

By Senator Diaz de la Portilla

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1 A bill to be entitled
2 An act relating to state and regional planning;
3 repealing ss. 186.501-186.515, F.S., relating to the
4 Florida Regional Planning Council Act; amending s.
5 120.52, F.S.; conforming a cross-reference; amending
6 ss. 163.3175 and 163.3177, F.S., relating to
7 comprehensive planning; removing references to the
8 regional planning council, to conform; amending s.
9 163.3178, F.S.; removing a reference to a dispute
10 resolution process, to conform; amending s. 163.3180,
11 F.S., relating to concurrency exception areas;
12 removing a reference, to conform; amending s.
13 163.3184, F.S.; removing references to the regional
14 planning council, removing a requirement that the
15 regional planning counsel provide comments for
16 proposed comprehensive plan amendments, and removing a
17 provision governing the regional planning councils'
18 review of proposed plan amendments, to conform;
19 amending s. 163.3187, F.S., relating to amendments to
20 adopted comprehensive plans; removing a reference to
21 the regional planning council, to conform; amending s.
22 163.3191, F.S.; removing a provision allowing the
23 state land planning agency to delegate review of
24 evaluation and appraisal reports to the appropriate
25 regional planning council, to conform; amending s.
26 163.3245, F.S.; removing a provision requiring the
27 regional planning council to conduct a scoping meeting
28 before executing an agreement authorizing an optional
29 sector plan and removing a reference to the regional

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30 planning council, to conform; amending s. 163.3246,
31 F.S.; removing provisions requiring a regional
32 planning council to coordinate an application for
33 approval of a development order that would be exempt
34 from regional impact review, to conform; amending s.
35 163.32465, F.S.; removing a reference to the regional
36 planning council and removing a provision regarding
37 regional planning council review and comments on
38 regional resources or facilities or a proposed
39 comprehensive plan amendment, to conform; amending s.
40 186.003, F.S.; removing the definition of the term
41 "regional planning agency," to conform; amending s.
42 186.0201, F.S.; removing references to the regional
43 planning council and substituting a municipality or
44 county as the identified service area for purposes of
45 planning for the siting of electric substations, to
46 conform; amending s. 215.559, F.S.; removing a
47 provision giving funding priority under the Hurricane
48 Loss Mitigation Program to certain projects in
49 regional planning council regions, to conform;
50 amending s. 218.32, F.S., relating to annual financial
51 reports; removing references to the regional planning
52 council, to conform; amending s. 252.385, F.S.,
53 relating to public shelter space; removing references
54 to the regional planning council, to conform; amending
55 s. 258.501, F.S., relating to the management
56 coordinating council for the Myakka River; removing
57 references to the Tampa Bay and Southwest Florida
58 Regional Planning Councils, to conform; amending s.

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59 288.0656, F.S., relating to the Rural Economic
60 Development Initiative; removing a reference to the
61 Florida Regional Planning Council Association, to
62 conform; amending s. 288.975, F.S., relating to
63 military base reuse plans; removing the definition of
64 the term "regional policy plan," to conform; amending
65 s. 320.08058, F.S., relating to the Tampa Bay Estuary
66 license plate; removing a reference to the Tampa Bay
67 Regional Planning Council, to conform; amending s.
68 339.155, F.S.; removing a requirement that each
69 regional planning council develop transportation goals
70 and policies as an element of its strategic regional
71 policy plan, to conform; amending s. 339.175, F.S.,
72 relating to metropolitan planning organizations;
73 removing a reference to the regional planning council,
74 to conform; amending s. 339.285, F.S.; conforming
75 cross-references; amending s. 348.9932, F.S.; removing
76 the executive director of the Southwest Florida
77 Regional Planning Council from the membership of the
78 Southwest Florida Expressway Authority and deleting a
79 reference to the executive director, to conform;
80 amending s. 369.303, F.S., relating to the Wekiva
81 River Protection Act; removing the definition of the
82 term "council," to conform; amending ss. 369.307 and
83 369.324, F.S.; replacing the East Central Florida
84 Regional Planning Council with the Wekiva River Basin
85 Commission, to conform; amending s. 373.415, F.S.;
86 conforming cross-references; amending s. 378.411,
87 F.S., relating to resource reclamation; removing a

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88 reference to the regional planning council, to
89 conform; amending s. 380.045, F.S., relating to
90 resource planning and management committees; removing
91 a reference to the regional planning council, to
92 conform; amending s. 380.06, F.S., relating to
93 developments of regional impact; removing a
94 requirement that a copy of the notice of proposed
95 agency action on a conceptual review be sent to the
96 regional planning council, to conform; amending s.
97 380.061, F.S.; removing references to the regional
98 planning council and removing the requirement that the
99 regional planning council notify a developer if a
100 request for conversion of completeness to sufficiency
101 is granted or denied, to conform; amending s. 380.07,
102 F.S., relating to the Florida Land and Water
103 Adjudicatory Commission; removing references to the
104 regional planning council, to conform; amending ss.
105 403.503 and 403.50663, F.S., relating to the siting of
106 electrical power plants; removing the definition of
107 the term "regional planning council" and removing
108 references to the regional planning council, to
109 conform; amending s. 403.507, F.S.; removing the
110 requirement that each regional planning council
111 prepare a report that addresses the impact upon the
112 public of a proposed electrical power plant, to
113 conform; amending ss. 403.508, 403.5115, and 403.518,
114 F.S., relating to public meetings and application
115 fees; removing references to the regional planning
116 council and conforming cross-references; amending ss.

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117 403.522, 403.526, 403.527, and 403.5272, F.S.,
118 relating to the siting of electric transmission lines;
119 removing the definition of the term "regional planning
120 council"; removing the requirement that the regional
121 planning council present a report addressing the
122 impact upon the public of a proposed transmission line
123 or corridor; removing references to the regional
124 planning council, to conform; amending ss. 403.5363,
125 403.5365, and 403.537, F.S., relating to public
126 meetings and application fees; removing references to
127 the regional planning council and conforming cross-
128 references; amending ss. 403.7225 and 403.7226, F.S.;
129 removing a provision requiring the county to make
130 arrangements for hazardous waste management with its
131 regional planning council; removing references to the
132 regional planning council, to conform; amending s.
133 403.723, F.S.; requiring that the county rather than
134 the regional planning council designate areas for
135 hazardous waste storage or treatment facilities, to
136 conform; amending ss. 403.9403, 403.941, and 403.9411,
137 F.S., relating to the siting of natural gas
138 transmission pipelines; removing the definition of the
139 term "regional planning council"; removing a provision
140 requiring a regional planning council to present a
141 report on the impact of a proposed natural gas
142 pipeline; removing references to the regional planning
143 council, to conform; amending s. 408.033, F.S.;
144 removing a provision requiring local health councils
145 to enter into a memorandum of agreement with each

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146 regional planning council to address health issues, to
147 conform; amending ss. 419.001 and 985.682, F.S.;
148 removing references to dispute resolution procedures
149 established by regional planning councils, to conform;
150 amending s. 1013.30, F.S., relating to university
151 campus master plans; removing a reference to the
152 regional planning council, to conform; amending ss.
153 1013.372 and 1013.74, F.S.; removing references to
154 hurricane evacuation shelter capacity determined by
155 the regional planning council, to conform; providing
156 an effective date.

157

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

159

160 Section 1. Sections 186.501, 186.502, 186.503, 186.504,
161 186.505, 186.506, 186.507, 186.508, 186.509, 186.511, 186.513,
162 and 186.515, Florida Statutes, are repealed.

163 Section 2. Paragraph (a) of subsection (1) of section
164 120.52, Florida Statutes, is amended to read:

165 120.52 Definitions.—As used in this act:

166 (1) "Agency" means the following officers or governmental
167 entities if acting pursuant to powers other than those derived
168 from the constitution:

169 (a) The Governor; each state officer and state department,
170 and each departmental unit described in s. 20.04; the Board of
171 Governors of the State University System; the Commission on
172 Ethics; the Fish and Wildlife Conservation Commission; a
173 regional water supply authority; a regional planning agency; a
174 multicounty special district, but only when a majority of its

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175 governing board is comprised of nonelected persons; educational
176 units; and each entity described in chapters 163, 373, 380, and
177 582 ~~and s. 186.504.~~

178
179 This definition does not include any municipality or legal
180 entity created solely by a municipality; any legal entity or
181 agency created in whole or in part pursuant to part II of
182 chapter 361; any metropolitan planning organization created
183 pursuant to s. 339.175; any separate legal or administrative
184 entity created pursuant to s. 339.175 of which a metropolitan
185 planning organization is a member; an expressway authority
186 pursuant to chapter 348 or any transportation authority under
187 chapter 343 or chapter 349; or any legal or administrative
188 entity created by an interlocal agreement pursuant to s.
189 163.01(7), unless any party to such agreement is otherwise an
190 agency as defined in this subsection.

191 Section 3. Subsection (9) of section 163.3175, Florida
192 Statutes, is amended to read:

193 163.3175 Legislative findings on compatibility of
194 development with military installations; exchange of information
195 between local governments and military installations.-

196 (9) If a local government, as required under s.
197 163.3177(6)(a), does not adopt criteria and address
198 compatibility of lands adjacent to or closely proximate to
199 existing military installations in its future land use plan
200 element by June 30, 2012, the local government, the military
201 installation, and the state land planning agency, ~~and other~~
202 ~~parties as identified by the regional planning council,~~
203 including, but not limited to, private landowner

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204 representatives, shall enter into mediation conducted pursuant
205 to s. 186.509. If the local government comprehensive plan does
206 not contain criteria addressing compatibility by December 31,
207 2013, the agency may notify the Administration Commission. The
208 Administration Commission may impose sanctions pursuant to s.
209 163.3184(11).

210 Section 4. Paragraph (h) of subsection (6), paragraph (d)
211 of subsection (11), and subsection (13) of section 163.3177,
212 Florida Statutes, are amended to read:

213 163.3177 Required and optional elements of comprehensive
214 plan; studies and surveys.—

215 (6) In addition to the requirements of subsections (1)-(5)
216 and (12), the comprehensive plan shall include the following
217 elements:

218 (h)1. An intergovernmental coordination element showing
219 relationships and stating principles and guidelines to be used
220 in coordinating the adopted comprehensive plan with the plans of
221 school boards, regional water supply authorities, and other
222 units of local government providing services but not having
223 regulatory authority over the use of land, with the
224 comprehensive plans of adjacent municipalities, the county,
225 adjacent counties, or the region, with the state comprehensive
226 plan and with the applicable regional water supply plan approved
227 pursuant to s. 373.709, as the case may require and as such
228 adopted plans or plans in preparation may exist. This element of
229 the local comprehensive plan must demonstrate consideration of
230 the particular effects of the local plan, when adopted, upon the
231 development of adjacent municipalities, the county, adjacent
232 counties, or the region, or upon the state comprehensive plan,

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233 as the case may require.

234 a. The intergovernmental coordination element must provide
235 procedures for identifying and implementing joint planning
236 areas, especially for the purpose of annexation, municipal
237 incorporation, and joint infrastructure service areas.

238 b. The intergovernmental coordination element must provide
239 for recognition of campus master plans prepared pursuant to s.
240 1013.30 and airport master plans under paragraph (k).

241 c. The intergovernmental coordination element shall provide
242 for a dispute resolution process, as established pursuant to s.
243 186.509, for bringing intergovernmental disputes to closure in a
244 timely manner.

245 d. The intergovernmental coordination element shall provide
246 for interlocal agreements as established pursuant to s.
247 333.03(1)(b).

248 2. The intergovernmental coordination element shall also
249 state principles and guidelines to be used in coordinating the
250 adopted comprehensive plan with the plans of school boards and
251 other units of local government providing facilities and
252 services but not having regulatory authority over the use of
253 land. In addition, the intergovernmental coordination element
254 must describe joint processes for collaborative planning and
255 decisionmaking on population projections and public school
256 siting, the location and extension of public facilities subject
257 to concurrency, and siting facilities with countywide
258 significance, including locally unwanted land uses whose nature
259 and identity are established in an agreement. Within 1 year
260 after adopting their intergovernmental coordination elements,
261 each county, all the municipalities within that county, the

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262 district school board, and any unit of local government service
263 providers in that county shall establish by interlocal or other
264 formal agreement executed by all affected entities, the joint
265 processes described in this subparagraph consistent with their
266 adopted intergovernmental coordination elements.

267 3. To foster coordination between special districts and
268 local general-purpose governments as local general-purpose
269 governments implement local comprehensive plans, each
270 independent special district must submit a public facilities
271 report to the appropriate local government as required by s.
272 189.415.

273 4. Local governments shall execute an interlocal agreement
274 with the district school board, the county, and nonexempt
275 municipalities pursuant to s. 163.31777. The local government
276 shall amend the intergovernmental coordination element to ensure
277 that coordination between the local government and school board
278 is pursuant to the agreement and shall state the obligations of
279 the local government under the agreement. Plan amendments that
280 comply with this subparagraph are exempt from the provisions of
281 s. 163.3187(1).

282 5. By January 1, 2004, any county having a population
283 greater than 100,000, and the municipalities and special
284 districts within that county, shall submit a report to the
285 Department of Community Affairs which identifies:

286 a. All existing or proposed interlocal service delivery
287 agreements relating to education; sanitary sewer; public safety;
288 solid waste; drainage; potable water; parks and recreation; and
289 transportation facilities.

290 b. Any deficits or duplication in the provision of

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291 services within its jurisdiction, whether capital or
292 operational. Upon request, the Department of Community Affairs
293 shall provide technical assistance to the local governments in
294 identifying deficits or duplication.

295 6. Within 6 months after submission of the report, the
296 Department of Community Affairs shall, ~~through the appropriate~~
297 ~~regional planning council,~~ coordinate a meeting of all local
298 governments within the regional planning area to discuss the
299 reports and potential strategies to remedy any identified
300 deficiencies or duplications.

301 7. Each local government shall update its intergovernmental
302 coordination element based upon the findings in the report
303 submitted pursuant to subparagraph 5. The report may be used as
304 supporting data and analysis for the intergovernmental
305 coordination element.

306 (11)

307 (d)1. The department, in cooperation with the Department of
308 Agriculture and Consumer Services, the Department of
309 Environmental Protection, water management districts, and
310 regional planning councils, shall provide assistance to local
311 governments in the implementation of this paragraph and rule 9J-
312 5.006(5)(1), Florida Administrative Code. Implementation of
313 those provisions shall include a process by which the department
314 may authorize local governments to designate all or portions of
315 lands classified in the future land use element as predominantly
316 agricultural, rural, open, open-rural, or a substantively
317 equivalent land use, as a rural land stewardship area within
318 which planning and economic incentives are applied to encourage
319 the implementation of innovative and flexible planning and

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320 development strategies and creative land use planning
321 techniques, including those contained herein and in rule 9J-
322 5.006(5)(1), Florida Administrative Code. Assistance may
323 include, but is not limited to:

324 a. Assistance from the Department of Environmental
325 Protection and water management districts in creating the
326 geographic information systems land cover database and aerial
327 photogrammetry needed to prepare for a rural land stewardship
328 area;

329 b. Support for local government implementation of rural
330 land stewardship concepts by providing information and
331 assistance to local governments regarding land acquisition
332 programs that may be used by the local government or landowners
333 to leverage the protection of greater acreage and maximize the
334 effectiveness of rural land stewardship areas; and

335 c. Expansion of the role of the Department of Community
336 Affairs as a resource agency to facilitate establishment of
337 rural land stewardship areas in smaller rural counties that do
338 not have the staff or planning budgets to create a rural land
339 stewardship area.

340 2. The department shall encourage participation by local
341 governments of different sizes and rural characteristics in
342 establishing and implementing rural land stewardship areas. It
343 is the intent of the Legislature that rural land stewardship
344 areas be used to further the following broad principles of rural
345 sustainability: restoration and maintenance of the economic
346 value of rural land; control of urban sprawl; identification and
347 protection of ecosystems, habitats, and natural resources;
348 promotion of rural economic activity; maintenance of the

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349 viability of Florida's agricultural economy; and protection of
350 the character of rural areas of Florida. Rural land stewardship
351 areas may be multicounty in order to encourage coordinated
352 regional stewardship planning.

353 3. A local government, ~~in conjunction with a regional~~
354 ~~planning council,~~ a stakeholder organization of private land
355 owners, or another local government, shall notify the department
356 in writing of its intent to designate a rural land stewardship
357 area. The written notification shall describe the basis for the
358 designation, including the extent to which the rural land
359 stewardship area enhances rural land values, controls urban
360 sprawl, provides necessary open space for agriculture and
361 protection of the natural environment, promotes rural economic
362 activity, and maintains rural character and the economic
363 viability of agriculture.

364 4. A rural land stewardship area shall be not less than
365 10,000 acres and shall be located outside of municipalities and
366 established urban growth boundaries, and shall be designated by
367 plan amendment. The plan amendment designating a rural land
368 stewardship area shall be subject to review by the Department of
369 Community Affairs pursuant to s. 163.3184 and shall provide for
370 the following:

371 a. Criteria for the designation of receiving areas within
372 rural land stewardship areas in which innovative planning and
373 development strategies may be applied. Criteria shall at a
374 minimum provide for the following: adequacy of suitable land to
375 accommodate development so as to avoid conflict with
376 environmentally sensitive areas, resources, and habitats;
377 compatibility between and transition from higher density uses to

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378 lower intensity rural uses; the establishment of receiving area
379 service boundaries which provide for a separation between
380 receiving areas and other land uses within the rural land
381 stewardship area through limitations on the extension of
382 services; and connection of receiving areas with the rest of the
383 rural land stewardship area using rural design and rural road
384 corridors.

385 b. Goals, objectives, and policies setting forth the
386 innovative planning and development strategies to be applied
387 within rural land stewardship areas pursuant to the provisions
388 of this section.

389 c. A process for the implementation of innovative planning
390 and development strategies within the rural land stewardship
391 area, including those described in this subsection and rule 9J-
392 5.006(5)(1), Florida Administrative Code, which provide for a
393 functional mix of land uses, including adequate available
394 workforce housing, including low, very-low and moderate income
395 housing for the development anticipated in the receiving area
396 and which are applied through the adoption by the local
397 government of zoning and land development regulations applicable
398 to the rural land stewardship area.

399 d. A process which encourages visioning pursuant to s.
400 163.3167(11) to ensure that innovative planning and development
401 strategies comply with the provisions of this section.

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

406 5. A receiving area shall be designated by the adoption of

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407 a land development regulation. Prior to the designation of a
408 receiving area, the local government shall provide the
409 Department of Community Affairs a period of 30 days in which to
410 review a proposed receiving area for consistency with the rural
411 land stewardship area plan amendment and to provide comments to
412 the local government. At the time of designation of a
413 stewardship receiving area, a listed species survey will be
414 performed. If listed species occur on the receiving area site,
415 the developer shall coordinate with each appropriate local,
416 state, or federal agency to determine if adequate provisions
417 have been made to protect those species in accordance with
418 applicable regulations. In determining the adequacy of
419 provisions for the protection of listed species and their
420 habitats, the rural land stewardship area shall be considered as
421 a whole, and the impacts to areas to be developed as receiving
422 areas shall be considered together with the environmental
423 benefits of areas protected as sending areas in fulfilling this
424 criteria.

425 6. Upon the adoption of a plan amendment creating a rural
426 land stewardship area, the local government shall, by ordinance,
427 establish the methodology for the creation, conveyance, and use
428 of transferable rural land use credits, otherwise referred to as
429 stewardship credits, the application of which shall not
430 constitute a right to develop land, nor increase density of
431 land, except as provided by this section. The total amount of
432 transferable rural land use credits within the rural land
433 stewardship area must enable the realization of the long-term
434 vision and goals for the 25-year or greater projected population
435 of the rural land stewardship area, which may take into

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436 consideration the anticipated effect of the proposed receiving
437 areas. Transferable rural land use credits are subject to the
438 following limitations:

439 a. Transferable rural land use credits may only exist
440 within a rural land stewardship area.

441 b. Transferable rural land use credits may only be used on
442 lands designated as receiving areas and then solely for the
443 purpose of implementing innovative planning and development
444 strategies and creative land use planning techniques adopted by
445 the local government pursuant to this section.

446 c. Transferable rural land use credits assigned to a parcel
447 of land within a rural land stewardship area shall cease to
448 exist if the parcel of land is removed from the rural land
449 stewardship area by plan amendment.

450 d. Neither the creation of the rural land stewardship area
451 by plan amendment nor the assignment of transferable rural land
452 use credits by the local government shall operate to displace
453 the underlying density of land uses assigned to a parcel of land
454 within the rural land stewardship area; however, if transferable
455 rural land use credits are transferred from a parcel for use
456 within a designated receiving area, the underlying density
457 assigned to the parcel of land shall cease to exist.

458 e. The underlying density on each parcel of land located
459 within a rural land stewardship area shall not be increased or
460 decreased by the local government, except as a result of the
461 conveyance or use of transferable rural land use credits, as
462 long as the parcel remains within the rural land stewardship
463 area.

464 f. Transferable rural land use credits shall cease to exist

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465 on a parcel of land where the underlying density assigned to the
466 parcel of land is utilized.

467 g. An increase in the density of use on a parcel of land
468 located within a designated receiving area may occur only
469 through the assignment or use of transferable rural land use
470 credits and shall not require a plan amendment.

471 h. A change in the density of land use on parcels located
472 within receiving areas shall be specified in a development order
473 which reflects the total number of transferable rural land use
474 credits assigned to the parcel of land and the infrastructure
475 and support services necessary to provide for a functional mix
476 of land uses corresponding to the plan of development.

477 i. Land within a rural land stewardship area may be removed
478 from the rural land stewardship area through a plan amendment.

479 j. Transferable rural land use credits may be assigned at
480 different ratios of credits per acre according to the natural
481 resource or other beneficial use characteristics of the land and
482 according to the land use remaining following the transfer of
483 credits, with the highest number of credits per acre assigned to
484 the most environmentally valuable land or, in locations where
485 the retention of open space and agricultural land is a priority,
486 to such lands.

487 k. The use or conveyance of transferable rural land use
488 credits must be recorded in the public records of the county in
489 which the property is located as a covenant or restrictive
490 easement running with the land in favor of the county and either
491 the Department of Environmental Protection, Department of
492 Agriculture and Consumer Services, a water management district,
493 or a recognized statewide land trust.

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494 7. Owners of land within rural land stewardship areas
495 should be provided incentives to enter into rural land
496 stewardship agreements, pursuant to existing law and rules
497 adopted thereto, with state agencies, water management
498 districts, and local governments to achieve mutually agreed upon
499 conservation objectives. Such incentives may include, but not be
500 limited to, the following:

- 501 a. Opportunity to accumulate transferable mitigation
502 credits.
- 503 b. Extended permit agreements.
- 504 c. Opportunities for recreational leases and ecotourism.
- 505 d. Payment for specified land management services on
506 publicly owned land, or property under covenant or restricted
507 easement in favor of a public entity.
- 508 e. Option agreements for sale to public entities or private
509 land conservation entities, in either fee or easement, upon
510 achievement of conservation objectives.

511 8. The department shall report to the Legislature on an
512 annual basis on the results of implementation of rural land
513 stewardship areas authorized by the department, including
514 successes and failures in achieving the intent of the
515 Legislature as expressed in this paragraph.

516 (13) Local governments are encouraged to develop a
517 community vision that provides for sustainable growth,
518 recognizes its fiscal constraints, and protects its natural
519 resources. ~~At the request of a local government, the applicable~~
520 ~~regional planning council shall provide assistance in the~~
521 ~~development of a community vision.~~

522 (a) As part of the process of developing a community vision

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523 under this section, the local government must hold two public
524 meetings with at least one of those meetings before the local
525 planning agency. Before those public meetings, the local
526 government must hold at least one public workshop with
527 stakeholder groups such as neighborhood associations, community
528 organizations, businesses, private property owners, housing and
529 development interests, and environmental organizations.

530 (b) The local government must, at a minimum, discuss five
531 of the following topics as part of the workshops and public
532 meetings required under paragraph (a):

- 533 1. Future growth in the area using population forecasts
534 from the Bureau of Economic and Business Research;
- 535 2. Priorities for economic development;
- 536 3. Preservation of open space, environmentally sensitive
537 lands, and agricultural lands;
- 538 4. Appropriate areas and standards for mixed-use
539 development;
- 540 5. Appropriate areas and standards for high-density
541 commercial and residential development;
- 542 6. Appropriate areas and standards for economic development
543 opportunities and employment centers;
- 544 7. Provisions for adequate workforce housing;
- 545 8. An efficient, interconnected multimodal transportation
546 system; and
- 547 9. Opportunities to create land use patterns that
548 accommodate the issues listed in subparagraphs 1.-8.

549 (c) As part of the workshops and public meetings, the local
550 government must discuss strategies for addressing the topics
551 discussed under paragraph (b), including:

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- 552 1. Strategies to preserve open space and environmentally
553 sensitive lands, and to encourage a healthy agricultural
554 economy, including innovative planning and development
555 strategies, such as the transfer of development rights;
- 556 2. Incentives for mixed-use development, including
557 increased height and intensity standards for buildings that
558 provide residential use in combination with office or commercial
559 space;
- 560 3. Incentives for workforce housing;
- 561 4. Designation of an urban service boundary pursuant to
562 subsection (2); and
- 563 5. Strategies to provide mobility within the community and
564 to protect the Strategic Intermodal System, including the
565 development of a transportation corridor management plan under
566 s. 337.273.
- 567 (d) The community vision must reflect the community's
568 shared concept for growth and development of the community,
569 including visual representations depicting the desired land use
570 patterns and character of the community during a 10-year
571 planning timeframe. The community vision must also take into
572 consideration economic viability of the vision and private
573 property interests.
- 574 (e) After the workshops and public meetings required under
575 paragraph (a) are held, the local government may amend its
576 comprehensive plan to include the community vision as a
577 component in the plan. This plan amendment must be transmitted
578 and adopted pursuant to the procedures in ss. 163.3184 and
579 163.3189 at public hearings of the governing body other than
580 those identified in paragraph (a).

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581 (f) Amendments submitted under this subsection are exempt
582 from the limitation on the frequency of plan amendments in s.
583 163.3187.

584 (g) A local government that has developed a community
585 vision or completed a visioning process after July 1, 2000, and
586 before July 1, 2005, which substantially accomplishes the goals
587 set forth in this subsection and the appropriate goals,
588 policies, or objectives have been adopted as part of the
589 comprehensive plan or reflected in subsequently adopted land
590 development regulations and the plan amendment incorporating the
591 community vision as a component has been found in compliance is
592 eligible for the incentives in s. 163.3184(17).

593 Section 5. Subsection (5) of section 163.3178, Florida
594 Statutes, is amended to read:

595 163.3178 Coastal management.—

596 (5) ~~The appropriate dispute resolution process provided~~
597 ~~under s. 186.509 must be used to reconcile inconsistencies~~
598 ~~between port master plans and local comprehensive plans.~~ In
599 recognition of the state's commitment to deepwater ports, the
600 state comprehensive plan must include goals, objectives, and
601 policies that establish a statewide strategy for enhancement of
602 existing deepwater ports, ensuring that priority is given to
603 water-dependent land uses. As an incentive for promoting plan
604 consistency, port facilities as defined in s. 315.02(6) on lands
605 owned or controlled by a deepwater port as defined in s.
606 311.09(1), as of the effective date of this act shall not be
607 subject to development-of-regional-impact review provided the
608 port either successfully completes an alternative comprehensive
609 development agreement with a local government pursuant to ss.

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610 163.3220-163.3243 or successfully enters into a development
611 agreement with the state land planning agency and applicable
612 local government pursuant to s. 380.032 or, where the port is a
613 department of a local government, successfully enters into a
614 development agreement with the state land planning agency
615 pursuant to s. 380.032. Port facilities as defined in s.
616 315.02(6) on lands not owned or controlled by a deepwater port
617 as defined in s. 311.09(1) as of the effective date of this act
618 shall not be subject to development-of-regional-impact review
619 provided the port successfully enters into a development
620 agreement with the state land planning agency and applicable
621 local government pursuant to s. 380.032 or, where the port is a
622 department of a local government, successfully enters into a
623 development agreement with the state land planning agency
624 pursuant to s. 380.032.

625 Section 6. Paragraph (e) of subsection (5) of section
626 163.3180, Florida Statutes, is amended to read:

627 163.3180 Concurrency.—

628 (5)

629 (e) Before designating a concurrency exception area
630 pursuant to subparagraph (b)7., the state land planning agency
631 and the Department of Transportation shall be consulted by the
632 local government to assess the impact that the proposed
633 exception area is expected to have on the adopted level-of-
634 service standards established for regional transportation
635 facilities ~~identified pursuant to s. 186.507~~, including the
636 Strategic Intermodal System and roadway facilities funded in
637 accordance with s. 339.2819. Further, the local government shall
638 provide a plan for the mitigation of impacts to the Strategic

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639 Intermodal System, including, if appropriate, access management,
640 parallel reliever roads, transportation demand management, and
641 other measures.

642 Section 7. Paragraphs (a) and (b) of subsection (3),
643 subsections (4) and (5), paragraph (a) of subsection (6), and
644 paragraph (c) of subsection (11) of section 163.3184, Florida
645 Statutes, are amended to read:

646 163.3184 Process for adoption of comprehensive plan or plan
647 amendment.—

648 (3) LOCAL GOVERNMENT TRANSMITTAL OF PROPOSED PLAN OR
649 AMENDMENT.—

650 (a) Each local governing body shall transmit the complete
651 proposed comprehensive plan or plan amendment to the state land
652 planning agency, the appropriate ~~regional planning council~~ and
653 water management district, the Department of Environmental
654 Protection, the Department of State, and the Department of
655 Transportation, and, in the case of municipal plans, to the
656 appropriate county, and, in the case of county plans, to the
657 Fish and Wildlife Conservation Commission and the Department of
658 Agriculture and Consumer Services, immediately following a
659 public hearing pursuant to subsection (15) as specified in the
660 state land planning agency's procedural rules. The local
661 governing body shall also transmit a copy of the complete
662 proposed comprehensive plan or plan amendment to any other unit
663 of local government or government agency in the state that has
664 filed a written request with the governing body for the plan or
665 plan amendment. The local government may request a review by the
666 state land planning agency pursuant to subsection (6) at the
667 time of the transmittal of an amendment.

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668 (b) A local governing body shall not transmit portions of a
669 plan or plan amendment unless it has previously provided to all
670 state agencies designated by the state land planning agency a
671 complete copy of its adopted comprehensive plan pursuant to
672 subsection (7) and as specified in the agency's procedural
673 rules. In the case of comprehensive plan amendments, the local
674 governing body shall transmit to the state land planning agency,
675 the appropriate ~~regional planning council~~ and water management
676 district, the Department of Environmental Protection, the
677 Department of State, and the Department of Transportation, and,
678 in the case of municipal plans, to the appropriate county and,
679 in the case of county plans, to the Fish and Wildlife
680 Conservation Commission and the Department of Agriculture and
681 Consumer Services the materials specified in the state land
682 planning agency's procedural rules and, in cases in which the
683 plan amendment is a result of an evaluation and appraisal report
684 adopted pursuant to s. 163.3191, a copy of the evaluation and
685 appraisal report. Local governing bodies shall consolidate all
686 proposed plan amendments into a single submission for each of
687 the two plan amendment adoption dates during the calendar year
688 pursuant to s. 163.3187.

689 (4) INTERGOVERNMENTAL REVIEW.—The governmental agencies
690 specified in paragraph (3)(a) shall provide comments to the
691 state land planning agency within 30 days after receipt by the
692 state land planning agency of the complete proposed plan
693 amendment. If the plan or plan amendment includes or relates to
694 the public school facilities element pursuant to s.
695 163.3177(12), the state land planning agency shall submit a copy
696 to the Office of Educational Facilities of the Commissioner of

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697 Education for review and comment. ~~The appropriate regional~~
698 ~~planning council shall also provide its written comments to the~~
699 ~~state land planning agency within 30 days after receipt by the~~
700 ~~state land planning agency of the complete proposed plan~~
701 ~~amendment and shall specify any objections, recommendations for~~
702 ~~modifications, and comments of any other regional agencies to~~
703 ~~which the regional planning council may have referred the~~
704 ~~proposed plan amendment.~~ Written comments submitted by the
705 public within 30 days after notice of transmittal by the local
706 government of the proposed plan amendment will be considered as
707 if submitted by governmental agencies. All written agency and
708 public comments must be made part of the file maintained under
709 subsection (2).

710 (5) ~~REGIONAL, COUNTY, AND MUNICIPAL REVIEW.~~ ~~The review of~~
711 ~~the regional planning council pursuant to subsection (4) shall~~
712 ~~be limited to effects on regional resources or facilities~~
713 ~~identified in the strategic regional policy plan and~~
714 ~~extrajurisdictional impacts which would be inconsistent with the~~
715 ~~comprehensive plan of the affected local government. However,~~
716 ~~any inconsistency between a local plan or plan amendment and a~~
717 ~~strategic regional policy plan must not be the sole basis for a~~
718 ~~notice of intent to find a local plan or plan amendment not in~~
719 ~~compliance with this act. A regional planning council shall not~~
720 ~~review and comment on a proposed comprehensive plan it prepared~~
721 ~~itself unless the plan has been changed by the local government~~
722 ~~subsequent to the preparation of the plan by the regional~~
723 ~~planning agency.~~ The review of the county land planning agency
724 pursuant to subsection (4) shall be primarily in the context of
725 the relationship and effect of the proposed plan amendment on

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726 any county comprehensive plan element. Any review by
727 municipalities will be primarily in the context of the
728 relationship and effect on the municipal plan.

729 (6) STATE LAND PLANNING AGENCY REVIEW.—

730 (a) The state land planning agency shall review a proposed
731 plan amendment upon request of an ~~a regional planning council,~~
732 affected person, or local government transmitting the plan
733 amendment. The request from the ~~regional planning council or~~
734 affected person must be received within 30 days after
735 transmittal of the proposed plan amendment pursuant to
736 subsection (3). An ~~A regional planning council or~~ affected
737 person requesting a review shall do so by submitting a written
738 request to the agency with a notice of the request to the local
739 government and any other person who has requested notice.

740 (11) ADMINISTRATION COMMISSION.—

741 (c) The sanctions provided by paragraphs (a) and (b) shall
742 not apply to a local government regarding any plan amendment,
743 except for plan amendments that amend plans that have not been
744 finally determined to be in compliance with this part, and
745 except as provided in s. 163.3189(2) or s. 163.3191(10)
746 ~~163.3191(11)~~.

747 Section 8. Paragraph (c) of subsection (1) of section
748 163.3187, Florida Statutes, is amended to read:

749 163.3187 Amendment of adopted comprehensive plan.—

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

753 (c) Any local government comprehensive plan amendments
754 directly related to proposed small scale development activities

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755 may be approved without regard to statutory limits on the
756 frequency of consideration of amendments to the local
757 comprehensive plan. A small scale development amendment may be
758 adopted only under the following conditions:

759 1. The proposed amendment involves a use of 10 acres or
760 fewer and:

761 a. The cumulative annual effect of the acreage for all
762 small scale development amendments adopted by the local
763 government shall not exceed:

764 (I) A maximum of 120 acres in a local government that
765 contains areas specifically designated in the local
766 comprehensive plan for urban infill, urban redevelopment, or
767 downtown revitalization as defined in s. 163.3164, urban infill
768 and redevelopment areas designated under s. 163.2517,
769 transportation concurrency exception areas approved pursuant to
770 s. 163.3180(5), or regional activity centers and urban central
771 business districts approved pursuant to s. 380.06(2)(e);
772 however, amendments under this paragraph may be applied to no
773 more than 60 acres annually of property outside the designated
774 areas listed in this sub-sub-subparagraph. Amendments adopted
775 pursuant to paragraph (k) shall not be counted toward the
776 acreage limitations for small scale amendments under this
777 paragraph.

778 (II) A maximum of 80 acres in a local government that does
779 not contain any of the designated areas set forth in sub-sub-
780 subparagraph (I).

781 (III) A maximum of 120 acres in a county established
782 pursuant to s. 9, Art. VIII of the State Constitution.

783 b. The proposed amendment does not involve the same

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784 property granted a change within the prior 12 months.

785 c. The proposed amendment does not involve the same owner's
786 property within 200 feet of property granted a change within the
787 prior 12 months.

788 d. The proposed amendment does not involve a text change to
789 the goals, policies, and objectives of the local government's
790 comprehensive plan, but only proposes a land use change to the
791 future land use map for a site-specific small scale development
792 activity.

793 e. The property that is the subject of the proposed
794 amendment is not located within an area of critical state
795 concern, unless the project subject to the proposed amendment
796 involves the construction of affordable housing units meeting
797 the criteria of s. 420.0004(3), and is located within an area of
798 critical state concern designated by s. 380.0552 or by the
799 Administration Commission pursuant to s. 380.05(1). Such
800 amendment is not subject to the density limitations of sub-
801 subparagraph f., and shall be reviewed by the state land
802 planning agency for consistency with the principles for guiding
803 development applicable to the area of critical state concern
804 where the amendment is located and shall not become effective
805 until a final order is issued under s. 380.05(6).

806 f. If the proposed amendment involves a residential land
807 use, the residential land use has a density of 10 units or less
808 per acre or the proposed future land use category allows a
809 maximum residential density of the same or less than the maximum
810 residential density allowable under the existing future land use
811 category, except that this limitation does not apply to small
812 scale amendments involving the construction of affordable

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813 housing units meeting the criteria of s. 420.0004(3) on property
814 which will be the subject of a land use restriction agreement,
815 or small scale amendments described in sub-sub-subparagraph
816 a.(I) that are designated in the local comprehensive plan for
817 urban infill, urban redevelopment, or downtown revitalization as
818 defined in s. 163.3164, urban infill and redevelopment areas
819 designated under s. 163.2517, transportation concurrency
820 exception areas approved pursuant to s. 163.3180(5), or regional
821 activity centers and urban central business districts approved
822 pursuant to s. 380.06(2)(e).

823 2.a. A local government that proposes to consider a plan
824 amendment pursuant to this paragraph is not required to comply
825 with the procedures and public notice requirements of s.
826 163.3184(15)(c) for such plan amendments if the local government
827 complies with the provisions in s. 125.66(4)(a) for a county or
828 in s. 166.041(3)(c) for a municipality. If a request for a plan
829 amendment under this paragraph is initiated by other than the
830 local government, public notice is required.

831 b. The local government shall send copies of the notice and
832 amendment to the state land planning agency, ~~the regional~~
833 ~~planning council~~, and any other person or entity requesting a
834 copy. This information shall also include a statement
835 identifying any property subject to the amendment that is
836 located within a coastal high-hazard area as identified in the
837 local comprehensive plan.

838 3. Small scale development amendments adopted pursuant to
839 this paragraph require only one public hearing before the
840 governing board, which shall be an adoption hearing as described
841 in s. 163.3184(7), and are not subject to the requirements of s.

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842 163.3184(3)-(6) unless the local government elects to have them
843 subject to those requirements.

844 4. If the small scale development amendment involves a site
845 within an area that is designated by the Governor as a rural
846 area of critical economic concern under s. 288.0656(7) for the
847 duration of such designation, the 10-acre limit listed in
848 subparagraph 1. shall be increased by 100 percent to 20 acres.
849 The local government approving the small scale plan amendment
850 shall certify to the Office of Tourism, Trade, and Economic
851 Development that the plan amendment furthers the economic
852 objectives set forth in the executive order issued under s.
853 288.0656(7), and the property subject to the plan amendment
854 shall undergo public review to ensure that all concurrency
855 requirements and federal, state, and local environmental permit
856 requirements are met.

857 Section 9. Subsection (8) of section 163.3191, Florida
858 Statutes, is amended, and present subsections (9) through (14)
859 of that section are renumbered as subsections (8) through (13),
860 respectively, to read:

861 163.3191 Evaluation and appraisal of comprehensive plan.—

862 ~~(8) The state land planning agency may delegate the review~~
863 ~~of evaluation and appraisal reports, including all state land~~
864 ~~planning agency duties under subsections (4)–(7), to the~~
865 ~~appropriate regional planning council. When the review has been~~
866 ~~delegated to a regional planning council, any local government~~
867 ~~in the region may elect to have its report reviewed by the~~
868 ~~regional planning council rather than the state land planning~~
869 ~~agency. The state land planning agency shall by agreement~~
870 ~~provide for uniform and adequate review of reports and shall~~

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871 ~~retain oversight for any delegation of review to a regional~~
872 ~~planning council.~~

873 Section 10. Subsections (2) and (4) of section 163.3245,
874 Florida Statutes, are amended to read:

875 163.3245 Optional sector plans.—

876 (2) The state land planning agency may enter into an
877 agreement to authorize preparation of an optional sector plan
878 upon the request of one or more local governments based on
879 consideration of problems and opportunities presented by
880 existing development trends; the effectiveness of current
881 comprehensive plan provisions; the potential to further the
882 state comprehensive plan, applicable strategic regional policy
883 plans, this part, and part I of chapter 380; and those factors
884 identified by s. 163.3177(10)(i). ~~The applicable regional~~
885 ~~planning council shall conduct a scoping meeting with affected~~
886 ~~local governments and those agencies identified in s.~~
887 ~~163.3184(4) before execution of the agreement authorized by this~~
888 ~~section. The purpose of this meeting is to assist the state land~~
889 ~~planning agency and the local government in the identification~~
890 ~~of the relevant planning issues to be addressed and the data and~~
891 ~~resources available to assist in the preparation of subsequent~~
892 ~~plan amendments. The regional planning council shall make~~
893 ~~written recommendations to the state land planning agency and~~
894 ~~affected local governments, including whether a sustainable~~
895 ~~sector plan would be appropriate.~~ The agreement must define the
896 geographic area to be subject to the sector plan, the planning
897 issues that will be emphasized, requirements for
898 intergovernmental coordination to address extrajurisdictional
899 impacts, supporting application materials including data and

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900 analysis, and procedures for public participation. An agreement
901 may address previously adopted sector plans that are consistent
902 with the standards in this section. Before executing an
903 agreement under this subsection, the local government shall hold
904 a duly noticed public workshop to review and explain to the
905 public the optional sector planning process and the terms and
906 conditions of the proposed agreement. The local government shall
907 hold a duly noticed public hearing to execute the agreement. All
908 meetings between the department and the local government must be
909 open to the public.

910 (4) The host local government shall submit a monitoring
911 report to the state land planning agency ~~and applicable regional~~
912 ~~planning council~~ on an annual basis after adoption of a detailed
913 specific area plan. The annual monitoring report must provide
914 summarized information on development orders issued, development
915 that has occurred, public facility improvements made, and public
916 facility improvements anticipated over the upcoming 5 years.

917 Section 11. Subsection (11) of section 163.3246, Florida
918 Statutes, is amended, and present subsections (12) through (14)
919 of that section are renumbered as subsections (11) through (13),
920 respectively, to read:

921 163.3246 Local government comprehensive planning
922 certification program.—

923 ~~(11) If the local government of an area described in~~
924 ~~subsection (10) does not request that the state land planning~~
925 ~~agency review the developments of regional impact that are~~
926 ~~proposed within the certified area, an application for approval~~
927 ~~of a development order within the certified area shall be exempt~~
928 ~~from review under s. 380.06, subject to the following:~~

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929 ~~(a) Concurrent with filing an application for development~~
930 ~~approval with the local government, a developer proposing a~~
931 ~~project that would have been subject to review pursuant to s.~~
932 ~~380.06 shall notify in writing the regional planning council~~
933 ~~with jurisdiction.~~

934 ~~(b) The regional planning council shall coordinate with the~~
935 ~~developer and the local government to ensure that all~~
936 ~~concurrency requirements as well as federal, state, and local~~
937 ~~environmental permit requirements are met.~~

938 Section 12. Subsection (4) of section 163.32465, Florida
939 Statutes, is amended to read:

940 163.32465 State review of local comprehensive plans in
941 urban areas.—

942 (4) INITIAL HEARING ON COMPREHENSIVE PLAN AMENDMENT FOR
943 PILOT PROGRAM.—

944 (a) The local government shall hold its first public
945 hearing on a comprehensive plan amendment on a weekday at least
946 7 days after the day the first advertisement is published
947 pursuant to the requirements of chapter 125 or chapter 166. Upon
948 an affirmative vote of not less than a majority of the members
949 of the governing body present at the hearing, the local
950 government shall immediately transmit the amendment or
951 amendments and appropriate supporting data and analyses to the
952 state land planning agency; the appropriate ~~regional planning~~
953 ~~council~~ and water management district; the Department of
954 Environmental Protection; the Department of State; the
955 Department of Transportation; in the case of municipal plans, to
956 the appropriate county; the Fish and Wildlife Conservation
957 Commission; the Department of Agriculture and Consumer Services;

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958 and in the case of amendments that include or impact the public
959 school facilities element, the Office of Educational Facilities
960 of the Commissioner of Education. The local governing body shall
961 also transmit a copy of the amendments and supporting data and
962 analyses to any other local government or governmental agency
963 that has filed a written request with the governing body.

964 (b) The agencies and local governments specified in
965 paragraph (a) may provide comments regarding the amendment or
966 amendments to the local government. ~~The regional planning~~
967 ~~council review and comment shall be limited to effects on~~
968 ~~regional resources or facilities identified in the strategic~~
969 ~~regional policy plan and extrajurisdictional impacts that would~~
970 ~~be inconsistent with the comprehensive plan of the affected~~
971 ~~local government. A regional planning council shall not review~~
972 ~~and comment on a proposed comprehensive plan amendment prepared~~
973 ~~by such council unless the plan amendment has been changed by~~
974 ~~the local government subsequent to the preparation of the plan~~
975 ~~amendment by the regional planning council.~~ County comments on
976 municipal comprehensive plan amendments shall be primarily in
977 the context of the relationship and effect of the proposed plan
978 amendments on the county plan. Municipal comments on county plan
979 amendments shall be primarily in the context of the relationship
980 and effect of the amendments on the municipal plan. State agency
981 comments may include technical guidance on issues of agency
982 jurisdiction as it relates to the requirements of this part.
983 Such comments shall clearly identify issues that, if not
984 resolved, may result in an agency challenge to the plan
985 amendment. For the purposes of this pilot program, agencies are
986 encouraged to focus potential challenges on issues of regional

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987 or statewide importance. Agencies and local governments must
 988 transmit their comments to the affected local government such
 989 that they are received by the local government not later than
 990 thirty days from the date on which the agency or government
 991 received the amendment or amendments.

992 Section 13. Subsection (5) of section 186.003, Florida
 993 Statutes, is amended, and present subsections (6) and (7) of
 994 that section are renumbered as subsections (5) and (6),
 995 respectively, to read:

996 186.003 Definitions; ss. 186.001-186.031, 186.801-186.901.—
 997 As used in ss. 186.001-186.031 and 186.801-186.901, the term:

998 ~~(5) "Regional planning agency" means the regional planning~~
 999 ~~council created pursuant to ss. 186.501-186.515 to exercise~~
 1000 ~~responsibilities under ss. 186.001-186.031 and 186.801-186.901~~
 1001 ~~in a particular region of the state.~~

1002 Section 14. Section 186.0201, Florida Statutes, is amended
 1003 to read:

1004 186.0201 Electric substation planning.—Electric utility
 1005 substations respond to development and, consequently, siting
 1006 locations cannot be precisely planned years in advance.
 1007 Nevertheless, on or before June 1 of every year after the
 1008 effective date of this act, the electric utilities with service
 1009 areas within a municipality or county ~~each regional planning~~
 1010 ~~council~~ shall notify the municipality or county ~~regional~~
 1011 ~~planning council~~ of the utilities' current plans over a 5-year
 1012 period to site electric substations within each ~~the~~ local
 1013 government's jurisdiction ~~governments contained within each~~
 1014 ~~region~~, including an identification of whether each electric
 1015 substation planned within a general area is a distribution or

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1016 transmission electric substation, a listing of the proposed
1017 substations' site acreage needs and anticipated capacity, and
1018 maps showing general locations of the planned electric
1019 substations. This information is advisory, ~~shall be included in~~
1020 ~~the regional planning council's annual report prepared pursuant~~
1021 ~~to s. 186.513,~~ and shall be supplied directly to local
1022 governments requesting the information.

1023 Section 15. Paragraph (b) of subsection (2) of section
1024 215.559, Florida Statutes, is amended to read:

1025 215.559 Hurricane Loss Mitigation Program.—

1026 (2)

1027 (b) Three million dollars in funds provided in subsection
1028 (1) shall be used to retrofit existing facilities used as public
1029 hurricane shelters. The department must prioritize the use of
1030 these funds for projects included in the September 1, 2000,
1031 version of the Shelter Retrofit Report prepared in accordance
1032 with s. 252.385(3), and each annual report thereafter. ~~The~~
1033 ~~department must give funding priority to projects in regional~~
1034 ~~planning council regions that have shelter deficits and to~~
1035 ~~projects that maximize use of state funds.~~

1036 Section 16. Paragraph (c) of subsection (1) and subsection
1037 (2) of section 218.32, Florida Statutes, are amended to read:

1038 218.32 Annual financial reports; local governmental
1039 entities.—

1040 (1)

1041 (c) Each ~~regional planning council created under s.~~
1042 ~~186.504,~~ each local government finance commission, board, or
1043 council, and each municipal power corporation created as a
1044 separate legal or administrative entity by interlocal agreement

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1045 under s. 163.01(7) shall submit to the department a copy of its
1046 audit report and an annual financial report for the previous
1047 fiscal year in a format prescribed by the department.

1048 (2) The department shall annually by December 1 file a
1049 verified report with the Governor, the Legislature, the Auditor
1050 General, and the Special District Information Program of the
1051 Department of Community Affairs showing the revenues, both
1052 locally derived and derived from intergovernmental transfers,
1053 and the expenditures of each local governmental entity, ~~regional~~
1054 ~~planning council~~, local government finance commission, and
1055 municipal power corporation that is required to submit an annual
1056 financial report. The report must include, but is not limited
1057 to:

1058 (a) The total revenues and expenditures of each local
1059 governmental entity that is a component unit included in the
1060 annual financial report of the reporting entity.

1061 (b) The amount of outstanding long-term debt by each local
1062 governmental entity. For purposes of this paragraph, the term
1063 "long-term debt" means any agreement or series of agreements to
1064 pay money, which, at inception, contemplate terms of payment
1065 exceeding 1 year in duration.

1066 Section 17. Paragraph (b) of subsection (2) and subsection
1067 (3) of section 252.385, Florida Statutes, are amended to read:

1068 252.385 Public shelter space.—

1069 (2)

1070 (b) By January 31 of each even-numbered year, the division
1071 shall prepare and submit a statewide emergency shelter plan to
1072 the Governor and Cabinet for approval, subject to the
1073 requirements for approval in s. 1013.37(2). The plan shall

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1074 identify the general location and square footage of special
1075 needs shelters, ~~by regional planning council region,~~ during the
1076 next 5 years. The plan shall also include information on the
1077 availability of shelters that accept pets. The Department of
1078 Health shall assist the division in determining the estimated
1079 need for special needs shelter space and the adequacy of
1080 facilities to meet the needs of persons with special needs based
1081 on information from the registries of persons with special needs
1082 and other information.

1083 (3) The division shall annually provide to the President of
1084 the Senate, the Speaker of the House of Representatives, and the
1085 Governor a list of facilities recommended to be retrofitted
1086 using state funds. State funds should be maximized and targeted
1087 to ~~regional planning council regions with~~ hurricane evacuation
1088 shelter deficits. Retrofitting facilities in regions with public
1089 hurricane evacuation shelter deficits shall be given first
1090 priority and should be completed by 2003. All recommended
1091 facilities should be retrofitted by 2008. The owner or lessee of
1092 a public hurricane evacuation shelter that is included on the
1093 list of facilities recommended for retrofitting is not required
1094 to perform any recommended improvements.

1095 Section 18. Paragraph (a) of subsection (7) of section
1096 258.501, Florida Statutes, is amended to read:

1097 258.501 Myakka River; wild and scenic segment.—

1098 (7) MANAGEMENT COORDINATING COUNCIL.—

1099 (a) Upon designation, the department shall create a
1100 permanent council to provide interagency and intergovernmental
1101 coordination in the management of the river. The coordinating
1102 council shall be composed of one representative appointed from

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1103 each of the following: the department, the Department of
1104 Transportation, the Fish and Wildlife Conservation Commission,
1105 the Department of Community Affairs, the Division of Forestry of
1106 the Department of Agriculture and Consumer Services, the
1107 Division of Historical Resources of the Department of State, ~~the~~
1108 ~~Tampa Bay Regional Planning Council~~, the Southwest Florida Water
1109 Management District, ~~the Southwest Florida Regional Planning~~
1110 ~~Council~~, Manatee County, Sarasota County, Charlotte County, the
1111 City of Sarasota, the City of North Port, agricultural
1112 interests, environmental organizations, and any others deemed
1113 advisable by the department.

1114 Section 19. Paragraph (a) of subsection (6) of section
1115 288.0656, Florida Statutes, is amended to read:

1116 288.0656 Rural Economic Development Initiative.—

1117 (6) (a) By August 1 of each year, the head of each of the
1118 following agencies and organizations shall designate a deputy
1119 secretary or higher-level staff person from within the agency or
1120 organization to serve as the REDI representative for the agency
1121 or organization:

- 1122 1. The Department of Community Affairs.
- 1123 2. The Department of Transportation.
- 1124 3. The Department of Environmental Protection.
- 1125 4. The Department of Agriculture and Consumer Services.
- 1126 5. The Department of State.
- 1127 6. The Department of Health.
- 1128 7. The Department of Children and Family Services.
- 1129 8. The Department of Corrections.
- 1130 9. The Agency for Workforce Innovation.
- 1131 10. The Department of Education.

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- 1132 11. The Department of Juvenile Justice.
- 1133 12. The Fish and Wildlife Conservation Commission.
- 1134 13. Each water management district.
- 1135 14. Enterprise Florida, Inc.
- 1136 15. Workforce Florida, Inc.
- 1137 16. The Florida Commission on Tourism or VISIT Florida.
- 1138 ~~17. The Florida Regional Planning Council Association.~~
- 1139 17.18. The Agency for Health Care Administration.
- 1140 18.19. The Institute of Food and Agricultural Sciences
- 1141 (IFAS).

1142

1143 An alternate for each designee shall also be chosen, and the

1144 names of the designees and alternates shall be sent to the

1145 director of the Office of Tourism, Trade, and Economic

1146 Development.

1147 Section 20. Paragraphs (f) and (g) of subsection (2) of

1148 section 288.975, Florida Statutes, are amended to read:

1149 288.975 Military base reuse plans.—

1150 (2) As used in this section, the term:

1151 ~~(f) "Regional policy plan" means a strategic regional~~

1152 ~~policy plan that has been adopted by rule by a regional planning~~

1153 ~~council pursuant to s. 186.508.~~

1154 (f) ~~(g)~~ "State comprehensive plan" means the plan as

1155 provided in chapter 187.

1156 Section 21. Paragraph (b) of subsection (26) of section

1157 320.08058, Florida Statutes, is amended to read:

1158 320.08058 Specialty license plates.—

1159 (26) TAMPA BAY ESTUARY LICENSE PLATES.—

1160 (b) The annual use fees shall be distributed to the Tampa

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1161 Bay Estuary Program created by s. 163.01.

1162 1. A maximum of 5 percent of such fees may be used for
1163 marketing the plate.

1164 2. Twenty percent of the proceeds from the annual use fee,
1165 not to exceed \$50,000, shall be provided to the Tampa Bay
1166 Estuary Program Policy Board ~~Regional Planning Council~~ for
1167 activities of the Agency on Bay Management implementing the
1168 Agency Council/Agency Action Plan for the restoration of the
1169 Tampa Bay estuary, as approved by the Tampa Bay Estuary Program
1170 Policy Board.

1171 3. The remaining proceeds must be used to implement the
1172 Comprehensive Conservation and Management Plan for Tampa Bay,
1173 pursuant to priorities approved by the Tampa Bay Estuary Program
1174 Policy Board.

1175 Section 22. Paragraph (b) of subsection (5) of section
1176 339.155, Florida Statutes, is amended, and present paragraphs
1177 (c), (d), and (e) of that subsection are redesignated as
1178 paragraphs (b), (c), and (d), respectively, to read:

1179 339.155 Transportation planning.-

1180 (5) ADDITIONAL TRANSPORTATION PLANS.-

1181 ~~(b) Each regional planning council, as provided for in s.~~
1182 ~~186.504, or any successor agency thereto, shall develop, as an~~
1183 ~~element of its strategic regional policy plan, transportation~~
1184 ~~goals and policies. The transportation goals and policies must~~
1185 ~~be prioritized to comply with the prevailing principles provided~~
1186 ~~in subsection (2) and s. 334.046(1). The transportation goals~~
1187 ~~and policies shall be consistent, to the maximum extent~~
1188 ~~feasible, with the goals and policies of the metropolitan~~
1189 ~~planning organization and the Florida Transportation Plan. The~~

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1190 ~~transportation goals and policies of the regional planning~~
1191 ~~council will be advisory only and shall be submitted to the~~
1192 ~~department and any affected metropolitan planning organization~~
1193 ~~for their consideration and comments. Metropolitan planning~~
1194 ~~organization plans and other local transportation plans shall be~~
1195 ~~developed consistent, to the maximum extent feasible, with the~~
1196 ~~regional transportation goals and policies. The regional~~
1197 ~~planning council shall review urbanized area transportation~~
1198 ~~plans and any other planning products stipulated in s. 339.175~~
1199 ~~and provide the department and respective metropolitan planning~~
1200 ~~organizations with written recommendations which the department~~
1201 ~~and the metropolitan planning organizations shall take under~~
1202 ~~advisement. Further, the regional planning councils shall~~
1203 ~~directly assist local governments which are not part of a~~
1204 ~~metropolitan area transportation planning process in the~~
1205 ~~development of the transportation element of their comprehensive~~
1206 ~~plans as required by s. 163.3177.~~

1207 Section 23. Paragraph (g) of subsection (6) of section
1208 339.175, Florida Statutes, is amended to read:

1209 339.175 Metropolitan planning organization.—

1210 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
1211 privileges, and authority of an M.P.O. are those specified in
1212 this section or incorporated in an interlocal agreement
1213 authorized under s. 163.01. Each M.P.O. shall perform all acts
1214 required by federal or state laws or rules, now and subsequently
1215 applicable, which are necessary to qualify for federal aid. It
1216 is the intent of this section that each M.P.O. shall be involved
1217 in the planning and programming of transportation facilities,
1218 including, but not limited to, airports, intercity and high-

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1219 speed rail lines, seaports, and intermodal facilities, to the
1220 extent permitted by state or federal law.

1221 (g) Each M.P.O. shall have an executive or staff director
1222 who reports directly to the M.P.O. governing board for all
1223 matters regarding the administration and operation of the M.P.O.
1224 and any additional personnel as deemed necessary. The executive
1225 director and any additional personnel may be employed either by
1226 an M.P.O. or by another governmental entity, such as a county
1227 or, city, ~~or regional planning council~~, that has a staff
1228 services agreement signed and in effect with the M.P.O. Each
1229 M.P.O. may enter into contracts with local or state agencies,
1230 private planning firms, private engineering firms, or other
1231 public or private entities to accomplish its transportation
1232 planning and programming duties and administrative functions.

1233 Section 24. Subsection (6) of section 339.285, Florida
1234 Statutes, is amended to read:

1235 339.285 Enhanced Bridge Program for Sustainable
1236 Transportation.—

1237 (6) Preference shall be given to bridge projects located on
1238 corridors that connect to the Strategic Intermodal System,
1239 created under s. 339.64, and that have been identified as
1240 regionally significant in accordance with s. 339.155(5)(b), (c),
1241 and (d) ~~s. 339.155(5)(c), (d), and (e)~~.

1242 Section 25. Subsections (2) and (4) of section 348.9932,
1243 Florida Statutes, are amended to read:

1244 348.9932 Southwest Florida Expressway Authority.—

1245 (2) The governing body of the authority shall consist of
1246 six ~~seven~~ voting members and one nonvoting member, as set forth
1247 in this subsection.

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1248 (a)1.a. One member who is a permanent resident of Collier
1249 County and one member who is a permanent resident of Lee County
1250 shall be appointed by the Governor to serve a term of 4 years
1251 each. The Governor shall select his or her appointees from a
1252 list submitted by the board of county commissioners of each
1253 county, with each list recommending five candidates from their
1254 respective county.

1255 b. One member who is a permanent resident of Collier County
1256 shall be appointed by the Board of County Commissioners of
1257 Collier County and one member who is a permanent resident of Lee
1258 County shall be appointed by the Board of County Commissioners
1259 of Lee County to serve a term of 4 years each.

1260 2. Each member appointed under this paragraph shall be a
1261 person of outstanding reputation for integrity, responsibility,
1262 and business ability and shall have an interest in ground
1263 transportation. No elected official and no person who is an
1264 employee, in any capacity, of Collier County or Lee County or of
1265 any city within Collier County or Lee County shall be an
1266 appointed member of the authority except as set forth in this
1267 section.

1268 3. Each appointed member shall be a resident of his or her
1269 respective county during his or her entire term.

1270 4. Each appointed member shall be a voting member and shall
1271 hold office until his or her successor has been appointed and
1272 has qualified. A vacancy occurring during a term shall be filled
1273 only for the remainder of the unexpired term.

1274 (b) One member from Collier County and one member from Lee
1275 County shall be selected by the members of the respective county
1276 commission from among its members to serve as a voting member

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1277 for a term of 2 years each. Each commissioner must be a member
1278 of the county commission when selected and for the full extent
1279 of the term of this selection.

1280 ~~(c) The executive director of the Southwest Florida~~
1281 ~~Regional Planning Council shall serve as the seventh voting~~
1282 ~~member.~~

1283 (c) ~~(d)~~ The district secretary of the Department of
1284 Transportation serving in the district that contains Collier
1285 County and Lee County shall serve as a nonvoting member.

1286 (d) ~~(e)~~ Any member of the authority shall be eligible for
1287 reappointment.

1288 (4) If an expansion of the project into Charlotte County is
1289 warranted and desirable as indicated by the adoption of
1290 resolutions in support of the expansion by the authority and by
1291 each Board of County Commissioners of Charlotte, Collier, and
1292 Lee Counties, the membership of the authority shall be expanded
1293 as set forth in this subsection. The authority shall have nine
1294 voting members and two nonvoting members. ~~The executive director~~
1295 ~~of the Southwest Florida Regional Planning Council will shift~~
1296 ~~from a voting member to a nonvoting member.~~ Three members from
1297 Charlotte County shall be added to the authority, and each shall
1298 be a voting member. The Charlotte County members shall be
1299 selected in the same manner as provided for the appointment of
1300 the members from Collier and Lee Counties.

1301 Section 26. Subsection (1) of section 369.303, Florida
1302 Statutes, is amended, and present subsections (2) through (10)
1303 of that section are renumbered as subsections (1) through (9),
1304 respectively, to read:

1305 369.303 Definitions.—As used in this part:

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1306 ~~(1) "Council" means the East Central Florida Regional~~
1307 ~~Planning Council.~~

1308 Section 27. Subsection (3) of section 369.307, Florida
1309 Statutes, is amended to read:

1310 369.307 Developments of regional impact in the Wekiva River
1311 Protection Area; land acquisition.—

1312 (3) The Wekiva River Protection Area is hereby declared to
1313 be a natural resource of state and regional importance. The
1314 Wekiva River Basin Commission ~~East Central Florida Regional~~
1315 ~~Planning Council~~ shall adopt policies as part of its strategic
1316 regional policy plan and regional issues list which will protect
1317 the water quantity, water quality, hydrology, wetlands, aquatic
1318 and wetland-dependent wildlife species, habitat of species
1319 designated pursuant to rules 39-27.003, 39-27.004, and 39-
1320 27.005, Florida Administrative Code, and native vegetation in
1321 the Wekiva River Protection Area. The commission ~~council~~ shall
1322 also cooperate with the department in the department's
1323 implementation of the provisions of s. 369.305.

1324 Section 28. Subsection (4) of section 369.324, Florida
1325 Statutes, is amended to read:

1326 369.324 Wekiva River Basin Commission.—

1327 ~~(4) To assist~~ The commission ~~in its mission, the East~~
1328 ~~Central Florida Regional Planning Council~~, in coordination with
1329 the applicable regional and state agencies, shall serve as a
1330 clearinghouse of baseline or specialized studies through
1331 modeling and simulation, including collecting and disseminating
1332 data on the demographics, economics, and the environment of the
1333 Wekiva Study Area including the changing conditions of the
1334 Wekiva River surface and groundwater basin and associated

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1335 influence on the Wekiva River and the Wekiva Springs.

1336 Section 29. Subsections (1) and (2) of section 373.415,
1337 Florida Statutes, are amended to read:

1338 373.415 Protection zones; duties of the St. Johns River
1339 Water Management District.—

1340 (1) Not later than November 1, 1988, the St. Johns River
1341 Water Management District shall adopt rules establishing
1342 protection zones adjacent to the watercourses in the Wekiva
1343 River System, as designated in s. 369.303(9) ~~369.303(10)~~. Such
1344 protection zones shall be sufficiently wide to prevent harm to
1345 the Wekiva River System, including water quality, water
1346 quantity, hydrology, wetlands, and aquatic and wetland-dependent
1347 wildlife species, caused by any of the activities regulated
1348 under this part. Factors on which the widths of the protection
1349 zones shall be based shall include, but not be limited to:

1350 (a) The biological significance of the wetlands and uplands
1351 adjacent to the designated watercourses in the Wekiva River
1352 System, including the nesting, feeding, breeding, and resting
1353 needs of aquatic species and wetland-dependent wildlife species.

1354 (b) The sensitivity of these species to disturbance,
1355 including the short-term and long-term adaptability to
1356 disturbance of the more sensitive species, both migratory and
1357 resident.

1358 (c) The susceptibility of these lands to erosion, including
1359 the slope, soils, runoff characteristics, and vegetative cover.

1360
1361 In addition, the rules may establish permitting thresholds,
1362 permitting exemptions, or general permits, if such thresholds,
1363 exemptions, or general permits do not allow significant adverse

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1364 impacts to the Wekiva River System to occur individually or
1365 cumulatively.

1366 (2) Notwithstanding the provisions of s. 120.60, the St.
1367 Johns River Water Management District shall not issue any permit
1368 under this part within the Wekiva River Protection Area, as
1369 defined in s. 369.303(8) ~~369.303(9)~~, until the appropriate local
1370 government has provided written notification to the district
1371 that the proposed activity is consistent with the local
1372 comprehensive plan and is in compliance with any land
1373 development regulation in effect in the area where the
1374 development will take place. The district may, however, inform
1375 any property owner who makes a request for such information as
1376 to the location of the protection zone or zones on his or her
1377 property. However, if a development proposal is amended as the
1378 result of the review by the district, a permit may be issued
1379 prior to the development proposal being returned, if necessary,
1380 to the local government for additional review.

1381 Section 30. Subsection (3) of section 378.411, Florida
1382 Statutes, is amended to read:

1383 378.411 Certification to receive notices of intent to mine,
1384 to review, and to inspect for compliance.—

1385 (3) In making his or her determination, the secretary shall
1386 consult with the Department of Community Affairs, ~~the~~
1387 ~~appropriate regional planning council,~~ and the appropriate water
1388 management district.

1389 Section 31. Subsection (2) of section 380.045, Florida
1390 Statutes, is amended to read:

1391 380.045 Resource planning and management committees;
1392 objectives; procedures.—

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1393 (2) The committee shall include, but shall not be limited
1394 to, representation from each of the following: elected officials
1395 from the local governments within the area under study; the
1396 planning office of each of the local governments within the area
1397 under study; the state land planning agency; any other state
1398 agency under chapter 20 a representative of which the Governor
1399 feels is relevant to the compilation of the committee; and a
1400 water management district, if appropriate, ~~and regional planning~~
1401 ~~council all or part of whose jurisdiction lies within the area~~
1402 ~~under study.~~ After the appointment of the members, the Governor
1403 shall select a chair and vice chair. A staff member of the state
1404 land planning agency shall be appointed by the director of such
1405 agency to serve as the secretary of the committee. The state
1406 land planning agency shall, to the greatest extent possible,
1407 provide technical assistance and administrative support to the
1408 committee. Meetings will be called as needed by the chair or on
1409 the demand of three or more members of the committee. The
1410 committee will act on a simple majority of a quorum present and
1411 shall make a report within 6 months to the head of the state
1412 land planning agency. The committee shall, from the time of
1413 appointment, remain in existence for no less than 6 months.

1414 Section 32. Paragraph (d) of subsection (9) of section
1415 380.06, Florida Statutes, is amended to read:

1416 380.06 Developments of regional impact.—

1417 (9) CONCEPTUAL AGENCY REVIEW.—

1418 (d) At the conclusion of the conceptual agency review, the
1419 agency shall give notice of its proposed agency action as
1420 required by s. 120.60(3) ~~and shall forward a copy of the notice~~
1421 ~~to the appropriate regional planning council with a report~~

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1422 ~~setting out the agency's conclusions on potential development~~
1423 ~~impacts and stating whether the agency intends to grant~~
1424 ~~conceptual approval, with or without conditions, or to deny~~
1425 ~~conceptual approval.~~ If the agency intends to deny conceptual
1426 approval, the agency ~~report~~ shall state the reasons therefor.
1427 The agency may require the developer to publish notice of
1428 proposed agency action in accordance with s. 403.815.

1429 Section 33. Paragraphs (a), (b), (c), and (d) of subsection
1430 (5) of section 380.061, Florida Statutes, are amended to read:

1431 380.061 The Florida Quality Developments program.—

1432 (5) (a) Before filing an application for development
1433 designation, the developer shall contact the Department of
1434 Community Affairs to arrange one or more preapplication
1435 conferences with the other reviewing entities. Upon the request
1436 of the developer or any of the reviewing entities, other
1437 affected state or regional agencies shall participate in this
1438 conference. The department, in coordination with the local
1439 government with jurisdiction ~~and the regional planning council,~~
1440 shall provide the developer information about the Florida
1441 Quality Developments designation process and the use of
1442 preapplication conferences to identify issues, coordinate
1443 appropriate state, regional, and local agency requirements,
1444 fully address any concerns of the local government, ~~the regional~~
1445 ~~planning council,~~ and other reviewing agencies and the meeting
1446 of those concerns, if applicable, through development order
1447 conditions, and otherwise promote a proper, efficient, and
1448 timely review of the proposed Florida Quality Development. The
1449 department shall take the lead in coordinating the review
1450 process.

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1451 (b) The developer shall submit the application to the state
1452 land planning agency, ~~the appropriate regional planning agency,~~
1453 and the appropriate local government for review. The review
1454 shall be conducted under the time limits and procedures set
1455 forth in s. 120.60, except that the 90-day time limit shall
1456 cease to run when the state land planning agency and the local
1457 government have notified the applicant of their decision on
1458 whether the development should be designated under this program.

1459 (c) At any time prior to the issuance of the Florida
1460 Quality Development development order, the developer of a
1461 proposed Florida Quality Development shall have the right to
1462 withdraw the proposed project from consideration as a Florida
1463 Quality Development. The developer may elect to convert the
1464 proposed project to a proposed development of regional impact.
1465 The conversion shall be in the form of a letter to the reviewing
1466 entities stating the developer's intent to seek authorization
1467 for the development as a development of regional impact under s.
1468 380.06. If a proposed Florida Quality Development converts to a
1469 development of regional impact, the developer shall resubmit the
1470 appropriate application and the development shall be subject to
1471 all applicable procedures under s. 380.06, except that:

1472 ~~1.~~ a preapplication conference held under paragraph (a)
1473 satisfies the preapplication procedures requirement under s.
1474 380.06(7); ~~and~~

1475 ~~2. If requested in the withdrawal letter, a finding of~~
1476 ~~completeness of the application under paragraph (a) and s.~~
1477 ~~120.60 may be converted to a finding of sufficiency by the~~
1478 ~~regional planning council if such a conversion is approved by~~
1479 ~~the regional planning council.~~

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1481 ~~The regional planning council shall have 30 days to notify the~~
1482 ~~developer if the request for conversion of completeness to~~
1483 ~~sufficiency is granted or denied. If granted and the application~~
1484 ~~is found sufficient, the regional planning council shall notify~~
1485 ~~the local government that a public hearing date may be set to~~
1486 ~~consider the development for approval as a development of~~
1487 ~~regional impact, and the development shall be subject to all~~
1488 ~~applicable rules, standards, and procedures of s. 380.06. If the~~
1489 ~~request for conversion of completeness to sufficiency is denied,~~
1490 ~~the developer shall resubmit the appropriate application for~~
1491 ~~review and the development shall be subject to all applicable~~
1492 ~~procedures under s. 380.06, except as otherwise provided in this~~
1493 ~~paragraph.~~

1494 (d) If the local government and state land planning agency
1495 agree that the project should be designated under this program,
1496 the state land planning agency shall issue a development order
1497 which incorporates the plan of development as set out in the
1498 application along with any agreed-upon modifications and
1499 conditions, based on recommendations by the local government ~~and~~
1500 ~~regional planning council~~, and a certification that the
1501 development is designated as one of Florida's Quality
1502 Developments. In the event of conflicting recommendations, the
1503 state land planning agency, after consultation with the local
1504 government ~~and the regional planning agency~~, shall resolve such
1505 conflicts in the development order. Upon designation, the
1506 development, as approved, is exempt from development-of-
1507 regional-impact review pursuant to s. 380.06.

1508 Section 34. Subsection (2) of section 380.07, Florida

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1509 Statutes, is amended to read:

1510 380.07 Florida Land and Water Adjudicatory Commission.—

1511 (2) Whenever any local government issues any development
1512 order in any area of critical state concern, or in regard to any
1513 development of regional impact, copies of such orders as
1514 prescribed by rule by the state land planning agency shall be
1515 transmitted to the state land planning agency, ~~the regional~~
1516 ~~planning agency,~~ and the owner or developer of the property
1517 affected by such order. The state land planning agency shall
1518 adopt rules describing development order rendition and
1519 effectiveness in designated areas of critical state concern.
1520 Within 45 days after the order is rendered, the owner, the
1521 developer, or the state land planning agency may appeal the
1522 order to the Florida Land and Water Adjudicatory Commission by
1523 filing a petition alleging that the development order is not
1524 consistent with the provisions of this part. ~~The appropriate~~
1525 ~~regional planning agency by vote at a regularly scheduled~~
1526 ~~meeting may recommend that the state land planning agency~~
1527 ~~undertake an appeal of a development of regional impact~~
1528 ~~development order.~~ Upon the request of an ~~appropriate regional~~
1529 ~~planning council,~~ affected local government, or any citizen, the
1530 state land planning agency shall consider whether to appeal the
1531 order and shall respond to the request within the 45-day appeal
1532 period.

1533 Section 35. Subsection (26) of section 403.503, Florida
1534 Statutes, is amended, and present subsections (27) through (31)
1535 of that section are renumbered as subsections (26) through (30),
1536 respectively, to read:

1537 403.503 Definitions relating to Florida Electrical Power

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1538 Plant Siting Act.—As used in this act:

1539 ~~(26) "Regional planning council" means a regional planning~~
 1540 ~~council as defined in s. 186.503(4) in the jurisdiction of which~~
 1541 ~~the electrical power plant is proposed to be located.~~

1542 Section 36. Subsections (1), (2), and (3) of section
 1543 403.50663, Florida Statutes, are amended to read:

1544 403.50663 Informational public meetings.—

1545 (1) A local government within whose jurisdiction the power
 1546 plant is proposed to be sited may hold one informational public
 1547 meeting in addition to the hearings specifically authorized by
 1548 this act on any matter associated with the electrical power
 1549 plant proceeding. Such informational public meetings shall be
 1550 held by the local government ~~or by the regional planning council~~
 1551 if the local government does not hold such meeting within 70
 1552 days after the filing of the application. The purpose of an
 1553 informational public meeting is for the local government ~~or~~
 1554 ~~regional planning council~~ to further inform the public about the
 1555 proposed electrical power plant or associated facilities, obtain
 1556 comments from the public, and formulate its recommendation with
 1557 respect to the proposed electrical power plant.

1558 (2) Informational public meetings shall be held solely at
 1559 the option of each local government ~~or regional planning council~~
 1560 if a public meeting is not held by the local government. It is
 1561 the legislative intent that local governments ~~or regional~~
 1562 ~~planning councils~~ attempt to hold such public meetings. Parties
 1563 to the proceedings under this act shall be encouraged to attend;
 1564 however, no party other than the applicant and the department
 1565 shall be required to attend such informational public meetings.

1566 (3) A local government ~~or regional planning council~~ that

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1567 intends to conduct an informational public meeting must provide
1568 notice of the meeting to all parties not less than 5 days prior
1569 to the meeting and to the general public in accordance with s.
1570 403.5115(5). The expense for such notice is eligible for
1571 reimbursement under s. 403.518(2)(c)1.

1572 Section 37. Paragraph (a) of subsection (2) of section
1573 403.507, Florida Statutes, is amended to read:

1574 403.507 Preliminary statements of issues, reports, project
1575 analyses, and studies.-

1576 (2)(a) No later than 100 days after the certification
1577 application has been determined complete, the following agencies
1578 shall prepare reports as provided below and shall submit them to
1579 the department and the applicant, unless a final order denying
1580 the determination of need has been issued under s. 403.519:

1581 1. The Department of Community Affairs shall prepare a
1582 report containing recommendations which address the impact upon
1583 the public of the proposed electrical power plant, based on the
1584 degree to which the electrical power plant is consistent with
1585 the applicable portions of the state comprehensive plan,
1586 emergency management, and other such matters within its
1587 jurisdiction. The Department of Community Affairs may also
1588 comment on the consistency of the proposed electrical power
1589 plant with applicable strategic regional policy plans or local
1590 comprehensive plans and land development regulations.

1591 2. The water management district shall prepare a report as
1592 to matters within its jurisdiction, including but not limited
1593 to, the impact of the proposed electrical power plant on water
1594 resources, regional water supply planning, and district-owned
1595 lands and works.

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1596 3. Each local government in whose jurisdiction the proposed
1597 electrical power plant is to be located shall prepare a report
1598 as to the consistency of the proposed electrical power plant
1599 with all applicable local ordinances, regulations, standards, or
1600 criteria that apply to the proposed electrical power plant,
1601 including any applicable local environmental regulations adopted
1602 pursuant to s. 403.182 or by other means.

1603 4. The Fish and Wildlife Conservation Commission shall
1604 prepare a report as to matters within its jurisdiction.

1605 ~~5. Each regional planning council shall prepare a report~~
1606 ~~containing recommendations that address the impact upon the~~
1607 ~~public of the proposed electrical power plant, based on the~~
1608 ~~degree to which the electrical power plant is consistent with~~
1609 ~~the applicable provisions of the strategic regional policy plan~~
1610 ~~adopted pursuant to chapter 186 and other matters within its~~
1611 ~~jurisdiction.~~

1612 5.6. The Department of Transportation shall address the
1613 impact of the proposed electrical power plant on matters within
1614 its jurisdiction.

1615 Section 38. Paragraph (a) of subsection (3) of section
1616 403.508, Florida Statutes, is amended to read:

1617 403.508 Land use and certification hearings, parties,
1618 participants.—

1619 (3) (a) Parties to the proceeding shall include:

- 1620 1. The applicant.
- 1621 2. The Public Service Commission.
- 1622 3. The Department of Community Affairs.
- 1623 4. The Fish and Wildlife Conservation Commission.
- 1624 5. The water management district.

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1625 6. The department.

1626 ~~7. The regional planning council.~~

1627 ~~7.8.~~ The local government.

1628 ~~8.9.~~ The Department of Transportation.

1629 Section 39. Subsection (5), paragraph (a) of subsection
1630 (6), and paragraph (a) of subsection (7) of section 403.5115,
1631 Florida Statutes, are amended to read:

1632 403.5115 Public notice.—

1633 (5) A local government ~~or regional planning council~~ that
1634 proposes to conduct an informational public meeting pursuant to
1635 s. 403.50663 must publish notice of the meeting in a newspaper
1636 of general circulation within the county ~~or counties~~ in which
1637 the proposed electrical power plant will be located no later
1638 than 7 days prior to the meeting. A newspaper of general
1639 circulation shall be the newspaper that has the largest daily
1640 circulation in that county and has its principal office in that
1641 county. If the newspaper with the largest daily circulation has
1642 its principal office outside the county, the notices shall
1643 appear in both the newspaper having the largest circulation in
1644 that county and in a newspaper authorized to publish legal
1645 notices in that county.

1646 (6) (a) A good faith effort shall be made by the applicant
1647 to provide direct written notice of the filing of an application
1648 for certification by United States mail or hand delivery no
1649 later than 45 days after filing of the application to all local
1650 landowners whose property, as noted in the most recent local
1651 government tax records, and residences are located within the
1652 following distances of the proposed project:

1653 1. Three miles of the proposed main site boundaries of the

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1654 proposed electrical power plant.

1655 2. One-quarter mile for a transmission line corridor that
1656 only includes a transmission line as defined by s. 403.522(21)
1657 ~~403.522(22)~~.

1658 3. One-quarter mile for all other linear associated
1659 facilities extending away from the main site boundary except for
1660 a transmission line corridor that includes a transmission line
1661 that operates below those defined by s. 403.522(21) ~~403.522(22)~~.

1662 (7) (a) A good faith effort shall be made by the proponent
1663 of an alternate corridor that includes a transmission line, as
1664 defined by s. 403.522(21) ~~403.522(22)~~, to provide direct written
1665 notice of the filing of an alternate corridor for certification
1666 by United States mail or hand delivery of the filing no later
1667 than 30 days after filing of the alternate corridor to all local
1668 landowners whose property, as noted in the most recent local
1669 government tax records, and residences, are located within one-
1670 quarter mile of the proposed boundaries of a transmission line
1671 corridor that includes a transmission line as defined by s.
1672 403.522(21) ~~403.522(22)~~.

1673 Section 40. Paragraph (c) of subsection (2) of section
1674 403.518, Florida Statutes, is amended to read:

1675 403.518 Fees; disposition.—The department shall charge the
1676 applicant the following fees, as appropriate, which, unless
1677 otherwise specified, shall be paid into the Florida Permit Fee
1678 Trust Fund:

1679 (2) An application fee, which shall not exceed \$200,000.
1680 The fee shall be fixed by rule on a sliding scale related to the
1681 size, type, ultimate site capacity, or increase in electrical
1682 generating capacity proposed by the application.

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1683 (c)1. Upon written request with proper itemized accounting
1684 within 90 days after final agency action by the board or
1685 department or withdrawal of the application, the agencies that
1686 prepared reports pursuant to s. 403.507 or participated in a
1687 hearing pursuant to s. 403.508 may submit a written request to
1688 the department for reimbursement of expenses incurred during the
1689 certification proceedings. The request shall contain an
1690 accounting of expenses incurred which may include time spent
1691 reviewing the application, preparation of any studies required
1692 of the agencies by this act, agency travel and per diem to
1693 attend any hearing held pursuant to this act, and for any local
1694 government's ~~or regional planning council's~~ provision of notice
1695 of public meetings required as a result of the application for
1696 certification. The department shall review the request and
1697 verify that the expenses are valid. Valid expenses shall be
1698 reimbursed; however, in the event the amount of funds available
1699 for reimbursement is insufficient to provide for full
1700 compensation to the agencies requesting reimbursement,
1701 reimbursement shall be on a prorated basis.

1702 2. If the application review is held in abeyance for more
1703 than 1 year, the agencies may submit a request for
1704 reimbursement. This time period shall be measured from the date
1705 the applicant has provided written notification to the
1706 department that it desires to have the application review
1707 process placed on hold. The fee disbursement shall be processed
1708 in accordance with subparagraph 1.

1709 Section 41. Subsection (21) of section 403.522, Florida
1710 Statutes, is amended, and present subsections (22) through (24)
1711 of that section are renumbered as subsections (21) through (23),

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1712 respectively, to read:

1713 403.522 Definitions relating to the Florida Electric
1714 Transmission Line Siting Act.—As used in this act:

1715 ~~(21) "Regional planning council" means a regional planning~~
1716 ~~council as defined in s. 186.503(4) in the jurisdiction of which~~
1717 ~~the project is proposed to be located.~~

1718 Section 42. Paragraph (a) of subsection (2) of section
1719 403.526, Florida Statutes, is amended to read:

1720 403.526 Preliminary statements of issues, reports, and
1721 project analyses; studies.—

1722 (2) (a) No later than 90 days after the filing of the
1723 application, the following agencies shall prepare reports as
1724 provided below, unless a final order denying the determination
1725 of need has been issued under s. 403.537:

1726 1. The department shall prepare a report as to the impact
1727 of each proposed transmission line or corridor as it relates to
1728 matters within its jurisdiction.

1729 2. Each water management district in the jurisdiction of
1730 which a proposed transmission line or corridor is to be located
1731 shall prepare a report as to the impact on water resources and
1732 other matters within its jurisdiction.

1733 3. The Department of Community Affairs shall prepare a
1734 report containing recommendations which address the impact upon
1735 the public of the proposed transmission line or corridor, based
1736 on the degree to which the proposed transmission line or
1737 corridor is consistent with the applicable portions of the state
1738 comprehensive plan, emergency management, and other matters
1739 within its jurisdiction. The Department of Community Affairs may
1740 also comment on the consistency of the proposed transmission

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1741 line or corridor with applicable strategic regional policy plans
1742 or local comprehensive plans and land development regulations.

1743 4. The Fish and Wildlife Conservation Commission shall
1744 prepare a report as to the impact of each proposed transmission
1745 line or corridor on fish and wildlife resources and other
1746 matters within its jurisdiction.

1747 5. Each local government shall prepare a report as to the
1748 impact of each proposed transmission line or corridor on matters
1749 within its jurisdiction, including the consistency of the
1750 proposed transmission line or corridor with all applicable local
1751 ordinances, regulations, standards, or criteria that apply to
1752 the proposed transmission line or corridor, including local
1753 comprehensive plans, zoning regulations, land development
1754 regulations, and any applicable local environmental regulations
1755 adopted pursuant to s. 403.182 or by other means. A change by
1756 the responsible local government or local agency in local
1757 comprehensive plans, zoning ordinances, or other regulations
1758 made after the date required for the filing of the local
1759 government's report required by this section is not applicable
1760 to the certification of the proposed transmission line or
1761 corridor unless the certification is denied or the application
1762 is withdrawn.

1763 ~~6. Each regional planning council shall present a report~~
1764 ~~containing recommendations that address the impact upon the~~
1765 ~~public of the proposed transmission line or corridor based on~~
1766 ~~the degree to which the transmission line or corridor is~~
1767 ~~consistent with the applicable provisions of the strategic~~
1768 ~~regional policy plan adopted under chapter 186 and other impacts~~
1769 ~~of each proposed transmission line or corridor on matters within~~

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1770 ~~its jurisdiction.~~

1771 6.7. The Department of Transportation shall prepare a
1772 report as to the impact of the proposed transmission line or
1773 corridor on state roads, railroads, airports, aeronautics,
1774 seaports, and other matters within its jurisdiction.

1775 7.8. The commission shall prepare a report containing its
1776 determination under s. 403.537, and the report may include the
1777 comments from the commission with respect to any other subject
1778 within its jurisdiction.

1779 8.9. Any other agency, if requested by the department,
1780 shall also perform studies or prepare reports as to subjects
1781 within the jurisdiction of the agency which may potentially be
1782 affected by the proposed transmission line.

1783 Section 43. Paragraph (a) of subsection (2) of section
1784 403.527, Florida Statutes, is amended to read:

1785 403.527 Certification hearing, parties, participants.—

1786 (2) (a) Parties to the proceeding shall be:

1787 1. The applicant.

1788 2. The department.

1789 3. The commission.

1790 4. The Department of Community Affairs.

1791 5. The Fish and Wildlife Conservation Commission.

1792 6. The Department of Transportation.

1793 7. Each water management district in the jurisdiction of
1794 which the proposed transmission line or corridor is to be
1795 located.

1796 8. The local government.

1797 ~~9. The regional planning council.~~

1798 Section 44. Subsections (1), (2), and (3) of section

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1799 403.5272, Florida Statutes, are amended to read:

1800 403.5272 Informational public meetings.—

1801 (1) A local government whose jurisdiction is to be crossed
1802 by a proposed corridor may hold one informational public meeting
1803 in addition to the hearings specifically authorized by this act
1804 on any matter associated with the transmission line proceeding.
1805 The informational public meeting may be conducted by the local
1806 government ~~or the regional planning council~~ and shall be held no
1807 later than 55 days after the application is filed. The purpose
1808 of an informational public meeting is for the local government
1809 ~~or regional planning council~~ to further inform the public about
1810 the transmission line proposed, obtain comments from the public,
1811 and formulate its recommendation with respect to the proposed
1812 transmission line.

1813 (2) Informational public meetings shall be held solely at
1814 the option of each local government ~~or regional planning~~
1815 ~~council~~. It is the legislative intent that local governments ~~or~~
1816 ~~regional planning councils~~ attempt to hold such public meetings.
1817 Parties to the proceedings under this act shall be encouraged to
1818 attend; however, a party other than the applicant and the
1819 department is not required to attend the informational public
1820 meetings.

1821 (3) A local government ~~or regional planning council~~ that
1822 intends to conduct an informational public meeting must provide
1823 notice of the meeting, with notice sent to all parties listed in
1824 s. 403.527(2)(a), not less than 15 days before the meeting and
1825 to the general public in accordance with s. 403.5363(4).

1826 Section 45. Subsection (4) of section 403.5363, Florida
1827 Statutes, is amended to read:

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1828 403.5363 Public notices; requirements.-

1829 (4) A local government ~~or regional planning council~~ that
 1830 proposes to conduct an informational public meeting pursuant to
 1831 s. 403.5272 must publish notice of the meeting in a newspaper of
 1832 general circulation within the county or counties in which the
 1833 proposed electrical transmission line will be located no later
 1834 than 7 days prior to the meeting. A newspaper of general
 1835 circulation shall be the newspaper that has the largest daily
 1836 circulation in that county and has its principal office in that
 1837 county. If the newspaper with the largest daily circulation has
 1838 its principal office outside the county, the notices shall
 1839 appear in both the newspaper having the largest circulation in
 1840 that county and in a newspaper authorized to publish legal
 1841 notices in that county.

1842 Section 46. Paragraph (d) of subsection (1) of section
 1843 403.5365, Florida Statutes, is amended to read:

1844 403.5365 Fees; disposition.-The department shall charge the
 1845 applicant the following fees, as appropriate, which, unless
 1846 otherwise specified, shall be paid into the Florida Permit Fee
 1847 Trust Fund:

1848 (1) An application fee.

1849 (d)1. Upon written request with proper itemized accounting
 1850 within 90 days after final agency action by the siting board or
 1851 the department or the written notification of the withdrawal of
 1852 the application, the agencies that prepared reports under s.
 1853 403.526 or s. 403.5271 or participated in a hearing under s.
 1854 403.527 or s. 403.5271 may submit a written request to the
 1855 department for reimbursement of expenses incurred during the
 1856 certification proceedings. The request must contain an

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1857 accounting of expenses incurred, which may include time spent
1858 reviewing the application, preparation of any studies required
1859 of the agencies by this act, agency travel and per diem to
1860 attend any hearing held under this act, and for the local
1861 government ~~or regional planning council~~ providing additional
1862 notice of the informational public meeting. The department shall
1863 review the request and verify whether a claimed expense is
1864 valid. Valid expenses shall be reimbursed; however, if the
1865 amount of funds available for reimbursement is insufficient to
1866 provide for full compensation to the agencies, reimbursement
1867 shall be on a prorated basis.

1868 2. If the application review is held in abeyance for more
1869 than 1 year, the agencies may submit a request for reimbursement
1870 under subparagraph 1. This time period shall be measured from
1871 the date the applicant has provided written notification to the
1872 department that it desires to have the application review
1873 process placed on hold. The fee disbursement shall be processed
1874 in accordance with subparagraph 1.

1875 Section 47. Paragraph (d) of subsection (1) of section
1876 403.537, Florida Statutes, is amended to read:

1877 403.537 Determination of need for transmission line; powers
1878 and duties.—

1879 (1)

1880 (d) The determination by the commission of the need for the
1881 transmission line, as defined in s. 403.522(21) ~~403.522(22)~~, is
1882 binding on all parties to any certification proceeding under the
1883 Florida Electric Transmission Line Siting Act and is a condition
1884 precedent to the conduct of the certification hearing prescribed
1885 therein. An order entered pursuant to this section constitutes

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1886 final agency action.

1887 Section 48. Subsection (3) of section 403.7225, Florida
1888 Statutes, is amended to read:

1889 403.7225 Local hazardous waste management assessments.—

1890 (3) Each county ~~or regional planning council~~ shall
1891 coordinate the local hazardous waste management assessments
1892 within its jurisdiction according to guidelines established
1893 under s. 403.7226. ~~If a county declines to perform the local
1894 hazardous waste management assessment, the county shall make
1895 arrangements with its regional planning council to perform the
1896 assessment.~~

1897 Section 49. Subsection (1) of section 403.7226, Florida
1898 Statutes, is amended to read:

1899 403.7226 Technical assistance by the department.—The
1900 department shall:

1901 (1) Provide technical assistance to county governments ~~and~~
1902 ~~regional planning councils~~ to ensure consistency in implementing
1903 local hazardous waste management assessments as provided in ss.
1904 403.7225, 403.7234, and 403.7236. In order to ensure that each
1905 local assessment is properly implemented and that all
1906 information gathered during the assessment is uniformly compiled
1907 and documented, each county ~~or regional planning council~~ shall
1908 contact the department during the preparation of the local
1909 assessment to receive technical assistance. Each county ~~or~~
1910 ~~regional planning council~~ shall follow guidelines established by
1911 the department, and adopted by rule as appropriate, in order to
1912 properly implement these assessments.

1913 Section 50. Section 403.723, Florida Statutes, is amended
1914 to read:

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1915 403.723 Siting of hazardous waste facilities.—It is the
1916 intent of the Legislature to facilitate siting of proper
1917 hazardous waste storage facilities ~~in each region~~ and any
1918 additional storage, treatment, or disposal facilities as
1919 required. The Legislature recognizes the need for facilitating
1920 disposal of waste produced by small generators, reducing the
1921 volume of wastes generated in the state, reducing the toxicity
1922 of wastes generated in the state, and providing treatment and
1923 disposal facilities in the state.

1924 (1) Each county shall complete a hazardous waste management
1925 assessment and designate areas within the county at which a
1926 hazardous waste storage facility could be constructed to meet a
1927 demonstrated need.

1928 (2) After each county designates areas for storage
1929 facilities, the county ~~each regional planning council~~ shall
1930 designate one or more sites at which a ~~regional~~ hazardous waste
1931 storage or treatment facility could be constructed.

1932 (3) The department, within 30 days after ~~of~~ receipt of a
1933 complete application for a hazardous waste facility construction
1934 or modification permit, shall notify each unit of local
1935 government within 3 miles of the proposed facility that a permit
1936 application has been received and shall publish a notice in a
1937 newspaper of general circulation in the area of the proposed
1938 facility that a complete permit application has been received.

1939 (4) Upon request by a person who has applied for a
1940 hazardous waste facility permit from the department, the local
1941 government having jurisdiction over the proposed site shall,
1942 within 90 days of such request, determine whether or not the
1943 proposed site is consistent and in compliance with adopted local

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1944 government comprehensive plans, local land use ordinances, local
1945 zoning ordinances or regulations, and other local ordinances in
1946 effect at the time a hazardous waste facility construction or
1947 modification permit application is made or is an area or site
1948 designated for the purpose of such facility according to this
1949 act.

1950 (5) If the local government determines within 90 days of
1951 the request that construction or modification of the facility
1952 does not comply with such plans, ordinances, regulations, or
1953 area or site designations pursuant to this act, the person
1954 requesting the determination may request a variance from such
1955 plans, ordinances, regulations, or designations.

1956 (6) If the variance requested by the applicant is denied by
1957 local government or if there is no determination made by local
1958 government pursuant to subsection (4) within 90 days of the
1959 request, or if there is no action on the variance requested by
1960 the applicant within 90 days of the request for the variance,
1961 the person requesting such determination or variance may
1962 petition the Governor and Cabinet for a variance from the local
1963 ordinances, assessments, regulations, plans, or area and site
1964 designations.

1965 (7) The Governor and Cabinet shall grant the variance from
1966 any local ordinances, assessments, area and site designations,
1967 regulations, or plans only if a hazardous waste permit has been
1968 issued by the department and if the Governor and Cabinet find,
1969 based upon competent substantial evidence that clearly and
1970 convincingly establishes, that the facility:

1971 (a) Will not have a significant adverse impact on the
1972 environment, including ground and surface water resources, of

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1973 the region; and

1974 (b) Will not have a significant adverse impact on the

1975 economy of the region.

1976 (8) The Governor and Cabinet shall also consider the record

1977 of the proceeding before the local government, when determining

1978 whether to grant a petition for a variance from local

1979 ordinances, regulations, or plans.

1980 (9) The Governor and Cabinet may adopt rules of procedure

1981 that govern these proceedings.

1982 Section 51. Subsection (22) of section 403.9403, Florida

1983 Statutes, is amended, and present subsections (23) and (24) of

1984 that section are renumbered as subsections (22) and (23),

1985 respectively, to read:

1986 403.9403 Definitions.—As used in ss. 403.9401-403.9425, the

1987 term:

1988 ~~(22) "Regional planning council" means a regional planning~~

1989 ~~council created pursuant to chapter 186 in the jurisdiction of~~

1990 ~~which the project is proposed to be located.~~

1991 Section 52. Paragraph (a) of subsection (2) of section

1992 403.941, Florida Statutes, is amended to read:

1993 403.941 Preliminary statements of issues, reports, and

1994 studies.—

1995 (2) (a) The affected agencies shall prepare reports as

1996 provided in this paragraph and shall submit them to the

1997 department and the applicant within 60 days after the

1998 application is determined sufficient:

1999 1. The department shall prepare a report as to the impact

2000 of each proposed natural gas transmission pipeline or corridor

2001 as it relates to matters within its jurisdiction.

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2002 2. Each water management district in the jurisdiction of
2003 which a proposed natural gas transmission pipeline or corridor
2004 is to be located shall prepare a report as to the impact on
2005 water resources and other matters within its jurisdiction.

2006 3. The Department of Community Affairs shall prepare a
2007 report containing recommendations which address the impact upon
2008 the public of the proposed natural gas transmission pipeline or
2009 corridor, based on the degree to which the proposed natural gas
2010 transmission pipeline or corridor is consistent with the
2011 applicable portions of the state comprehensive plan and other
2012 matters within its jurisdiction. The Department of Community
2013 Affairs may also comment on the consistency of the proposed
2014 natural gas transmission pipeline or corridor with applicable
2015 strategic regional policy plans or local comprehensive plans and
2016 land development regulations.

2017 4. The Fish and Wildlife Conservation Commission shall
2018 prepare a report as to the impact of each proposed natural gas
2019 transmission pipeline or corridor on fish and wildlife resources
2020 and other matters within its jurisdiction.

2021 5. Each local government in which the natural gas
2022 transmission pipeline or natural gas transmission pipeline
2023 corridor will be located shall prepare a report as to the impact
2024 of each proposed natural gas transmission pipeline or corridor
2025 on matters within its jurisdiction, including the consistency of
2026 the proposed natural gas transmission pipeline or corridor with
2027 all applicable local ordinances, regulations, standards, or
2028 criteria that apply to the proposed natural gas transmission
2029 pipeline or corridor, including local comprehensive plans,
2030 zoning regulations, land development regulations, and any

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2031 applicable local environmental regulations adopted pursuant to
2032 s. 403.182 or by other means. No change by the responsible local
2033 government or local agency in local comprehensive plans, zoning
2034 ordinances, or other regulations made after the date required
2035 for the filing of the local government's report required by this
2036 section shall be applicable to the certification of the proposed
2037 natural gas transmission pipeline or corridor unless the
2038 certification is denied or the application is withdrawn.

2039 ~~6. Each regional planning council in which the natural gas~~
2040 ~~transmission pipeline or natural gas transmission pipeline~~
2041 ~~corridor will be located shall present a report containing~~
2042 ~~recommendations that address the impact upon the public of the~~
2043 ~~proposed natural gas transmission pipeline or corridor, based on~~
2044 ~~the degree to which the natural gas transmission pipeline or~~
2045 ~~corridor is consistent with the applicable provisions of the~~
2046 ~~strategic regional policy plan adopted pursuant to chapter 186~~
2047 ~~and other impacts of each proposed natural gas transmission~~
2048 ~~pipeline or corridor on matters within its jurisdiction.~~

2049 6.7. The Department of Transportation shall prepare a
2050 report on the effect of the natural gas transmission pipeline or
2051 natural gas transmission pipeline corridor on matters within its
2052 jurisdiction, including roadway crossings by the pipeline. The
2053 report shall contain at a minimum:

2054 a. A report by the applicant to the department stating that
2055 all requirements of the department's utilities accommodation
2056 guide have been or will be met in regard to the proposed
2057 pipeline or pipeline corridor; and

2058 b. A statement by the department as to the adequacy of the
2059 report to the department by the applicant.

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2060 ~~7.8.~~ The Department of State, Division of Historical
 2061 Resources, shall prepare a report on the impact of the natural
 2062 gas transmission pipeline or natural gas transmission pipeline
 2063 corridor on matters within its jurisdiction.

2064 ~~8.9.~~ The commission shall prepare a report addressing
 2065 matters within its jurisdiction. The commission's report shall
 2066 include its determination of need issued pursuant to s.
 2067 403.9422.

2068 Section 53. Paragraph (a) of subsection (4) of section
 2069 403.9411, Florida Statutes, is amended to read:

2070 403.9411 Notice; proceedings; parties and participants.—

2071 (4) (a) Parties to the proceeding shall be:

2072 1. The applicant.

2073 2. The department.

2074 3. The commission.

2075 4. The Department of Community Affairs.

2076 5. The Fish and Wildlife Conservation Commission.

2077 6. Each water management district in the jurisdiction of
 2078 which the proposed natural gas transmission pipeline or corridor
 2079 is to be located.

2080 7. The local government.

2081 ~~8. The regional planning council.~~

2082 ~~8.9.~~ The Department of Transportation.

2083 ~~9.10.~~ The Department of State, Division of Historical
 2084 Resources.

2085 Section 54. Paragraph (d) of subsection (1) of section
 2086 408.033, Florida Statutes, is amended to read:

2087 408.033 Local and state health planning.—

2088 (1) LOCAL HEALTH COUNCILS.—

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2089 (d) Each ~~local health council shall enter into a memorandum~~
2090 ~~of agreement with each regional planning council in its district~~
2091 ~~that elects to address health issues in its strategic regional~~
2092 ~~policy plan. In addition, each~~ local health council shall enter
2093 into a memorandum of agreement with each local government that
2094 includes an optional health element in its comprehensive plan.
2095 Each memorandum of agreement must specify the manner in which
2096 each local government, ~~regional planning council,~~ and local
2097 health council will coordinate its activities to ensure a
2098 unified approach to health planning and implementation efforts.

2099 Section 55. Subsection (6) of section 419.001, Florida
2100 Statutes, is amended to read:

2101 419.001 Site selection of community residential homes.—

2102 (6) If agreed to by both the local government and the
2103 sponsoring agency, a conflict may be resolved through informal
2104 mediation. The local government shall arrange for the services
2105 of an independent mediator ~~or may utilize the dispute resolution~~
2106 ~~process established by a regional planning council pursuant to~~
2107 ~~s. 186.509.~~ Mediation shall be concluded within 45 days of a
2108 request therefor. The resolution of any issue through the
2109 mediation process shall not alter any person's right to a
2110 judicial determination of any issue if that person is entitled
2111 to such a determination under statutory or common law.

2112 Section 56. Subsection (8) of section 985.682, Florida
2113 Statutes, is amended to read:

2114 985.682 Siting of facilities; study; criteria.—

2115 (8) When the department requests such a modification and it
2116 is denied by the local government, the local government or the
2117 department shall initiate the dispute resolution process

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2118 established under s. 186.509 to reconcile differences on the
2119 siting of correctional facilities between the department, local
2120 governments, and private citizens. ~~If the regional planning~~
2121 ~~council has not established a dispute resolution process~~
2122 ~~pursuant to s. 186.509,~~ The department shall establish, by rule,
2123 procedures for dispute resolution. The dispute resolution
2124 process shall require the parties to commence meetings to
2125 reconcile their differences. If the parties fail to resolve
2126 their differences within 30 days after the denial, the parties
2127 shall engage in voluntary mediation or similar process. If the
2128 parties fail to resolve their differences by mediation within 60
2129 days after the denial, or if no action is taken on the
2130 department's request within 90 days after the request, the
2131 department must appeal the decision of the local government on
2132 the requested modification of local plans, ordinances, or
2133 regulations to the Governor and Cabinet. Any dispute resolution
2134 process initiated under this section must conform to the time
2135 limitations set forth herein. However, upon agreement of all
2136 parties, the time limits may be extended, but in no event may
2137 the dispute resolution process extend over 180 days.

2138 Section 57. Subsection (6) of section 1013.30, Florida
2139 Statutes, is amended to read:

2140 1013.30 University campus master plans and campus
2141 development agreements.—

2142 (6) Before a campus master plan is adopted, a copy of the
2143 draft master plan must be sent for review or made available
2144 electronically to the host and any affected local governments,
2145 the state land planning agency, the Department of Environmental
2146 Protection, the Department of Transportation, the Department of

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2147 State, the Fish and Wildlife Conservation Commission, and the
2148 applicable water management district ~~and regional planning~~
2149 ~~council~~. At the request of a governmental entity, a hard copy of
2150 the draft master plan shall be submitted within 7 business days
2151 of an electronic copy being made available. These agencies must
2152 be given 90 days after receipt of the campus master plans in
2153 which to conduct their review and provide comments to the
2154 university board of trustees. The commencement of this review
2155 period must be advertised in newspapers of general circulation
2156 within the host local government and any affected local
2157 government to allow for public comment. Following receipt and
2158 consideration of all comments and the holding of an informal
2159 information session and at least two public hearings within the
2160 host jurisdiction, the university board of trustees shall adopt
2161 the campus master plan. It is the intent of the Legislature that
2162 the university board of trustees comply with the notice
2163 requirements set forth in s. 163.3184(15) to ensure full public
2164 participation in this planning process. The informal public
2165 information session must be held before the first public
2166 hearing. The first public hearing shall be held before the draft
2167 master plan is sent to the agencies specified in this
2168 subsection. The second public hearing shall be held in
2169 conjunction with the adoption of the draft master plan by the
2170 university board of trustees. Campus master plans developed
2171 under this section are not rules and are not subject to chapter
2172 120 except as otherwise provided in this section.

2173 Section 58. Subsections (1) and (2) of section 1013.372,
2174 Florida Statutes, are amended to read:

2175 1013.372 Education facilities as emergency shelters.-

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2176 (1) The Department of Education shall, in consultation with
2177 boards and county and state emergency management offices,
2178 include within the standards to be developed under this
2179 subsection public shelter design criteria to be incorporated
2180 into the Florida Building Code. The new criteria must be
2181 designed to ensure that appropriate new educational facilities
2182 can serve as public shelters for emergency management purposes.
2183 A facility, or an appropriate area within a facility, for which
2184 a design contract is entered into after the effective date of
2185 the inclusion of the public shelter criteria in the code must be
2186 built in compliance with the amended code unless the facility or
2187 a part of it is exempted from using the new shelter criteria due
2188 to its location, size, or other characteristics by the
2189 applicable board with the concurrence of the applicable local
2190 emergency management agency or the Department of Community
2191 Affairs. Any educational facility located or proposed to be
2192 located in an identified category 1, 2, or 3 evacuation zone is
2193 not subject to the requirements of this subsection. ~~If the~~
2194 ~~regional planning council region in which the county is located~~
2195 ~~does not have a hurricane evacuation shelter deficit, as~~
2196 ~~determined by the Department of Community Affairs, educational~~
2197 ~~facilities within the planning council region are not required~~
2198 ~~to incorporate the public shelter criteria.~~

2199 (2) By January 31 of each even-numbered year, the
2200 Department of Community Affairs shall prepare and submit a
2201 statewide emergency shelter plan to the Governor and the Cabinet
2202 for approval. The plan must identify the general location and
2203 square footage of existing shelters, ~~by regional planning~~
2204 ~~council region,~~ and the general location and square footage of

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2205 needed shelters, ~~by regional planning council region,~~ during the
2206 next 5 years. The plan must identify the types of public
2207 facilities that should be constructed to comply with emergency-
2208 shelter criteria and must recommend an appropriate and available
2209 source of funding for the additional cost of constructing
2210 emergency shelters within these public facilities. After the
2211 approval of the plan, a board may not be required to build more
2212 emergency-shelter space than identified as needed in the plan,
2213 and decisions pertaining to exemptions pursuant to subsection
2214 (1) must be guided by the plan.

2215 Section 59. Subsection (4) of section 1013.74, Florida
2216 Statutes, is amended to read:

2217 1013.74 University authorization for fixed capital outlay
2218 projects.—

2219 (4) The university board of trustees shall, in consultation
2220 with local and state emergency management agencies, assess
2221 existing facilities to identify the extent to which each campus
2222 has public hurricane evacuation shelter space. The board shall
2223 submit to the Governor and the Legislature by August 1 of each
2224 year a 5-year capital improvements program that identifies new
2225 or retrofitted facilities that will incorporate enhanced
2226 hurricane resistance standards and that can be used as public
2227 hurricane evacuation shelters. Enhanced hurricane resistance
2228 standards include fixed passive protection for window and door
2229 applications to provide mitigation protection, security
2230 protection with egress, and energy efficiencies that meet
2231 standards required in the 130-mile-per-hour wind zone areas. The
2232 board must also submit proposed facility retrofit projects to
2233 the Department of Community Affairs for assessment and inclusion

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2234 in the annual report prepared in accordance with s. 252.385(3).
2235 ~~Until a regional planning council region in which a campus is~~
2236 ~~located has sufficient public hurricane evacuation shelter~~
2237 ~~space,~~ Any campus building for which a design contract is
2238 entered into subsequent to July 1, 2001, and which has been
2239 identified by the board, with the concurrence of the local
2240 emergency management agency or the Department of Community
2241 Affairs, to be appropriate for use as a public hurricane
2242 evacuation shelter, must be constructed in accordance with
2243 public shelter standards.

2244 Section 60. This act shall take effect July 1, 2011.