

1 A bill to be entitled
2 An act relating to connected-city corridors; amending
3 s. 163.3184, F.S.; amending definition of "in
4 compliance" for certain purposes; requiring plan
5 amendments that qualify as connected-city corridor
6 amendments to be reviewed and approved only by the
7 local government; creating s. 163.3255, F.S.;
8 providing legislative intent; authorizing local
9 governments to adopt connected-city corridor plan
10 amendments; providing requirements for such plan
11 amendments; authorizing plan amendments to create a
12 new land use category and providing elements of plan
13 amendments; authorizing plan amendments to be longer
14 than generally applicable planning periods of local
15 comprehensive plans; exempting plan amendments from
16 requirements based on certain factors; providing that
17 if certain transportation and financial feasibility
18 plans are adopted, that projects in the connected-city
19 corridor are deemed to meet certain concurrency and
20 other state or local mitigation requirements;
21 specifying that connected-city corridor plan
22 amendments are subject to certain public hearings;
23 authorizing affected persons to file a petition with
24 the Division of Administrative Hearings for review of
25 such plan amendments; establishing procedures and
26 timeframes to be followed regarding petitions that

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27 challenge connected-city corridor plan amendments;
28 specifying how plan amendments are to be considered in
29 challenges of connected-city corridor plan amendments;
30 amending s. 190.005, F.S.; requiring community
31 development districts located within a connected-city
32 corridor plan amendment to be established pursuant to
33 a county ordinance; amending s. 380.06, F.S.;;
34 providing an exemption from the development of
35 regional impact review process for any development
36 within the geographic boundaries of a connected-city
37 corridor plan; providing an effective date.

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

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41 Section 1. Paragraph (b) of subsection (1) of section
42 163.3184, Florida Statutes, is amended, and paragraph (d) is
43 added to subsection (2) of that section, to read:

44 163.3184 Process for adoption of comprehensive plan or
45 plan amendment.—

46 (1) DEFINITIONS.—As used in this section, the term:

47 (b) "In compliance" means consistent with the requirements
48 of ss. 163.3177, 163.3178, 163.3180, 163.3191, 163.3245, ~~and~~
49 163.3248, and 163.3255, with the appropriate strategic regional
50 policy plan, and with the principles for guiding development in
51 designated areas of critical state concern and with part III of
52 chapter 369, where applicable.

53 (2) COMPREHENSIVE PLANS AND PLAN AMENDMENTS.—

54 (d) Plan amendments that qualify as connected-city
 55 corridor amendments shall follow the review process in s.
 56 163.3255 and are subject to review and approval only by the
 57 local government having jurisdiction.

58 Section 2. Section 163.3255, Florida Statutes, is created
 59 to read:

60 163.3255 Connected-city corridors.—

61 (1) It is the intent of the Legislature to encourage the
 62 creation of connected-city corridors to facilitate the growth of
 63 high-technology industry and innovation through partnerships
 64 that support research, marketing, workforce, and
 65 entrepreneurship. It is the intent of the Legislature to provide
 66 for a locally controlled, expedited comprehensive plan amendment
 67 process for projects that are designed to achieve a cleaner,
 68 healthier environment; limit urban sprawl by promoting diverse,
 69 interconnected, communities; provide a range of housing types;
 70 protect wildlife and natural areas; ensure the efficient use of
 71 land and other resources; create quality communities that
 72 promote alternative transportation networks and travel with
 73 multiple transportation modes; and enhance the creation of jobs.

74 (2) A local government may adopt a connected-city corridor
 75 plan amendment if the proposed amendment:

76 (a) Encompasses a sufficiently large land area and is in a
 77 location that will be attract technology employers while
 78 providing proximate intergenerational housing alternatives and

79 recreation opportunities.

80 (b) Proposes a mixed-use development designed to enhance
81 job creation and technological innovation.

82 (c) Does not contain property that is located within an
83 area of critical state concern as determined under s. 380.05(1)
84 or s. 380.0552.

85

86 The plan amendment may create a new land use category in the
87 form of a zoning district or overlay district that applies
88 exclusively to the connected-city corridor planning area, and
89 may include text or map amendments to other directly related or
90 affected provisions in the adopted comprehensive plan. However,
91 the plan amendment may not alter or modify the other preexisting
92 goals, objectives, and policies of the local government's
93 comprehensive plan.

94 (3) A connected-city corridor plan amendment adopted
95 pursuant to this section must contain maps, illustrations, and
96 text supported by data and analyses that:

97 (a) Contain a boundary map that, at a minimum, generally
98 depicts residential and mixed-use areas, and may identify public
99 and private institutional uses, office uses, industrial and
100 other employment uses, retail uses, and conservation areas. The
101 boundary map may provide generally for an interconnected mix of
102 uses within the planning area to promote a sense of place and to
103 promote internal capture or minimization of transportation and
104 other external impacts and provide the general framework for the

105 residential and mixed-use development concepts with graphic
106 illustrations based on a hierarchy of places and functional
107 place-making components.

108 (b) Identify generally the amount of water needed and
109 available sources of water, including identification of water
110 resource and water supply development projects and water
111 conservation measures needed to meet the projected demand of the
112 future land uses identified in the plan amendment.

113 (c) Contain a long-term master transportation network plan
114 for the connected-city corridor which generally identifies the
115 alternative transportation facilities to serve the future land
116 uses in the plan amendment, including guidelines for
117 establishing each component that will optimize mobility, and a
118 financial feasibility plan that addresses mitigation of such
119 future impacts.

120 (d) Provide a general identification of other regionally
121 significant public facilities needed to support the future land
122 uses, which may include central utilities provided onsite within
123 the planning area, and policies identifying the procedures to be
124 used to mitigate the impacts of future land uses on public
125 facilities.

126 (e) Identify regionally significant natural resources
127 within the planning area based on the best available data and
128 policies and procedures to protect and conserve the resources
129 consistent with the overall conservation and development
130 strategy for the planning area.

131 (f) Contain general principles and guidelines addressing
132 the mixed-use development and the interrelationships of future
133 land uses and the protection and, as appropriate, restoration
134 and management of lands identified for permanent preservation
135 through fee purchases or acquisitions of conservation easements
136 consistent with s. 704.06. The purchases or easements may be
137 phased or staged in coordination with detailed site development
138 plans for specific area plans.

139 (4) A plan amendment adopted pursuant to this section may
140 be based upon a planning period longer than the generally
141 applicable planning period of the local comprehensive plan,
142 shall identify the projected population within the planning area
143 during the chosen planning period, may include a phasing-in or
144 staging schedule that allocates a portion of the local
145 government's future growth to the planning area through the
146 planning period, and may designate a priority zone within the
147 connected-city corridor for initial implementation of the plan.
148 A plan amendment adopted pursuant to this section is not
149 required to demonstrate need based upon projected population
150 growth or on any other basis.

151 (5) If the local government adopts the long-term master
152 transportation network plan and financial feasibility plan
153 pursuant to paragraph (3) (c), the projects within the connected-
154 city corridor shall be deemed to have satisfied all concurrency
155 and other state agency or local government transportation
156 mitigation requirements, except for site-specific access

157 management requirements developed under chapter 335.

158 (6) Connected-city corridor plan amendments require public
159 hearings as set forth in s. 163.3184(11). A transmittal hearing
160 is not required for state agency review.

161 (7) (a) An affected person may file a petition with the
162 Division of Administrative Hearings pursuant to ss. 120.569 and
163 120.57 to request a hearing to challenge compliance of the plan
164 amendment with the provisions of this section, no more than 30
165 days after the local government adopts the amendment and shall
166 serve a copy of the petition on the local government. An
167 administrative law judge must hold a hearing in the affected
168 jurisdiction at least 30 days but no more than 60 days after the
169 filing of a petition and the assignment of an administrative law
170 judge, whichever comes later. The parties to a hearing held
171 pursuant to this subsection are the petitioner, the local
172 government, and any intervenor. In the proceeding, the plan
173 amendment shall be deemed to be in compliance if the local
174 government's determination of compliance is fairly debatable.
175 The state land planning agency may not intervene in a proceeding
176 initiated pursuant to this subsection.

177 (b)1. If the administrative law judge recommends that the
178 connected-city corridor plan amendment is not in compliance, the
179 administrative law judge shall submit the recommended order to
180 the Administration Commission for final agency action. If the
181 administrative law judge recommends that the connected-city
182 corridor plan amendment is in compliance, the administrative law

183 judge shall submit the recommended order to the state land
 184 planning agency.

185 2. If the state land planning agency determines that the
 186 plan amendment is not in compliance, the agency shall, within 30
 187 days after its receipt of the recommended order, submit the
 188 recommended order to the Administration Commission for final
 189 agency action. If the state land planning agency determines that
 190 the plan amendment is in compliance, the agency shall enter a
 191 final order within 30 days after its receipt of the recommended
 192 order.

193 (c) In a challenge under this subsection, when a
 194 determination of compliance as defined in s. 163.3184(1)(b) is
 195 made, consideration shall be given to the plan amendment as a
 196 whole and whether the plan amendment furthers the intent of this
 197 section.

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

200 190.005 Establishment of district.—

201 (2) The exclusive and uniform method for the establishment
 202 of a community development district of less than 1,000 acres in
 203 size or a community development district located within a
 204 connected-city corridor plan established pursuant to s.
 205 163.3255, regardless of size, shall be pursuant to an ordinance
 206 adopted by the county commission of the county having
 207 jurisdiction over the majority of land in the area in which the
 208 district is to be located granting a petition for the

209 establishment of a community development district as follows:

210 (a) A petition for the establishment of a community
211 development district shall be filed by the petitioner with the
212 county commission. The petition shall contain the same
213 information as required in paragraph (1) (a).

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

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

221 (d) The county commission shall not adopt any ordinance
222 which would expand, modify, or delete any provision of the
223 uniform community development district charter as set forth in
224 ss. 190.006-190.041. An ordinance establishing a community
225 development district shall only include the matters provided for
226 in paragraph (1) (f) unless the commission consents to any of the
227 optional powers under s. 190.012(2) at the request of the
228 petitioner.

229 (e) If all of the land in the area for the proposed
230 district is within the territorial jurisdiction of a municipal
231 corporation, then the petition requesting establishment of a
232 community development district under this act shall be filed by
233 the petitioner with that particular municipal corporation. In
234 such event, the duties of the county, hereinabove described, in

235 action upon the petition shall be the duties of the municipal
 236 corporation. If any of the land area of a proposed district is
 237 within the land area of a municipality, the county commission
 238 may not create the district without municipal approval. If all
 239 of the land in the area for the proposed district, even if less
 240 than 1,000 acres, is within the territorial jurisdiction of two
 241 or more municipalities, except for proposed districts within a
 242 connected-city corridor plan, the petition shall be filed with
 243 the Florida Land and Water Adjudicatory Commission and proceed
 244 in accordance with subsection (1).

245 (f) Notwithstanding any other provision of this
 246 subsection, within 90 days after a petition for the
 247 establishment of a community development district has been filed
 248 pursuant to this subsection, the governing body of the county or
 249 municipal corporation may transfer the petition to the Florida
 250 Land and Water Adjudicatory Commission, which shall make the
 251 determination to grant or deny the petition as provided in
 252 subsection (1). A county or municipal corporation shall have no
 253 right or power to grant or deny a petition that has been
 254 transferred to the Florida Land and Water Adjudicatory
 255 Commission.

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

258 380.06 Developments of regional impact.—

259 (24) STATUTORY EXEMPTIONS.—

260 (y) A development within the geographic boundaries of a

261 connected-city corridor plan that is prepared and adopted
262 pursuant to s. 163.3255 is exempt from this section.

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264 If a use is exempt from review as a development of regional
265 impact under paragraphs (a)-(u), but will be part of a larger
266 project that is subject to review as a development of regional
267 impact, the impact of the exempt use must be included in the
268 review of the larger project, unless such exempt use involves a
269 development of regional impact that includes a landowner,
270 tenant, or user that has entered into a funding agreement with
271 the Department of Economic Opportunity under the Innovation
272 Incentive Program and the agreement contemplates a state award
273 of at least \$50 million.

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