

Bill No. CS for SB 2548, 1st Eng.

Amendment No. \_\_\_\_ Barcode 343142

CHAMBER ACTION

Senate

House

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Senator Geller moved the following amendment:

**Senate Amendment (with title amendment)**

On page 26, between lines 25 and 26,

and insert:

Section 17. Subsection (8) of section 197.502, Florida Statutes, is amended to read:

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

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

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1 it is located.

2 (a) When a property escheats to the county under this  
3 subsection, the county is not subject to any liability imposed  
4 by chapter 376 or chapter 403 for preexisting soil or  
5 groundwater contamination due solely to its ownership.  
6 However, this subsection does not affect the rights or  
7 liabilities of any past or future owners of the escheated  
8 property and does not affect the liability of any governmental  
9 entity for the results of its actions that create or  
10 exacerbate a pollution source.

11 (b) The county and the Department of Environmental  
12 Protection may enter into a written agreement for the  
13 performance, funding, and reimbursement of the investigative  
14 and remedial acts necessary for a property that escheats to  
15 the county.

16 Section 18. Accessory dwelling units.--

17 (1) The Legislature finds that the median price of  
18 homes in this state has increased steadily over the last  
19 decade and at a greater rate of increase than the median  
20 income in many urban areas. The Legislature finds that the  
21 cost of rental housing has also increased steadily and the  
22 cost often exceeds an amount that is affordable to  
23 very-low-income, low-income, or moderate-income persons and  
24 has resulted in a critical shortage of affordable rentals in  
25 many urban areas in the state. This shortage of affordable  
26 rentals constitutes a threat to the health, safety, and  
27 welfare of the residents of the state. Therefore, the  
28 Legislature finds that it serves an important public purpose  
29 to encourage the permitting of accessory dwelling units in  
30 single-family residential areas in order to increase the  
31 availability of affordable rentals for very-low-income,

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1 low-income, or moderate-income persons.

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

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

7 (b) "Affordable rental" means that monthly rent and  
8 utilities do not exceed 30 percent of that amount which  
9 represents the percentage of the median adjusted gross annual  
10 income for very-low-income, low-income, or moderate-income  
11 persons.

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

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

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

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

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

24 (4) If the local government adopts an ordinance under  
25 this section, an application for a building permit to  
26 construct an accessory dwelling unit must include an affidavit  
27 from the applicant which attests that the unit will be rented  
28 at an affordable rate to a very-low-income, low-income, or  
29 moderate-income person or persons.

30 (5) Each accessory dwelling unit allowed by an  
31 ordinance adopted under this section shall apply towards

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1 satisfying the affordable housing component of the housing  
2 element in the local government's comprehensive plan under  
3 section 163.3177(6)(f), Florida Statutes.

4 (6) The Department of Community Affairs shall evaluate  
5 the effectiveness of using accessory dwelling units to address  
6 a local government's shortage of affordable housing and report  
7 to the Legislature by January 1, 2007. The report must specify  
8 the number of ordinances adopted by a local government under  
9 this section and the number of accessory dwelling units that  
10 were created under these ordinances.

11 Section 19. Subsection (13) is added to section  
12 163.3167, Florida Statutes, to read:

13 163.3167 Scope of act.--

14 (13) Each local government shall address in its  
15 comprehensive plan, as enumerated in this chapter, the water  
16 supply sources necessary to meet and achieve the existing and  
17 projected water use demand for the established planning  
18 period, considering the applicable plan developed pursuant to  
19 s. 373.0361.

20 Section 20. Paragraphs (a) and (c) of subsection (6)  
21 and subsection (11) of section 163.3177, Florida Statutes, are  
22 amended to read:

23 163.3177 Required and optional elements of  
24 comprehensive plan; studies and surveys.--

25 (6) In addition to the requirements of subsections  
26 (1)-(5), the comprehensive plan shall include the following  
27 elements:

28 (a) A future land use plan element designating  
29 proposed future general distribution, location, and extent of  
30 the uses of land for residential uses, commercial uses,  
31 industry, agriculture, recreation, conservation, education,

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1 public buildings and grounds, other public facilities, and  
2 other categories of the public and private uses of land.  
3 Counties are encouraged to designate rural land stewardship  
4 areas, pursuant to the provisions of paragraph (11)(d), as  
5 overlays on the future land use map. Each future land use  
6 category must be defined in terms of uses included, and must  
7 include standards to be followed in the control and  
8 distribution of population densities and building and  
9 structure intensities. The proposed distribution, location,  
10 and extent of the various categories of land use shall be  
11 shown on a land use map or map series which shall be  
12 supplemented by goals, policies, and measurable objectives.  
13 The future land use plan shall be based upon surveys, studies,  
14 and data regarding the area, including the amount of land  
15 required to accommodate anticipated growth; the projected  
16 population of the area; the character of undeveloped land; the  
17 availability of public services; the need for redevelopment,  
18 including the renewal of blighted areas and the elimination of  
19 nonconforming uses which are inconsistent with the character  
20 of the community; and, in rural communities, the need for job  
21 creation, capital investment, and economic development that  
22 will strengthen and diversify the community's economy. The  
23 future land use plan may designate areas for future planned  
24 development use involving combinations of types of uses for  
25 which special regulations may be necessary to ensure  
26 development in accord with the principles and standards of the  
27 comprehensive plan and this act. In addition, for rural  
28 communities, the amount of land designated for future planned  
29 industrial use shall be based upon surveys and studies that  
30 reflect the need for job creation, capital investment, and the  
31 necessity to strengthen and diversify the local economies, and

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1 shall not be limited solely by the projected population of the  
2 rural community. The future land use plan of a county may also  
3 designate areas for possible future municipal incorporation.  
4 The land use maps or map series shall generally identify and  
5 depict historic district boundaries and shall designate  
6 historically significant properties meriting protection. The  
7 future land use element must clearly identify the land use  
8 categories in which public schools are an allowable use. When  
9 delineating the land use categories in which public schools  
10 are an allowable use, a local government shall include in the  
11 categories sufficient land proximate to residential  
12 development to meet the projected needs for schools in  
13 coordination with public school boards and may establish  
14 differing criteria for schools of different type or size.  
15 Each local government shall include lands contiguous to  
16 existing school sites, to the maximum extent possible, within  
17 the land use categories in which public schools are an  
18 allowable use. All comprehensive plans must comply with the  
19 school siting requirements of this paragraph no later than  
20 October 1, 1999. The failure by a local government to comply  
21 with these school siting requirements by October 1, 1999, will  
22 result in the prohibition of the local government's ability to  
23 amend the local comprehensive plan, except for plan amendments  
24 described in s. 163.3187(1)(b), until the school siting  
25 requirements are met. Amendments proposed by a local  
26 government for purposes of identifying the land use categories  
27 in which public schools are an allowable use or for adopting  
28 or amending the school-siting maps pursuant to s. 163.31776(3)  
29 are exempt from the limitation on the frequency of plan  
30 amendments contained in s. 163.3187. The future land use  
31 element shall include criteria that encourage the location of

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1 schools proximate to urban residential areas to the extent  
2 possible and shall require that the local government seek to  
3 collocate public facilities, such as parks, libraries, and  
4 community centers, with schools to the extent possible and to  
5 encourage the use of elementary schools as focal points for  
6 neighborhoods. For schools serving predominantly rural  
7 counties, defined as a county with a population of 100,000 or  
8 fewer, an agricultural land use category shall be eligible for  
9 the location of public school facilities if the local  
10 comprehensive plan contains school siting criteria and the  
11 location is consistent with such criteria.

12 (c) A general sanitary sewer, solid waste, drainage,  
13 potable water, and natural groundwater aquifer recharge  
14 element correlated to principles and guidelines for future  
15 land use, indicating ways to provide for future potable water,  
16 drainage, sanitary sewer, solid waste, and aquifer recharge  
17 protection requirements for the area. The element may be a  
18 detailed engineering plan including a topographic map  
19 depicting areas of prime groundwater recharge. The element  
20 shall describe the problems and needs and the general  
21 facilities that will be required for solution of the problems  
22 and needs. The element shall also include a topographic map  
23 depicting any areas adopted by a regional water management  
24 district as prime groundwater recharge areas for the Floridan  
25 or Biscayne aquifers, pursuant to s. 373.0395. These areas  
26 shall be given special consideration when the local government  
27 is engaged in zoning or considering future land use for said  
28 designated areas. For areas served by septic tanks, soil  
29 surveys shall be provided which indicate the suitability of  
30 soils for septic tanks. By December 1, 2006 ~~January 1, 2005,~~  
31 ~~or the Evaluation and Appraisal Report adoption deadline~~

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1 ~~established for the local government pursuant to s.~~  
2 ~~163.3191(a), whichever date occurs first,~~ the element must  
3 consider the appropriate water management district's regional  
4 water supply plan approved pursuant to s. 373.0361. The  
5 element must include a work plan, covering at least a 10-year  
6 planning period, for building water supply facilities that are  
7 identified in the element as necessary to serve existing and  
8 new development and for which the local government is  
9 responsible. The work plan shall be updated, at a minimum,  
10 every 5 years within 12 months after the governing board of  
11 the water management district approves an updated regional  
12 water supply plan. Amendments to incorporate the work plan do  
13 not count toward the limitation on the frequency of adoption  
14 of amendments to a comprehensive plan.

15           (11)(a) The Legislature recognizes the need for  
16 innovative planning and development strategies which will  
17 address the anticipated demands of continued urbanization of  
18 Florida's coastal and other environmentally sensitive areas,  
19 and which will accommodate the development of less populated  
20 regions of the state which seek economic development and which  
21 have suitable land and water resources to accommodate growth  
22 in an environmentally acceptable manner. The Legislature  
23 further recognizes the substantial advantages of innovative  
24 approaches to development which may better serve to protect  
25 environmentally sensitive areas, maintain the economic  
26 viability of agricultural and other predominantly rural land  
27 uses, and provide for the cost-efficient delivery of public  
28 facilities and services.

29           (b) It is the intent of the Legislature that the local  
30 government comprehensive plans and plan amendments adopted  
31 pursuant to the provisions of this part provide for a planning



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1 process which allows for land use efficiencies within existing  
2 urban areas and which also allows for the conversion of rural  
3 lands to other uses, where appropriate and consistent with the  
4 other provisions of this part and the affected local  
5 comprehensive plans, through the application of innovative and  
6 flexible planning and development strategies and creative land  
7 use planning techniques, which may include, but not be limited  
8 to, urban villages, new towns, satellite communities,  
9 area-based allocations, clustering and open space provisions,  
10 mixed-use development, and sector planning.

11 (c) It is the further intent of the Legislature that  
12 local government comprehensive plans and implementing land  
13 development regulations shall provide strategies which  
14 maximize the use of existing facilities and services through  
15 redevelopment, urban infill development, and other strategies  
16 for urban revitalization.

17 (d)1. The department, in cooperation with the  
18 Department of Agriculture and Consumer Services, the  
19 Department of Environmental Protection, water management  
20 districts, and regional planning councils, shall provide  
21 assistance to local governments in the implementation of this  
22 paragraph and rule 9J-5.006(5)(1), Florida Administrative  
23 Code. Implementation of those provisions shall include a  
24 process by which the department may authorize ~~up to five~~ local  
25 governments to designate all or portions of lands classified  
26 in the future land use element as predominantly agricultural,  
27 rural, open, open-rural, or a substantively equivalent land  
28 use, as a rural land stewardship area within which planning  
29 and economic incentives are applied to encourage the  
30 implementation of innovative and flexible planning and  
31 development strategies and creative land use planning

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1 techniques, including those contained herein and in rule  
2 9J-5.006(5)(1), Florida Administrative Code. Assistance may  
3 include, but is not limited to:

4 a. Assistance from the Department of Environmental  
5 Protection and water management districts in creating the  
6 geographic information systems land cover database and aerial  
7 photogrammetry needed to prepare for a rural land stewardship  
8 area;

9 b. Support for local government implementation of  
10 rural land stewardship concepts by providing information and  
11 assistance to local governments regarding land acquisition  
12 programs that may be used by the local government or  
13 landowners to leverage the protection of greater acreage and  
14 maximize the effectiveness of rural land stewardship areas;  
15 and

16 c. Expansion of the role of the Department of  
17 Community Affairs as a resource agency to facilitate  
18 establishment of rural land stewardship areas in smaller rural  
19 counties that do not have the staff or planning budgets to  
20 create a rural land stewardship area.

21 2. The department shall encourage participation by  
22 local governments of different sizes and rural characteristics  
23 in establishing and implementing rural land stewardship areas.

24 It is the intent of the Legislature that rural land  
25 stewardship areas be used to further the following broad  
26 principles of rural sustainability: restoration and  
27 maintenance of the economic value of rural land; control of  
28 urban sprawl; identification and protection of ecosystems,  
29 habitats, and natural resources; promotion of rural economic  
30 activity; maintenance of the viability of Florida's  
31 agricultural economy; and protection of the character of rural

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1 areas of Florida. Rural land stewardship areas may be  
2 multicounty in order to encourage coordinated regional  
3 stewardship planning.

4 3. A local government, in conjunction with a regional  
5 planning council, a stakeholder organization of private land  
6 owners, or another local government, shall notify ~~may apply to~~  
7 the department in writing of its intent ~~requesting~~  
8 consideration for authorization to designate a rural land  
9 stewardship area and shall describe its reasons for applying  
10 for the authorization with supporting documentation regarding  
11 its compliance with criteria set forth in this section.

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

14 a. ~~Ensure that the local government has expressed its~~  
15 ~~intent to designate a rural land stewardship area pursuant to~~  
16 ~~the provisions of this subsection and clarify that the rural~~  
17 ~~land stewardship area is intended.~~

18 b. ~~Ensure that the local government has the financial~~  
19 ~~and administrative capabilities to implement a rural land~~  
20 ~~stewardship area.~~

21 5. The written notification agreement shall describe  
22 include the basis for the designation, authorization and  
23 provide criteria for evaluating the success of the  
24 authorization including the extent to which the rural land  
25 stewardship area enhances rural land values, ~~controls; control~~  
26 urban sprawl, ~~+~~ provides necessary open space for agriculture  
27 and protection of the natural environment, ~~+~~ promotes rural  
28 economic activity, ~~+~~ and maintains rural character and the  
29 economic viability of agriculture. ~~The department may~~  
30 terminate the agreement at any time if it determines that the  
31 local government is not meeting the terms of the agreement.

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1           ~~4.6.~~ A rural land stewardship area shall be not less  
 2 than 10,000 ~~50,000~~ acres and shall ~~not exceed 250,000 acres in~~  
 3 ~~size, shall~~ be located outside of municipalities and  
 4 established urban growth boundaries, and shall be designated  
 5 by plan amendment. The plan amendment designating a rural  
 6 land stewardship area shall be subject to review by the  
 7 Department of Community Affairs pursuant to s. 163.3184 and  
 8 shall provide for the following:

9           a. Criteria for the designation of receiving areas  
 10 within rural land stewardship areas in which innovative  
 11 planning and development strategies may be applied. Criteria  
 12 shall at a minimum provide for the following: adequacy of  
 13 suitable land to accommodate development so as to avoid  
 14 conflict with environmentally sensitive areas, resources, and  
 15 habitats; compatibility between and transition from higher  
 16 density uses to lower intensity rural uses; the establishment  
 17 of receiving area service boundaries which provide for a  
 18 separation between receiving areas and other land uses within  
 19 the rural land stewardship area through limitations on the  
 20 extension of services; and connection of receiving areas with  
 21 the rest of the rural land stewardship area using rural design  
 22 and rural road corridors.

23           b. Goals, objectives, and policies setting forth the  
 24 innovative planning and development strategies to be applied  
 25 within rural land stewardship areas pursuant to the provisions  
 26 of this section.

27           c. A process for the implementation of innovative  
 28 planning and development strategies within the rural land  
 29 stewardship area, including those described in this subsection  
 30 and rule 9J-5.006(5)(1), Florida Administrative Code, which  
 31 provide for a functional mix of land uses and which are

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1 applied through the adoption by the local government of zoning  
2 and land development regulations applicable to the rural land  
3 stewardship area.

4 d. A process which encourages visioning pursuant to s.  
5 163.3167(11) to ensure that innovative planning and  
6 development strategies comply with the provisions of this  
7 section.

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

12 ~~5.7.~~ A receiving area shall be designated by the  
13 adoption of a land development regulation. Prior to the  
14 designation of a receiving area, the local government shall  
15 provide the Department of Community Affairs a period of 30  
16 days in which to review a proposed receiving area for  
17 consistency with the rural land stewardship area plan  
18 amendment and to provide comments to the local government.

19 ~~6.8.~~ Upon the adoption of a plan amendment creating a  
20 rural land stewardship area, the local government shall, by  
21 ordinance, assign to the area a certain number of credits, to  
22 be known as "transferable rural land use credits," which shall  
23 not constitute a right to develop land, nor increase density  
24 of land, except as provided by this section. The total amount  
25 of transferable rural land use credits assigned to the rural  
26 land stewardship area must correspond to the 25-year or  
27 greater projected population of the rural land stewardship  
28 area. Transferable rural land use credits are subject to the  
29 following limitations:

30 a. Transferable rural land use credits may only exist  
31 within a rural land stewardship area.

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1           b. Transferable rural land use credits may only be  
2 used on lands designated as receiving areas and then solely  
3 for the purpose of implementing innovative planning and  
4 development strategies and creative land use planning  
5 techniques adopted by the local government pursuant to this  
6 section.

7           c. Transferable rural land use credits assigned to a  
8 parcel of land within a rural land stewardship area shall  
9 cease to exist if the parcel of land is removed from the rural  
10 land stewardship area by plan amendment.

11           d. Neither the creation of the rural land stewardship  
12 area by plan amendment nor the assignment of transferable  
13 rural land use credits by the local government shall operate  
14 to displace the underlying density of land uses assigned to a  
15 parcel of land within the rural land stewardship area;  
16 however, if transferable rural land use credits are  
17 transferred from a parcel for use within a designated  
18 receiving area, the underlying density assigned to the parcel  
19 of land shall cease to exist.

20           e. The underlying density on each parcel of land  
21 located within a rural land stewardship area shall not be  
22 increased or decreased by the local government, except as a  
23 result of the conveyance or use of transferable rural land use  
24 credits, as long as the parcel remains within the rural land  
25 stewardship area.

26           f. Transferable rural land use credits shall cease to  
27 exist on a parcel of land where the underlying density  
28 assigned to the parcel of land is utilized.

29           g. An increase in the density of use on a parcel of  
30 land located within a designated receiving area may occur only  
31 through the assignment or use of transferable rural land use

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1 credits and shall not require a plan amendment.

2           h. A change in the density of land use on parcels  
3 located within receiving areas shall be specified in a  
4 development order which reflects the total number of  
5 transferable rural land use credits assigned to the parcel of  
6 land and the infrastructure and support services necessary to  
7 provide for a functional mix of land uses corresponding to the  
8 plan of development.

9           i. Land within a rural land stewardship area may be  
10 removed from the rural land stewardship area through a plan  
11 amendment.

12           j. Transferable rural land use credits may be assigned  
13 at different ratios of credits per acre according to the  
14 natural resource or other beneficial use characteristics of  
15 the land and according to the land use remaining following the  
16 transfer of credits, with the highest number of credits per  
17 acre assigned to the most ~~preserve~~ environmentally valuable  
18 land and a lesser number of credits to be assigned to open  
19 space and agricultural land.

20           k. The use or conveyance of transferable rural land  
21 use credits must be recorded in the public records of the  
22 county in which the property is located as a covenant or  
23 restrictive easement running with the land in favor of the  
24 county and either the Department of Environmental Protection,  
25 Department of Agriculture and Consumer Services, a water  
26 management district, or a recognized statewide land trust.

27           ~~7.9.~~ Owners of land within rural land stewardship  
28 areas should be provided incentives to enter into rural land  
29 stewardship agreements, pursuant to existing law and rules  
30 adopted thereto, with state agencies, water management  
31 districts, and local governments to achieve mutually agreed

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1 upon conservation objectives. Such incentives may include,  
2 but not be limited to, the following:

3 a. Opportunity to accumulate transferable mitigation  
4 credits.

5 b. Extended permit agreements.

6 c. Opportunities for recreational leases and  
7 ecotourism.

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

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

14 ~~8.10.~~ The department shall report to the Legislature  
15 on an annual basis on the results of implementation of rural  
16 land stewardship areas authorized by the department, including  
17 successes and failures in achieving the intent of the  
18 Legislature as expressed in this paragraph. ~~It is further the~~  
19 ~~intent of the Legislature that the success of authorized rural~~  
20 ~~land stewardship areas be substantiated before implementation~~  
21 ~~occurs on a statewide basis.~~

22 (e) The Legislature finds that mixed-use, high-density  
23 development is appropriate for urban infill and redevelopment  
24 areas. Mixed-use projects accommodate a variety of uses,  
25 including residential and commercial, and usually at higher  
26 densities that promote pedestrian-friendly, sustainable  
27 communities. The Legislature recognizes that mixed-use,  
28 high-density development improves the quality of life for  
29 residents and businesses in urban areas. The Legislature finds  
30 that mixed-use, high-density redevelopment and infill benefits  
31 residents by creating a livable community with alternative



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1 modes of transportation. Furthermore, the Legislature finds  
2 that local zoning ordinances often discourage mixed-use,  
3 high-density development in areas that are appropriate for  
4 urban infill and redevelopment. The Legislature intends to  
5 discourage single-use zoning in urban areas which often leads  
6 to lower-density, land-intensive development outside an urban  
7 service area. Therefore, the Department of Community Affairs  
8 shall provide technical assistance to local governments in  
9 order to encourage mixed-use, high-density urban infill and  
10 redevelopment projects.

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

26 (g)(e) The implementation of this subsection shall be  
27 subject to the provisions of this chapter, chapters 186 and  
28 187, and applicable agency rules.

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

31 Section 21. Paragraph (m) is added to subsection (1)

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1 of section 163.3187, Florida Statutes, to read:

2 163.3187 Amendment of adopted comprehensive plan.--

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

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

9 Section 22. Subsection (3) of section 288.107, Florida  
10 Statutes, is amended to read:

11 288.107 Brownfield redevelopment bonus refunds.--

12 (3) CRITERIA.--The minimum criteria for participation  
13 in the brownfield redevelopment bonus refund are:

14 (a) The creation of at least 5 ~~10~~ new full-time  
15 permanent jobs. Such jobs shall not include construction or  
16 site rehabilitation jobs associated with the implementation of  
17 a brownfield site agreement as described in s. 376.80(5).

18 (b) The completion of a fixed capital investment of at  
19 least \$2 million in mixed-use business activities, including  
20 multiunit housing, commercial, retail, and industrial in  
21 brownfield areas, by an eligible business applying for a  
22 refund under paragraph (2)(b) which provides benefits to its  
23 employees.

24 (c) That the designation as a brownfield will  
25 diversify and strengthen the economy of the area surrounding  
26 the site.

27 (d) That the designation as a brownfield will promote  
28 capital investment in the area beyond that contemplated for  
29 the rehabilitation of the site.

30 Section 23. Subsection (1) of section 376.86, Florida  
31 Statutes, is amended to read:

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1           376.86 Brownfield Areas Loan Guarantee Program.--  
2           (1) The Brownfield Areas Loan Guarantee Council is  
3 created to review and approve or deny by a majority vote of  
4 its membership, the situations and circumstances for  
5 participation in partnerships by agreements with local  
6 governments, financial institutions, and others associated  
7 with the redevelopment of brownfield areas pursuant to the  
8 Brownfields Redevelopment Act for a limited state guaranty of  
9 up to 5 years of loan guarantees or loan loss reserves issued  
10 pursuant to law. The limited state loan guaranty applies only  
11 to 50 ~~10~~ percent of the primary lenders loans for  
12 redevelopment projects in brownfield areas. A limited state  
13 guaranty of private loans or a loan loss reserve is authorized  
14 for lenders licensed to operate in the state upon a  
15 determination by the council that such an arrangement would be  
16 in the public interest and the likelihood of the success of  
17 the loan is great.

18           Section 24. Subsection (16) of section 718.103,  
19 Florida Statutes, is amended to read:

20           718.103 Definitions.--As used in this chapter, the  
21 term:

22           (16) "Developer" means a person who creates a  
23 condominium or offers condominium parcels for sale or lease in  
24 the ordinary course of business, but does not include an owner  
25 or lessee of a condominium or cooperative unit who has  
26 acquired the unit for his or her own occupancy, nor does it  
27 include a cooperative association which creates a condominium  
28 by conversion of an existing residential cooperative after  
29 control of the association has been transferred to the unit  
30 owners if, following the conversion, the unit owners will be  
31 the same persons who were unit owners of the cooperative and

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1 no units are offered for sale or lease to the public as part  
2 of the plan of conversion. No state, county, or municipality  
3 entity shall be deemed a developer for any purposes under this  
4 chapter.

5 Section 25. Subsection (4) is added to section  
6 718.401, Florida Statutes, to read:

7 718.401 Leaseholds.--

8 (4) Notwithstanding any provision to the contrary in  
9 this section, an association, individual unit owner, or third  
10 party may not purchase the fee interest of any real property  
11 owned by a county or municipal entity, unless agreed to by the  
12 governmental entity.

13  
14

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

16 And the title is amended as follows:

17 On page 2, line 27, after the semicolon

18

19 insert:

20 amending s. 197.502, F.S.; providing for the  
21 issuance of an escheatment tax deed that is  
22 free and clear of any tax certificates, accrued  
23 taxes, and liens of any nature for certain  
24 properties; providing immunity for a county  
25 from environmental liability for certain  
26 properties that escheat to the county;  
27 providing for a written agreement between a  
28 county and the Department of Environmental  
29 Protection which addresses any investigative  
30 and remedial acts necessary for certain  
31 properties; providing legislative findings with

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1           respect to the shortage of affordable rentals  
2           in the state; providing a statement of  
3           important public purpose; providing  
4           definitions; authorizing local governments to  
5           permit accessory dwelling units in areas zoned  
6           for single-family residential use based upon  
7           certain findings; providing for certain  
8           accessory dwelling units to apply towards  
9           satisfying the affordable housing component of  
10          the housing element in a local government's  
11          comprehensive plan; requiring the Department of  
12          Community Affairs to report to the Legislature;  
13          amending s. 163.3167, F.S.; requiring a local  
14          government to address certain water supply  
15          sources in its comprehensive plan; amending s.  
16          163.3177, F.S.; providing that rural land  
17          stewardship area designation should be  
18          specifically encouraged as an overlay on the  
19          future land use map; extending the deadline for  
20          certain information to be included in a  
21          comprehensive plan; requiring a work plan to be  
22          updated at certain intervals; requiring the  
23          Department of Community Affairs, in cooperation  
24          with other specified state agencies, to provide  
25          assistance to local governments in implementing  
26          provisions relating to rural land stewardship  
27          areas; providing for multicounty rural land  
28          stewardship areas; revising requirements,  
29          including the acreage threshold for designating  
30          a rural land stewardship area; providing that  
31          transferable rural land use credits may be

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1 assigned at different ratios according to the  
2 natural resource or other beneficial use  
3 characteristics of the land; providing  
4 legislative findings regarding mixed-use,  
5 high-density urban infill and redevelopment  
6 projects; requiring the Department of Community  
7 Affairs to provide technical assistance to  
8 local governments; providing legislative  
9 findings regarding a program for the transfer  
10 of development rights and urban infill and  
11 redevelopment; requiring the Department of  
12 Community Affairs to provide technical  
13 assistance to local governments; amending s.  
14 163.3187, F.S.; providing an exception to the  
15 limitation on the frequency of plan amendments;  
16 amending s. 288.107, F.S.; reducing the number  
17 of jobs that must be created for participation  
18 in the brownfield redevelopment bonus refund;  
19 amending s. 376.86, F.S.; increasing the  
20 percentage of a primary lender loan to which  
21 the limited state loan guaranty applies for  
22 redevelopment projects in brownfield areas;  
23 amending s. 718.103, F.S.; prohibiting any  
24 state, county, or municipal entity from being  
25 deemed a developer for purposes of s. 718.103,  
26 F.S.; amending s. 718.401, F.S.; prohibiting  
27 any association, owner, or third party from  
28 purchasing the fee interest of any real  
29 property owned by a county or municipal entity,  
30 unless agreed to by the governmental entity;  
31