made pursuant to s.
30 420.507(24)(~~23~~)(a)3.:

31

1 (a) Availability is limited to nonprofit sponsors or
2 developers who are selected for program participation pursuant
3 to this subsection.

4 (b) Preference must be given to community development
5 corporations as defined in s. 290.033 and to community-based
6 organizations as defined in s. 420.503.

7 (c) Priority must be given to projects that have
8 received state assistance in funding project predevelopment
9 costs.

10 (d) The benefits of making such loans shall be
11 contractually provided to the persons or families purchasing
12 homes financed under this subsection.

13 (e) At least 30 percent of the units in a project
14 financed pursuant to this subsection must be sold to persons
15 or families who have incomes that do not exceed 80 percent of
16 the state or local median income, whichever amount is greater,
17 adjusted for family size; and at least another 30 percent of
18 the units in a project financed pursuant to this subsection
19 must be sold to persons or families who have incomes that do
20 not exceed 50 percent of the state or local median income,
21 whichever amount is greater, adjusted for family size.

22 (f) The maximum loan amount may not exceed 33 percent
23 of the total project cost.

24 (g) A person who purchases a home in a project
25 financed under this subsection is eligible for a loan
26 authorized by s. 420.507(~~24~~)(~~23~~)(a)1. or 2. in an aggregate
27 amount not exceeding the construction loan made pursuant to
28 this subsection. The home purchaser must meet all the
29 requirements for loan recipients established pursuant to the
30 applicable loan program.

31

1 (h) The corporation shall provide, by rule, for the
2 establishment of a review committee composed of corporation
3 staff and shall establish, by rule, a scoring system for
4 evaluating and ranking applications submitted for construction
5 loans under this subsection, including, but not limited to,
6 the following criteria:

7 1. The affordability of the housing proposed to be
8 built.

9 2. The direct benefits of the assistance to the
10 persons who will reside in the proposed housing.

11 3. The demonstrated capacity of the applicant to carry
12 out the proposal, including the experience of the development
13 team.

14 4. The economic feasibility of the proposal.

15 5. The extent to which the applicant demonstrates
16 potential cost savings by combining the benefits of different
17 governmental programs and private initiatives, including the
18 local government contributions and local government
19 comprehensive planning and activities that promote affordable
20 housing.

21 6. The use of the least amount of program loan funds
22 compared to overall project cost.

23 7. The provision of homeownership counseling.

24 8. The applicant's agreement to exceed the
25 requirements of paragraph (e).

26 9. The commitment of first mortgage financing for the
27 balance of the construction loan and for the permanent loans
28 to the purchasers of the housing.

29 10. The applicant's ability to proceed with
30 construction.

31

1 11. The targeting objectives of the corporation which
2 will ensure an equitable distribution of loans between rural
3 and urban areas.

4 12. The extent to which the proposal will further the
5 purposes of this program.

6 (i) The corporation may reject any and all
7 applications.

8 (j) The review committee established by corporation
9 rule pursuant to this subsection shall make recommendations to
10 the corporation board regarding program participation under
11 this subsection. The corporation board shall make the final
12 ranking for participation based on the scores received in the
13 ranking, further review of the applications, and the
14 recommendations of the review committee. The corporation board
15 shall approve or reject applicants for loans and shall
16 determine the tentative loan amount available to each program
17 participant. The final loan amount shall be determined
18 pursuant to rule adopted under s. 420.507(24)+~~(23)~~(h).

19 (4) During the first 9 months of fund availability:

20 (a) Sixty percent of the program funds shall be
21 reserved for use by borrowers pursuant to s.
22 420.507(24)+~~(23)~~(a)1.;

23 (b) Twenty percent of the program funds shall be
24 reserved for use by borrowers pursuant to s.
25 420.507(24)+~~(23)~~(a)2.; and

26 (c) Twenty percent of the program funds shall be
27 reserved for use by borrowers pursuant to s.
28 420.507(24)+~~(23)~~(a)3.

29
30 If the application of these percentages would cause the
31 reservation of program funds under paragraph (a) to be less

1 than \$1 million, the reservation for paragraph (a) shall be
2 increased to \$1 million or all available funds, whichever
3 amount is less, with the increase to be accomplished by
4 reducing the reservation for paragraph (b) and, if necessary,
5 paragraph (c).

6 Section 8. The implementation of subsection (7) of
7 section 1 of this act is subject to specific appropriation or
8 the availability of funds from the Department of Community
9 Affairs.

10 Section 9. This act shall take effect July 1, 2002.
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