



159278

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2015	.	
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The Committee on Community Affairs (Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsection (14) is added to section 163.3246,  
Florida Statutes, to read:

163.3246 Local government comprehensive planning  
certification program.—

(14) It is the intent of the Legislature to encourage the  
creation of connected-city corridors that facilitate the growth



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11 of high-technology industry and innovation through partnerships  
12 that support research, marketing, workforce, and  
13 entrepreneurship. It is the intent of the Legislature to provide  
14 for a locally controlled, comprehensive plan amendment process  
15 for such projects that are designed to achieve a cleaner,  
16 healthier environment; limit urban sprawl by promoting diverse  
17 but interconnected communities; provide a range of  
18 intergenerational housing types; protect wildlife and natural  
19 areas; assure the efficient use of land and other resources;  
20 create quality communities of a design that promotes alternative  
21 transportation networks and travel by multiple transportation  
22 modes; and enhance the prospects for the creation of jobs. The  
23 Legislature finds and declares that this state's connected-city  
24 corridors require a reduced level of state and regional  
25 oversight because of their high degree of urbanization and the  
26 planning capabilities and resources of the local government.

27 (a) Notwithstanding subsections (2), (4), (5), (6), and  
28 (7), Pasco County is named a pilot community and shall be  
29 considered certified for a period of 10 years for connected-city  
30 corridor plan amendments. The state land planning agency shall  
31 provide a written notice of certification to Pasco County by  
32 July 15, 2015, which shall be considered a final agency action  
33 subject to challenge under s. 120.569. The notice of  
34 certification must include:

35 1. The boundary of the connected-city corridor  
36 certification area; and

37 2. A requirement that Pasco County submit an annual or  
38 biennial monitoring report to the state land planning agency  
39 according to the schedule provided in the written notice. The



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40 monitoring report shall, at a minimum, include the number of  
41 amendments to the comprehensive plan adopted by Pasco County,  
42 the number of plan amendments challenged by an affected person,  
43 and the disposition of such challenges.

44 (b) A plan amendment adopted under this subsection may be  
45 based upon a planning period longer than the generally  
46 applicable planning period of the Pasco County local  
47 comprehensive plan, shall specify the projected population  
48 within the planning area during the chosen planning period, may  
49 include a phasing or staging schedule that allocates a portion  
50 of Pasco County's future growth to the planning area through the  
51 planning period, and may designate a priority zone or subarea  
52 within the connected-city corridor for initial implementation of  
53 the plan. A plan amendment adopted under this subsection is not  
54 required to demonstrate need based upon projected population  
55 growth or on any other basis.

56 (c) If Pasco County adopts a long-term transportation  
57 network plan and financial feasibility plan, and subject to  
58 compliance with the requirements of such a plan, the projects  
59 within the connected-city corridor are deemed to have satisfied  
60 all concurrency and other state agency or local government  
61 transportation mitigation requirements except for site-specific  
62 access management requirements.

63 (d) If Pasco County does not request that the state land  
64 planning agency review the developments of regional impact that  
65 are proposed within the certified area, an application for  
66 approval of a development order within the certified area is  
67 exempt from review under s. 380.06.

68 (e) The Office of Program Policy Analysis and Government



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69 Accountability (OPPAGA) shall submit to the Governor, the  
70 President of the Senate, and the Speaker of the House of  
71 Representatives by December 1, 2024, a report and  
72 recommendations for implementing a statewide program that  
73 addresses the legislative findings in this subsection. In  
74 consultation with the state land planning agency, OPPAGA shall  
75 develop the report and recommendations with input from other  
76 state and regional agencies, local governments, and interest  
77 groups. OPPAGA shall also solicit citizen input in the  
78 potentially affected areas and consult with the affected local  
79 government and stakeholder groups. Additionally, OPPAGA shall  
80 review local and state actions and correspondence relating to  
81 the pilot program to identify issues of process and substance in  
82 recommending changes to the pilot program. At a minimum, the  
83 report and recommendations must include:

84 1. Identification of local governments other than the local  
85 government participating in the pilot program which should be  
86 certified. The report may also recommend that a local government  
87 is no longer appropriate for certification; and

88 2. Changes to the certification pilot program.

89 Section 2. Subsection (2) of section 190.005, Florida  
90 Statutes, is amended to read:

91 190.005 Establishment of district.—

92 (2) The exclusive and uniform method for the establishment  
93 of a community development district of less than 1,000 acres in  
94 size or a community development district of up to 2,000 acres in  
95 size located within a connected-city corridor established  
96 pursuant to s. 163.3246(14) shall be pursuant to an ordinance  
97 adopted by the county commission of the county having



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98 jurisdiction over the majority of land in the area in which the  
99 district is to be located granting a petition for the  
100 establishment of a community development district as follows:

101 (a) A petition for the establishment of a community  
102 development district shall be filed by the petitioner with the  
103 county commission. The petition shall contain the same  
104 information as required in paragraph (1) (a).

105 (b) A public hearing on the petition shall be conducted by  
106 the county commission in accordance with the requirements and  
107 procedures of paragraph (1) (d).

108 (c) The county commission shall consider the record of the  
109 public hearing and the factors set forth in paragraph (1) (e) in  
110 making its determination to grant or deny a petition for the  
111 establishment of a community development district.

112 (d) The county commission shall not adopt any ordinance  
113 which would expand, modify, or delete any provision of the  
114 uniform community development district charter as set forth in  
115 ss. 190.006-190.041. An ordinance establishing a community  
116 development district shall only include the matters provided for  
117 in paragraph (1) (f) unless the commission consents to any of the  
118 optional powers under s. 190.012(2) at the request of the  
119 petitioner.

120 (e) If all of the land in the area for the proposed  
121 district is within the territorial jurisdiction of a municipal  
122 corporation, then the petition requesting establishment of a  
123 community development district under this act shall be filed by  
124 the petitioner with that particular municipal corporation. In  
125 such event, the duties of the county, hereinabove described, in  
126 action upon the petition shall be the duties of the municipal



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127 corporation. If any of the land area of a proposed district is  
128 within the land area of a municipality, the county commission  
129 may not create the district without municipal approval. If all  
130 of the land in the area for the proposed district, even if less  
131 than 1,000 acres, is within the territorial jurisdiction of two  
132 or more municipalities, except for proposed districts within a  
133 connected-city corridor established pursuant to s. 163.3246(14),  
134 the petition shall be filed with the Florida Land and Water  
135 Adjudicatory Commission and proceed in accordance with  
136 subsection (1).

137 (f) Notwithstanding any other provision of this subsection,  
138 within 90 days after a petition for the establishment of a  
139 community development district has been filed pursuant to this  
140 subsection, the governing body of the county or municipal  
141 corporation may transfer the petition to the Florida Land and  
142 Water Adjudicatory Commission, which shall make the  
143 determination to grant or deny the petition as provided in  
144 subsection (1). A county or municipal corporation shall have no  
145 right or power to grant or deny a petition that has been  
146 transferred to the Florida Land and Water Adjudicatory  
147 Commission.

148 Section 3. This act shall take effect upon becoming a law.

149  
150 ===== T I T L E A M E N D M E N T =====

151 And the title is amended as follows:

152 Delete everything before the enacting clause  
153 and insert:

154 A bill to be entitled

155 An act relating to connected-city corridors; amending



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156 s. 163.3246; providing legislative intent; designating  
157 Pasco County as a pilot community; requiring the state  
158 land planning agency to provide a written  
159 certification to Pasco County within a certain  
160 timeframe; providing requirements for certain plan  
161 amendments; requiring the Office of Program Policy  
162 Analysis and Government Accountability to submit a  
163 report and recommendations to the Governor and the  
164 Legislature by a certain date; providing requirements  
165 for the report; amending s. 190.005, F.S.; requiring  
166 community development districts up to a certain size  
167 located within a connected-city corridor to be  
168 established pursuant to an ordinance; providing an  
169 effective date.