

1 A bill to be entitled
 2 An act relating to community development districts;
 3 amending s. 190.005, F.S.; specifying a procedure for
 4 establishing certain new community development
 5 districts; amending s. 190.046, F.S.; providing
 6 procedures for adding parcels to certain community
 7 development districts; providing noticing and filing
 8 requirements; specifying that the expansion of a
 9 district's boundaries does not alter certain voting
 10 methods; authorizing the use of existing procedures
 11 for adding parcels to such community development
 12 districts; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

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 16 Section 1. Subsection (3) of section 190.005, Florida
 17 Statutes, is renumbered as subsection (4), and a new subsection
 18 (3) is added to that section to read:

19 190.005 Establishment of district.—

20 (3) A petition to establish a new community development
 21 district of less than 2,500 acres as set forth in subsection (2)
 22 over land located solely in one county or one municipality may
 23 identify adjacent parcels located within that county or
 24 municipality that the petitioner expects to add to the
 25 district's boundaries within the next 10 years. Such petition

26 | shall include the legal description, the name of the current
 27 | landowner, the acreage, and the current land use designation of
 28 | each additional parcel to be added to the district. The current
 29 | landowners shall receive notice of the filing of the petition to
 30 | establish the district, the date and time of the public hearing
 31 | on the petition, and the name and address of the petitioner at
 32 | least 14 days before the hearing required by paragraph (2)(b). A
 33 | parcel may not be included in the petition without the written
 34 | consent of the landowner.

35 | Section 2. Paragraph (h) is added to subsection (1) of
 36 | section 190.046, Florida Statutes, to read:

37 | 190.046 Termination, contraction, or expansion of
 38 | district.—

39 | (1) A landowner or the board may petition to contract or
 40 | expand the boundaries of a community development district in the
 41 | following manner:

42 | (h)1. For those districts established using the procedures
 43 | under s. 190.005(3), a person may file a petition with the
 44 | applicable county commission to amend the district's boundaries
 45 | to include parcels that were identified in the petition that
 46 | established the district. The county commission may not charge a
 47 | filing fee for the petition. Each petition must include:

48 | a. A metes and bounds description of each parcel to be
 49 | added to the district.

50 | b. A new legal description by metes and bounds of the

51 district with the parcels added.

52 c. Written consent of 100 percent of the landowners of the
53 parcels to be added to the district.

54 d. A map of the district with the parcels added.

55 e. A description of the development proposed on each
56 parcel to be added to the district.

57 f. A copy of the original petition.

58 2. Before filing the petition with the establishing county
59 commission, the petitioner shall provide a copy of the petition
60 to the district and to the landowner of each parcel to be added
61 to the district.

62 3. Once the petition is determined to be sufficient and
63 complete, the county commission shall process the addition of
64 the parcels to the district as an amendment to the ordinance
65 that established the district. The county commission may process
66 each petition to amend such ordinance even if adding a parcel
67 would cause the district to be larger than 2500 acres.

68 4. The petitioner shall cause a notice of intent to amend
69 the ordinance that established the district to be published in a
70 newspaper of general circulation within the county. The notice
71 must be published at least 10 days before the scheduled hearing
72 on the ordinance amendment and may be published in that portion
73 of the newspaper in which legal notices appear. The notice must
74 include a general description of the parcel to be added to the
75 district and the date and time of the scheduled hearing to amend

76 the ordinance. The notice shall also be mailed by the petitioner
77 to the district and, if applicable, to each landowner of each
78 parcel to be added to the district at least 14 days before the
79 scheduled hearing. The notice required in this subparagraph is
80 in addition to any notice required to adopt the ordinance
81 amendment.

82 5. The expansion of a district's boundaries by the
83 addition of a parcel does not alter the method of transitioning
84 from landowner to qualified elector voting as set forth in s.
85 190.006, even if the total size of the district after the
86 addition of the parcel exceeds 5,000 acres. Upon adoption of the
87 ordinance amendment expanding the district's boundaries, the
88 petitioner must file a notice of boundary amendment with the
89 Florida Land and Water Adjudicatory Commission identifying the
90 district's new boundaries.

91
92 Nothing contained in this paragraph prohibits a community
93 development district established under s. 190.005(3) from adding
94 parcels to the district using the procedures set forth in this
95 section.

96 Section 3. This act shall take effect July 1, 2019.