

CHAMBER ACTION

1 The State Infrastructure Council recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to the Wekiva Parkway and Protection Act;
7 amending ss. 369.319 and 369.320, F.S.; clarifying that
8 requirements for a local government to develop a master
9 stormwater management plan and a wastewater facility plan
10 apply only to that portion of the local government located
11 within the Wekiva Study Area; amending s. 369.321, F.S.;
12 requiring local governments hosting an interchange on the
13 Wekiva Parkway to adopt an interchange land use plan
14 within 1 year after the interchange location is
15 established; revising the date local governments are
16 required to adopt a 10-year water supply facility work
17 plan; clarifying that the Department of Community Affairs
18 reviews comprehensive plan amendments for the Wekiva Study
19 Area under ch. 163, F.S.; amending s. 369.324, F.S.;
20 correcting a reference to the East Central Florida
21 Regional Planning Council; providing an effective date.

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

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Section 1. Section 369.319, Florida Statutes, is amended to read:

369.319 Master stormwater management plan.--Each local government within the Wekiva Study Area shall develop a master stormwater management plan that: assesses existing problems and deficiencies in the community; identifies projects to meet long-range needs; establishes priorities to address existing deficiencies; establishes measures to address redevelopment; establishes a schedule to complete needed improvements; evaluates the feasibility of stormwater reuse; and includes requirements for inspection and maintenance of facilities. The plan shall also identify a funding source, such as a stormwater utility fee, to fund implementation of the plan and maintenance program. In addition, the local government shall establish a water reuse and irrigation program that allows for reuse of stormwater on a site basis for development over a size threshold to be determined by the local government or on a jurisdiction-wide basis to minimize pumpage of groundwater for nonpotable usage. For those local governments located partially within the Wekiva Study Area, this section applies only to that portion located within the Wekiva Study Area.

Section 2. Subsection (3) is added to section 369.320, Florida Statutes, to read:

369.320 Wastewater facility plan.--
(3) For those local governments located partially within the Wekiva Study Area, this section applies only to that portion located within the Wekiva Study Area.

52 Section 3. Section 369.321, Florida Statutes, is amended
53 to read:

54 369.321 Comprehensive plan amendments.--Except as
55 otherwise expressly provided, by January 1, 2006, each local
56 government within the Wekiva Study Area shall amend its local
57 government comprehensive plan to include the following:

58 (1) Within 1 year after the establishment of the
59 interchange locations, local governments hosting an interchange
60 on the Wekiva Parkway shall adopt an interchange land use plan
61 into their comprehensive plans. Each interchange land use plan
62 shall address: appropriate land uses and compatible development;
63 secondary road access; access management; right-of-way
64 protection; vegetation protection and water conserving
65 landscaping; and the height and appearance of structures and
66 signage. Local governments within which the Wekiva Parkway is
67 planned shall amend their local government comprehensive plan to
68 include the Wekiva Parkway.

69 (2) Local governments shall amend the appropriate elements
70 of the comprehensive plan, including the capital improvements
71 element, to ensure implementation of the master stormwater
72 management plan.

73 (3) Local governments shall amend their comprehensive
74 plans to establish land use strategies that optimize open space
75 and promote a pattern of development on a jurisdiction-wide
76 basis that protects the most effective recharge areas, karst
77 features, and sensitive natural habitats including Longleaf
78 Pine, Sand Hill, Sand Pine, and Xeric Oak Scrub. Such strategies
79 shall recognize property rights and the varying circumstances

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80 | within the Wekiva Study Area, including rural and urban land use
 81 | patterns. Local comprehensive plans shall map, using best
 82 | available data from the St. Johns River Water Management
 83 | District and the Fish and Wildlife Conservation Commission,
 84 | recharge areas and sensitive upland habitats for this purpose.
 85 | Local governments shall have flexibility to achieve this
 86 | objective through comprehensive plan strategies that may
 87 | include, but are not limited to:

- 88 | (a) Coordinated greenway plans;
- 89 | (b) Dedication of conservation easements;
- 90 | (c) Land acquisition;
- 91 | (d) Clustering of development;
- 92 | (e) Density credits and density incentives which result in
 93 | permanent protection of open space; and
- 94 | (f) Low to very low density development.

95 | (4) By December 1, 2006, an up-to-date 10-year water
 96 | supply facility work plan for building potable water facilities
 97 | necessary to serve existing and new development and for which
 98 | the local government is responsible as required by s.
 99 | 163.3177(6)(c).

100 | (5) Comprehensive plans and comprehensive plan amendments
 101 | adopted by the local governments to implement this section shall
 102 | be reviewed by the Department of Community Affairs pursuant to
 103 | s. 163.3184, and shall be exempt from the provisions of s.
 104 | 163.3187(1).

105 | (6) Implementing land development regulations shall be
 106 | adopted no later than January 1, 2007.

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107 (7) During the period prior to the adoption of the
 108 comprehensive plan amendments required by this act, any local
 109 comprehensive plan amendment adopted by a city or county that
 110 applies to land located within the Wekiva Study Area shall
 111 protect surface and groundwater resources and be reviewed by the
 112 Department of Community Affairs, pursuant to chapter 163 and
 113 chapter 9J-5, Florida Administrative Code, using best available
 114 data, including the information presented to the Wekiva River
 115 Basin Coordinating Committee.

116 Section 4. Subsection (4) of section 369.324, Florida
 117 Statutes, is amended to read:

118 369.324 Wekiva River Basin Commission.--

119 (4) To assist the commission in its mission, the East
 120 Central Florida ~~Coast~~ Regional Planning Council, in coordination
 121 with the applicable regional and state agencies, shall serve as
 122 a clearinghouse of baseline or specialized studies through
 123 modeling and simulation, including collecting and disseminating
 124 data on the demographics, economics, and the environment of the
 125 Wekiva Study Area including the changing conditions of the
 126 Wekiva River surface and groundwater basin and associated
 127 influence on the Wekiva River and the Wekiva Springs.

128 Section 5. This act shall take effect upon becoming a law.