



973684

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2009	.	
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment (with title amendment)

Between lines 1737 and 1738
insert:

Section 6. Subsection (8) of section 163.340, Florida Statutes, is amended to read:

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

(8) "Blighted area" means an area in which there are a substantial number of deteriorated, or deteriorating structures, in which conditions, as indicated by government-maintained



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12 statistics or other studies, are leading to economic distress or
13 endanger life or property, and in which two or more of the
14 following factors are present:

15 (a) Predominance of defective or inadequate street layout,
16 parking facilities, roadways, bridges, or public transportation
17 facilities;

18 (b) Aggregate assessed values of real property in the area
19 for ad valorem tax purposes have failed to show any appreciable
20 increase over the 5 years prior to the finding of such
21 conditions;

22 (c) Faulty lot layout in relation to size, adequacy,
23 accessibility, or usefulness;

24 (d) Unsanitary or unsafe conditions;

25 (e) Deterioration of site or other improvements;

26 (f) Inadequate and outdated building density patterns;

27 (g) Falling lease rates per square foot of office,
28 commercial, or industrial space compared to the remainder of the
29 county or municipality;

30 (h) Tax or special assessment delinquency exceeding the
31 fair value of the land;

32 (i) Residential and commercial vacancy rates higher in the
33 area than in the remainder of the county or municipality;

34 (j) Incidence of crime in the area higher than in the
35 remainder of the county or municipality;

36 (k) Fire and emergency medical service calls to the area
37 proportionately higher than in the remainder of the county or
38 municipality;

39 (l) A greater number of violations of the Florida Building
40 Code in the area than the number of violations recorded in the



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41 remainder of the county or municipality;

42 (m) Diversity of ownership or defective or unusual
43 conditions of title which prevent the free alienability of land
44 within the deteriorated or hazardous area; or

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

47

48 However, the term "blighted area" also means any area in
49 which at least one of the factors identified in paragraphs (a)
50 through (n) are present and all taxing authorities subject to s.
51 163.387(2)(a) agree, either by interlocal agreement or
52 agreements with the agency or by resolution, that the area is
53 blighted, or that the area was previously used as a military
54 facility, is undeveloped, and consists of land that the Federal
55 Government declared surplus within the preceding 20 years. Such
56 agreement or resolution shall ~~only~~ determine only that the area
57 is blighted. For purposes of qualifying for the tax credits
58 authorized in chapter 220, "blighted area" means an area as
59 defined in this subsection.

60 Section 7. Paragraph (i) is added to subsection (2) of
61 section 163.3202, Florida Statutes, to read:

62 163.3202 Land development regulations.-

63 (2) Local land development regulations shall contain
64 specific and detailed provisions necessary or desirable to
65 implement the adopted comprehensive plan and shall as a minimum:

66 (i) Maintain the existing density of residential properties
67 or recreational vehicle parks if the properties are intended for
68 residential use and are located in unincorporated areas that
69 have sufficient infrastructure, as determined by the local



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70 governing authority.

71

72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 Delete line 79

75 and insert:

76 amendments become effective; amending s. 163.340, F.S.;

77 expanding the definition of the term "blighted area" to include

78 land previously used as a military facility; amending s.

79 163.3202, F.S.; requiring that local land development

80 regulations maintain the existing density of residential

81 properties or recreational vehicle parks under certain

82 circumstances; amending s. 163.3217,