

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.7

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.7

1393           (c) Faulty lot layout in relation to size, adequacy,  
 1394 accessibility, or usefulness.7

1395           (d) Unsanitary or unsafe conditions.7

1396           (e) Deterioration of site or other improvements.7

1397           (f) Inadequate and outdated building density patterns.7

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.7

1401           (h) Tax or special assessment delinquency exceeding the  
 1402 fair value of the land.7

1403           (i) Residential and commercial vacancy rates higher in the  
 1404 area than in the remainder of the county or municipality.7

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.