

Bill No. PCS for SB 1020 (760316)

Barcode 331644

CHAMBER ACTION

Senate

House

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Comm: RCS
03/08/2006 02:23 PM

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The Committee on Community Affairs (Bennett) recommended the following amendment:

Senate Amendment (with title amendment)

On page 39, between lines 22 and 23,

insert:

Section 8. Section 380.0652, Florida Statutes, is created to read:

380.0652 Comprehensive plan amendments creating new towns in rural counties.--

(1) This section is intended primarily for a development of regional impact which requires an amendment to the comprehensive plan in order to establish a new town in an eligible county; however, this section may also be used by an applicant proposing a development that is exempt from review as a development of regional impact under s. 380.06(24).

(2) A local government may adopt an amendment to its comprehensive plan under this section if the county is designated as a rural area of critical economic concern or has a population of fewer than 500,000 persons and has a rural

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1 future land use map that designates a density of one unit per
 2 5 acres or fewer, which comprises 50 percent or more of all
 3 land area of the jurisdiction, excluding lands designated as
 4 conservation within the jurisdiction. Eligibility shall be
 5 determined as of the date any plan amendment is adopted
 6 pursuant to this section. The applicant for such a plan
 7 amendment may include a landowner or the local government.

8 (3) An amendment to the comprehensive plan may be
 9 adopted if the amendment increases density and the intensity
 10 of land use based on economic need and such plan amendment may
 11 not be limited by population projections. The local government
 12 may consider factors such as job creation, capital investment,
 13 economic diversification, targeted industries, economic
 14 clustering, provision of adequate labor supply, regional
 15 growth demands, spillover effects, and similar considerations
 16 as the primary policy basis for adopting such a plan
 17 amendment, if the amendment complies with the following siting
 18 and design criteria:

19 (a) Includes a minimum of 25,000 acres;

20 (b) Is located within an existing urban service area,
 21 an area served by existing or planned urban infrastructure, or
 22 a self-contained and planned rural town as shown on the future
 23 land use map; and

24 (c) Is consistent with the following requirements,
 25 which must be implemented by supporting policies of the
 26 comprehensive plan:

27 1. Contains an integrated mix of land uses, including
 28 residential, employment, retail, and service uses; contains
 29 community facilities and conservation uses to ensure
 30 self-sufficiency and minimize external impacts; or contains an
 31 integrated mix of uses that are appropriate for any portions

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1 proposed as a self-contained retirement community;

2 2. Establishes minimum gross densities necessary to
3 support the objectives of this section;

4 3. Is designed to promote multimodal alternatives,
5 including walking, bicycling, motorized personal vehicles, and
6 public transit;

7 4. Designates as conservation lands, or otherwise
8 protects, regionally significant wetlands, high-quality
9 habitats as determined based on the Integrated Wildlife
10 Habitat Ranking System, and significant wildlife corridors,
11 and allows opportunities for passive recreational uses;

12 5. Includes buffers to protect adjacent agricultural
13 and natural resources and provides incentive-based policies to
14 promote retention of highly productive agricultural areas on
15 site as a viable component of the economic base and for the
16 enhancement of agriculture and agribusiness as an economic
17 sector within the local government;

18 6. Achieves a positive net fiscal impact on the
19 jurisdiction as determined through the use of a professionally
20 acceptable fiscal-impact model or methodology;

21 7. Is financially feasible and supported by policies
22 ensuring that infrastructure is provided on a phased-in basis
23 to address identified needs through the long-range planning
24 period of the adopted comprehensive plan. A development
25 agreement or development-of-regional-impact development order
26 shall be referenced in the capital improvements schedule in
27 order to address financial feasibility and provide appropriate
28 strategies for the long-term provision of required
29 infrastructure;

30 8. Includes a conceptual site plan generally depicting
31 the organization of land uses, habitat conservation areas,

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1 major open space and buffer areas, waterbodies, roadways, and
 2 other features consistent with the policies adopted in the
 3 comprehensive plan pursuant to this subsection. A
 4 development-of-regional-impact development order adopted
 5 within the proposed amendment site must be consistent with the
 6 conceptual site plan and may be adopted concurrent with, or
 7 subsequent to, the adoption of the plan amendment; and

8 9. Is not located within a coastal high hazard area or
 9 within the Coastal Barrier Resources System.

10 (4) The Department of Community Affairs may not find a
 11 plan amendment not in compliance as related to need or urban
 12 sprawl, as addressed in s. 163.3177(6)(a) and rule 9J-5.006,
 13 Florida Administrative Code, if the requirements of this
 14 section are met. This section does not limit the ability of
 15 the Department of Community Affairs to find such a
 16 comprehensive plan amendment not in compliance based on other
 17 statutory criteria that are unrelated to need or urban sprawl.

18
19 (Redesignate subsequent sections.)

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

23 And the title is amended as follows:

24 On page 3, line 8, after the semicolon,

25
26 insert:

27 amending s. 380.0652, F.S.; authorizing certain
 28 amendments to a comprehensive plan for purposes
 29 of creating a new town in a rural county;
 30 providing requirements for such amendments;
 31 specifying siting and design criteria;

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1 providing additional policy requirements;
2 prohibiting the Department of Community Affairs
3 from finding an amendment to the comprehensive
4 plan not in compliance if such requirements are
5 met;

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