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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2009	.	
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Between lines 1823 and 1824
insert:

Section 9. Present subsection (19) of section 403.973, Florida Statutes, is redesignated as subsection (20), and a new subsection (19) is added to that section, to read:

403.973 Expedited permitting; comprehensive plan amendments.—

(19) It is the intent of the Legislature to encourage and facilitate the location of businesses in the state that will



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12 create jobs and high wages, diversify the state's economy, and
13 promote the development of energy saving technologies and other
14 clean technologies to be used in Florida communities. It is also
15 the intent of the Legislature to provide incentives in
16 regulatory process for mixed use projects that are regional
17 centers for clean technology (RCCT) to accomplish the goals of
18 this section and meet additional performance criteria for
19 conservation, reduced energy and water consumption, and other
20 practices for creating a sustainable community.

21 (a) In order to qualify for the incentives in this
22 subsection, a proposed RCCT project must:

23 1. Create new jobs in development, manufacturing, and
24 distribution in the clean technology industry including, but not
25 limited to, energy and fuel saving, alternative energy
26 production, or carbon reduction technologies. Overall job
27 creation must be at a minimum ratio of one job for every
28 household in the project and produce no less than 10,000 jobs
29 upon completion of the project.

30 2. Provide at least 25 percent of site-wide demand for
31 electricity by new renewable energy sources.

32 3. Use building design and construction techniques and
33 materials to reduce project-wide energy demand by at least 25
34 percent compared to 2009 average per capita consumption for the
35 state.

36 4. Use conservation and construction techniques and
37 materials to reduce potable water consumption by at least 25
38 percent compared to 2009 average per capita consumption for the
39 state.

40 5. Have projected per capita carbon emissions at least 25



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41 percent below the 2009 average per capita carbon emissions for
42 the state.

43 6. Contain at least 25,000 acres, at least 50 percent of
44 which will be dedicated to conservation or open space. The
45 project site must be directly accessible to a crossroad of two
46 Strategic Intermodal System facilities and may not be located in
47 a coastal high-hazard area.

48 7. Be located on a site planned to contain a mix of land
49 uses, including, at a minimum, 5 million square feet of combined
50 research and development, industrial uses, and commercial land
51 uses, and a balanced mix of housing to meet the demands for jobs
52 and wages created within the project.

53 8. Be designed to greatly reduce the need for automobile
54 usage through an intramodal mass transit system, site design,
55 and other strategies to reduce vehicle miles travelled.

56 (b) The office must certify a RCCT project as eligible for
57 the incentives in this subsection within 30 days after receiving
58 an application that meets the criteria paragraph (a). The
59 application must be received within 180 days after July 1, 2009,
60 in order to qualify for this incentive. The recommendation from
61 the governing body of the county or municipality in which the
62 project may be located is required in order for the office to
63 certify that any project is eligible for the expedited review
64 and incentives under this subsection. The office may decertify a
65 project that has failed to meet the criteria in this subsection
66 and the commitments set forth in the application.

67 (c)1. The office shall direct the creation of regional
68 permit action teams through a memorandum of agreement as set
69 forth in subsections (4)-(6). The RCCT project shall be eligible



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70 for the expedited permitting and other incentives provided in
71 this section.

72 2. Notwithstanding any other provisions of law,
73 applications for comprehensive plan amendments received before
74 June 1, 2009, which are associated with RCCT projects certified
75 under this subsection, including text amendments that set forth
76 parameters for establishing a RCCT project map amendment, shall
77 be processed pursuant to the provisions of s. 163.3187(1)(c) and
78 (3). The Legislature finds that a project meeting the criteria
79 for certification under this subsection meets the requirements
80 for land use allocation need based on population projections,
81 discouragement of urban sprawl, the provisions of section
82 163.3177(6)(a) and (11), and implementing rules.

83 3. Any development projects within the certified project
84 which are subject to development-of-regional-impact review
85 pursuant to the applicable provisions of chapter 380 shall be
86 reviewed pursuant to that chapter and applicable rules. If a
87 RCCT project qualifies as a development of regional impact, the
88 application must be submitted within 180 days after the adoption
89 of the related comprehensive plan amendment. Notwithstanding any
90 other provisions of law, the state land planning agency may not
91 appeal a local government development order issued under chapter
92 380 unless the agency having regulatory authority over the
93 subject area of the appeal has recommended an appeal.

94
95 ===== T I T L E A M E N D M E N T =====

96 And the title is amended as follows:

97 Delete line 89

98 and insert:



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99 conforming a cross-reference; amending s. 403.973,
100 F.S.; providing legislative intent; providing certain
101 criteria for regional centers for clean technology
102 projects to receive expedited permitting; providing
103 regulatory incentives for projects that meet such
104 criteria; authorizing the Office of Tourism, Trade,
105 and Economic Development within the Executive Office
106 of the Governor to certify and decertify such
107 projects; authorizing the office to create regional
108 permit action teams; providing an effective