

By Senator Simpson

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1 A bill to be entitled
 2 An act relating to connected-city corridors; amending
 3 s. 163.3184, F.S.; requiring plan amendments that
 4 qualify as connected-city corridor amendments to be
 5 reviewed by the local government; creating s.
 6 163.3255, F.S.; providing legislative intent;
 7 authorizing local governments to adopt connected-city
 8 corridor plan amendments; providing requirements for
 9 such plan amendments; providing incentives and
 10 benefits for such corridors; authorizing affected
 11 persons to file a petition with the Division of
 12 Administrative Hearings for review of such plan
 13 amendments; amending s. 190.005, F.S.; requiring
 14 community development districts located within a
 15 connected-city corridor plan amendment to be
 16 established pursuant to a county ordinance; amending
 17 s. 380.06, F.S.; providing a statutory exemption from
 18 the development of regional impact review process for
 19 any development within the geographic boundaries of a
 20 connected-city corridor plan; providing an effective
 21 date.

23 Be It Enacted by the Legislature of the State of Florida:

25 Section 1. Paragraph (d) is added to subsection (2) of
 26 section 163.3184, Florida Statutes, to read:

27 163.3184 Process for adoption of comprehensive plan or plan
 28 amendment.—

29 (2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

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30 (d) Plan amendments that qualify as connected-city corridor
31 amendments shall follow the review process in s. 163.3255 and
32 are subject to review and approval by only the local government
33 having jurisdiction.

34 Section 2. Section 163.3255, Florida Statutes, is created
35 to read:

36 163.3255 Connected-city corridors.—

37 (1) It is the intent of the Legislature to encourage the
38 creation of connected-city corridors that facilitate the growth
39 of high-technology industry and innovation through partnerships
40 that support research, marketing, workforce, and
41 entrepreneurship. It is the intent of the Legislature to provide
42 for a locally controlled, expedited comprehensive plan amendment
43 process for such projects that are designed to achieve a
44 cleaner, healthier environment; limit urban sprawl by promoting
45 diverse, yet interconnected, communities; provide a range of
46 housing types; protect wildlife and natural areas; ensure the
47 efficient use of land and other resources; create quality
48 communities of a design that promotes alternative transportation
49 networks and travel by multiple transportation modes; and
50 enhance the prospects for the creation of jobs.

51 (2) A local government may adopt a connected-city corridor
52 plan amendment under the following conditions:

53 (a) The proposed amendment involves a sufficient land area
54 in a location that will be conducive to attracting technology
55 employers while also providing proximate intergenerational
56 housing alternatives and recreation opportunities;

57 (b) The proposed amendment contemplates a variety of mixed-
58 use development forms designed to accommodate job creation and

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59 technological innovation;

60 (c) The proposed amendment may create a new land use
61 category applicable only to the connected-city corridor planning
62 area, which may be in the form of a special area plan or overlay
63 district, and may include text or map amendments to other
64 directly related or affected provisions in the adopted
65 comprehensive plan, but otherwise does not alter or modify the
66 other preexisting goals, policies, and objectives of the local
67 government comprehensive plan; and

68 (d) The property that is the subject of the proposed
69 amendment is not located within an area of critical state
70 concern designated in s. 380.0552 or by the Administration
71 Commission pursuant to s. 380.05(1).

72 (3) A connected-city corridor plan amendment adopted
73 pursuant to this section must include maps, illustrations, and
74 text supported by data and analysis to meet all of the following
75 requirements:

76 (a) A boundary map that, at a minimum, generally depicts
77 residential and mixed-use areas, which may include public and
78 private institutional uses, office uses, industrial and other
79 employment uses, and retail uses, and identifies conservation
80 areas; provides generally for an interconnected mix of uses
81 within the planning area to promote a sense of place and to
82 promote internal capture or minimization of transportation and
83 other external impacts; and provides the general framework for
84 the residential and mixed-use development concepts with graphic
85 illustrations based on a hierarchy of places and functional
86 place-making components.

87 (b) A general identification of the water supplies needed

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88 and available sources of water, including water resource
89 development and water supply development projects, and water
90 conservation measures needed to meet the projected demand of the
91 future land uses in the plan amendment.

92 (c) Provision for a long-term master transportation network
93 plan for the connected-city corridor which contains a general
94 identification of the alternative transportation facilities to
95 serve the future land uses in the plan amendment, including
96 guidelines to be used to establish each modal component intended
97 to optimize mobility, and for a financial feasibility plan to
98 address mitigation of such future impacts.

99 (c) A general identification of any other regionally
100 significant public facilities necessary to support the future
101 land uses, which may include central utilities provided onsite
102 within the planning area, and policies setting forth the
103 procedures to be used to mitigate the impacts of future land
104 uses on public facilities.

105 (d) A general identification of any regionally significant
106 natural resources within the planning area based on the best
107 available data and policies that set forth the procedures for
108 protection or conservation of specific resources consistent with
109 the overall conservation and development strategy for the
110 planning area.

111 (e) General principles and guidelines addressing the mixed-
112 use form and the interrelationships of future land uses; the
113 protection and, as appropriate, restoration and management of
114 lands identified for permanent preservation through recordation
115 of conservation easements consistent with s. 704.06, which may
116 be phased or staged in coordination with detailed site

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117 development plans for specific area plans.

118 (4) A plan amendment adopted pursuant to this section may
119 be based upon a planning period longer than the generally
120 applicable planning period of the local comprehensive plan,
121 shall specify the projected population within the planning area
122 during the chosen planning period, may include a phasing or
123 staging schedule that allocates a portion of the local
124 government's future growth to the planning area through the
125 planning period, and may designate a priority zone or subarea
126 within the connected-city corridor for initial implementation of
127 the plan. A plan amendment adopted pursuant to this section is
128 not required to demonstrate need based upon projected population
129 growth or on any other basis.

130 (5) If the local government adopts the long-term master
131 transportation network plan and financial feasibility plan
132 pursuant to subparagraph (3)(c), the projects within the
133 connected-city corridor shall, subject to compliance with the
134 requirements of such financial feasibility plan, be deemed to
135 have satisfied all concurrency and other state agency or local
136 government transportation mitigation requirements, except only
137 for site-specific access-management requirements.

138 (6) Connected-city corridor plan amendments require public
139 hearings before the local governing board, which shall be
140 adoption hearings as described in s. 163.3184(11). A transmittal
141 hearing is not required for state agency review.

142 (7)(a) Any affected person may file a petition with the
143 Division of Administrative Hearings pursuant to ss. 120.569 and
144 120.57 to request a hearing to challenge the compliance of the
145 plan amendment within 30 days after the local government's

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146 adoption of the amendment and shall serve a copy of the petition
147 on the local government. An administrative law judge must hold a
148 hearing in the affected jurisdiction at least 30 days but no
149 more than 60 days after the filing of a petition and the
150 assignment of an administrative law judge. The parties to a
151 hearing held pursuant to this subsection are the petitioner, the
152 local government, and any intervenor. In the proceeding, the
153 plan amendment shall be determined to be in compliance if the
154 local government's determination of compliance is fairly
155 debatable. The state land planning agency may not intervene in
156 any proceeding initiated pursuant to this subsection.

157 (b)1. If the administrative law judge recommends that the
158 connected-city corridor plan amendment is not in compliance, the
159 administrative law judge shall submit the recommended order to
160 the Administration Commission for final agency action. If the
161 administrative law judge recommends that the connected-city
162 corridor plan amendment is in compliance, the administrative law
163 judge shall submit the recommended order to the state land
164 planning agency.

165 2. If the state land planning agency determines that the
166 plan amendment is not in compliance, the agency shall, within 30
167 days after its receipt of the recommended order, submit the
168 recommended order to the Administration Commission for final
169 agency action. If the state land planning agency determines that
170 the plan amendment is in compliance, the agency shall enter a
171 final order within 30 days after its receipt of the recommended
172 order.

173 (c) In all challenges under this subsection, when a
174 determination of compliance as defined in s. 163.3184(1)(b) is

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175 made, consideration shall be given to the plan amendment as a
176 whole and whether the plan amendment furthers the intent of this
177 part.

178 Section 3. Subsection (2) of section 190.005, Florida
179 Statutes, is amended, to read:

180 190.005 Establishment of district.—

181 (2) The exclusive and uniform method for the establishment
182 of a community development district of less than 1,000 acres in
183 size or a community development district located within a
184 connected-city corridor plan established pursuant to s.

185 163.3255, regardless of size, shall be pursuant to an ordinance
186 adopted by the county commission of the county having
187 jurisdiction over the majority of land in the area in which the
188 district is to be located granting a petition for the
189 establishment of a community development district as follows:

190 (a) A petition for the establishment of a community
191 development district shall be filed by the petitioner with the
192 county commission. The petition shall contain the same
193 information as required in paragraph (1) (a).

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

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

201 (d) The county commission shall not adopt any ordinance
202 which would expand, modify, or delete any provision of the
203 uniform community development district charter as set forth in

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204 ss. 190.006-190.041. An ordinance establishing a community
205 development district shall only include the matters provided for
206 in paragraph (1)(f) unless the commission consents to any of the
207 optional powers under s. 190.012(2) at the request of the
208 petitioner.

209 (e) If all of the land in the area for the proposed
210 district is within the territorial jurisdiction of a municipal
211 corporation, then the petition requesting establishment of a
212 community development district under this act shall be filed by
213 the petitioner with that particular municipal corporation. In
214 such event, the duties of the county, hereinabove described, in
215 action upon the petition shall be the duties of the municipal
216 corporation. If any of the land area of a proposed district is
217 within the land area of a municipality, the county commission
218 may not create the district without municipal approval. If all
219 of the land in the area for the proposed district, even if less
220 than 1,000 acres, is within the territorial jurisdiction of two
221 or more municipalities, except for proposed districts within a
222 connected-city corridor plan, the petition shall be filed with
223 the Florida Land and Water Adjudicatory Commission and proceed
224 in accordance with subsection (1).

225 (f) Notwithstanding any other provision of this subsection,
226 within 90 days after a petition for the establishment of a
227 community development district has been filed pursuant to this
228 subsection, the governing body of the county or municipal
229 corporation may transfer the petition to the Florida Land and
230 Water Adjudicatory Commission, which shall make the
231 determination to grant or deny the petition as provided in
232 subsection (1). A county or municipal corporation shall have no

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233 right or power to grant or deny a petition that has been
234 transferred to the Florida Land and Water Adjudicatory
235 Commission.

236 Section 4. Paragraph (y) is added to subsection (24) of
237 section 380.06, Florida Statutes, to read:

238 380.06 Developments of regional impact.—

239 (24) STATUTORY EXEMPTIONS.—

240 (y) Any development within the geographic boundaries of a
241 connected-city corridor plan which is prepared and adopted
242 pursuant to s. 163.3255 is exempt from this section.

243
244 If a use is exempt from review as a development of regional
245 impact under paragraphs (a)-(u), but will be part of a larger
246 project that is subject to review as a development of regional
247 impact, the impact of the exempt use must be included in the
248 review of the larger project, unless such exempt use involves a
249 development of regional impact that includes a landowner,
250 tenant, or user that has entered into a funding agreement with
251 the Department of Economic Opportunity under the Innovation
252 Incentive Program and the agreement contemplates a state award
253 of at least \$50 million.

254 Section 5. This act shall take effect July 1, 2015.