

By Senator Constantine

22-855-05

1 A bill to be entitled

2 An act relating to the Wekiva Parkway and

3 Protection Act; amending ss. 369.319 and

4 369.320, F.S.; clarifying that requirements for

5 a local government to develop a master

6 stormwater management plan and a wastewater

7 facility plan apply only to that portion of the

8 local government located within the Wekiva

9 Study Area; amending s. 369.321, F.S.;

10 requiring local governments hosting an

11 interchange on the Wekiva Parkway to adopt an

12 interchange land use plan within 1 year after

13 the interchange location is established;

14 exempting interchanges located on Interstate 4

15 from the requirement for an interchange land

16 use plan; revising the date local governments

17 are required to adopt a 10-year water supply

18 facility work plan; clarifying that the

19 Department of Community Affairs reviews

20 comprehensive plan amendments for the Wekiva

21 Study Area under ch. 163, F.S.; amending s.

22 369.324, F.S.; correcting a reference to the

23 East Central Florida Regional Planning Council;

24 providing an effective date.

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

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28 Section 1. Section 369.319, Florida Statutes, is

29 amended to read:

30 369.319 Master stormwater management plan.--Each local

31 government within the Wekiva Study Area shall develop a master

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

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

20 369.320 Wastewater facility plan.--

21 (3) For those local governments located partially
22 within the Wekiva Study Area, this section applies only to
23 that portion located within the Wekiva Study Area.

24 Section 3. Section 369.321, Florida Statutes, is
25 amended to read:

26 369.321 Comprehensive plan amendments.--~~Except as~~
27 otherwise expressly provided, by January 1, 2006, each local
28 government within the Wekiva Study Area shall amend its local
29 government comprehensive plan to include the following:

30 (1) Within 1 year after the establishment of the
31 interchange locations, local governments hosting an

1 interchange on the Wekiva Parkway shall adopt an interchange
2 land use plan into their comprehensive plans. Each interchange
3 land use plan shall address: appropriate land uses and
4 compatible development; secondary road access; access
5 management; right-of-way protection; vegetation protection and
6 water conserving landscaping; and the height and appearance of
7 structures and signage. Local governments within which the
8 Wekiva Parkway is planned shall amend their local government
9 comprehensive plan to include the Wekiva Parkway. Interchanges
10 located on Interstate 4 are exempt from this subsection.

11 (2) Local governments shall amend the appropriate
12 elements of the comprehensive plan, including the capital
13 improvements element, to ensure implementation of the master
14 stormwater management plan.

15 (3) Local governments shall amend their comprehensive
16 plans to establish land use strategies that optimize open
17 space and promote a pattern of development on a
18 jurisdiction-wide basis that protects the most effective
19 recharge areas, karst features, and sensitive natural habitats
20 including Longleaf Pine, Sand Hill, Sand Pine, and Xeric Oak
21 Scrub. Such strategies shall recognize property rights and the
22 varying circumstances within the Wekiva Study Area, including
23 rural and urban land use patterns. Local comprehensive plans
24 shall map, using best available data from the St. Johns River
25 Water Management District and the Fish and Wildlife
26 Conservation Commission, recharge areas and sensitive upland
27 habitats for this purpose. Local governments shall have
28 flexibility to achieve this objective through comprehensive
29 plan strategies that may include, but are not limited to:

- 30 (a) Coordinated greenway plans;
31 (b) Dedication of conservation easements;

1 (c) Land acquisition;
2 (d) Clustering of development;
3 (e) Density credits and density incentives which
4 result in permanent protection of open space; and
5 (f) Low to very low density development.
6 (4) By December 1, 2006, an up-to-date 10-year water
7 supply facility work plan for building potable water
8 facilities necessary to serve existing and new development and
9 for which the local government is responsible as required by
10 s. 163.3177(6)(c).
11 (5) Comprehensive plans and comprehensive plan
12 amendments adopted by the local governments to implement this
13 section shall be reviewed by the Department of Community
14 Affairs pursuant to s. 163.3184, and shall be exempt from the
15 provisions of s. 163.3187(1).
16 (6) Implementing land development regulations shall be
17 adopted no later than January 1, 2007.
18 (7) During the period prior to the adoption of the
19 comprehensive plan amendments required by this act, any local
20 comprehensive plan amendment adopted by a city or county that
21 applies to land located within the Wekiva Study Area shall
22 protect surface and groundwater resources and be reviewed by
23 the Department of Community Affairs, pursuant to chapter 163
24 and chapter 9J-5, Florida Administrative Code, using best
25 available data, including the information presented to the
26 Wekiva River Basin Coordinating Committee.
27 Section 4. Subsection (4) of section 369.324, Florida
28 Statutes, is amended to read:
29 369.324 Wekiva River Basin Commission.--
30 (4) To assist the commission in its mission, the East
31 Central Florida Coast Regional Planning Council, in

1 coordination with the applicable regional and state agencies,
2 shall serve as a clearinghouse of baseline or specialized
3 studies through modeling and simulation, including collecting
4 and disseminating data on the demographics, economics, and the
5 environment of the Wekiva Study Area including the changing
6 conditions of the Wekiva River surface and groundwater basin
7 and associated influence on the Wekiva River and the Wekiva
8 Springs.

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

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13 SENATE SUMMARY

14 Adds clarification to the Wekiva Parkway and Protection
15 Act. Specifies that provisions requiring a local
16 government to develop a master stormwater management plan
17 and a wastewater facility plan apply only to that portion
18 of the local government located within the Wekiva Study
19 Area. Requires local governments hosting an interchange
20 on the Wekiva Parkway to adopt an interchange land use
21 plan within 1 year after the location for the interchange
22 is established. Exempts interchanges on Interstate 4 from
23 the requirement. Requires local governments to adopt a
24 10-year water supply facility work plan by December 1,
25 2006.
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