

1 A bill to be entitled
2 An act relating to community development districts;
3 amending s. 190.046, F.S.; authorizing adjacent lands
4 located within the county or municipality which a
5 petitioner anticipates adding to the boundaries of a
6 new community development district to also be
7 identified in a petition to establish the new district
8 under certain circumstances; providing requirements
9 for the petition; providing notification requirements
10 for the petition; prohibiting a parcel from being
11 included in the district without the written consent
12 of the owner of the parcel; authorizing a person to
13 petition the county or municipality to amend the
14 boundaries of the district to include a certain parcel
15 after establishment of the district; prohibiting a
16 filing fee for such petition; providing requirements
17 for the petition; requiring the person to provide the
18 petition to the district and to the owner of the
19 proposed additional parcel before filing the petition
20 with the county or municipality; requiring the county
21 or municipality to process the addition of the parcel
22 to the district as an amendment to the ordinance that
23 establishes the district once the petition is
24 determined sufficient and complete; authorizing the
25 county or municipality to process all such petitions

26 even if the addition exceeds specified acreage;
 27 providing notice requirements for the intent to amend
 28 the ordinance establishing the district; providing
 29 that the amendment of a district by the addition of a
 30 parcel does not alter the transition from landowner
 31 voting to qualified elector voting; requiring the
 32 petitioner to cause to be recorded a certain notice of
 33 boundary amendment upon adoption of the ordinance
 34 expanding the district; providing construction;
 35 providing an effective date.

36
 37 Be It Enacted by the Legislature of the State of Florida:

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 39 Section 1. Paragraph (h) is added to subsection (1) of
 40 section 190.046, Florida Statutes, to read:

41 190.046 Termination, contraction, or expansion of
 42 district.—

43 (1) A landowner or the board may petition to contract or
 44 expand the boundaries of a community development district in the
 45 following manner:

46 (h) For a petition to establish a new community
 47 development district of less than 2,500 acres on land located
 48 solely in one county or one municipality, adjacent lands located
 49 within the county or municipality which the petitioner
 50 anticipates adding to the boundaries of the district within the

51 next 10 years may also be identified. If such adjacent land is
52 identified, the petition must include a legal description of
53 each additional parcel within the adjacent land, the current
54 owner of the parcel, the acreage of the parcel, and the current
55 land use designation of the parcel. At least 14 days before the
56 hearing required under s. 190.005(2)(b), the petitioner must
57 give the current owner of each such parcel notice of filing the
58 petition to establish the district, the date and time of the
59 public hearing on the petition, and the name and address of the
60 petitioner. A parcel may not be included in the district without
61 the written consent of the owner of the parcel.

62 1. After establishment of the district, a person may
63 petition the county or municipality to amend the boundaries of
64 the district to include a previously identified parcel that was
65 a proposed addition to the district before its establishment. A
66 filing fee may not be charged for this petition. Each such
67 petition must include:

68 a. A legal description by metes and bounds of the parcel
69 to be added;

70 b. A new legal description by metes and bounds of the
71 district;

72 c. Written consent of all owners of the parcel to be
73 added;

74 d. A map of the district including the parcel to be added;

75 e. A description of the development proposed on the

76 additional parcel; and

77 f. A copy of the original petition identifying the parcel
78 to be added.

79 2. Before filing with the county or municipality, the
80 person must provide the petition to the district and to the
81 owner of the proposed additional parcel, if the owner is not the
82 petitioner.

83 3. Once the petition is determined sufficient and
84 complete, the county or municipality must process the addition
85 of the parcel to the district as an amendment to the ordinance
86 that establishes the district. The county or municipality may
87 process all petitions to amend the ordinance for parcels
88 identified in the original petition, even if, by adding such
89 parcels, the district exceeds 2,500 acres.

90 4. The petitioner shall cause to be published in a
91 newspaper of general circulation in the proposed district a
92 notice of the intent to amend the ordinance that establishes the
93 district, which notice shall be in addition to any notice
94 required for adoption of the ordinance amendment. Such notice
95 must be published at least 10 days before the scheduled hearing
96 on the ordinance amendment and may be published in the section
97 of the newspaper reserved for legal notices. The notice must
98 include a general description of the land to be added to the
99 district and the date and time of the scheduled hearing to amend
100 the ordinance. The petitioner shall mail the notice of the

101 hearing on the ordinance amendment to the owner of the parcel
102 and to the district at least 14 days before the scheduled
103 hearing.

104 5. The amendment of a district by the addition of a parcel
105 pursuant to this paragraph does not alter the transition from
106 landowner voting to qualified elector voting pursuant to s.
107 190.006, even if the total size of the district after the
108 addition of the parcel exceeds 5,000 acres. Upon adoption of the
109 ordinance expanding the district, the petitioner must cause to
110 be recorded a notice of boundary amendment which reflects the
111 new boundaries of the district.

112 6. This paragraph is intended to facilitate the orderly
113 addition of lands to a district under certain circumstances and
114 does not preclude the addition of lands to any district using
115 the procedures in the other provisions of this section.

116 Section 2. This act shall take effect July 1, 2018.