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2 An act relating to land development; amending
3 s. 197.502, F.S.; providing for the issuance of
4 an escheatment tax deed that is free and clear
5 of any tax certificates, accrued taxes, and
6 liens of any nature for certain properties;
7 providing immunity for a county from
8 environmental liability for certain properties
9 that escheat to the county; providing for a
10 written agreement between a county and the
11 Department of Environmental Protection which
12 addresses any investigative and remedial acts
13 necessary for certain properties; providing
14 legislative findings with respect to the
15 shortage of affordable rentals in the state;
16 providing a statement of important public
17 purpose; providing definitions; authorizing
18 local governments to permit accessory dwelling
19 units in areas zoned for single-family
20 residential use based upon certain findings;
21 providing for certain accessory dwelling units
22 to apply towards satisfying the affordable
23 housing component of the housing element in a
24 local government's comprehensive plan;
25 requiring the Department of Community Affairs
26 to report to the Legislature; amending s.
27 163.3167, F.S.; requiring a local government to
28 address certain water supply sources in its
29 comprehensive plan; amending s. 163.3177, F.S.;
30 providing that rural land stewardship area
31 designation should be specifically encouraged

1 as an overlay on the future land use map;
2 extending the deadline for certain information
3 to be included in a comprehensive plan;
4 requiring a work plan to be updated at certain
5 intervals; requiring the Department of
6 Community Affairs, in cooperation with other
7 specified state agencies, to provide assistance
8 to local governments in implementing provisions
9 relating to rural land stewardship areas;
10 providing for multicounty rural land
11 stewardship areas; revising requirements,
12 including the acreage threshold for designating
13 a rural land stewardship area; providing that
14 transferable rural land use credits may be
15 assigned at different ratios according to the
16 natural resource or other beneficial use
17 characteristics of the land; providing
18 legislative findings regarding mixed-use,
19 high-density urban infill and redevelopment
20 projects; requiring the Department of Community
21 Affairs to provide technical assistance to
22 local governments; providing legislative
23 findings regarding a program for the transfer
24 of development rights and urban infill and
25 redevelopment; requiring the Department of
26 Community Affairs to provide technical
27 assistance to local governments; amending s.
28 163.3187, F.S.; providing an exception to the
29 limitation on the frequency of plan amendments;
30 providing an effective date.
31

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

2

3 Section 1. Subsection (8) of section 197.502, Florida
4 Statutes, is amended to read:

5 197.502 Application for obtaining tax deed by holder
6 of tax sale certificate; fees.--

7 (8) Taxes shall not be extended against parcels listed
8 as lands available for taxes, but in each year the taxes that
9 would have been due shall be treated as omitted years and
10 added to the required minimum bid. Three years after ~~from~~ the
11 day the land was offered for public sale, the land shall
12 escheat to the county in which it is located, free and clear.
13 All tax certificates, accrued taxes, and liens of any nature
14 against the property shall be deemed canceled as a matter of
15 law and of no further legal force and effect, and the clerk
16 shall execute an escheatment ~~a~~ tax deed vesting title in the
17 board of county commissioners of the county in which the land
18 ~~it~~ is located.

19 (a) When a property escheats to the county under this
20 subsection, the county is not subject to any liability imposed
21 by chapter 376 or chapter 403 for preexisting soil or
22 groundwater contamination due solely to its ownership.
23 However, this subsection does not affect the rights or
24 liabilities of any past or future owners of the escheated
25 property and does not affect the liability of any governmental
26 entity for the results of its actions that create or
27 exacerbate a pollution source.

28 (b) The county and the Department of Environmental
29 Protection may enter into a written agreement for the
30 performance, funding, and reimbursement of the investigative
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1 and remedial acts necessary for a property that escheats to
2 the county.

3 Section 2. Accessory dwelling units.--

4 (1) The Legislature finds that the median price of
5 homes in this state has increased steadily over the last
6 decade and at a greater rate of increase than the median
7 income in many urban areas. The Legislature finds that the
8 cost of rental housing has also increased steadily and the
9 cost often exceeds an amount that is affordable to
10 very-low-income, low-income, or moderate-income persons and
11 has resulted in a critical shortage of affordable rentals in
12 many urban areas in the state. This shortage of affordable
13 rentals constitutes a threat to the health, safety, and
14 welfare of the residents of the state. Therefore, the
15 Legislature finds that it serves an important public purpose
16 to encourage the permitting of accessory dwelling units in
17 single-family residential areas in order to increase the
18 availability of affordable rentals for very-low-income,
19 low-income, or moderate-income persons.

20 (2) As used in this section, the term:

21 (a) "Accessory dwelling unit" means an ancillary or
22 secondary living unit, that has a separate kitchen, bathroom,
23 and sleeping area, existing either within the same structure,
24 or on the same lot, as the primary dwelling unit.

25 (b) "Affordable rental" means that monthly rent and
26 utilities do not exceed 30 percent of that amount which
27 represents the percentage of the median adjusted gross annual
28 income for very-low-income, low-income, or moderate-income
29 persons.

30 (c) "Local government" means a county or municipality.

31

1 (d) "Low-income persons" has the same meaning as in
2 section 420.0004(9), Florida Statutes.

3 (e) "Moderate-income persons" has the same meaning as
4 in section 420.0004(10), Florida Statutes.

5 (f) "Very-low-income persons" has the same meaning as
6 in section 420.0004(14), Florida Statutes.

7 (3) Upon a finding by a local government that there is
8 a shortage of affordable rentals within its jurisdiction, the
9 local government may adopt an ordinance to allow accessory
10 dwelling units in any area zoned for single-family residential
11 use.

12 (4) If the local government adopts an ordinance under
13 this section, an application for a building permit to
14 construct an accessory dwelling unit must include an affidavit
15 from the applicant which attests that the unit will be rented
16 at an affordable rate to a very-low-income, low-income, or
17 moderate-income person or persons.

18 (5) Each accessory dwelling unit allowed by an
19 ordinance adopted under this section shall apply towards
20 satisfying the affordable housing component of the housing
21 element in the local government's comprehensive plan under
22 section 163.3177(6)(f), Florida Statutes.

23 (6) The Department of Community Affairs shall evaluate
24 the effectiveness of using accessory dwelling units to address
25 a local government's shortage of affordable housing and report
26 to the Legislature by January 1, 2007. The report must specify
27 the number of ordinances adopted by a local government under
28 this section and the number of accessory dwelling units that
29 were created under these ordinances.

30 Section 3. Subsection (13) is added to section
31 163.3167, Florida Statutes, to read:

1 163.3167 Scope of act.--

2 (13) Each local government shall address in its
3 comprehensive plan, as enumerated in this chapter, the water
4 supply sources necessary to meet and achieve the existing and
5 projected water use demand for the established planning
6 period, considering the applicable plan developed pursuant to
7 s. 373.0361.

8 Section 4. Paragraphs (a) and (c) of subsection (6)
9 and subsection (11) of section 163.3177, Florida Statutes, are
10 amended to read:

11 163.3177 Required and optional elements of
12 comprehensive plan; studies and surveys.--

13 (6) In addition to the requirements of subsections
14 (1)-(5), the comprehensive plan shall include the following
15 elements:

16 (a) A future land use plan element designating
17 proposed future general distribution, location, and extent of
18 the uses of land for residential uses, commercial uses,
19 industry, agriculture, recreation, conservation, education,
20 public buildings and grounds, other public facilities, and
21 other categories of the public and private uses of land.
22 Counties are encouraged to designate rural land stewardship
23 areas, pursuant to the provisions of paragraph (11)(d), as
24 overlays on the future land use map. Each future land use
25 category must be defined in terms of uses included, and must
26 include standards to be followed in the control and
27 distribution of population densities and building and
28 structure intensities. The proposed distribution, location,
29 and extent of the various categories of land use shall be
30 shown on a land use map or map series which shall be
31 supplemented by goals, policies, and measurable objectives.

1 The future land use plan shall be based upon surveys, studies,
2 and data regarding the area, including the amount of land
3 required to accommodate anticipated growth; the projected
4 population of the area; the character of undeveloped land; the
5 availability of public services; the need for redevelopment,
6 including the renewal of blighted areas and the elimination of
7 nonconforming uses which are inconsistent with the character
8 of the community; and, in rural communities, the need for job
9 creation, capital investment, and economic development that
10 will strengthen and diversify the community's economy. The
11 future land use plan may designate areas for future planned
12 development use involving combinations of types of uses for
13 which special regulations may be necessary to ensure
14 development in accord with the principles and standards of the
15 comprehensive plan and this act. In addition, for rural
16 communities, the amount of land designated for future planned
17 industrial use shall be based upon surveys and studies that
18 reflect the need for job creation, capital investment, and the
19 necessity to strengthen and diversify the local economies, and
20 shall not be limited solely by the projected population of the
21 rural community. The future land use plan of a county may also
22 designate areas for possible future municipal incorporation.
23 The land use maps or map series shall generally identify and
24 depict historic district boundaries and shall designate
25 historically significant properties meriting protection. The
26 future land use element must clearly identify the land use
27 categories in which public schools are an allowable use. When
28 delineating the land use categories in which public schools
29 are an allowable use, a local government shall include in the
30 categories sufficient land proximate to residential
31 development to meet the projected needs for schools in

1 coordination with public school boards and may establish
2 differing criteria for schools of different type or size.
3 Each local government shall include lands contiguous to
4 existing school sites, to the maximum extent possible, within
5 the land use categories in which public schools are an
6 allowable use. All comprehensive plans must comply with the
7 school siting requirements of this paragraph no later than
8 October 1, 1999. The failure by a local government to comply
9 with these school siting requirements by October 1, 1999, will
10 result in the prohibition of the local government's ability to
11 amend the local comprehensive plan, except for plan amendments
12 described in s. 163.3187(1)(b), until the school siting
13 requirements are met. Amendments proposed by a local
14 government for purposes of identifying the land use categories
15 in which public schools are an allowable use or for adopting
16 or amending the school-siting maps pursuant to s. 163.31776(3)
17 are exempt from the limitation on the frequency of plan
18 amendments contained in s. 163.3187. The future land use
19 element shall include criteria that encourage the location of
20 schools proximate to urban residential areas to the extent
21 possible and shall require that the local government seek to
22 collocate public facilities, such as parks, libraries, and
23 community centers, with schools to the extent possible and to
24 encourage the use of elementary schools as focal points for
25 neighborhoods. For schools serving predominantly rural
26 counties, defined as a county with a population of 100,000 or
27 fewer, an agricultural land use category shall be eligible for
28 the location of public school facilities if the local
29 comprehensive plan contains school siting criteria and the
30 location is consistent with such criteria.
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1 (c) A general sanitary sewer, solid waste, drainage,
2 potable water, and natural groundwater aquifer recharge
3 element correlated to principles and guidelines for future
4 land use, indicating ways to provide for future potable water,
5 drainage, sanitary sewer, solid waste, and aquifer recharge
6 protection requirements for the area. The element may be a
7 detailed engineering plan including a topographic map
8 depicting areas of prime groundwater recharge. The element
9 shall describe the problems and needs and the general
10 facilities that will be required for solution of the problems
11 and needs. The element shall also include a topographic map
12 depicting any areas adopted by a regional water management
13 district as prime groundwater recharge areas for the Floridan
14 or Biscayne aquifers, pursuant to s. 373.0395. These areas
15 shall be given special consideration when the local government
16 is engaged in zoning or considering future land use for said
17 designated areas. For areas served by septic tanks, soil
18 surveys shall be provided which indicate the suitability of
19 soils for septic tanks. By December 1, 2006 ~~January 1, 2005,~~
20 ~~or the Evaluation and Appraisal Report adoption deadline~~
21 ~~established for the local government pursuant to s.~~
22 ~~163.3191(a), whichever date occurs first,~~ the element must
23 consider the appropriate water management district's regional
24 water supply plan approved pursuant to s. 373.0361. The
25 element must include a work plan, covering at least a 10-year
26 planning period, for building water supply facilities that are
27 identified in the element as necessary to serve existing and
28 new development and for which the local government is
29 responsible. The work plan shall be updated, at a minimum,
30 every 5 years within 12 months after the approval of the
31 revised regional water supply plan. Amendments to incorporate

1 the work plan do not count toward the limitation on the
2 frequency of adoption of amendments to a comprehensive plan.

3 (11)(a) The Legislature recognizes the need for
4 innovative planning and development strategies which will
5 address the anticipated demands of continued urbanization of
6 Florida's coastal and other environmentally sensitive areas,
7 and which will accommodate the development of less populated
8 regions of the state which seek economic development and which
9 have suitable land and water resources to accommodate growth
10 in an environmentally acceptable manner. The Legislature
11 further recognizes the substantial advantages of innovative
12 approaches to development which may better serve to protect
13 environmentally sensitive areas, maintain the economic
14 viability of agricultural and other predominantly rural land
15 uses, and provide for the cost-efficient delivery of public
16 facilities and services.

17 (b) It is the intent of the Legislature that the local
18 government comprehensive plans and plan amendments adopted
19 pursuant to the provisions of this part provide for a planning
20 process which allows for land use efficiencies within existing
21 urban areas and which also allows for the conversion of rural
22 lands to other uses, where appropriate and consistent with the
23 other provisions of this part and the affected local
24 comprehensive plans, through the application of innovative and
25 flexible planning and development strategies and creative land
26 use planning techniques, which may include, but not be limited
27 to, urban villages, new towns, satellite communities,
28 area-based allocations, clustering and open space provisions,
29 mixed-use development, and sector planning.

30 (c) It is the further intent of the Legislature that
31 local government comprehensive plans and implementing land

1 development regulations shall provide strategies which
2 maximize the use of existing facilities and services through
3 redevelopment, urban infill development, and other strategies
4 for urban revitalization.

5 (d)1. The department, in cooperation with the
6 Department of Agriculture and Consumer Services, the
7 Department of Environmental Protection, water management
8 districts, and regional planning councils, shall provide
9 assistance to local governments in the implementation of this
10 paragraph and rule 9J-5.006(5)(1), Florida Administrative
11 Code. Implementation of those provisions shall include a
12 process by which the department may authorize ~~up to five~~ local
13 governments to designate all or portions of lands classified
14 in the future land use element as predominantly agricultural,
15 rural, open, open-rural, or a substantively equivalent land
16 use, as a rural land stewardship area within which planning
17 and economic incentives are applied to encourage the
18 implementation of innovative and flexible planning and
19 development strategies and creative land use planning
20 techniques, including those contained herein and in rule
21 9J-5.006(5)(1), Florida Administrative Code. Assistance may
22 include, but is not limited to:

23 a. Assistance from the Department of Environmental
24 Protection and water management districts in creating the
25 geographic information systems land cover database and aerial
26 photogrammetry needed to prepare for a rural land stewardship
27 area;

28 b. Support for local government implementation of
29 rural land stewardship concepts by providing information and
30 assistance to local governments regarding land acquisition
31 programs that may be used by the local government or

1 landowners to leverage the protection of greater acreage and
2 maximize the effectiveness of rural land stewardship areas;
3 and

4 c. Expansion of the role of the Department of
5 Community Affairs as a resource agency to facilitate
6 establishment of rural land stewardship areas in smaller rural
7 counties that do not have the staff or planning budgets to
8 create a rural land stewardship area.

9 2. The department shall encourage participation by
10 local governments of different sizes and rural characteristics
11 in establishing and implementing rural land stewardship areas.

12 It is the intent of the Legislature that rural land
13 stewardship areas be used to further the following broad
14 principles of rural sustainability: restoration and
15 maintenance of the economic value of rural land; control of
16 urban sprawl; identification and protection of ecosystems,
17 habitats, and natural resources; promotion of rural economic
18 activity; maintenance of the viability of Florida's
19 agricultural economy; and protection of the character of rural
20 areas of Florida. Rural land stewardship areas may be
21 multicounty in order to encourage coordinated regional
22 stewardship planning.

23 3. A local government, in conjunction with a regional
24 planning council, a stakeholder organization of private land
25 owners, or another local government, shall notify ~~may apply to~~
26 the department in writing of its intent ~~requesting~~
27 ~~consideration for authorization~~ to designate a rural land
28 ~~stewardship area and shall describe its reasons for applying~~
29 ~~for the authorization with supporting documentation regarding~~
30 ~~its compliance with criteria set forth in this section.~~

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1 ~~4. In selecting a local government, the department~~
2 ~~shall, by written agreement:~~

3 ~~a. Ensure that the local government has expressed its~~
4 ~~intent to designate a rural land stewardship area pursuant to~~
5 ~~the provisions of this subsection and clarify that the rural~~
6 ~~land stewardship area is intended.~~

7 ~~b. Ensure that the local government has the financial~~
8 ~~and administrative capabilities to implement a rural land~~
9 ~~stewardship area.~~

10 ~~5. The written notification agreement shall describe~~
11 ~~include the basis for the designation, authorization and~~
12 ~~provide criteria for evaluating the success of the~~
13 ~~authorization including the extent to which the rural land~~
14 ~~stewardship area enhances rural land values, controls; control~~
15 ~~urban sprawl, + provides necessary open space for agriculture~~
16 ~~and protection of the natural environment, + promotes rural~~
17 ~~economic activity, + and maintains rural character and the~~
18 ~~economic viability of agriculture. ~~The department may~~~~
19 ~~terminate the agreement at any time if it determines that the~~
20 ~~local government is not meeting the terms of the agreement.~~

21 ~~4.6.~~ A rural land stewardship area shall be not less
22 than 10,000 ~~50,000~~ acres and shall ~~not exceed 250,000 acres in~~
23 ~~size, shall~~ be located outside of municipalities and
24 established urban growth boundaries, and shall be designated
25 by plan amendment. The plan amendment designating a rural
26 land stewardship area shall be subject to review by the
27 Department of Community Affairs pursuant to s. 163.3184 and
28 shall provide for the following:

29 a. Criteria for the designation of receiving areas
30 within rural land stewardship areas in which innovative
31 planning and development strategies may be applied. Criteria

1 shall at a minimum provide for the following: adequacy of
2 suitable land to accommodate development so as to avoid
3 conflict with environmentally sensitive areas, resources, and
4 habitats; compatibility between and transition from higher
5 density uses to lower intensity rural uses; the establishment
6 of receiving area service boundaries which provide for a
7 separation between receiving areas and other land uses within
8 the rural land stewardship area through limitations on the
9 extension of services; and connection of receiving areas with
10 the rest of the rural land stewardship area using rural design
11 and rural road corridors.

12 b. Goals, objectives, and policies setting forth the
13 innovative planning and development strategies to be applied
14 within rural land stewardship areas pursuant to the provisions
15 of this section.

16 c. A process for the implementation of innovative
17 planning and development strategies within the rural land
18 stewardship area, including those described in this subsection
19 and rule 9J-5.006(5)(1), Florida Administrative Code, which
20 provide for a functional mix of land uses and which are
21 applied through the adoption by the local government of zoning
22 and land development regulations applicable to the rural land
23 stewardship area.

24 d. A process which encourages visioning pursuant to s.
25 163.3167(11) to ensure that innovative planning and
26 development strategies comply with the provisions of this
27 section.

28 e. The control of sprawl through the use of innovative
29 strategies and creative land use techniques consistent with
30 the provisions of this subsection and rule 9J-5.006(5)(1),
31 Florida Administrative Code.

1 ~~5.7.~~ A receiving area shall be designated by the
2 adoption of a land development regulation. Prior to the
3 designation of a receiving area, the local government shall
4 provide the Department of Community Affairs a period of 30
5 days in which to review a proposed receiving area for
6 consistency with the rural land stewardship area plan
7 amendment and to provide comments to the local government.

8 ~~6.8.~~ Upon the adoption of a plan amendment creating a
9 rural land stewardship area, the local government shall, by
10 ordinance, assign to the area a certain number of credits, to
11 be known as "transferable rural land use credits," which shall
12 not constitute a right to develop land, nor increase density
13 of land, except as provided by this section. The total amount
14 of transferable rural land use credits assigned to the rural
15 land stewardship area must correspond to the 25-year or
16 greater projected population of the rural land stewardship
17 area. Transferable rural land use credits are subject to the
18 following limitations:

19 a. Transferable rural land use credits may only exist
20 within a rural land stewardship area.

21 b. Transferable rural land use credits may only be
22 used on lands designated as receiving areas and then solely
23 for the purpose of implementing innovative planning and
24 development strategies and creative land use planning
25 techniques adopted by the local government pursuant to this
26 section.

27 c. Transferable rural land use credits assigned to a
28 parcel of land within a rural land stewardship area shall
29 cease to exist if the parcel of land is removed from the rural
30 land stewardship area by plan amendment.

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1 d. Neither the creation of the rural land stewardship
2 area by plan amendment nor the assignment of transferable
3 rural land use credits by the local government shall operate
4 to displace the underlying density of land uses assigned to a
5 parcel of land within the rural land stewardship area;
6 however, if transferable rural land use credits are
7 transferred from a parcel for use within a designated
8 receiving area, the underlying density assigned to the parcel
9 of land shall cease to exist.

10 e. The underlying density on each parcel of land
11 located within a rural land stewardship area shall not be
12 increased or decreased by the local government, except as a
13 result of the conveyance or use of transferable rural land use
14 credits, as long as the parcel remains within the rural land
15 stewardship area.

16 f. Transferable rural land use credits shall cease to
17 exist on a parcel of land where the underlying density
18 assigned to the parcel of land is utilized.

19 g. An increase in the density of use on a parcel of
20 land located within a designated receiving area may occur only
21 through the assignment or use of transferable rural land use
22 credits and shall not require a plan amendment.

23 h. A change in the density of land use on parcels
24 located within receiving areas shall be specified in a
25 development order which reflects the total number of
26 transferable rural land use credits assigned to the parcel of
27 land and the infrastructure and support services necessary to
28 provide for a functional mix of land uses corresponding to the
29 plan of development.

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1 i. Land within a rural land stewardship area may be
2 removed from the rural land stewardship area through a plan
3 amendment.

4 j. Transferable rural land use credits may be assigned
5 at different ratios of credits per acre according to the
6 natural resource or other beneficial use characteristics of
7 the land and according to the land use remaining following the
8 transfer of credits, with the highest number of credits per
9 acre assigned to the most ~~preserve~~ environmentally valuable
10 land and a lesser number of credits to be assigned to open
11 space and agricultural land.

12 k. The use or conveyance of transferable rural land
13 use credits must be recorded in the public records of the
14 county in which the property is located as a covenant or
15 restrictive easement running with the land in favor of the
16 county and either the Department of Environmental Protection,
17 Department of Agriculture and Consumer Services, a water
18 management district, or a recognized statewide land trust.

19 ~~7.9.~~ Owners of land within rural land stewardship
20 areas should be provided incentives to enter into rural land
21 stewardship agreements, pursuant to existing law and rules
22 adopted thereto, with state agencies, water management
23 districts, and local governments to achieve mutually agreed
24 upon conservation objectives. Such incentives may include,
25 but not be limited to, the following:

26 a. Opportunity to accumulate transferable mitigation
27 credits.

28 b. Extended permit agreements.

29 c. Opportunities for recreational leases and
30 ecotourism.

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1 d. Payment for specified land management services on
2 publicly owned land, or property under covenant or restricted
3 easement in favor of a public entity.

4 e. Option agreements for sale to public entities or
5 private land conservation entities ~~government~~, in either fee
6 or easement, upon achievement of conservation objectives.

7 ~~8.10.~~ The department shall report to the Legislature
8 on an annual basis on the results of implementation of rural
9 land stewardship areas authorized by the department, including
10 successes and failures in achieving the intent of the
11 Legislature as expressed in this paragraph. ~~It is further the~~
12 ~~intent of the Legislature that the success of authorized rural~~
13 ~~land stewardship areas be substantiated before implementation~~
14 ~~occurs on a statewide basis.~~

15 (e) The Legislature finds that mixed-use, high-density
16 development is appropriate for urban infill and redevelopment
17 areas. Mixed-use projects accommodate a variety of uses,
18 including residential and commercial, and usually at higher
19 densities that promote pedestrian-friendly, sustainable
20 communities. The Legislature recognizes that mixed-use,
21 high-density development improves the quality of life for
22 residents and businesses in urban areas. The Legislature finds
23 that mixed-use, high-density redevelopment and infill benefits
24 residents by creating a livable community with alternative
25 modes of transportation. Furthermore, the Legislature finds
26 that local zoning ordinances often discourage mixed-use,
27 high-density development in areas that are appropriate for
28 urban infill and redevelopment. The Legislature intends to
29 discourage single-use zoning in urban areas which often leads
30 to lower-density, land-intensive development outside an urban
31 service area. Therefore, the Department of Community Affairs

1 shall provide technical assistance to local governments in
2 order to encourage mixed-use, high-density urban infill and
3 redevelopment projects.

4 (f) The Legislature finds that a program for the
5 transfer of development rights is a useful tool to preserve
6 historic buildings and create public open spaces in urban
7 areas. A program for the transfer of development rights allows
8 the transfer of density credits from historic properties and
9 public open spaces to areas designated for high-density
10 development. The Legislature recognizes that high-density
11 development is integral to the success of many urban infill
12 and redevelopment projects. The Legislature intends to
13 encourage high-density urban infill and redevelopment while
14 preserving historic structures and open spaces. Therefore, the
15 Department of Community Affairs shall provide technical
16 assistance to local governments in order to promote the
17 transfer of development rights within urban areas for
18 high-density infill and redevelopment projects.

19 (g)(e) The implementation of this subsection shall be
20 subject to the provisions of this chapter, chapters 186 and
21 187, and applicable agency rules.

22 (h)(f) The department may adopt rules necessary to
23 implement the provisions of this subsection.

24 Section 5. Paragraph (m) is added to subsection (1) of
25 section 163.3187, Florida Statutes, to read:

26 163.3187 Amendment of adopted comprehensive plan.--

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

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1 (m) Any local government comprehensive plan amendment
2 establishing or implementing a rural land stewardship area
3 pursuant to the provisions of s. 163.3177(11)(d).

4 Section 6. This act shall take effect July 1, 2004.
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