

1 A bill to be entitled
 2 An act relating to solar electrical generating
 3 facilities; creating s. 163.3205, F.S.; providing
 4 legislative intent; providing a definition; providing
 5 that solar facilities are a permitted use in local
 6 government comprehensive plan agricultural land use
 7 categories and certain agricultural zoning districts;
 8 requiring solar facilities to comply with specified
 9 criteria; authorizing counties to adopt certain
 10 ordinances; specifying requirements for such
 11 ordinances; amending s. 403.503, F.S.; revising a
 12 definition; amending s. 403.506, F.S.; increasing the
 13 capacity threshold of solar electrical generating
 14 facilities exempt from certification under the Florida
 15 Electrical Power Plant Siting Act; providing an
 16 effective date.

17
 18 Be It Enacted by the Legislature of the State of Florida:

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 20 Section 1. Section 163.3205, Florida Statutes, is created
 21 to read:

22 163.3205 Solar facility approval process.-
 23 (1) It is the intent of the Legislature to encourage
 24 renewable solar electrical generation throughout the state. It
 25 is essential that solar facilities and associated electric

26 | infrastructure be constructed and maintained in various
27 | locations throughout the state in order to ensure renewable
28 | energy production which is critical to the state's energy and
29 | economic future.

30 | (2) As used in this section, the term "solar facility"
31 | means a production facility for electric power that:

32 | (a) Uses photovoltaic modules to convert solar energy to
33 | electricity which is delivered to a transmission system and
34 | consumed primarily offsite.

35 | (b) Consists principally of photovoltaic modules, a
36 | mounting or racking system, power inverters, transformers,
37 | collection systems, and associated components.

38 | (c) May also include accessory administration or
39 | maintenance buildings, electric transmission lines, substations,
40 | energy storage equipment, and related accessory uses and
41 | structures.

42 | (3) A solar facility shall be a permitted use in all
43 | agricultural land use categories in a local government
44 | comprehensive plan and all agricultural zoning districts within
45 | an unincorporated area, and must comply with the setback and
46 | landscaped buffer area criteria for other similar uses in the
47 | agricultural district.

48 | (4) A county may adopt an ordinance specifying buffer and
49 | landscaping requirements for solar facilities. Such requirements
50 | may not exceed the requirements for similar uses involving the

51 construction of other facilities that are permitted uses in
52 agricultural land use categories and zoning districts.

53 Section 2. Subsection (14) of section 403.503, Florida
54 Statutes, is amended to read:

55 403.503 Definitions relating to Florida Electrical Power
56 Plant Siting Act.—As used in this act:

57 (14) "Electrical power plant" means, for the purpose of
58 certification, any steam or solar electrical generating facility
59 using any process or fuel, including nuclear materials, except
60 that this term does not include any steam ~~or solar~~ electrical
61 generating facility of less than 75 megawatts in capacity or
62 solar electrical generating facility of less than 150 megawatts
63 in capacity unless the applicant for such a facility elects to
64 apply for certification under this act. This term ~~also~~ includes
65 the site; all associated facilities that will be owned by the
66 applicant that are physically connected to the site; all
67 associated facilities that are indirectly connected to the site
68 by other proposed associated facilities that will be owned by
69 the applicant; and associated transmission lines that will be
70 owned by the applicant which connect the electrical power plant
71 to an existing transmission network or rights-of-way to which
72 the applicant intends to connect. At the applicant's option,
73 this term may include any offsite associated facilities that
74 will not be owned by the applicant; offsite associated
75 facilities that are owned by the applicant but that are not

76 | directly connected to the site; any proposed terminal or
 77 | intermediate substations or substation expansions connected to
 78 | the associated transmission line; or new transmission lines,
 79 | upgrades, or improvements of an existing transmission line on
 80 | any portion of the applicant's electrical transmission system
 81 | necessary to support the generation injected into the system
 82 | from the proposed electrical power plant.

83 | Section 3. Subsection (1) of section 403.506, Florida
 84 | Statutes, is amended to read:

85 | 403.506 Applicability, thresholds, and certification.—

86 | (1) ~~The provisions of~~ This act applies ~~shall apply~~ to any
 87 | electrical power plant as defined in s. 403.503 ~~herein~~, except
 88 | that ~~the provisions of~~ this act does ~~shall~~ not apply to a steam
 89 | electrical generating facility of less than 75 megawatts in
 90 | gross capacity or a solar electrical generating facility of less
 91 | than 150 ~~any electrical power plant of less than 75 megawatts in~~
 92 | gross capacity, including its associated facilities, unless the
 93 | applicant for such a facility has elected to apply for
 94 | certification ~~of such electrical power plant~~ under this act. ~~The~~
 95 | ~~provisions of~~ This act does ~~shall~~ not apply to capacity
 96 | expansions of 75 megawatts or less, in the aggregate, of an
 97 | existing exothermic reaction cogeneration electrical generating
 98 | facility that was exempt from this act when it was originally
 99 | built; however, this exemption does ~~shall~~ not apply if the unit
 100 | uses oil or natural gas for purposes other than unit startup. ~~No~~

101 Construction of any new electrical power plant or expansion in
102 steam generating capacity as measured by an increase in the
103 maximum electrical generator rating of any existing electrical
104 power plant may not be undertaken after October 1, 1973, without
105 first obtaining certification pursuant to this act ~~in the manner~~
106 ~~as herein provided~~, except that this act does ~~shall~~ not apply to
107 any such electrical power plant which is presently operating or
108 under construction or which has, upon the effective date of
109 chapter 73-33, Laws of Florida, applied for a permit or
110 certification under requirements in force before ~~prior to~~ the
111 effective date of this ~~such~~ act.

112 Section 4. This act shall take effect July 1, 2021.