

1 A bill to be entitled
2 An act relating to growth management; amending s.
3 163.3164, F.S.; defining the term "constrained
4 agricultural parcel"; amending s. 163.3162, F.S.;
5 authorizing specified landowners to apply for an
6 amendment to a local government comprehensive plan;
7 requiring the local government and the owner of land
8 to agree in writing to a schedule and to negotiate a
9 consensus on the consistency of uses, densities, and
10 intensities within a specified period; establishing a
11 presumption that the amendment is not urban sprawl
12 under certain conditions; requiring the local
13 government to transmit the amendment to the state land
14 planning agency for review; transferring the amendment
15 to the state land planning agency under certain
16 circumstances; limiting the authority of the local
17 government to establish specified prohibitions on the
18 constrained agricultural parcel under certain
19 circumstances; exempting specified property; amending
20 s. 163.3180, F.S.; limiting the amount of mobility and
21 impact fees; amending s. 163.3184, F.S.; requiring
22 plan amendments proposing a development that qualifies
23 as a development of regional impact to be subject to
24 the state coordinated review process; amending s.
25 380.06, F.S.; providing that new proposed developments
26 are subject to the state coordinated review process

27 | and not the development of regional impact review
28 | process; amending s. 163.3175, F.S.; deleting obsolete
29 | provisions; amending s. 163.3245, F.S.; authorizing
30 | certain conservation easements granted and recorded as
31 | part of a detailed specific area plan to be modified
32 | or substituted for other lands; providing criteria for
33 | substituting such lands; requiring applicants to
34 | provide copies of detailed specified area plans to
35 | identified agencies; authorizing specific agencies to
36 | allow an applicant to use previously recorded
37 | conservation easements to offset impacts to wetlands
38 | or uplands for permitting purposes; authorizing an
39 | applicant to request that a consumptive use permit be
40 | issued for the same period as an approved master
41 | development order; providing construction; amending s.
42 | 373.236, F.S.; authorizing a water management district
43 | to issue a consumptive use permit for the length of an
44 | approved master development order under certain
45 | circumstances; specifying the criteria to be applied
46 | by the water management district in issuing such
47 | permit; providing construction; amending s. 163.3246,
48 | F.S.; removing restrictions on certain review
49 | exemptions; amending s. 163.3248, F.S.; removing the
50 | requirement that regional planning councils provide
51 | assistance in developing a plan for a rural land
52 | stewardship area; amending s. 186.504, F.S.;

53 conforming provisions to changes made by the act;
54 amending s. 186.505, F.S.; removing the power of
55 regional planning councils to establish and conduct
56 cross-acceptance negotiation processes; amending s.
57 186.506, F.S.; removing the Governor's authority to
58 revise regional planning council district boundaries;
59 creating s. 186.512, F.S.; subdividing the state into
60 specified geographic regions for the purpose of
61 regional comprehensive planning; authorizing a county
62 to opt out of membership in a regional planning
63 council; amending s. 186.513, F.S.; deleting the
64 requirement that regional planning councils make joint
65 reports and recommendations; amending ss. 120.52,
66 218.32, and 253.7828, F.S.; conforming provisions to
67 changes made by the act; amending s. 339.135, F.S.;
68 deleting obsolete provisions; amending s. 339.155,
69 F.S.; removing certain duties of regional planning
70 councils; amending s. 380.06, F.S.; removing the
71 requirement that developers submit biennial reports to
72 regional planning agencies; amending s. 403.50663,
73 F.S.; removing requirements relating to certain
74 informational public meetings; amending s. 403.507,
75 F.S.; removing the requirement that regional planning
76 councils prepare reports addressing the impact of
77 proposed electrical power plants; amending s. 403.508,
78 F.S.; removing the requirement that regional planning

79 councils participate in certain proceedings; amending
80 s. 403.5115, F.S.; conforming provisions to changes
81 made by the act; amending s. 403.526, F.S.; removing
82 the requirement that regional planning councils
83 prepare reports addressing the impact of proposed
84 transmission lines or corridors; amending s. 403.527,
85 F.S.; removing the requirement that regional planning
86 councils participate in certain proceedings; amending
87 s. 403.5272, F.S.; conforming provisions to changes
88 made by the act; amending s. 403.7264, F.S.; removing
89 the requirement that regional planning councils assist
90 with amnesty days for purging small quantities of
91 hazardous wastes; amending s. 403.941, F.S.; removing
92 the requirement that regional planning councils
93 prepare reports addressing the impact of proposed
94 natural gas transmission pipelines or corridors;
95 amending s. 403.9411, F.S.; removing the requirement
96 that regional planning councils participate in certain
97 proceedings; amending ss. 419.001 and 985.682, F.S.;
98 removing provisions relating to the use of a certain
99 dispute resolution process; repealing s. 186.0201,
100 F.S., relating to electric substation planning;
101 repealing s. 260.018, F.S., relating to agency
102 recognition of certain publicly owned lands and
103 waters; providing an appropriation; amending s.
104 163.08, F.S.; declaring a compelling state interest in

105 enabling property owners to voluntarily finance
106 certain improvements to real property damaged by
107 ground subsidence, including sinkhole activity, with
108 local government assistance; expanding the definition
109 of the term "qualifying improvement" to include
110 stabilization or other repairs to real property
111 damaged by ground subsidence; providing that
112 stabilization or other repairs to real property
113 damaged by ground subsidence are qualifying
114 improvements considered affixed to a building or
115 facility; revising the form of a specified written
116 disclosure statement to include an assessment for a
117 qualifying improvement relating to stabilization or
118 repair of real property damaged by ground subsidence;
119 amending s. 163.335, F.S.; providing legislative
120 findings regarding ground subsidence; amending s.
121 163.340, F.S.; expanding the definition of the term
122 "blighted area" to include a substantial number or
123 percentage of properties damaged by ground subsidence
124 that are not adequately repaired or stabilized;
125 amending s. 163.350, F.S.; authorizing counties and
126 municipalities to include in a workable program
127 provisions to stabilize or repair property damaged by
128 ground subsidence; creating s. 163.359, F.S.;

129 prohibiting certain community redevelopment agencies
130 from paying attorney fees or public adjuster fees;

131 amending s. 163.360, F.S.; authorizing a county or
132 municipality to purchase lands in a community
133 redevelopment area that are blighted by ground
134 subsidence; amending s. 163.370, F.S.; authorizing
135 counties and municipalities to enter into specified
136 insurance programs to protect against certain claims
137 or judgments regarding property damaged by ground
138 subsidence; specifying the types of insurance
139 community redevelopment agencies may purchase;
140 amending s. 163.3246, F.S.; providing legislative
141 intent; designating Pasco County as a pilot community;
142 requiring the state land planning agency to provide a
143 written certification to Pasco County within a certain
144 timeframe; providing requirements for certain plan
145 amendments; requiring the Office of Program Policy
146 Analysis and Government Accountability to submit a
147 report and recommendations to the Governor and the
148 Legislature by a certain date; providing requirements
149 for the report; amending s. 190.005, F.S.; requiring
150 community development districts up to a certain size
151 located within a connected-city corridor to be
152 established pursuant to an ordinance; amending s.
153 163.3167, F.S.; requiring local governments to address
154 the protection of private property rights in their
155 comprehensive plans; amending s. 163.3177, F.S.;

156 requiring the comprehensive plan to include a property

157 rights element that addresses certain objectives;
 158 requiring counties and municipalities to adopt land
 159 development regulations consistent with the property
 160 rights element; prohibiting a municipality or county
 161 from requiring a developer to pay a fee to remove
 162 vegetation under certain circumstances; providing
 163 construction; defining the term "fee"; providing for
 164 exemption; providing an effective date.
 165

166 Be It Enacted by the Legislature of the State of Florida:
 167

168 Section 1. Subsections (11) through (51) of section
 169 163.3164, Florida Statutes, are renumbered as subsections (12)
 170 through (52), respectively, and a new subsection (11) is added
 171 to that section to read:

172 163.3164 Community Planning Act; definitions.—As used in
 173 this act:

174 (11) "Constrained agricultural parcel" means an
 175 undeveloped parcel of a county:

176 (a) That is owned by a single person or entity or by
 177 affiliated or related entities;

178 (b) At least 75 percent of which has been in continuous
 179 use for a bona fide agricultural purpose as defined in s.
 180 193.461 for 3 years before the date of any comprehensive plan
 181 amendment application;

182 (c) That has at least 1 mile of its boundary adjacent to

183 existing or approved but unbuilt industrial, commercial, or
 184 residential development;

185 (d) That has at least 1 mile of its boundary adjacent to
 186 lands that have been designated in the local government's
 187 comprehensive plan, zoning map, or future land use map as land
 188 that cannot be developed for industrial, commercial, or
 189 residential development except at an agricultural density; and

190 (e) That does not exceed 6,400 acres.

191
 192 Multiple parcels of land shall be considered a constrained
 193 agricultural parcel if such parcels are owned by a single person
 194 or entity or by affiliated or related entities; the largest
 195 parcel independently meets the criteria of paragraphs (b)-(d);
 196 any additional parcels are located contiguous to or within 3,500
 197 linear feet of the largest parcel; and the aggregated parcels do
 198 not exceed 6,400 acres.

199 Section 2. Subsection (5) is added to section 163.3162,
 200 Florida Statutes, to read:

201 163.3162 Agricultural Lands and Practices.—

202 (5) FUTURE PLANNING OF ACTIVE AGRICULTURAL LANDS ADJACENT
 203 TO DEVELOPMENT.—The owner of a constrained agricultural parcel
 204 may apply for an amendment to the local government comprehensive
 205 plan pursuant to s. 163.3184.

206 (a) The local government and the owner of the constrained
 207 agricultural parcel that is the subject of an application for an
 208 amendment have 30 days after the local government's receipt of a

209 complete application to agree in writing to a schedule for
210 information submittal, public hearings, negotiations, and final
211 action on the amendment. Such schedule may be altered only with
212 the written consent of the local government and the owner.
213 Compliance with the schedule in the written agreement
214 constitutes good faith negotiations.

215 (b) The local government and the owner of the constrained
216 agricultural parcel have 180 days after the date the local
217 government receives a complete application to negotiate in good
218 faith to reach consensus as to whether the uses, densities, and
219 intensities included in the amendment are consistent with the
220 most prevalent surrounding uses, densities, and intensities
221 within a 3-mile radius of the constrained agricultural parcel,
222 excluding the adjacent lands described in s. 163.3164(11)(d),
223 whether such surrounding uses, densities, and intensities are
224 developed or are approved but not yet developed.

225 (c) If an amendment includes uses, densities, and
226 intensities that are consistent with the most prevalent
227 surrounding uses, densities, and intensities within a 3-mile
228 radius of the constrained agricultural parcel, excluding the
229 adjacent lands described in s. 163.3164(11)(d), whether such
230 surrounding uses, densities, and intensities are developed or
231 are approved but not yet developed, the amendment is presumed
232 not to constitute urban sprawl as defined in s. 163.3164. This
233 presumption may be rebutted by clear and convincing evidence.

234 (d) Regardless of whether the local government and the

235 owner reach a consensus, the local government shall transmit the
236 amendment to the state land planning agency for review pursuant
237 to s. 163.3184 upon the conclusion of the good faith
238 negotiations. If the local government fails to transmit the
239 amendment within 180 days after receipt of a complete
240 application, the amendment shall immediately transfer to the
241 state land planning agency for such review. An amendment
242 transmitted to the state land planning agency is presumed not to
243 constitute urban sprawl as defined in s. 163.3164. This
244 presumption may be rebutted by clear and convincing evidence.

245 (e) Notwithstanding a comprehensive plan, a local
246 government may not impose a development condition that prohibits
247 uses, densities, and intensities that are consistent with the
248 most prevalent surrounding uses, densities, and intensities of
249 lands within a 3-mile radius of the constrained agricultural
250 parcel, excluding the adjacent lands described in s.
251 163.3164(11) (d), whether such surrounding uses, densities, and
252 intensities are developed or are approved but not yet developed.
253 If a local government imposes such development conditions, the
254 owner may apply to the circuit court for appropriate relief
255 pursuant to s. 70.001. The imposition of such conditions is
256 presumed to impose an inordinate burden that may be rebutted by
257 clear and convincing evidence. This subsection does not apply to
258 comprehensive plan provisions, development conditions, or land
259 development regulations enacted to address compatibility of uses
260 with military operations or installations.

261 (f) A plan amendment submitted under this subsection is
 262 not entitled to the rebuttable presumption in the negotiation
 263 and amendment process if the owner fails to negotiate in good
 264 faith.

265 (g) This subsection does not preempt or replace any
 266 protection currently existing for any property located within
 267 the boundaries of:

- 268 1. The Wekiva Study Area as defined in s. 369.316; or
- 269 2. The Everglades Protection Area as defined in s.
 270 373.4592(2).

271 Section 3. Paragraph (c) is added to subsection (1) of
 272 section 163.3180, Florida Statutes, to read:

273 163.3180 Concurrency.—

274 (1) Sanitary sewer, solid waste, drainage, and potable
 275 water are the only public facilities and services subject to the
 276 concurrency requirement on a statewide basis. Additional public
 277 facilities and services may not be made subject to concurrency
 278 on a statewide basis without approval by the Legislature;
 279 however, any local government may extend the concurrency
 280 requirement so that it applies to additional public facilities
 281 within its jurisdiction.

282 (c) If a local government applies concurrency to
 283 transportation facilities or public education facilities and
 284 also imposes mobility fees or impact fees for transportation or
 285 public education, any proportionate share payment or mitigation
 286 payment required under paragraph (5) (h) or paragraph (6) (h) must

287 not exceed 125 percent of the applicable mobility fee or impact
 288 fee.

289 Section 4. Paragraph (c) of subsection (2) of section
 290 163.3184, Florida Statutes, is amended to read:

291 163.3184 Process for adoption of comprehensive plan or
 292 plan amendment.—

293 (2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

294 (c) Plan amendments that are in an area of critical state
 295 concern designated pursuant to s. 380.05; propose a rural land
 296 stewardship area pursuant to s. 163.3248; propose a sector plan
 297 pursuant to s. 163.3245; update a comprehensive plan based on an
 298 evaluation and appraisal pursuant to s. 163.3191; propose a
 299 development that qualifies as a development of regional impact
 300 pursuant to s. 380.06 ~~380.06(24)(*)~~; or are new plans for newly
 301 incorporated municipalities adopted pursuant to s. 163.3167
 302 shall follow the state coordinated review process in subsection
 303 (4).

304 Section 5. Subsection (30) is added to section 380.06,
 305 Florida Statutes, to read:

306 380.06 Developments of regional impact.—

307 (30) NEW PROPOSED DEVELOPMENTS.—A new proposed development
 308 otherwise subject to the review requirements of this section
 309 shall be approved by a local government pursuant to s.
 310 163.3184(4) in lieu of proceeding in accordance with this
 311 section.

312 Section 6. Subsection (9) of section 163.3175, Florida

313 Statutes, is amended to read:

314 163.3175 Legislative findings on compatibility of
315 development with military installations; exchange of information
316 between local governments and military installations.—

317 ~~(9) If a local government, as required under s.~~
318 ~~163.3177(6) (a), does not adopt criteria and address~~
319 ~~compatibility of lands adjacent to or closely proximate to~~
320 ~~existing military installations in its future land use plan~~
321 ~~element by June 30, 2012, the local government, the military~~
322 ~~installation, the state land planning agency, and other parties~~
323 ~~as identified by the regional planning council, including, but~~
324 ~~not limited to, private landowner representatives, shall enter~~
325 ~~into mediation conducted pursuant to s. 186.509. If the local~~
326 ~~government comprehensive plan does not contain criteria~~
327 ~~addressing compatibility by December 31, 2013, the agency may~~
328 ~~notify the Administration Commission. The Administration~~
329 ~~Commission may impose sanctions pursuant to s. 163.3184(8). Any~~
330 ~~local government that amended its comprehensive plan to address~~
331 ~~military installation compatibility requirements after 2004 and~~
332 ~~was found to be in compliance is deemed to be in compliance with~~
333 ~~this subsection until the local government conducts its~~
334 ~~evaluation and appraisal review pursuant to s. 163.3191 and~~
335 ~~determines that amendments are necessary to meet updated general~~
336 ~~law requirements.~~

337 Section 7. Subsections (3) and (9) of section 163.3245,
338 Florida Statutes, are amended, subsection (13) is renumbered as

339 subsection (14), and new subsections (13) and (15) are added to
 340 that section, to read:

341 163.3245 Sector plans.—

342 (3) Sector planning encompasses two levels: adoption
 343 pursuant to s. 163.3184 of a long-term master plan for the
 344 entire planning area as part of the comprehensive plan, and
 345 adoption by local development order of two or more detailed
 346 specific area plans that implement the long-term master plan and
 347 within which s. 380.06 is waived.

348 (a) In addition to the other requirements of this chapter,
 349 except for those that are inconsistent with or superseded by the
 350 planning standards of this paragraph, a long-term master plan
 351 pursuant to this section must include maps, illustrations, and
 352 text supported by data and analysis to address the following:

353 1. A framework map that, at a minimum, generally depicts
 354 areas of urban, agricultural, rural, and conservation land use;
 355 identifies allowed uses in various parts of the planning area;
 356 specifies maximum and minimum densities and intensities of use;
 357 and provides the general framework for the development pattern
 358 in developed areas with graphic illustrations based on a
 359 hierarchy of places and functional place-making components.

360 2. A general identification of the water supplies needed
 361 and available sources of water, including water resource
 362 development and water supply development projects, and water
 363 conservation measures needed to meet the projected demand of the
 364 future land uses in the long-term master plan.

365 3. A general identification of the transportation
366 facilities to serve the future land uses in the long-term master
367 plan, including guidelines to be used to establish each modal
368 component intended to optimize mobility.

369 4. A general identification of other regionally
370 significant public facilities necessary to support the future
371 land uses, which may include central utilities provided onsite
372 within the planning area, and policies setting forth the
373 procedures to be used to mitigate the impacts of future land
374 uses on public facilities.

375 5. A general identification of regionally significant
376 natural resources within the planning area based on the best
377 available data and policies setting forth the procedures for
378 protection or conservation of specific resources consistent with
379 the overall conservation and development strategy for the
380 planning area.

381 6. General principles and guidelines addressing the urban
382 form and the interrelationships of future land uses; the
383 protection and, as appropriate, restoration and management of
384 lands identified for permanent preservation through recordation
385 of conservation easements consistent with s. 704.06, which shall
386 be phased or staged in coordination with detailed specific area
387 plans to reflect phased or staged development within the
388 planning area; achieving a more clean, healthy environment;
389 limiting urban sprawl; providing a range of housing types;
390 protecting wildlife and natural areas; advancing the efficient

391 use of land and other resources; creating quality communities of
392 a design that promotes travel by multiple transportation modes;
393 and enhancing the prospects for the creation of jobs.

394 7. Identification of general procedures and policies to
395 facilitate intergovernmental coordination to address
396 extrajurisdictional impacts from the future land uses.

397

398 A long-term master plan adopted pursuant to this section may be
399 based upon a planning period longer than the generally
400 applicable planning period of the local comprehensive plan,
401 shall specify the projected population within the planning area
402 during the chosen planning period, and may include a phasing or
403 staging schedule that allocates a portion of the local
404 government's future growth to the planning area through the
405 planning period. A long-term master plan adopted pursuant to
406 this section is not required to demonstrate need based upon
407 projected population growth or on any other basis.

408 (b) In addition to the other requirements of this chapter,
409 except for those that are inconsistent with or superseded by the
410 planning standards of this paragraph, the detailed specific area
411 plans shall be consistent with the long-term master plan and
412 must include conditions and commitments that provide for:

413 1. Development or conservation of an area of at least
414 1,000 acres consistent with the long-term master plan. The local
415 government may approve detailed specific area plans of less than
416 1,000 acres based on local circumstances if it is determined

417 that the detailed specific area plan furthers the purposes of
418 this part and part I of chapter 380.

419 2. Detailed identification and analysis of the maximum and
420 minimum densities and intensities of use and the distribution,
421 extent, and location of future land uses.

422 3. Detailed identification of water resource development
423 and water supply development projects and related infrastructure
424 and water conservation measures to address water needs of
425 development in the detailed specific area plan.

426 4. Detailed identification of the transportation
427 facilities to serve the future land uses in the detailed
428 specific area plan.

429 5. Detailed identification of other regionally significant
430 public facilities, including public facilities outside the
431 jurisdiction of the host local government, impacts of future
432 land uses on those facilities, and required improvements
433 consistent with the long-term master plan.

434 6. Public facilities necessary to serve development in the
435 detailed specific area plan, including developer contributions
436 in a 5-year capital improvement schedule of the affected local
437 government.

438 7. Detailed analysis and identification of specific
439 measures to ensure the protection and, as appropriate,
440 restoration and management of lands within the boundary of the
441 detailed specific area plan identified for permanent
442 preservation through recordation of conservation easements

443 consistent with s. 704.06, which easements shall be effective
444 before or concurrent with the effective date of the detailed
445 specific area plan and other important resources both within and
446 outside the host jurisdiction. Any such conservation easement
447 may be based on rectified aerial photographs without the need
448 for a survey and may include a right of adjustment authorizing
449 the grantor to modify portions of the area protected by a
450 conservation easement and substitute other lands in their place
451 if the lands to be substituted contain no less gross acreage
452 than the lands to be removed; have equivalent values in the
453 proportion and quality of wetlands, uplands, and wildlife
454 habitat; and are contiguous to other lands protected by the
455 conservation easement. Substitution shall be accomplished by
456 recording an amendment to the conservation easement as accepted
457 by the grantee.

458 8. Detailed principles and guidelines addressing the urban
459 form and the interrelationships of future land uses; achieving a
460 more clean, healthy environment; limiting urban sprawl;
461 providing a range of housing types; protecting wildlife and
462 natural areas; advancing the efficient use of land and other
463 resources; creating quality communities of a design that
464 promotes travel by multiple transportation modes; and enhancing
465 the prospects for the creation of jobs.

466 9. Identification of specific procedures to facilitate
467 intergovernmental coordination to address extrajurisdictional
468 impacts from the detailed specific area plan.

469
470 A detailed specific area plan adopted by local development order
471 pursuant to this section may be based upon a planning period
472 longer than the generally applicable planning period of the
473 local comprehensive plan and shall specify the projected
474 population within the specific planning area during the chosen
475 planning period. A detailed specific area plan adopted pursuant
476 to this section is not required to demonstrate need based upon
477 projected population growth or on any other basis. All lands
478 identified in the long-term master plan for permanent
479 preservation shall be subject to a recorded conservation
480 easement consistent with s. 704.06 before or concurrent with the
481 effective date of the final detailed specific area plan to be
482 approved within the planning area. Any such conservation
483 easement may be based on rectified aerial photographs without
484 the need for a survey and may include a right of adjustment
485 authorizing the grantor to modify portions of the area protected
486 by a conservation easement and substitute other lands in their
487 place if the lands to be substituted contain no less gross
488 acreage than the lands to be removed; have equivalent values in
489 the proportion and quality of wetlands, uplands, and wildlife
490 habitat; and are contiguous to other lands protected by the
491 conservation easement. Substitution shall be accomplished by
492 recording an amendment to the conservation easement as accepted
493 by the grantee.

494 (c) In its review of a long-term master plan, the state

495 land planning agency shall consult with the Department of
496 Agriculture and Consumer Services, the Department of
497 Environmental Protection, the Fish and Wildlife Conservation
498 Commission, and the applicable water management district
499 regarding the design of areas for protection and conservation of
500 regionally significant natural resources and for the protection
501 and, as appropriate, restoration and management of lands
502 identified for permanent preservation.

503 (d) In its review of a long-term master plan, the state
504 land planning agency shall consult with the Department of
505 Transportation, the applicable metropolitan planning
506 organization, and any urban transit agency regarding the
507 location, capacity, design, and phasing or staging of major
508 transportation facilities in the planning area.

509 (e) Whenever a local government issues a development order
510 approving a detailed specific area plan, a copy of such order
511 shall be rendered to the state land planning agency and the
512 owner or developer of the property affected by such order, as
513 prescribed by rules of the state land planning agency for a
514 development order for a development of regional impact. Within
515 45 days after the order is rendered, the owner, the developer,
516 or the state land planning agency may appeal the order to the
517 Florida Land and Water Adjudicatory Commission by filing a
518 petition alleging that the detailed specific area plan is not
519 consistent with the comprehensive plan or with the long-term
520 master plan adopted pursuant to this section. The appellant

521 shall furnish a copy of the petition to the opposing party, as
522 the case may be, and to the local government that issued the
523 order. The filing of the petition stays the effectiveness of the
524 order until after completion of the appeal process. However, if
525 a development order approving a detailed specific area plan has
526 been challenged by an aggrieved or adversely affected party in a
527 judicial proceeding pursuant to s. 163.3215, and a party to such
528 proceeding serves notice to the state land planning agency, the
529 state land planning agency shall dismiss its appeal to the
530 commission and shall have the right to intervene in the pending
531 judicial proceeding pursuant to s. 163.3215. Proceedings for
532 administrative review of an order approving a detailed specific
533 area plan shall be conducted consistent with s. 380.07(6). The
534 commission shall issue a decision granting or denying permission
535 to develop pursuant to the long-term master plan and the
536 standards of this part and may attach conditions or restrictions
537 to its decisions.

538 (f) The applicant for a detailed specific area plan shall
539 transmit copies of the application to the reviewing agencies
540 specified in s. 163.3184(1)(c), or their successor agencies, for
541 review and comment as to whether the detailed specific area plan
542 is consistent with the comprehensive plan and the long-term
543 master plan. Any comments from the reviewing agencies shall be
544 submitted in writing to the local government with jurisdiction
545 and to the state land planning agency within 30 days after the
546 applicant's transmittal of the application.

547 (g)~~(f)~~ This subsection does not prevent preparation and
548 approval of the sector plan and detailed specific area plan
549 concurrently or in the same submission.

550 (h) If an applicant seeks to use wetland or upland
551 preservation achieved by granting conservation easements as
552 compensatory mitigation for permitting purposes under chapter
553 373 or chapter 379, the Department of Environmental Protection,
554 the Fish and Wildlife Conservation Commission, or the water
555 management district may accept such mitigation using the
556 criteria established in the uniform assessment method required
557 by s. 373.414, or pursuant to chapter 379, as applicable,
558 without considering the fact that a conservation easement
559 encumbering the same real property was previously recorded
560 pursuant to paragraph (b).

561 (9) The adoption of a long-term master plan or a detailed
562 specific area plan pursuant to this section does not limit the
563 right to continue existing agricultural or silvicultural uses or
564 other natural resource-based operations or to establish similar
565 new agricultural or silvicultural uses that are consistent with
566 the plans approved pursuant to this section.

567 (13) An applicant with an approved master development
568 order may request that the applicable water management district
569 issue a consumptive use permit as set forth in s. 373.236(8) for
570 the same period of time as the approved master development
571 order.

572 (15) The more specific provisions of this section shall

573 supersede the generally applicable provisions of this chapter
574 that otherwise would apply. This section does not preclude a
575 local government from requiring data and analysis beyond the
576 minimum criteria established in this section.

577 Section 8. Subsection (8) is added to section 373.236,
578 Florida Statutes, to read:

579 373.236 Duration of permits; compliance reports.—

580 (8) A water management district may issue to an applicant,
581 as set forth in s. 163.3245(13), a permit for the same period of
582 time as the applicant's approved master development order if the
583 master development order was issued before January 1, 2015,
584 under s. 380.06(21) by a county which, at the time the order was
585 issued, was designated as a rural area of opportunity under s.
586 288.0656, was not located in an area encompassed by a regional
587 water supply plan as set forth in s. 373.709(1), and was not
588 located within the basin area management plan of a first-order
589 magnitude spring. In reviewing the permit application, the water
590 management district shall apply the permitting criteria in s.
591 373.223 based on the projected population and approved densities
592 and intensities of use and their distribution in the master
593 development order. However, the district may phase in the water
594 allocation over the duration of the permit to correspond to
595 actual projected needs. This subsection does not supersede the
596 public interest test established in s. 373.223.

597 Section 9. Subsection (11) of section 163.3246, Florida
598 Statutes, is amended to read:

599 | 163.3246 Local government comprehensive planning
600 | certification program.—

601 | (11) If the local government of an area described in
602 | subsection (10) does not request that the state land planning
603 | agency review the developments of regional impact that are
604 | proposed within the certified area, an application for approval
605 | of a development order within the certified area shall be exempt
606 | from review under s. 380.06, ~~subject to the following:~~

607 | ~~(a) Concurrent with filing an application for development~~
608 | ~~approval with the local government, a developer proposing a~~
609 | ~~project that would have been subject to review pursuant to s.~~
610 | ~~380.06 shall notify in writing the regional planning council~~
611 | ~~with jurisdiction.~~

612 | ~~(b) The regional planning council shall coordinate with~~
613 | ~~the developer and the local government to ensure that all~~
614 | ~~concurrency requirements as well as federal, state, and local~~
615 | ~~environmental permit requirements are met.~~

616 | Section 10. Subsection (4) of section 163.3248, Florida
617 | Statutes, is amended to read:

618 | 163.3248 Rural land stewardship areas.—

619 | (4) A local government or one or more property owners may
620 | request assistance and participation in the development of a
621 | plan for the rural land stewardship area from the state land
622 | planning agency, the Department of Agriculture and Consumer
623 | Services, the Fish and Wildlife Conservation Commission, the
624 | Department of Environmental Protection, the appropriate water

625 management district, the Department of Transportation, ~~the~~
 626 ~~regional planning council~~, private land owners, and
 627 stakeholders.

628 Section 11. Section 186.504, Florida Statutes, is amended
 629 to read:

630 186.504 Regional planning councils; ~~creation~~; membership.—

631 ~~(1) A regional planning council shall be created in each~~
 632 ~~of the several comprehensive planning districts of the state.~~
 633 ~~Only one agency shall exercise the responsibilities granted~~
 634 ~~herein within the geographic boundaries of any one comprehensive~~
 635 ~~planning district.~~

636 (1)~~(2)~~ Membership on a ~~the~~ regional planning council shall
 637 be consistent with s. 186.512 and be as follows:

638 (a) Representatives appointed by each of the member
 639 counties in the geographic area covered by the regional planning
 640 council.

641 (b) Representatives from other member local general-
 642 purpose governments in the geographic area covered by the
 643 regional planning council.

644 (c) Representatives appointed by the Governor from the
 645 geographic area covered by the regional planning council,
 646 including an elected school board member from the geographic
 647 area covered by the regional planning council, to be nominated
 648 by the Florida School Board Association.

649 (2)~~(3)~~ Not less than two-thirds of the representatives
 650 serving as voting members on the governing bodies of such

651 regional planning councils shall be elected officials of local
 652 general-purpose governments chosen by the cities and counties of
 653 the applicable regional planning council ~~region~~, provided each
 654 county shall have at least one vote. The remaining one-third of
 655 the voting members on the governing board shall be appointed by
 656 the Governor, to include one elected school board member,
 657 subject to confirmation by the Senate, and shall reside within
 658 the applicable regional planning council ~~in the region~~. No two
 659 appointees of the Governor shall have their places of residence
 660 in the same county until each county within the regional
 661 planning council ~~region~~ is represented by a Governor's appointee
 662 to the governing board. ~~Nothing contained in~~ This section does
 663 not shall deny to local governing bodies or the Governor the
 664 option of appointing either locally elected officials or lay
 665 citizens provided at least two-thirds of the governing body of
 666 the regional planning council is composed of locally elected
 667 officials.

668 ~~(4) In addition to voting members appointed pursuant to~~
 669 ~~paragraph (2) (c), the Governor shall appoint the following ex~~
 670 ~~officio nonvoting members to each regional planning council:~~

671 ~~(a) A representative of the Department of Transportation.~~

672 ~~(b) A representative of the Department of Environmental~~
 673 ~~Protection.~~

674 ~~(c) A representative nominated by the Department of~~
 675 ~~Economic Opportunity.~~

676 ~~(d) A representative of the appropriate water management~~

677 ~~district or districts.~~

678

679 ~~The Governor may also appoint ex officio nonvoting members~~
680 ~~representing appropriate metropolitan planning organizations and~~
681 ~~regional water supply authorities.~~

682 ~~(3)(5) Nothing contained in This act does not shall be~~
683 ~~construed to mandate municipal government membership or~~
684 ~~participation in a regional planning council. However, each~~
685 ~~county shall be a member of the regional planning council~~
686 ~~created within the comprehensive planning district encompassing~~
687 ~~the county.~~

688 ~~(6) The existing regional planning council in each of the~~
689 ~~several comprehensive planning districts shall be designated as~~
690 ~~the regional planning council specified under subsections (1)-~~
691 ~~(5), provided the council agrees to meet the membership criteria~~
692 ~~specified therein and is a regional planning council organized~~
693 ~~under either s. 163.01 or s. 163.02 or ss. 186.501-186.515.~~

694 Section 12. Subsection (22) of section 186.505, Florida
695 Statutes, is amended to read:

696 186.505 Regional planning councils; powers and duties.—Any
697 regional planning council created hereunder shall have the
698 following powers:

699 ~~(22) To establish and conduct a cross-acceptance~~
700 ~~negotiation process with local governments intended to resolve~~
701 ~~inconsistencies between applicable local and regional plans,~~
702 ~~with participation by local governments being voluntary.~~

703 Section 13. Subsection (4) of section 186.506, Florida
 704 Statutes, is amended to read:

705 186.506 Executive Office of the Governor; powers and
 706 duties.—The Executive Office of the Governor, or its designee,
 707 shall:

708 (4) Conduct an in-depth analysis of the current boundaries
 709 of comprehensive planning districts to ensure that the regional
 710 planning councils working within them together form a workable
 711 system for effective regional planning, and that each council
 712 can adequately perform the tasks assigned to it by law. The
 713 Executive Office of the Governor shall include in its study the
 714 preferences of local general-purpose governments; the effects of
 715 population migration, transportation networks, population
 716 increases and decreases, economic development centers, trade
 717 areas, natural resource systems, federal program requirements,
 718 designated air quality nonattainment areas, economic
 719 relationships among cities and counties, and media markets; and
 720 other data, projections, or studies that it determines to be of
 721 significance in establishing district boundaries. The Executive
 722 Office of the Governor may recommend to the Legislature ~~make~~
 723 such changes in the district boundaries of the regional planning
 724 councils as are found to be feasible and desirable, ~~shall~~
 725 ~~complete a review of existing boundaries by January 1, 1994, and~~
 726 ~~may revise and update the boundaries from time to time~~
 727 ~~thereafter.~~

728 Section 14. Section 186.512, Florida Statutes, is created

729 to read:

730 186.512 Regional planning council identification; opt-out
731 provisions.—

732 (1) The territorial area of the state is subdivided into
733 the following districts for the purpose of regional
734 comprehensive planning. The name and geographic area of each
735 respective district shall accord with the following:

736 (a) West Florida Regional Planning Council: Bay, Escambia,
737 Holmes, Okaloosa, Santa Rosa, Walton, and Washington Counties.

738 (b) Apalachee Regional Planning Council: Calhoun,
739 Franklin, Gadsden, Gulf, Jackson, Jefferson, Leon, Liberty, and
740 Wakulla Counties.

741 (c) North Central Florida Regional Planning Council:
742 Alachua, Bradford, Columbia, Dixie, Gilchrist, Hamilton,
743 Lafayette, Levy, Madison, Marion, Suwannee, Taylor, and Union
744 Counties.

745 (d) Northeast Florida Regional Planning Council: Baker,
746 Clay, Duval, Flagler, Nassau, Putnam, and St. Johns Counties.

747 (e) East Central Florida Regional Planning Council:
748 Brevard, Lake, Orange, Osceola, Seminole, Sumter, and Volusia
749 Counties.

750 (f) Central Florida Regional Planning Council: DeSoto,
751 Hardee, Highlands, Okeechobee, and Polk Counties.

752 (g) Tampa Bay Regional Planning Council: Citrus, Hernando,
753 Hillsborough, Manatee, Pasco, and Pinellas Counties.

754 (h) Southwest Florida Regional Planning Council:

755 Charlotte, Collier, Glades, Hendry, Lee, and Sarasota Counties.

756 (i) Treasure Coast Regional Planning Council: Indian
 757 River, Martin, Palm Beach, and St. Lucie Counties.

758 (j) South Florida Regional Planning Council: Broward,
 759 Miami-Dade, and Monroe Counties.

760 (2) A county, by majority vote of its board members at a
 761 duly called meeting, may opt out of membership in its respective
 762 regional planning council. A county that has opted out of
 763 membership in its respective regional planning council may again
 764 become a member of that regional planning council upon a
 765 majority vote of its board members at a duly called meeting.

766 Section 15. Section 186.513, Florida Statutes, is amended
 767 to read:

768 186.513 Reports.—Each regional planning council shall
 769 prepare and furnish an annual report on its activities to the
 770 state land planning agency as defined in s. 163.3164 and the
 771 local general-purpose governments within its boundaries and,
 772 upon payment as may be established by the council, to any
 773 interested person. ~~The regional planning councils shall make a~~
 774 ~~joint report and recommendations to appropriate legislative~~
 775 ~~committees.~~

776 Section 16. Paragraph (a) of subsection (1) of section
 777 120.52, Florida Statutes, is amended to read:

778 120.52 Definitions.—As used in this act:

779 (1) "Agency" means the following officers or governmental
 780 entities if acting pursuant to powers other than those derived

781 from the constitution:

782 (a) The Governor; each state officer and state department,
 783 and each departmental unit described in s. 20.04; the Board of
 784 Governors of the State University System; the Commission on
 785 Ethics; the Fish and Wildlife Conservation Commission; a
 786 regional water supply authority; a regional planning agency; a
 787 multicounty special district, but only if a majority of its
 788 governing board is comprised of nonelected persons; educational
 789 units; and each entity described in chapters 163, 373, 380, and
 790 582 and s. 186.512 ~~186.504~~.

791
 792 This definition does not include a municipality or legal entity
 793 created solely by a municipality; a legal entity or agency
 794 created in whole or in part pursuant to part II of chapter 361;
 795 a metropolitan planning organization created pursuant to s.
 796 339.175; a separate legal or administrative entity created
 797 pursuant to s. 339.175 of which a metropolitan planning
 798 organization is a member; an expressway authority pursuant to
 799 chapter 348 or any transportation authority or commission under
 800 chapter 343 or chapter 349; or a legal or administrative entity
 801 created by an interlocal agreement pursuant to s. 163.01(7),
 802 unless any party to such agreement is otherwise an agency as
 803 defined in this subsection.

804 Section 17. Paragraph (c) of subsection (1) of section
 805 218.32, Florida Statutes, is amended to read:

806 218.32 Annual financial reports; local governmental

807 entities.—

808 (1)

809 (c) Each regional planning council as set forth in s.
 810 186.512 ~~created under s. 186.504~~, each local government finance
 811 commission, board, or council, and each municipal power
 812 corporation created as a separate legal or administrative entity
 813 by interlocal agreement under s. 163.01(7) shall submit to the
 814 department a copy of its audit report and an annual financial
 815 report for the previous fiscal year in a format prescribed by
 816 the department.

817 Section 18. Section 253.7828, Florida Statutes, is amended
 818 to read:

819 253.7828 Impairment of use or conservation by agencies
 820 prohibited.—All agencies of the state, ~~regional planning~~
 821 ~~councils~~, water management districts, and local governments
 822 shall recognize the special character of the lands and waters
 823 designated by the state as the Cross Florida Greenways State
 824 Recreation and Conservation Area and shall not take any action
 825 that ~~which~~ will impair its use and conservation.

826 Section 19. Paragraph (j) of subsection (4) of section
 827 339.135, Florida Statutes, is amended to read:

828 339.135 Work program; legislative budget request;
 829 definitions; preparation, adoption, execution, and amendment.—

830 (4) FUNDING AND DEVELOPING A TENTATIVE WORK PROGRAM.—

831 ~~(j) Notwithstanding paragraph (a) and for the 2014-2015~~
 832 ~~fiscal year only, the department may use up to \$15 million of~~

833 ~~appropriated funds to pay the costs of strategic and regionally~~
834 ~~significant transportation projects. Funds may be used to~~
835 ~~provide up to 75 percent of project costs for production-ready~~
836 ~~eligible projects. Preference shall be given to projects that~~
837 ~~support the state's economic regions, or that have been~~
838 ~~identified as regionally significant in accordance with s.~~
839 ~~339.155(4)(c), (d), and (e), and that have an increased level of~~
840 ~~nonstate match. This paragraph expires July 1, 2015.~~

841 Section 20. Paragraph (b) of subsection (4) of section
842 339.155, Florida Statutes, is amended to read:

843 339.155 Transportation planning.—

844 (4) ADDITIONAL TRANSPORTATION PLANS.—

845 (b) Each regional planning council, as provided for in s.
846 186.512 ~~186.504~~, or any successor agency thereto, shall develop,
847 as an element of its strategic regional policy plan,
848 transportation goals and policies. The transportation goals and
849 policies must be prioritized to comply with the prevailing
850 principles provided in subsection (1) and s. 334.046(1). The
851 transportation goals and policies shall be consistent, to the
852 maximum extent feasible, with the goals and policies of the
853 metropolitan planning organization and the Florida
854 Transportation Plan. The transportation goals and policies of
855 the regional planning council will be advisory only and shall be
856 submitted to the department and any affected metropolitan
857 planning organization for their consideration and comments.
858 Metropolitan planning organization plans and other local

859 transportation plans shall be developed consistent, to the
860 maximum extent feasible, with the regional transportation goals
861 and policies. ~~The regional planning council shall review~~
862 ~~urbanized area transportation plans and any other planning~~
863 ~~products stipulated in s. 339.175 and provide the department and~~
864 ~~respective metropolitan planning organizations with written~~
865 ~~recommendations, which the department and the metropolitan~~
866 ~~planning organizations shall take under advisement. Further, the~~
867 ~~regional planning councils shall directly assist local~~
868 ~~governments that are not part of a metropolitan area~~
869 ~~transportation planning process in the development of the~~
870 ~~transportation element of their comprehensive plans as required~~
871 ~~by s. 163.3177.~~

872 Section 21. Subsection (18) of section 380.06, Florida
873 Statutes, is amended to read:

874 380.06 Developments of regional impact.—

875 (18) BIENNIAL REPORTS.—The developer shall submit a
876 biennial report on the development of regional impact to the
877 local government, ~~the regional planning agency,~~ the state land
878 planning agency, and all affected permit agencies in alternate
879 years on the date specified in the development order, unless the
880 development order by its terms requires more frequent
881 monitoring. If the report is not received, ~~the regional planning~~
882 ~~agency or~~ the state land planning agency shall notify the local
883 government. If the local government does not receive the report
884 or receives notification that ~~the regional planning agency or~~

885 the state land planning agency has not received the report, the
886 local government shall request in writing that the developer
887 submit the report within 30 days. The failure to submit the
888 report after 30 days shall result in the temporary suspension of
889 the development order by the local government. If no additional
890 development pursuant to the development order has occurred since
891 the submission of the previous report, ~~then~~ a letter from the
892 developer stating that no development has occurred shall satisfy
893 the requirement for a report. Development orders that require
894 annual reports may be amended to require biennial reports at the
895 option of the local government.

896 Section 22. Subsections (2) and (3) of section 403.50663,
897 Florida Statutes, are amended to read:

898 403.50663 Informational public meetings.—

899 (2) Informational public meetings shall be held solely at
900 the option of each local government ~~or regional planning council~~
901 ~~if a public meeting is not held by the local government~~. It is
902 the legislative intent that local governments ~~or regional~~
903 ~~planning councils~~ attempt to hold such public meetings. Parties
904 to the proceedings under this act shall be encouraged to attend;
905 however, no party other than the applicant and the department
906 shall be required to attend such informational public meetings.

907 (3) A local government ~~or regional planning council~~ that
908 intends to conduct an informational public meeting must provide
909 notice of the meeting to all parties not less than 5 days before
910 ~~prior to~~ the meeting and to the general public in accordance

911 with s. 403.5115(5). The expense for such notice is eligible for
 912 reimbursement under s. 403.518(2)(c)1.

913 Section 23. Paragraph (a) of subsection (2) of section
 914 403.507, Florida Statutes, is amended to read:

915 403.507 Preliminary statements of issues, reports, project
 916 analyses, and studies.—

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

922 1. The Department of Economic Opportunity shall prepare a
 923 report containing recommendations which address the impact upon
 924 the public of the proposed electrical power plant, based on the
 925 degree to which the electrical power plant is consistent with
 926 the applicable portions of the state comprehensive plan,
 927 emergency management, and other such matters within its
 928 jurisdiction. The Department of Economic Opportunity may also
 929 comment on the consistency of the proposed electrical power
 930 plant with applicable strategic regional policy plans or local
 931 comprehensive plans and land development regulations.

932 2. The water management district shall prepare a report as
 933 to matters within its jurisdiction, including but not limited
 934 to, the impact of the proposed electrical power plant on water
 935 resources, regional water supply planning, and district-owned
 936 lands and works.

937 3. Each local government in whose jurisdiction the
 938 proposed electrical power plant is to be located shall prepare a
 939 report as to the consistency of the proposed electrical power
 940 plant with all applicable local ordinances, regulations,
 941 standards, or criteria that apply to the proposed electrical
 942 power plant, including any applicable local environmental
 943 regulations adopted pursuant to s. 403.182 or by other means.

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

946 ~~5. Each regional planning council shall prepare a report~~
 947 ~~containing recommendations that address the impact upon the~~
 948 ~~public of the proposed electrical power plant, based on the~~
 949 ~~degree to which the electrical power plant is consistent with~~
 950 ~~the applicable provisions of the strategic regional policy plan~~
 951 ~~adopted pursuant to chapter 186 and other matters within its~~
 952 ~~jurisdiction.~~

953 5.6. The Department of Transportation shall address the
 954 impact of the proposed electrical power plant on matters within
 955 its jurisdiction.

956 Section 24. Paragraph (a) of subsection (3) and paragraph
 957 (a) of subsection (4) of section 403.508, Florida Statutes, are
 958 amended to read:

959 403.508 Land use and certification hearings, parties,
 960 participants.—

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

962 1. The applicant.

963 2. The Public Service Commission.
 964 3. The Department of Economic Opportunity.
 965 4. The Fish and Wildlife Conservation Commission.
 966 5. The water management district.
 967 6. The department.
 968 ~~7. The regional planning council.~~
 969 7.8. The local government.
 970 8.9. The Department of Transportation.
 971 (4) (a) The order of presentation at the certification
 972 hearing, unless otherwise changed by the administrative law
 973 judge to ensure the orderly presentation of witnesses and
 974 evidence, shall be:
 975 1. The applicant.
 976 2. The department.
 977 3. State agencies.
 978 4. Regional agencies, including ~~regional planning councils~~
 979 ~~and~~ water management districts.
 980 5. Local governments.
 981 6. Other parties.
 982 Section 25. Subsection (5) of section 403.5115, Florida
 983 Statutes, is amended to read:
 984 403.5115 Public notice.—
 985 (5) A local government ~~or regional planning council~~ that
 986 proposes to conduct an informational public meeting pursuant to
 987 s. 403.50663 must publish notice of the meeting in a newspaper
 988 of general circulation within the county or counties in which

989 the proposed electrical power plant will be located no later
990 than 7 days before ~~prior to~~ the meeting. A newspaper of general
991 circulation shall be the newspaper that has the largest daily
992 circulation in that county and has its principal office in that
993 county. If the newspaper with the largest daily circulation has
994 its principal office outside the county, the notices shall
995 appear in both the newspaper having the largest circulation in
996 that county and in a newspaper authorized to publish legal
997 notices in that county.

998 Section 26. Paragraph (a) of subsection (2) of section
999 403.526, Florida Statutes, is amended to read:

1000 403.526 Preliminary statements of issues, reports, and
1001 project analyses; studies.—

1002 (2) (a) No later than 90 days after the filing of the
1003 application, the following agencies shall prepare reports as
1004 provided below, unless a final order denying the determination
1005 of need has been issued under s. 403.537:

1006 1. The department shall prepare a report as to the impact
1007 of each proposed transmission line or corridor as it relates to
1008 matters within its jurisdiction.

1009 2. Each water management district in the jurisdiction of
1010 which a proposed transmission line or corridor is to be located
1011 shall prepare a report as to the impact on water resources and
1012 other matters within its jurisdiction.

1013 3. The Department of Economic Opportunity shall prepare a
1014 report containing recommendations which address the impact upon

1015 the public of the proposed transmission line or corridor, based
1016 on the degree to which the proposed transmission line or
1017 corridor is consistent with the applicable portions of the state
1018 comprehensive plan, emergency management, and other matters
1019 within its jurisdiction. The Department of Economic Opportunity
1020 may also comment on the consistency of the proposed transmission
1021 line or corridor with applicable strategic regional policy plans
1022 or local comprehensive plans and land development regulations.

1023 4. The Fish and Wildlife Conservation Commission shall
1024 prepare a report as to the impact of each proposed transmission
1025 line or corridor on fish and wildlife resources and other
1026 matters within its jurisdiction.

1027 5. Each local government shall prepare a report as to the
1028 impact of each proposed transmission line or corridor on matters
1029 within its jurisdiction, including the consistency of the
1030 proposed transmission line or corridor with all applicable local
1031 ordinances, regulations, standards, or criteria that apply to
1032 the proposed transmission line or corridor, including local
1033 comprehensive plans, zoning regulations, land development
1034 regulations, and any applicable local environmental regulations
1035 adopted pursuant to s. 403.182 or by other means. A change by
1036 the responsible local government or local agency in local
1037 comprehensive plans, zoning ordinances, or other regulations
1038 made after the date required for the filing of the local
1039 government's report required by this section is not applicable
1040 to the certification of the proposed transmission line or

1041 corridor unless the certification is denied or the application
1042 is withdrawn.

1043 ~~6. Each regional planning council shall present a report~~
1044 ~~containing recommendations that address the impact upon the~~
1045 ~~public of the proposed transmission line or corridor based on~~
1046 ~~the degree to which the transmission line or corridor is~~
1047 ~~consistent with the applicable provisions of the strategic~~
1048 ~~regional policy plan adopted under chapter 186 and other impacts~~
1049 ~~of each proposed transmission line or corridor on matters within~~
1050 ~~its jurisdiction.~~

1051 6.7. The Department of Transportation shall prepare a
1052 report as to the impact of the proposed transmission line or
1053 corridor on state roads, railroads, airports, aeronautics,
1054 seaports, and other matters within its jurisdiction.

1055 7.8. The commission shall prepare a report containing its
1056 determination under s. 403.537, and the report may include the
1057 comments from the commission with respect to any other subject
1058 within its jurisdiction.

1059 8.9. Any other agency, if requested by the department,
1060 shall also perform studies or prepare reports as to subjects
1061 within the jurisdiction of the agency which may potentially be
1062 affected by the proposed transmission line.

1063 Section 27. Paragraph (a) of subsection (2) and paragraph
1064 (a) of subsection (3) of section 403.527, Florida Statutes, are
1065 amended to read:

1066 403.527 Certification hearing, parties, participants.—

- 1067 (2) (a) Parties to the proceeding shall be:
- 1068 1. The applicant.
- 1069 2. The department.
- 1070 3. The commission.
- 1071 4. The Department of Economic Opportunity.
- 1072 5. The Fish and Wildlife Conservation Commission.
- 1073 6. The Department of Transportation.
- 1074 7. Each water management district in the jurisdiction of
- 1075 which the proposed transmission line or corridor is to be
- 1076 located.
- 1077 8. The local government.
- 1078 ~~9. The regional planning council.~~

1079 (3) (a) The order of presentation at the certification

1080 hearing, unless otherwise changed by the administrative law

1081 judge to ensure the orderly presentation of witnesses and

1082 evidence, shall be:

- 1083 1. The applicant.
- 1084 2. The department.
- 1085 3. State agencies.
- 1086 4. Regional agencies, including ~~regional planning councils~~
- 1087 ~~and~~ water management districts.
- 1088 5. Local governments.
- 1089 6. Other parties.

1090 Section 28. Subsections (2) and (3) of section 403.5272,

1091 Florida Statutes, are amended to read:

1092 403.5272 Informational public meetings.—

1093 (2) Informational public meetings shall be held solely at
 1094 the option of each local government ~~or regional planning~~
 1095 ~~council~~. It is the legislative intent that local governments ~~or~~
 1096 ~~regional planning councils~~ attempt to hold such public meetings.
 1097 Parties to the proceedings under this act shall be encouraged to
 1098 attend; however, a party other than the applicant and the
 1099 department is not required to attend the informational public
 1100 meetings.

1101 (3) A local government ~~or regional planning council~~ that
 1102 intends to conduct an informational public meeting must provide
 1103 notice of the meeting, with notice sent to all parties listed in
 1104 s. 403.527(2) (a), not less than 15 days before the meeting and
 1105 to the general public in accordance with s. 403.5363(4).

1106 Section 29. Subsection (4) of section 403.7264, Florida
 1107 Statutes, is amended to read:

1108 403.7264 Amnesty days for purging small quantities of
 1109 hazardous wastes.—Amnesty days are authorized by the state for
 1110 the purpose of purging small quantities of hazardous waste, free
 1111 of charge, from the possession of homeowners, farmers, schools,
 1112 state agencies, and small businesses. These entities have no
 1113 appropriate economically feasible mechanism for disposing of
 1114 their hazardous wastes at the present time. In order to raise
 1115 public awareness on this issue, provide an educational process,
 1116 accommodate those entities which have a need to dispose of small
 1117 quantities of hazardous waste, and preserve the waters of the
 1118 state, amnesty days shall be carried out in the following

1119 manner:

1120 ~~(4) Regional planning councils shall assist the department~~
 1121 ~~in site selection, public awareness, and program coordination.~~
 1122 ~~However, the department shall retain full responsibility for the~~
 1123 ~~state amnesty days program.~~

1124 Section 30. Paragraph (a) of subsection (2) of section
 1125 403.941, Florida Statutes, is amended to read:

1126 403.941 Preliminary statements of issues, reports, and
 1127 studies.—

1128 (2) (a) The affected agencies shall prepare reports as
 1129 provided in this paragraph and shall submit them to the
 1130 department and the applicant within 60 days after the
 1131 application is determined sufficient:

1132 1. The department shall prepare a report as to the impact
 1133 of each proposed natural gas transmission pipeline or corridor
 1134 as it relates to matters within its jurisdiction.

1135 2. Each water management district in the jurisdiction of
 1136 which a proposed natural gas transmission pipeline or corridor
 1137 is to be located shall prepare a report as to the impact on
 1138 water resources and other matters within its jurisdiction.

1139 3. The Department of Economic Opportunity shall prepare a
 1140 report containing recommendations which address the impact upon
 1141 the public of the proposed natural gas transmission pipeline or
 1142 corridor, based on the degree to which the proposed natural gas
 1143 transmission pipeline or corridor is consistent with the
 1144 applicable portions of the state comprehensive plan and other

1145 matters within its jurisdiction. The Department of Economic
1146 Opportunity may also comment on the consistency of the proposed
1147 natural gas transmission pipeline or corridor with applicable
1148 strategic regional policy plans or local comprehensive plans and
1149 land development regulations.

1150 4. The Fish and Wildlife Conservation Commission shall
1151 prepare a report as to the impact of each proposed natural gas
1152 transmission pipeline or corridor on fish and wildlife resources
1153 and other matters within its jurisdiction.

1154 5. Each local government in which the natural gas
1155 transmission pipeline or natural gas transmission pipeline
1156 corridor will be located shall prepare a report as to the impact
1157 of each proposed natural gas transmission pipeline or corridor
1158 on matters within its jurisdiction, including the consistency of
1159 the proposed natural gas transmission pipeline or corridor with
1160 all applicable local ordinances, regulations, standards, or
1161 criteria that apply to the proposed natural gas transmission
1162 pipeline or corridor, including local comprehensive plans,
1163 zoning regulations, land development regulations, and any
1164 applicable local environmental regulations adopted pursuant to
1165 s. 403.182 or by other means. No change by the responsible local
1166 government or local agency in local comprehensive plans, zoning
1167 ordinances, or other regulations made after the date required
1168 for the filing of the local government's report required by this
1169 section shall be applicable to the certification of the proposed
1170 natural gas transmission pipeline or corridor unless the

1171 certification is denied or the application is withdrawn.

1172 ~~6. Each regional planning council in which the natural gas~~
1173 ~~transmission pipeline or natural gas transmission pipeline~~
1174 ~~corridor will be located shall present a report containing~~
1175 ~~recommendations that address the impact upon the public of the~~
1176 ~~proposed natural gas transmission pipeline or corridor, based on~~
1177 ~~the degree to which the natural gas transmission pipeline or~~
1178 ~~corridor is consistent with the applicable provisions of the~~
1179 ~~strategic regional policy plan adopted pursuant to chapter 186~~
1180 ~~and other impacts of each proposed natural gas transmission~~
1181 ~~pipeline or corridor on matters within its jurisdiction.~~

1182 6.7. The Department of Transportation shall prepare a
1183 report on the effect of the natural gas transmission pipeline or
1184 natural gas transmission pipeline corridor on matters within its
1185 jurisdiction, including roadway crossings by the pipeline. The
1186 report shall contain at a minimum:

1187 a. A report by the applicant to the department stating
1188 that all requirements of the department's utilities
1189 accommodation guide have been or will be met in regard to the
1190 proposed pipeline or pipeline corridor; and

1191 b. A statement by the department as to the adequacy of the
1192 report to the department by the applicant.

1193 7.8. The Department of State, Division of Historical
1194 Resources, shall prepare a report on the impact of the natural
1195 gas transmission pipeline or natural gas transmission pipeline
1196 corridor on matters within its jurisdiction.

1197 8.9. The commission shall prepare a report addressing
 1198 matters within its jurisdiction. The commission's report shall
 1199 include its determination of need issued pursuant to s.
 1200 403.9422.

1201 Section 31. Paragraph (a) of subsection (4) and subsection
 1202 (6) of section 403.9411, Florida Statutes, are amended to read:
 1203 403.9411 Notice; proceedings; parties and participants.—

1204 (4) (a) Parties to the proceeding shall be:

1205 1. The applicant.

1206 2. The department.

1207 3. The commission.

1208 4. The Department of Economic Opportunity.

1209 5. The Fish and Wildlife Conservation Commission.

1210 6. Each water management district in the jurisdiction of
 1211 which the proposed natural gas transmission pipeline or corridor
 1212 is to be located.

1213 7. The local government.

1214 ~~8. The regional planning council.~~

1215 8.9. The Department of Transportation.

1216 ~~9.10~~. The Department of State, Division of Historical
 1217 Resources.

1218 (6) The order of presentation at the certification
 1219 hearing, unless otherwise changed by the administrative law
 1220 judge to ensure the orderly presentation of witnesses and
 1221 evidence, shall be:

1222 (a) The applicant.

1223 (b) The department.

1224 (c) State agencies.

1225 (d) Regional agencies, including ~~regional planning~~
1226 ~~councils and~~ water management districts.

1227 (e) Local governments.

1228 (f) Other parties.

1229 Section 32. Subsection (6) of section 419.001, Florida
1230 Statutes, is amended to read:

1231 419.001 Site selection of community residential homes.—

1232 (6) If agreed to by both the local government and the
1233 sponsoring agency, a conflict may be resolved through informal
1234 mediation. The local government shall arrange for the services
1235 of an independent mediator ~~or may utilize the dispute resolution~~
1236 ~~process established by a regional planning council pursuant to~~
1237 ~~s. 186.509~~. Mediation shall be concluded within 45 days after ~~of~~
1238 a request therefor. The resolution of any issue through the
1239 mediation process shall not alter any person's right to a
1240 judicial determination of any issue if that person is entitled
1241 to such a determination under statutory or common law.

1242 Section 33. Subsection (4) of section 985.682, Florida
1243 Statutes, is amended to read:

1244 985.682 Siting of facilities; criteria.—

1245 (4) When the department requests such a modification and
1246 it is denied by the local government, the local government or
1247 the department shall initiate a ~~the~~ dispute resolution process
1248 ~~established under s. 186.509~~ to reconcile differences on the

1249 siting of correctional facilities between the department, local
 1250 governments, and private citizens. ~~If the regional planning~~
 1251 ~~council has not established a dispute resolution process~~
 1252 ~~pursuant to s. 186.509,~~ The department shall establish, by rule,
 1253 procedures for dispute resolution. The dispute resolution
 1254 process shall require the parties to commence meetings to
 1255 reconcile their differences. If the parties fail to resolve
 1256 their differences within 30 days after the denial, the parties
 1257 shall engage in voluntary mediation or similar process. If the
 1258 parties fail to resolve their differences by mediation within 60
 1259 days after the denial, or if no action is taken on the
 1260 department's request within 90 days after the request, the
 1261 department must appeal the decision of the local government on
 1262 the requested modification of local plans, ordinances, or
 1263 regulations to the Governor and Cabinet. Any dispute resolution
 1264 process initiated under this section must conform to the time
 1265 limitations set forth herein. However, upon agreement of all
 1266 parties, the time limits may be extended, but in no event may
 1267 the dispute resolution process extend over 180 days.

1268 Section 34. Section 186.0201, Florida Statutes, is
 1269 repealed.

1270 Section 35. Section 260.018, Florida Statutes, is
 1271 repealed.

1272 Section 36. For the 2015-2016 fiscal year, the sum of \$2.5
 1273 million in nonrecurring funds from the General Revenue Fund is
 1274 appropriated to the regional planning councils, 75 percent of

1275 which must be divided equally among the councils and 25 percent
 1276 of which must be allocated according to population. The funds
 1277 must be used to implement chapter 163, Florida Statutes, and the
 1278 Florida Five-Year Strategic Plan for Economic Development, to
 1279 address problems of greater than local government concern, and
 1280 to provide technical assistance to local governments, economic
 1281 development organizations, and other stakeholders.

1282 Section 37. Paragraph (c) of subsection (1) of section
 1283 163.08, Florida Statutes, is redesignated as paragraph (d), a
 1284 new paragraph (c) is added to that subsection, and paragraph (b)
 1285 of subsection (2) and subsections (10) and (14) of that section
 1286 are amended, to read:

1287 163.08 Supplemental authority for improvements to real
 1288 property.—

1289 (1)

1290 (c) The Legislature finds that real properties damaged by
 1291 ground subsidence, including, but not limited to, sinkhole
 1292 activity, that are not adequately repaired may negatively affect
 1293 the market value of surrounding properties, resulting in the
 1294 loss of property tax revenues to local communities. The
 1295 Legislature also finds that there is a compelling state interest
 1296 in providing local government assistance to enable property
 1297 owners to voluntarily finance qualifying improvements to real
 1298 property damaged by ground subsidence.

1299 (2) As used in this section, the term:

1300 (b) "Qualifying improvement" includes any:

1301 1. Energy conservation and efficiency improvement, which
 1302 is a measure to reduce consumption through conservation or a
 1303 more efficient use of electricity, natural gas, propane, or
 1304 other forms of energy on the property, including, but not
 1305 limited to, air sealing; installation of insulation;
 1306 installation of energy-efficient heating, cooling, or
 1307 ventilation systems; building modifications to increase the use
 1308 of daylight; replacement of windows; installation of energy
 1309 controls or energy recovery systems; installation of electric
 1310 vehicle charging equipment; and installation of efficient
 1311 lighting equipment.

1312 2. Renewable energy improvement, which is the installation
 1313 of any system in which the electrical, mechanical, or thermal
 1314 energy is produced from a method that uses one or more of the
 1315 following fuels or energy sources: hydrogen, solar energy,
 1316 geothermal energy, bioenergy, and wind energy.

1317 3. Wind resistance improvement, which includes, but is not
 1318 limited to:

- 1319 a. Improving the strength of the roof deck attachment;
- 1320 b. Creating a secondary water barrier to prevent water
 1321 intrusion;
- 1322 c. Installing wind-resistant shingles;
- 1323 d. Installing gable-end bracing;
- 1324 e. Reinforcing roof-to-wall connections;
- 1325 f. Installing storm shutters; or
- 1326 g. Installing opening protections.

1327 4. Stabilization or other repairs to real property damaged
 1328 by ground subsidence.

1329 (10) A qualifying improvement shall be affixed to a
 1330 building or facility that is part of the real property and shall
 1331 constitute an improvement to the building or facility or a
 1332 fixture attached to the building or facility. For the purposes
 1333 of stabilization or other repairs to real property damaged by
 1334 ground subsidence, a qualifying improvement is deemed affixed to
 1335 a building or facility. An agreement between a local government
 1336 and a qualifying property owner may not cover wind-resistance
 1337 improvements in buildings or facilities under new construction
 1338 or construction for which a certificate of occupancy or similar
 1339 evidence of substantial completion of new construction or
 1340 improvement has not been issued.

1341 (14) At or before the time a purchaser executes a contract
 1342 for the sale and purchase of any real property for which a non-
 1343 ad valorem assessment has been levied under this section and has
 1344 an unpaid balance due, the seller shall give the prospective
 1345 purchaser a written disclosure statement in the following form,
 1346 which shall be set forth in the contract or in a separate
 1347 writing:

1348
 1349 QUALIFYING IMPROVEMENTS FOR ENERGY EFFICIENCY, RENEWABLE ENERGY,
 1350 ~~OR WIND RESISTANCE,~~ OR GROUND SUBSIDENCE STABILIZATION OR
 1351 REPAIR.—The real property being purchased is located within the
 1352 jurisdiction of a local government that has placed an assessment

1353 on the property pursuant to s. 163.08, Florida Statutes. The
 1354 assessment is for a qualifying improvement to the real property
 1355 relating to energy efficiency, renewable energy, ~~or~~ wind
 1356 resistance, or stabilization or repair of real property damaged
 1357 by ground subsidence and is not based on the value of the
 1358 property. You are encouraged to contact the county property
 1359 appraiser's office to learn more about this and other
 1360 assessments that may be provided by law.

1361 Section 38. Subsections (5), (6), and (7) of section
 1362 163.335, Florida Statutes, are renumbered as subsections (6),
 1363 (7), and (8), respectively, and a new subsection (5) is added to
 1364 that section to read:

1365 163.335 Findings and declarations of necessity.—

1366 (5) It is further found and declared that properties damaged
 1367 by ground subsidence that are inadequately repaired or stabilized
 1368 may negatively affect the market value of surrounding properties,
 1369 resulting in the loss of property tax revenues to local
 1370 communities, and that a substantial number or percentage of those
 1371 properties are deteriorating and economically distressed and
 1372 could, through the means provided by this part, be revitalized and
 1373 redeveloped in a manner that would vastly improve the economic and
 1374 social conditions of the community.

1375 Section 39. Subsection (8) of section 163.340, Florida
 1376 Statutes, is amended to read:

1377 163.340 Definitions.—The following terms, wherever used or
 1378 referred to in this part, have the following meanings:

1379 (8) "Blighted area" means an area where ~~in which~~ there are
 1380 a substantial number of deteriorated~~7~~ or deteriorating
 1381 structures, where ~~in which~~ conditions, as indicated by
 1382 government-maintained statistics or other studies, endanger life
 1383 or property or are leading to economic distress ~~or endanger life~~
 1384 ~~or property~~, and where ~~in which~~ two or more of the following
 1385 factors are present:

1386 (a) Predominance of defective or inadequate street layout,
 1387 parking facilities, roadways, bridges, or public transportation
 1388 facilities.†

1389 (b) Aggregate assessed values of real property in the area
 1390 for ad valorem tax purposes have failed to show any appreciable
 1391 increase over the 5 years prior to the finding of such
 1392 conditions.†

1393 (c) Faulty lot layout in relation to size, adequacy,
 1394 accessibility, or usefulness.†

1395 (d) Unsanitary or unsafe conditions.†

1396 (e) Deterioration of site or other improvements.†

1397 (f) Inadequate and outdated building density patterns.†

1398 (g) Falling lease rates per square foot of office,
 1399 commercial, or industrial space compared to the remainder of the
 1400 county or municipality.†

1401 (h) Tax or special assessment delinquency exceeding the
 1402 fair value of the land.†

1403 (i) Residential and commercial vacancy rates higher in the
 1404 area than in the remainder of the county or municipality.†

1405 (j) Incidence of crime in the area higher than in the
 1406 remainder of the county or municipality.~~†~~

1407 (k) Fire and emergency medical service calls to the area
 1408 proportionately higher than in the remainder of the county or
 1409 municipality.~~†~~

1410 (l) A greater number of violations of the Florida Building
 1411 Code in the area than the number of violations recorded in the
 1412 remainder of the county or municipality.~~†~~

1413 (m) Diversity of ownership or defective or unusual
 1414 conditions of title which prevent the free alienability of land
 1415 within the deteriorated or hazardous area.~~†~~~~or~~

1416 (n) Governmentally owned property with adverse
 1417 environmental conditions caused by a public or private entity.

1418 (o) A substantial number or percentage of real properties
 1419 damaged by ground subsidence that have not been adequately
 1420 repaired or stabilized.

1421
 1422 However, the term "blighted area" also means any area where ~~in~~
 1423 ~~which~~ at least one of the factors identified in paragraphs (a)
 1424 through (o) ~~(n)~~~~are~~ present and all taxing authorities
 1425 subject to s. 163.387(2)(a) agree, either by interlocal
 1426 agreement ~~or agreements~~ with the agency or by resolution, that
 1427 the area is blighted. Such agreement or resolution must be
 1428 limited to a determination ~~shall only determine~~ that the area is
 1429 blighted. For purposes of qualifying for the tax credits
 1430 authorized in chapter 220, "blighted area" means an area as

1431 defined in this subsection.

1432 Section 40. Section 163.350, Florida Statutes, is amended
1433 to read:

1434 163.350 Workable program.—Any county or municipality for
1435 the purposes of this part may formulate for the county or
1436 municipality a workable program for using ~~utilizing~~ appropriate
1437 private and public resources to eliminate and prevent the
1438 development or spread of slums and urban blight, to encourage
1439 needed community rehabilitation, to provide for the
1440 redevelopment of slum and blighted areas, to provide housing
1441 affordable to residents of low or moderate income, including the
1442 elderly, or to undertake such of the aforesaid activities or
1443 other feasible county or municipal activities as may be suitably
1444 employed to achieve the objectives of such workable program.
1445 Such workable program may include provision for the prevention
1446 of the spread of blight into areas of the county or municipality
1447 which are free from blight through diligent enforcement of
1448 housing, zoning, and occupancy controls and standards; the
1449 rehabilitation or conservation of slum and blighted areas or
1450 portions thereof by replanning, removing congestion, providing
1451 parks, playgrounds, and other public improvements, encouraging
1452 voluntary rehabilitation, and compelling the repair and
1453 rehabilitation of deteriorated or deteriorating structures; the
1454 development of affordable housing; the implementation of
1455 community policing innovations; the stabilization or repair of
1456 property damaged by ground subsidence; and the clearance and

1457 redevelopment of slum and blighted areas or portions thereof.

1458 Section 41. Section 163.359, Florida Statutes, is created
1459 to read:

1460 163.359 Attorney fees.—A community redevelopment agency
1461 established based on the presence of a substantial number or
1462 percentage of real properties damaged by ground subsidence but
1463 not adequately repaired or stabilized may not pay attorney fees
1464 or public adjuster fees in connection with ground subsidence
1465 losses and may not pay such fees to a homeowner, claimant, or
1466 insured.

1467 Section 42. Subsection (8) of section 163.360, Florida
1468 Statutes, is amended to read:

1469 163.360 Community redevelopment plans.—

1470 (8) If the community redevelopment area consists of an
1471 area of open land to be acquired by the county or the
1472 municipality, such area may not be so acquired unless:

1473 (a) In the event the area is to be developed in whole or
1474 in part for residential uses, the governing body determines:

1475 1. That a shortage of housing of sound standards and
1476 design which is decent, safe, affordable to residents of low or
1477 moderate income, including the elderly, and sanitary exists in
1478 the county or municipality;

1479 2. That the need for housing accommodations has increased
1480 in the area;

1481 3. That the conditions of blight in the area, including
1482 those caused by ground subsidence that have not been adequately

1483 repaired or stabilized, or the shortage of decent, safe,
 1484 affordable, and sanitary housing cause or contribute to an
 1485 increase in and spread of disease and crime or constitute a
 1486 menace to the public health, safety, morals, or welfare; and

1487 4. That the acquisition of the area for residential uses
 1488 is an integral part of and is essential to the program of the
 1489 county or municipality.

1490 (b) In the event the area is to be developed in whole or
 1491 in part for nonresidential uses, the governing body determines
 1492 that:

1493 1. Such nonresidential uses are necessary and appropriate
 1494 to facilitate the proper growth and development of the community
 1495 in accordance with sound planning standards and local community
 1496 objectives.

1497 2. Acquisition may require the exercise of governmental
 1498 action, as provided in this part, because of:

1499 a. Defective, or unusual conditions of, title or diversity
 1500 of ownership which prevents the free alienability of such land;

1501 b. Tax delinquency;

1502 c. Improper subdivisions;

1503 d. Outmoded street patterns;

1504 e. Deterioration of site;

1505 f. Economic disuse;

1506 g. Unsuitable topography, including that caused by ground
 1507 subsidence that has not been adequately repaired or stabilized,
 1508 or faulty lot layouts;

1509 h. Lack of correlation of the area with other areas of a
 1510 county or municipality by streets and modern traffic
 1511 requirements; or

1512 i. Any combination of such factors or other conditions
 1513 which retard development of the area.

1514 3. Conditions of blight in the area contribute to an
 1515 increase in and spread of disease and crime or constitute a
 1516 menace to public health, safety, morals, or welfare.

1517 Section 43. Paragraph (e) of subsection (2) of section
 1518 163.370, Florida Statutes, is amended to read:

1519 163.370 Powers; counties and municipalities; community
 1520 redevelopment agencies.—

1521 (2) Every county and municipality shall have all the
 1522 powers necessary or convenient to carry out and effectuate the
 1523 purposes and provisions of this part, including the following
 1524 powers in addition to others herein granted:

1525 (e) Within the community redevelopment area:

1526 1. To enter into any building or property in any community
 1527 redevelopment area in order to make inspections, surveys,
 1528 appraisals, soundings, or test borings and to obtain an order
 1529 for this purpose from a court of competent jurisdiction in the
 1530 event entry is denied or resisted.

1531 2. To acquire by purchase, lease, option, gift, grant,
 1532 bequest, devise, or other voluntary method of acquisition any
 1533 personal or real property, together with any improvements
 1534 thereon.

1535 3. To hold, improve, clear, or prepare for redevelopment
1536 any such property.

1537 4. To mortgage, pledge, hypothecate, or otherwise encumber
1538 or dispose of any real property.

1539 5. To insure or provide for the insurance of any real or
1540 personal property or operations of the county or municipality
1541 against any risks or hazards, including the power to pay
1542 premiums on any such insurance, and in blighted areas where the
1543 community development plan contains provisions relating to the
1544 stabilization or repair of property damaged by ground subsidence,
1545 to be self-insured, to enter risk management programs, or to
1546 purchase liability insurance for whatever coverage it may choose
1547 or to have any combination thereof in anticipation of any claim,
1548 judgment, or claims bill. When community redevelopment agencies
1549 are subject to homogeneous risk, they may purchase insurance
1550 jointly or may join together as self-insurers to provide other
1551 means of insurance in accordance with s. 768.28(16).

1552 6. To enter into any contracts necessary to effectuate the
1553 purposes of this part.

1554 7. To solicit requests for proposals for redevelopment of
1555 parcels of real property contemplated by a community
1556 redevelopment plan to be acquired for redevelopment purposes by
1557 a community redevelopment agency and, as a result of such
1558 requests for proposals, to advertise for the disposition of such
1559 real property to private persons pursuant to s. 163.380 prior to
1560 acquisition of such real property by the community redevelopment

1561 agency.

1562 Section 44. Subsection (14) is added to section 163.3246,
1563 Florida Statutes, to read:

1564 163.3246 Local government comprehensive planning
1565 certification program.—

1566 (14) It is the intent of the Legislature to encourage the
1567 creation of connected-city corridors that facilitate the growth
1568 of high-technology industry and innovation through partnerships
1569 that support research, marketing, the workforce, and
1570 entrepreneurship. It is the intent of the Legislature to provide
1571 for a locally controlled, comprehensive plan amendment process
1572 for such projects that are designed to achieve a cleaner,
1573 healthier environment; limit urban sprawl by promoting diverse
1574 but interconnected communities; provide a range of
1575 intergenerational housing types; protect wildlife and natural
1576 areas; ensure the efficient use of land and other resources;
1577 create quality communities of a design that promotes alternative
1578 transportation networks and travel by multiple transportation
1579 modes; and enhance the prospects for the creation of jobs. The
1580 Legislature finds and declares that this state's connected-city
1581 corridors require a reduced level of state and regional
1582 oversight because of their high degree of urbanization and the
1583 planning capabilities and resources of the local government.

1584 (a) Notwithstanding subsections (2), (4), (5), (6), and
1585 (7), Pasco County is named a pilot community and is considered
1586 certified for 10 years for connected-city corridor plan

1587 amendments. The state land planning agency shall provide a
1588 written notice of certification to Pasco County by July 15,
1589 2015, which shall be considered final agency action subject to
1590 challenge under s. 120.569. The notice of certification must
1591 include:

1592 1. The boundary of the connected-city corridor
1593 certification area.

1594 2. A requirement that Pasco County submit an annual or
1595 biennial monitoring report to the state land planning agency
1596 according to the schedule provided in the written notice. The
1597 monitoring report shall, at a minimum, include the number of
1598 amendments to the comprehensive plan adopted by Pasco County,
1599 the number of plan amendments challenged by an affected person,
1600 and the disposition of such challenges.

1601 (b) A plan amendment adopted under this subsection may be
1602 based on a planning period longer than the generally applicable
1603 planning period of the Pasco County local comprehensive plan,
1604 shall specify the projected population within the planning area
1605 during the chosen planning period, may include a phasing or
1606 staging schedule that allocates a portion of Pasco County's
1607 future growth to the planning area through the planning period,
1608 and may designate a priority zone or subarea within the
1609 connected-city corridor for initial implementation of the plan.
1610 A plan amendment adopted under this subsection is not required
1611 to demonstrate need based on projected population growth or on
1612 any other basis.

1613 (c) If Pasco County adopts a long-term transportation
1614 network plan and financial feasibility plan, and subject to
1615 compliance with the requirements of such a plan, the projects
1616 within the connected-city corridor are deemed to have satisfied
1617 all concurrency and other state agency or local government
1618 transportation mitigation requirements except for site-specific
1619 access management requirements.

1620 (d) If Pasco County does not request that the state land
1621 planning agency review the developments of regional impact that
1622 are proposed within the certified area, an application for
1623 approval of a development order within the certified area is
1624 exempt from review under s. 380.06.

1625 (e) The Office of Program Policy Analysis and Government
1626 Accountability (OPPAGA) shall submit to the Governor, the
1627 President of the Senate, and the Speaker of the House of
1628 Representatives by December 1, 2024, a report and
1629 recommendations for implementing a statewide program that
1630 addresses the legislative findings in this subsection. In
1631 consultation with the state land planning agency, OPPAGA shall
1632 develop the report and recommendations with input from other
1633 state and regional agencies, local governments, and interest
1634 groups. OPPAGA shall also solicit citizen input in the
1635 potentially affected areas and consult with the affected local
1636 government and stakeholder groups. Additionally, OPPAGA shall
1637 review local and state actions and correspondence relating to
1638 the pilot program to identify issues of process and substance in

1639 recommending changes to the pilot program. At a minimum, the
1640 report and recommendations must include:

1641 1. Identification of local governments other than the
1642 local government participating in the pilot program which should
1643 be certified. The report may also recommend that a local
1644 government is no longer appropriate for certification.

1645 2. Changes to the certification pilot program.

1646 Section 45. Subsection (2) of section 190.005, Florida
1647 Statutes, is amended to read:

1648 190.005 Establishment of district.—

1649 (2) The exclusive and uniform method for the establishment
1650 of a community development district of less than 1,000 acres in
1651 size or a community development district of up to 2,000 acres in
1652 size located within a connected-city corridor established
1653 pursuant to s. 163.3246(14) shall be pursuant to an ordinance

1654 adopted by the county commission of the county having
1655 jurisdiction over the majority of land in the area in which the
1656 district is to be located granting a petition for the
1657 establishment of a community development district as follows:

1658 (a) A petition for the establishment of a community
1659 development district shall be filed by the petitioner with the
1660 county commission. The petition shall contain the same
1661 information as required in paragraph (1) (a).

1662 (b) A public hearing on the petition shall be conducted by
1663 the county commission in accordance with the requirements and
1664 procedures of paragraph (1) (d).

1665 (c) The county commission shall consider the record of the
 1666 public hearing and the factors set forth in paragraph (1)(e) in
 1667 making its determination to grant or deny a petition for the
 1668 establishment of a community development district.

1669 (d) The county commission shall not adopt any ordinance
 1670 which would expand, modify, or delete any provision of the
 1671 uniform community development district charter as set forth in
 1672 ss. 190.006-190.041. An ordinance establishing a community
 1673 development district shall only include the matters provided for
 1674 in paragraph (1)(f) unless the commission consents to any of the
 1675 optional powers under s. 190.012(2) at the request of the
 1676 petitioner.

1677 (e) If all of the land in the area for the proposed
 1678 district is within the territorial jurisdiction of a municipal
 1679 corporation, then the petition requesting establishment of a
 1680 community development district under this act shall be filed by
 1681 the petitioner with that particular municipal corporation. In
 1682 such event, the duties of the county, hereinabove described, in
 1683 action upon the petition shall be the duties of the municipal
 1684 corporation. If any of the land area of a proposed district is
 1685 within the land area of a municipality, the county commission
 1686 may not create the district without municipal approval. If all
 1687 of the land in the area for the proposed district, even if less
 1688 than 1,000 acres, is within the territorial jurisdiction of two
 1689 or more municipalities, except for a proposed district within a
 1690 connected-city corridor established pursuant to s. 163.3246(14),

1691 the petition shall be filed with the Florida Land and Water
 1692 Adjudicatory Commission and proceed in accordance with
 1693 subsection (1).

1694 (f) Notwithstanding any other provision of this
 1695 subsection, within 90 days after a petition for the
 1696 establishment of a community development district has been filed
 1697 pursuant to this subsection, the governing body of the county or
 1698 municipal corporation may transfer the petition to the Florida
 1699 Land and Water Adjudicatory Commission, which shall make the
 1700 determination to grant or deny the petition as provided in
 1701 subsection (1). A county or municipal corporation shall have no
 1702 right or power to grant or deny a petition that has been
 1703 transferred to the Florida Land and Water Adjudicatory
 1704 Commission.

1705 Section 46. Subsection (9) of section 163.3167, Florida
 1706 Statutes, is amended to read:

1707 163.3167 Scope of act.—

1708 (9) Each local government shall address in its
 1709 comprehensive plan, as enumerated in this chapter:7

1710 (a) The water supply sources necessary to meet and achieve
 1711 the existing and projected water use demand for the established
 1712 planning period, considering the applicable plan developed
 1713 pursuant to s. 373.709.

1714 (b) The protection of private property rights.

1715 Section 47. Paragraph (i) is added to subsection (6) of
 1716 section 163.3177, Florida Statutes, to read:

1717 163.3177 Required and optional elements of comprehensive
 1718 plan; studies and surveys.-

1719 (6) In addition to the requirements of subsections (1)-
 1720 (5), the comprehensive plan shall include the following
 1721 elements:

1722 (i)1. In recognition of the legitimate and often competing
 1723 public and private interests in land use regulations and other
 1724 government action, a property rights element that protects
 1725 private property rights. The property rights element shall set
 1726 forth the principles, guidelines, standards, and strategies to
 1727 guide the local government's decisions and program
 1728 implementation with respect to the following objectives:

1729 a. Consideration of the impact to private property rights
 1730 of all proposed development orders, plan amendments, ordinances,
 1731 and other government decisions.

1732 b. Encouragement of economic development.

1733 c. Use of alternative, innovative solutions to provide
 1734 equal or better protection than the comprehensive plan.

1735 d. Consideration of the degree of harm created by
 1736 noncompliance with the comprehensive plan.

1737 2. Each county and each municipality within the county
 1738 shall, within 1 year after adopting its property rights element,
 1739 adopt land development regulations consistent with this
 1740 paragraph.

1741 Section 48. (1) A municipality or county that applies
 1742 transportation concurrency may not require a developer to pay a

1743 fee to remove vegetation within the right-of-way limits of road
1744 improvements for which the developer completed or contributed
1745 funding as required for transportation concurrency as part of a
1746 development project.

1747 (2) This section does not affect the ability of a
1748 municipality or county to require tree removal permits or tree
1749 removal plans.

1750 (3) As used in this section, the term "fee" does not
1751 include costs associated with applying for a tree removal permit
1752 or preparing a tree removal plan.

1753 (4) This section does not affect a municipality's or
1754 county's ability to establish and enforce landscaping
1755 requirements.

1756 (5) A municipality or county may, by majority vote of its
1757 governing body, exempt itself from this section.

1758 Section 49. This act shall take effect July 1, 2015.