

By the Committee on Community Affairs; and Senator Simpson

578-02392-15

20151216c1

1 A bill to be entitled  
2 An act relating to connected-city corridors; amending  
3 s. 163.3246, F.S.; providing legislative intent;  
4 designating Pasco County as a pilot community;  
5 requiring the state land planning agency to provide a  
6 written certification to Pasco County within a certain  
7 timeframe; providing requirements for certain plan  
8 amendments; requiring the Office of Program Policy  
9 Analysis and Government Accountability to submit a  
10 report and recommendations to the Governor and the  
11 Legislature by a certain date; providing requirements  
12 for the report; amending s. 190.005, F.S.; requiring  
13 community development districts up to a certain size  
14 located within a connected-city corridor to be  
15 established pursuant to an ordinance; providing an  
16 effective date.

17  
18 Be It Enacted by the Legislature of the State of Florida:

19  
20 Section 1. Subsection (14) is added to section 163.3246,  
21 Florida Statutes, to read:

22 163.3246 Local government comprehensive planning  
23 certification program.—

24 (14) It is the intent of the Legislature to encourage the  
25 creation of connected-city corridors that facilitate the growth  
26 of high-technology industry and innovation through partnerships  
27 that support research, marketing, workforce, and  
28 entrepreneurship. It is the intent of the Legislature to provide  
29 for a locally controlled, comprehensive plan amendment process

578-02392-15

20151216c1

30 for such projects that are designed to achieve a cleaner,  
31 healthier environment; limit urban sprawl by promoting diverse  
32 but interconnected communities; provide a range of  
33 intergenerational housing types; protect wildlife and natural  
34 areas; assure the efficient use of land and other resources;  
35 create quality communities of a design that promotes alternative  
36 transportation networks and travel by multiple transportation  
37 modes; and enhance the prospects for the creation of jobs. The  
38 Legislature finds and declares that this state's connected-city  
39 corridors require a reduced level of state and regional  
40 oversight because of their high degree of urbanization and the  
41 planning capabilities and resources of the local government.

42 (a) Notwithstanding subsections (2), (4), (5), (6), and  
43 (7), Pasco County is named a pilot community and shall be  
44 considered certified for a period of 10 years for connected-city  
45 corridor plan amendments. The state land planning agency shall  
46 provide a written notice of certification to Pasco County by  
47 July 15, 2015, which shall be considered a final agency action  
48 subject to challenge under s. 120.569. The notice of  
49 certification must include:

50 1. The boundary of the connected-city corridor  
51 certification area; and

52 2. A requirement that Pasco County submit an annual or  
53 biennial monitoring report to the state land planning agency  
54 according to the schedule provided in the written notice. The  
55 monitoring report shall, at a minimum, include the number of  
56 amendments to the comprehensive plan adopted by Pasco County,  
57 the number of plan amendments challenged by an affected person,  
58 and the disposition of such challenges.

578-02392-15

20151216c1

59 (b) A plan amendment adopted under this subsection may be  
60 based upon a planning period longer than the generally  
61 applicable planning period of the Pasco County local  
62 comprehensive plan, shall specify the projected population  
63 within the planning area during the chosen planning period, may  
64 include a phasing or staging schedule that allocates a portion  
65 of Pasco County's future growth to the planning area through the  
66 planning period, and may designate a priority zone or subarea  
67 within the connected-city corridor for initial implementation of  
68 the plan. A plan amendment adopted under this subsection is not  
69 required to demonstrate need based upon projected population  
70 growth or on any other basis.

71 (c) If Pasco County adopts a long-term transportation  
72 network plan and financial feasibility plan, and subject to  
73 compliance with the requirements of such a plan, the projects  
74 within the connected-city corridor are deemed to have satisfied  
75 all concurrency and other state agency or local government  
76 transportation mitigation requirements except for site-specific  
77 access management requirements.

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

83 (e) The Office of Program Policy Analysis and Government  
84 Accountability (OPPAGA) shall submit to the Governor, the  
85 President of the Senate, and the Speaker of the House of  
86 Representatives by December 1, 2024, a report and  
87 recommendations for implementing a statewide program that

578-02392-15

20151216c1

88 addresses the legislative findings in this subsection. In  
89 consultation with the state land planning agency, OPPAGA shall  
90 develop the report and recommendations with input from other  
91 state and regional agencies, local governments, and interest  
92 groups. OPPAGA shall also solicit citizen input in the  
93 potentially affected areas and consult with the affected local  
94 government and stakeholder groups. Additionally, OPPAGA shall  
95 review local and state actions and correspondence relating to  
96 the pilot program to identify issues of process and substance in  
97 recommending changes to the pilot program. At a minimum, the  
98 report and recommendations must include:

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

103 2. Changes to the certification pilot program.

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

106 190.005 Establishment of district.—

107 (2) The exclusive and uniform method for the establishment  
108 of a community development district of less than 1,000 acres in  
109 size or a community development district of up to 2,000 acres in  
110 size located within a connected-city corridor established  
111 pursuant to s. 163.3246(14) shall be pursuant to an ordinance  
112 adopted by the county commission of the county having  
113 jurisdiction over the majority of land in the area in which the  
114 district is to be located granting a petition for the  
115 establishment of a community development district as follows:

116 (a) A petition for the establishment of a community

578-02392-15

20151216c1

117 development district shall be filed by the petitioner with the  
118 county commission. The petition shall contain the same  
119 information as required in paragraph (1) (a).

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

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

127 (d) The county commission shall not adopt any ordinance  
128 which would expand, modify, or delete any provision of the  
129 uniform community development district charter as set forth in  
130 ss. 190.006-190.041. An ordinance establishing a community  
131 development district shall only include the matters provided for  
132 in paragraph (1) (f) unless the commission consents to any of the  
133 optional powers under s. 190.012(2) at the request of the  
134 petitioner.

135 (e) If all of the land in the area for the proposed  
136 district is within the territorial jurisdiction of a municipal  
137 corporation, then the petition requesting establishment of a  
138 community development district under this act shall be filed by  
139 the petitioner with that particular municipal corporation. In  
140 such event, the duties of the county, hereinabove described, in  
141 action upon the petition shall be the duties of the municipal  
142 corporation. If any of the land area of a proposed district is  
143 within the land area of a municipality, the county commission  
144 may not create the district without municipal approval. If all  
145 of the land in the area for the proposed district, even if less

578-02392-15

20151216c1

146 than 1,000 acres, is within the territorial jurisdiction of two  
147 or more municipalities, except for proposed districts within a  
148 connected-city corridor established pursuant to s. 163.3246(14),  
149 the petition shall be filed with the Florida Land and Water  
150 Adjudicatory Commission and proceed in accordance with  
151 subsection (1).

152 (f) Notwithstanding any other provision of this subsection,  
153 within 90 days after a petition for the establishment of a  
154 community development district has been filed pursuant to this  
155 subsection, the governing body of the county or municipal  
156 corporation may transfer the petition to the Florida Land and  
157 Water Adjudicatory Commission, which shall make the  
158 determination to grant or deny the petition as provided in  
159 subsection (1). A county or municipal corporation shall have no  
160 right or power to grant or deny a petition that has been  
161 transferred to the Florida Land and Water Adjudicatory  
162 Commission.

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