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1 A bill to be entitled
2 An act relating to regional planning councils;
3 amending s. 163.3175, F.S.; requiring the state land
4 planning agency, rather than the regional planning
5 council, to identify parties that may enter into
6 mediation relating to the compatibility of
7 developments with military installations; amending s.
8 186.0201, F.S.; requiring electric utilities to notify
9 the county, rather than the regional planning council,
10 of their current plans to site electric substations;
11 repealing ss. 186.501, 186.502, 186.503, 186.504,
12 186.505, 186.506, 186.507, 186.508, 186.509, 186.511,
13 and 186.513, F.S., relating to the Florida Regional
14 Planning Council Act; amending s. 186.515, F.S.;
15 authorizing local governments to enter into agreements
16 to create regional planning entities; conforming
17 provisions to changes made by the act; amending s.
18 215.559, F.S.; requiring the Division of Emergency
19 Management to give priority funding to projects in
20 counties, rather than regional planning council
21 regions, that have shelter deficits; amending s.
22 252.385, F.S.; revising the requirements for the
23 statewide emergency shelter plan to include the
24 general location and square footage of special needs
25 shelters by county rather than by regional planning
26 council region; requiring state funds to be maximized

27 and targeted to counties with hurricane evacuation
28 shelter deficits rather than regional planning council
29 regions; amending s. 369.307, F.S.; requiring the St.
30 Johns River Water Management District to adopt
31 policies to protect the Wekiva River Protection Area;
32 amending s. 369.324, F.S.; requiring the St. Johns
33 River Water Management District to provide staff
34 support to the Wekiva River Basin Commission;
35 requiring the district to serve as a clearinghouse of
36 baseline or specialized studies; amending s. 380.05,
37 F.S.; authorizing local governments to recommend areas
38 of critical state concern; amending s. 380.06, F.S.;
39 requiring developers filing an application for
40 development approval to arrange a preapplication
41 conference with the state land planning agency;
42 requiring the state land planning agency to provide
43 the developer with information about the development-
44 of-regional-impact process; requiring the state land
45 planning agency to develop by rule certain procedures;
46 requiring the state land planning agency to review
47 applications for sufficiency; requiring the state land
48 planning agency to prepare and submit reports on the
49 regional impact of a proposed development; authorizing
50 the state land planning agency to assess and collect
51 fees of conducting the review process; amending s.
52 380.061, F.S.; requiring the state land planning

53 agency to review requests for conversions from a
54 proposed project to a proposed development of regional
55 impact; amending s. 380.065, F.S.; requiring the state
56 land planning agency to review developments of
57 regional impact upon revocation of certification;
58 amending s. 403.7225, F.S.; requiring counties to make
59 arrangements with the Department of Environmental
60 Protection to perform the local hazardous waste
61 management assessment program under certain
62 circumstances; amending s. 403.723, F.S.; requiring
63 the department to designate sites at which regional
64 hazardous waste storage or treatment facilities could
65 be constructed; amending s. 1013.372, F.S.; providing
66 that if a county does not have a hurricane evacuation
67 shelter deficit, educational facilities within the
68 county are not required to incorporate the public
69 shelter criteria; requiring the Division of Emergency
70 Management to identify the general location and square
71 footage of existing shelters by county rather than by
72 regional planning council region; amending s. 1013.74,
73 F.S.; requiring public hurricane evacuation shelters
74 in certain counties rather than regional planning
75 council regions to be constructed in accordance with
76 public shelter standards; counties amending ss.
77 68.082, 120.52, 120.65, 163.3177, 163.3178, 163.3184,
78 163.3245, 163.3246, 163.3248, 163.568, 164.1031,

79 | 186.006, 186.007, 186.008, 186.803, 187.201, 218.32,
80 | 253.7828, 258.501, 260.0142, 260.018, 288.0656,
81 | 288.975, 320.08058, 335.188, 339.155, 339.175,
82 | 339.285, 339.63, 339.64, 341.041, 343.1004, 343.1006,
83 | 343.1010, 343.54, 373.309, 373.415, 377.703, 378.411,
84 | 380.045, 380.055, 380.07, 380.507, 403.0752,
85 | 403.50663, 403.507, 403.508, 403.5115, 403.518,
86 | 403.526, 403.527, 403.5272, 403.5363, 403.5365,
87 | 403.537, 403.704, 403.7226, 403.941, 403.9411,
88 | 403.9422, 403.973, 408.033, 419.001, 420.609, 427.012,
89 | 501.171, 985.682, 1013.30, F.S.; conforming provisions
90 | to changes made by the act; repealing ss. 163.3164(40)
91 | and 186.003(5), F.S., relating to the definition of
92 | the term "regional planning agency"; repealing s.
93 | 343.1003(11)(c), F.S., relating to the Northeast
94 | Florida Regional Council; repealing s. 369.303(1),
95 | F.S., relating to the definition of the term
96 | "council"; repealing s. 380.031(15), F.S., relating to
97 | the definition of the term "regional planning agency";
98 | repealing ss. 403.503(26) and 403.522(21), F.S.,
99 | relating to the definition of the term "regional
100 | planning council"; repealing s. 403.7264(4), F.S.,
101 | relating to the role of regional planning councils in
102 | amnesty days for purging small quantities of hazardous
103 | waste; repealing s. 403.9403(22), F.S., relating to
104 | the definition of the term "regional planning

105 council"; providing an effective date.

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

107

108 Section 1. Subsection (9) of section 163.3175, Florida
 109 Statutes, is amended to read:

110 163.3175 Legislative findings on compatibility of
 111 development with military installations; exchange of information
 112 between local governments and military installations.—

113 (9) If a local government, as required under s.
 114 163.3177(6)(a), does not adopt criteria and address
 115 compatibility of lands adjacent to or closely proximate to
 116 existing military installations in its future land use plan
 117 element by June 30, 2012, the local government, the military
 118 installation, the state land planning agency, and other parties
 119 as identified by the state land ~~regional~~ planning agency
 120 ~~council~~, including, but not limited to, private landowner
 121 representatives, shall enter into mediation ~~conducted pursuant~~
 122 ~~to s. 186.509~~. If the local government comprehensive plan does
 123 not contain criteria addressing compatibility by December 31,
 124 2013, the agency may notify the Administration Commission. The
 125 Administration Commission may impose sanctions pursuant to s.
 126 163.3184(8). Any local government that amended its comprehensive
 127 plan to address military installation compatibility requirements
 128 after 2004 and was found to be in compliance is deemed to be in
 129 compliance with this subsection until the local government
 130 conducts its evaluation and appraisal review pursuant to s.

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131 163.3191 and determines that amendments are necessary to meet
 132 updated general law requirements.

133 Section 2. Section 186.0201, Florida Statutes, is amended
 134 to read:

135 186.0201 Electric substation planning.—Electric utility
 136 substations respond to development and, consequently, siting
 137 locations cannot be precisely planned years in advance.
 138 Nevertheless, on or before June 1 of every year after the
 139 effective date of this act, the electric utilities with service
 140 areas within each county ~~regional planning council~~ shall notify
 141 the county ~~regional planning council~~ of the utilities' current
 142 plans over a 5-year period to site electric substations within
 143 the local governments contained within each county ~~region~~,
 144 including an identification of whether each electric substation
 145 planned within a general area is a distribution or transmission
 146 electric substation, a listing of the proposed substations' site
 147 acreage needs and anticipated capacity, and maps showing general
 148 locations of the planned electric substations. This information
 149 is advisory, ~~shall be included in the regional planning~~
 150 ~~council's annual report prepared pursuant to s. 186.513,~~ and
 151 shall be supplied directly to local governments requesting the
 152 information.

153 Section 3. Sections 186.501, 186.502, 186.503, 186.504,
 154 186.505, 186.506, 186.507, 186.508, 186.509, 186.511, and
 155 186.513, Florida Statutes, are repealed.

156 Section 4. Section 186.515, Florida Statutes, is amended

157 to read:

158 186.515 Creation of regional planning entities ~~councils~~
159 under chapter 163.—Local governments may enter into agreements
160 to create regional planning entities pursuant to chapter 163.
161 ~~Nothing in ss. 186.501-186.507, 186.513, and 186.515 is intended~~
162 ~~to repeal or limit the provisions of chapter 163; however, the~~
163 ~~local general-purpose governments serving as voting members of~~
164 ~~the governing body of a regional planning council created~~
165 ~~pursuant to ss. 186.501-186.507, 186.513, and 186.515 are not~~
166 ~~authorized to create a regional planning council pursuant to~~
167 ~~chapter 163 unless an agency, other than a regional planning~~
168 ~~council created pursuant to ss. 186.501-186.507, 186.513, and~~
169 ~~186.515, is designated to exercise the powers and duties in any~~
170 ~~one or more of ss. 163.3164 and 380.031(15); in which case, such~~
171 ~~a regional planning council is also without authority to~~
172 ~~exercise the powers and duties in s. 163.3164 or s. 380.031(15).~~

173 Section 5. Paragraph (b) of subsection (1) of section
174 215.559, Florida Statutes, is amended to read:

175 215.559 Hurricane Loss Mitigation Program.—A Hurricane
176 Loss Mitigation Program is established in the Division of
177 Emergency Management.

178 (1) The Legislature shall annually appropriate \$10 million
179 of the moneys authorized for appropriation under s.
180 215.555(7)(c) from the Florida Hurricane Catastrophe Fund to the
181 division for the purposes set forth in this section. Of the
182 amount:

183 (b) Three million dollars in funds shall be used to
 184 retrofit existing facilities used as public hurricane shelters.
 185 Each year the division shall prioritize the use of these funds
 186 for projects included in the annual report of the Shelter
 187 Retrofit Report prepared in accordance with s. 252.385(3). The
 188 division must give funding priority to projects in counties
 189 ~~regional planning council regions~~ that have shelter deficits and
 190 to projects that maximize the use of state funds.

191 Section 6. Paragraph (b) of subsection (2) and subsection
 192 (3) of section 252.385, Florida Statutes, are amended to read:
 193 252.385 Public shelter space.—

194 (2)

195 (b) By January 31 of each even-numbered year, the division
 196 shall prepare and submit a statewide emergency shelter plan to
 197 the Governor and Cabinet for approval, subject to the
 198 requirements for approval in s. 1013.37(2). The plan shall
 199 identify the general location and square footage of special
 200 needs shelters, by county ~~regional planning council region~~,
 201 during the next 5 years. The plan shall also include information
 202 on the availability of shelters that accept pets. The Department
 203 of Health shall assist the division in determining the estimated
 204 need for special needs shelter space and the adequacy of
 205 facilities to meet the needs of persons with special needs based
 206 on information from the registries of persons with special needs
 207 and other information.

208 (3) The division shall annually provide to the President

209 of the Senate, the Speaker of the House of Representatives, and
 210 the Governor a list of facilities recommended to be retrofitted
 211 using state funds. State funds should be maximized and targeted
 212 to counties ~~regional planning council~~ regions with hurricane
 213 evacuation shelter deficits. Retrofitting facilities in regions
 214 with public hurricane evacuation shelter deficits shall be given
 215 first priority and should be completed by 2003. All recommended
 216 facilities should be retrofitted by 2008. The owner or lessee of
 217 a public hurricane evacuation shelter that is included on the
 218 list of facilities recommended for retrofitting is not required
 219 to perform any recommended improvements.

220 Section 7. Subsection (3) of section 369.307, Florida
 221 Statutes, is amended to read:

222 369.307 Developments of regional impact in the Wekiva
 223 River Protection Area; land acquisition.—

224 (3) The Wekiva River Protection Area is hereby declared to
 225 be a natural resource of state and regional importance. The St.
 226 Johns River Water Management District ~~East Central Florida~~
 227 ~~Regional Planning Council~~ shall adopt policies that ~~as part of~~
 228 ~~its strategic regional policy plan and regional issues list~~
 229 ~~which~~ will protect the water quantity, water quality, hydrology,
 230 wetlands, aquatic and wetland-dependent wildlife species,
 231 habitat of species ~~designated pursuant to rules 39-27.003, 39-~~
 232 ~~27.004, and 39-27.005, Florida Administrative Code, and native~~
 233 vegetation in the Wekiva River Protection Area. The water
 234 management district ~~council~~ shall also cooperate with the

235 department in the department's implementation of the provisions
 236 of s. 369.305.

237 Section 8. Subsections (1) and (4) of section 369.324,
 238 Florida Statutes, are amended to read:

239 369.324 Wekiva River Basin Commission.—

240 (1) The Wekiva River Basin Commission is created to
 241 monitor and ensure the implementation of the recommendations of
 242 the Wekiva River Basin Coordinating Committee for the Wekiva
 243 Study Area. The St. Johns River Water Management District ~~East~~
 244 ~~Central Florida Regional Planning Council~~ shall provide staff
 245 support to the commission with funding assistance from the
 246 Department of Economic Opportunity. The commission shall be
 247 comprised of a total of 18 members appointed by the Governor, 9
 248 of whom shall be voting members and 9 shall be ad hoc nonvoting
 249 members. The voting members shall include:

250 (a) One member of each of the Boards of County
 251 Commissioners for Lake, Orange, and Seminole Counties.

252 (b) One municipal elected official to serve as a
 253 representative of the municipalities located within the Wekiva
 254 Study Area of Lake County.

255 (c) One municipal elected official to serve as a
 256 representative of the municipalities located within the Wekiva
 257 Study Area of Orange County.

258 (d) One municipal elected official to serve as a
 259 representative of the municipalities located within the Wekiva
 260 Study Area of Seminole County.

261 (e) One citizen representing an environmental or
 262 conservation organization, one citizen representing a local
 263 property owner, a land developer, or an agricultural entity, and
 264 one at-large citizen who shall serve as chair of the council.

265 (f) The ad hoc nonvoting members shall include one
 266 representative from each of the following entities:

- 267 1. St. Johns River Management District.
- 268 2. Department of Economic Opportunity.
- 269 3. Department of Environmental Protection.
- 270 4. Department of Health.
- 271 5. Department of Agriculture and Consumer Services.
- 272 6. Fish and Wildlife Conservation Commission.
- 273 7. Department of Transportation.
- 274 8. MetroPlan Orlando.
- 275 9. Central Florida Expressway Authority.

276 (4) To assist the commission in its mission, the St. Johns
 277 River Water Management District ~~East Central Florida Regional~~
 278 ~~Planning Council~~, in coordination with the applicable regional
 279 and state agencies, shall serve as a clearinghouse of baseline
 280 or specialized studies through modeling and simulation,
 281 including collecting and disseminating data on the demographics,
 282 economics, and the environment of the Wekiva Study Area
 283 including the changing conditions of the Wekiva River surface
 284 and groundwater basin and associated influence on the Wekiva
 285 River and the Wekiva Springs.

286 Section 9. Subsections (3), (4), (7), (8), and (12) of

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287 section 380.05, Florida Statutes, are amended to read:

288 380.05 Areas of critical state concern.—

289 (3) Each local government ~~regional planning agency~~ may
290 recommend to the state land planning agency from time to time
291 areas wholly or partially within its jurisdiction that meet the
292 criteria for areas of critical state concern as defined in this
293 section. ~~Each regional planning agency shall solicit from the~~
294 ~~local governments within its jurisdiction suggestions as to~~
295 ~~areas to be recommended. A local government in an area where~~
296 ~~there is no regional planning agency may recommend to the state~~
297 ~~land planning agency from time to time areas wholly or partially~~
298 ~~within its jurisdiction that meet the criteria for areas of~~
299 ~~critical state concern as defined in this section.~~ If the state
300 land planning agency does not recommend to the commission as an
301 area of critical state concern an area substantially similar to
302 one that has been recommended, it shall respond in writing as to
303 its reasons therefor.

304 (4) Before ~~Prior to~~ submitting any recommendation to the
305 commission under subsection (1), the state land planning agency
306 shall give notice to any committee appointed pursuant to s.
307 380.045 and to all local governments ~~and regional planning~~
308 ~~agencies~~ that include within their boundaries any part of any
309 area of critical state concern proposed to be designated by the
310 rule, in addition to any notice otherwise required under chapter
311 120.

312 (7) The state land planning agency ~~and any applicable~~

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313 ~~regional planning agency~~ shall, to the greatest extent possible,
314 provide technical assistance to local governments in the
315 preparation of the land development regulations and local
316 comprehensive plan for areas of critical state concern.

317 (8) If any local government fails to submit land
318 development regulations or a local comprehensive plan, or if the
319 regulations or plan or plan amendment submitted do not comply
320 with the principles for guiding development set out in the rule
321 designating the area of critical state concern, within 120 days
322 after the adoption of the rule designating an area of critical
323 state concern, or within 120 days after the issuance of a
324 recommended order on the compliance of the plan or plan
325 amendment pursuant to s. 163.3184, or within 120 days after the
326 effective date of an order rejecting a proposed land development
327 regulation, the state land planning agency shall submit to the
328 commission recommended land development regulations and a local
329 comprehensive plan or portions thereof applicable to that local
330 government's portion of the area of critical state concern.
331 Within 45 days following receipt of the recommendation from the
332 agency, the commission shall either reject the recommendation as
333 tendered or adopt the recommendation with or without
334 modification, and by rule establish land development regulations
335 and a local comprehensive plan applicable to that local
336 government's portion of the area of critical state concern.
337 However, such rule is ~~shall~~ not become effective before ~~prior to~~
338 legislative review of an area of critical state concern pursuant

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339 to paragraph (1)(c). In the rule, the commission shall specify
340 the extent to which its land development regulations, plans, or
341 plan amendments will supersede, or will be supplementary to,
342 local land development regulations and plans. Notice of any
343 proposed rule issued under this section shall be given to all
344 local governments and regional ~~planning~~ agencies in the area of
345 critical state concern, in addition to any other notice required
346 under chapter 120. The land development regulations and local
347 comprehensive plan adopted by the commission under this section
348 may include any type of regulation and plan that could have been
349 adopted by the local government. Any land development
350 regulations or local comprehensive plan or plan amendments
351 adopted by the commission under this section shall be
352 administered by the local government as part of, or in the
353 absence of, the local land development regulations and local
354 comprehensive plan.

355 (12) Upon the request of a substantially interested person
356 pursuant to s. 120.54(7), a local government or regional
357 ~~planning~~ agency within the designated area, or the state land
358 planning agency, the commission may by rule remove, contract, or
359 expand any designated boundary. Boundary expansions are subject
360 to legislative review pursuant to paragraph (1)(c). A ~~No~~
361 boundary may not be modified without a specific finding by the
362 commission that such changes are consistent with necessary
363 resource protection. The total boundaries of an entire area of
364 critical state concern may ~~shall~~ not be removed by the

365 commission unless a minimum time of 1 year has elapsed from the
366 adoption of regulations and a local comprehensive plan pursuant
367 to subsection (1), subsection (6), subsection (8), or subsection
368 (10). Before totally removing such boundaries, the commission
369 shall make findings that the regulations and plans adopted
370 pursuant to subsection (1), subsection (6), subsection (8), or
371 subsection (10) are being effectively implemented by local
372 governments within the area of critical state concern to protect
373 the area and that adopted local government comprehensive plans
374 within the area have been conformed to principles for guiding
375 development for the area.

376 Section 10. Subsection (3), paragraph (b) of subsection
377 (6), subsection (7), paragraphs (a) and (d) of subsection (9),
378 subsections (10) through (12), subsection (14), subsection (18),
379 paragraphs (a), (e), (f), (g), and (h) of subsection (19),
380 paragraph (b) of subsection (21), paragraphs (a), (b), and (d)
381 of subsection (23), paragraph (f) of subsection (24), paragraphs
382 (b), (e), (h), and (j) of subsection (25), and subsection (27)
383 of section 380.06, Florida Statutes, are amended to read:

384 380.06 Developments of regional impact.—

385 (3) VARIATION OF THRESHOLDS IN STATEWIDE GUIDELINES AND
386 STANDARDS.—The state land planning agency, ~~a regional planning~~
387 ~~agency,~~ or a local government may petition the Administration
388 Commission to increase or decrease the numerical thresholds of
389 any statewide guideline and standard. The state land planning
390 agency ~~or the regional planning agency~~ may petition for an

391 increase or decrease for a particular local government's
392 jurisdiction or a part of a particular jurisdiction. A local
393 government may petition for an increase or decrease within its
394 jurisdiction or a part of its jurisdiction. A number of requests
395 may be combined in a single petition.

396 (a) When a petition is filed, the state land planning
397 agency shall have no more than 180 days to prepare and submit to
398 the Administration Commission a report and recommendations on
399 the proposed variation. The report shall evaluate, and the
400 Administration Commission shall consider, the following
401 criteria:

402 1. Whether the local government has adopted and
403 effectively implemented a comprehensive plan that reflects and
404 implements the goals and objectives of an adopted state
405 comprehensive plan.

406 ~~2. Any applicable policies in an adopted strategic
407 regional policy plan.~~

408 2.3. Whether the local government has adopted and
409 effectively implemented both a comprehensive set of land
410 development regulations, which regulations shall include a
411 planned unit development ordinance, and a capital improvements
412 plan that are consistent with the local government comprehensive
413 plan.

414 3.4. Whether the local government has adopted and
415 effectively implemented the authority and the fiscal mechanisms
416 for requiring developers to meet development order conditions.

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417 4.5 Whether the local government has adopted and
418 effectively implemented and enforced satisfactory development
419 review procedures.

420 ~~(b) The affected regional planning agency, adjoining local~~
421 ~~governments, and~~ The local government shall be given a
422 reasonable opportunity to submit recommendations to the
423 Administration Commission regarding any such proposed
424 variations.

425 (c) The Administration Commission shall have authority to
426 increase or decrease a threshold in the statewide guidelines and
427 standards up to 50 percent above or below the statewide
428 presumptive threshold. The commission may from time to time
429 reconsider changed thresholds and make additional variations as
430 it deems necessary.

431 (d) The Administration Commission shall adopt rules
432 setting forth the procedures for submission and review of
433 petitions filed pursuant to this subsection.

434 (e) Variations to guidelines and standards adopted by the
435 Administration Commission under this subsection shall be
436 transmitted on or before March 1 to the President of the Senate
437 and the Speaker of the House of Representatives for presentation
438 at the next regular session of the Legislature. Unless approved
439 as submitted by general law, the revisions shall not become
440 effective.

441 (6) APPLICATION FOR APPROVAL OF DEVELOPMENT; CONCURRENT
442 PLAN AMENDMENTS.—

443 (b) Any local government comprehensive plan amendments
444 related to a proposed development of regional impact, including
445 any changes proposed under subsection (19), may be initiated by
446 a local planning agency or the developer and must be considered
447 by the local governing body at the same time as the application
448 for development approval using the procedures provided for local
449 plan amendment in s. 163.3184 and applicable local ordinances,
450 without regard to local limits on the frequency of consideration
451 of amendments to the local comprehensive plan. This paragraph
452 does not require favorable consideration of a plan amendment
453 solely because it is related to a development of regional
454 impact. The procedure for processing such comprehensive plan
455 amendments is as follows:

456 1. If a developer seeks a comprehensive plan amendment
457 related to a development of regional impact, the developer must
458 so notify in writing ~~the regional planning agency,~~ the
459 applicable local government, and the state land planning agency
460 no later than the date of preapplication conference or the
461 submission of the proposed change under subsection (19).

462 2. When filing the application for development approval or
463 the proposed change, the developer must include a written
464 request for comprehensive plan amendments that would be
465 necessitated by the development-of-regional-impact approvals
466 sought. That request must include data and analysis upon which
467 the applicable local government can determine whether to
468 transmit the comprehensive plan amendment pursuant to s.

469 163.3184.

470 3. The local government must advertise a public hearing on
471 the transmittal within 30 days after filing the application for
472 development approval or the proposed change and must make a
473 determination on the transmittal within 60 days after the
474 initial filing unless that time is extended by the developer.

475 4. If the local government approves the transmittal,
476 procedures set forth in s. 163.3184 must be followed.

477 5. Notwithstanding subsection (11) or subsection (19), the
478 local government may not hold a public hearing on the
479 application for development approval or the proposed change or
480 on the comprehensive plan amendments sooner than 30 days after
481 reviewing agency comments are due to the local government
482 pursuant to s. 163.3184.

483 6. The local government must hear both the application for
484 development approval or the proposed change and the
485 comprehensive plan amendments at the same hearing. However, the
486 local government must take action separately on the application
487 for development approval or the proposed change and on the
488 comprehensive plan amendments.

489 7. Thereafter, the appeal process for the local government
490 development order must follow the provisions of s. 380.07, and
491 the compliance process for the comprehensive plan amendments
492 must follow the provisions of s. 163.3184.

493 (7) PREAPPLICATION PROCEDURES.—

494 (a) Before filing an application for development approval,

495 the developer shall contact the state land ~~regional~~ planning
496 agency ~~having jurisdiction over the proposed development~~ to
497 arrange a preapplication conference. Upon the request of the
498 developer ~~or the regional planning agency~~, other affected state
499 and regional agencies shall participate in this conference and
500 shall identify the types of permits issued by the agencies, the
501 level of information required, and the permit issuance
502 procedures as applied to the proposed development. The levels of
503 service required in the transportation methodology shall be the
504 same levels of service used to evaluate concurrency in
505 accordance with s. 163.3180. The state land ~~regional~~ planning
506 agency shall provide the developer information about the
507 development-of-regional-impact process and the use of
508 preapplication conferences to identify issues, coordinate
509 appropriate state and local agency requirements, and otherwise
510 promote a proper and efficient review of the proposed
511 development. If an agreement is reached regarding assumptions
512 and methodology to be used in the application for development
513 approval, the reviewing agencies may not subsequently object to
514 those assumptions and methodologies unless subsequent changes to
515 the project or information obtained during the review make those
516 assumptions and methodologies inappropriate. The reviewing
517 agencies may make only recommendations or comments regarding a
518 proposed development which are consistent with the statutes,
519 rules, or adopted local government ordinances that are
520 applicable to developments in the jurisdiction where the

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521 proposed development is located.

522 (b) The state land ~~regional~~ planning agency shall
523 establish by rule a procedure by which a developer may enter
524 into binding written agreements with the state land ~~regional~~
525 planning agency to eliminate questions from the application for
526 development approval when those questions are found to be
527 unnecessary for development-of-regional-impact review. It is the
528 legislative intent of this subsection to encourage reduction of
529 paperwork, to discourage unnecessary gathering of data, and to
530 encourage the coordination of the development-of-regional-impact
531 review process with federal, state, and local environmental
532 reviews when such reviews are required by law.

533 (c) If the application for development approval is not
534 submitted within 1 year after the date of the preapplication
535 conference, ~~the regional planning agency,~~ the local government
536 having jurisdiction, or the applicant may request that another
537 preapplication conference be held.

538 (9) CONCEPTUAL AGENCY REVIEW.—

539 (a)1. In order to facilitate the planning and preparation
540 of permit applications for projects that undergo development-of-
541 regional-impact review, and in order to coordinate the
542 information required to issue such permits, a developer may
543 elect to request conceptual agency review under this subsection
544 either concurrently with development-of-regional-impact review
545 and comprehensive plan amendments, if applicable, or subsequent
546 to a preapplication conference held pursuant to subsection (7).

547 2. "Conceptual agency review" means general review of the
548 proposed location, densities, intensity of use, character, and
549 major design features of a proposed development required to
550 undergo review under this section for the purpose of considering
551 whether these aspects of the proposed development comply with
552 the issuing agency's statutes and rules.

553 3. Conceptual agency review is a licensing action subject
554 to chapter 120, and approval or denial constitutes final agency
555 action, except that the 90-day time period specified in s.
556 120.60(1) shall be tolled for the agency when the state land
557 ~~affected regional~~ planning agency requests information from the
558 developer pursuant to paragraph (10)(b). If proposed agency
559 action on the conceptual approval is the subject of a proceeding
560 under ss. 120.569 and 120.57, final agency action shall be
561 conclusive as to any issues actually raised and adjudicated in
562 the proceeding, and such issues may not be raised in any
563 subsequent proceeding under ss. 120.569 and 120.57 on the
564 proposed development by any parties to the prior proceeding.

565 4. A conceptual agency review approval shall be valid for
566 up to 10 years, unless otherwise provided in a state or regional
567 agency rule, and may be reviewed and reissued for additional
568 periods of time under procedures established by the agency.

569 (d) At the conclusion of the conceptual agency review, the
570 agency shall give notice of its proposed agency action as
571 required by s. 120.60(3) ~~and shall forward a copy of the notice~~
572 ~~to the appropriate regional planning council with a report~~

573 ~~setting out the agency's conclusions on potential development~~
574 ~~impacts and stating whether the agency intends to grant~~
575 ~~conceptual approval, with or without conditions, or to deny~~
576 ~~conceptual approval. If the agency intends to deny conceptual~~
577 ~~approval, the report shall state the reasons therefor. The~~
578 ~~agency may require the developer to publish notice of proposed~~
579 ~~agency action in accordance with s. 403.815.~~

580 (10) APPLICATION; SUFFICIENCY.—

581 (a) When an application for development approval is filed
582 with a local government, the developer shall also send copies of
583 the application to the ~~appropriate regional planning agency and~~
584 ~~the~~ state land planning agency.

585 (b) If the state land ~~a regional~~ planning agency
586 determines that the application for development approval is
587 insufficient for the agency to discharge its responsibilities
588 under subsection (12), it shall provide in writing to the
589 appropriate local government and the applicant a statement of
590 any additional information desired within 30 days of the receipt
591 of the application by the state land ~~regional~~ planning agency.
592 The applicant may supply the information requested by the state
593 land ~~regional~~ planning agency and shall communicate its
594 intention to do so in writing to the appropriate local
595 government and the state land ~~regional~~ planning agency within 5
596 working days of the receipt of the statement requesting such
597 information, or the applicant shall notify the appropriate local
598 government ~~and the regional planning agency~~ in writing that the

599 requested information will not be supplied. Within 30 days after
600 receipt of such additional information, the state land ~~regional~~
601 planning agency shall review it and may request only that
602 information needed to clarify the additional information or to
603 answer new questions raised by, or directly related to, the
604 additional information. The regional planning agency may request
605 additional information no more than twice, unless the developer
606 waives this limitation. If an applicant does not provide the
607 information requested by the state land ~~a regional~~ planning
608 agency within 120 days of its request, or within a time agreed
609 upon by the applicant and the state land ~~regional~~ planning
610 agency, the application shall be considered withdrawn.

611 (c) The state land ~~regional~~ planning agency shall notify
612 the local government that a public hearing date may be set when
613 the state land ~~regional~~ planning agency determines that the
614 application is sufficient or when it receives notification from
615 the developer that the additional requested information will not
616 be supplied, as provided for in paragraph (b).

617 (11) LOCAL NOTICE.—Upon receipt of the sufficiency
618 notification from the state land ~~regional~~ planning agency
619 required by paragraph (10) (c), the appropriate local government
620 shall give notice and hold a public hearing on the application
621 in the same manner as for a rezoning as provided under the
622 appropriate special or local law or ordinance, except that such
623 hearing proceedings shall be recorded by tape or a certified
624 court reporter and made available for transcription at the

625 expense of any interested party. When a development of regional
626 impact is proposed within the jurisdiction of more than one
627 local government, the local governments, at the request of the
628 developer, may hold a joint public hearing. The local government
629 shall comply with the following additional requirements:

630 (a) The notice of public hearing shall state that the
631 proposed development is undergoing a development-of-regional-
632 impact review.

633 (b) The notice shall be published at least 60 days in
634 advance of the hearing and shall specify where the information
635 and reports on the development-of-regional-impact application
636 may be reviewed.

637 (c) The notice shall be given to the state land planning
638 agency, ~~to the applicable regional planning agency,~~ to any state
639 or regional permitting agency participating in a conceptual
640 agency review process under subsection (9), and to such other
641 persons as may have been designated by the state land planning
642 agency as entitled to receive such notices.

643 (d) A public hearing date shall be set by the appropriate
644 local government at the next scheduled meeting. The public
645 hearing shall be held no later than 90 days after issuance of
646 notice by the state land ~~regional~~ planning agency that a public
647 hearing may be set, unless an extension is requested by the
648 applicant.

649 (12) REGIONAL REPORTS.—

650 (a) Within 50 days after receipt of the notice of public

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651 hearing required in paragraph (11)(c), the state land ~~regional~~
652 planning agency, ~~if one has been designated for the area~~
653 ~~including the local government~~, shall prepare and submit to the
654 local government a report and recommendations on the regional
655 impact of the proposed development. In preparing its report and
656 recommendations, the state land ~~regional~~ planning agency shall
657 identify regional issues based upon the following review
658 criteria and make recommendations to the local government on
659 these regional issues, specifically considering whether, and the
660 extent to which:

661 1. The development will have a favorable or unfavorable
662 impact on state or regional resources or facilities identified
663 in the applicable state plan ~~or regional plans~~. As used in this
664 subsection, the term "applicable state plan" means the state
665 comprehensive plan. ~~As used in this subsection, the term~~
666 ~~"applicable regional plan" means an adopted strategic regional~~
667 ~~policy plan.~~

668 2. The development will significantly impact adjacent
669 jurisdictions. At the request of the appropriate local
670 government, the state land planning agency ~~regional planning~~
671 ~~agencies~~ may also review and comment upon issues that affect
672 only the requesting local government.

673 3. As one of the issues considered in the review in
674 subparagraphs 1. and 2., the development will favorably or
675 adversely affect the ability of people to find adequate housing
676 reasonably accessible to their places of employment if the state

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677 land ~~regional~~ planning agency has adopted an affordable housing
678 policy as part of its applicable state ~~strategic regional policy~~
679 plan. The determination should take into account information on
680 factors that are relevant to the availability of reasonably
681 accessible adequate housing. Adequate housing means housing that
682 is available for occupancy and that is not substandard.

683 (b) The state land ~~regional~~ planning agency report must
684 contain recommendations that are consistent with the standards
685 required by the applicable state permitting agencies or the
686 water management district.

687 (c) At the request of the state land ~~regional~~ planning
688 agency, other appropriate agencies shall review the proposed
689 development and shall prepare reports and recommendations on
690 issues that are clearly within the jurisdiction of those
691 agencies. Such agency reports shall become part of the regional
692 ~~planning agency~~ report; however, the state land ~~regional~~
693 planning agency may attach dissenting views. When water
694 management district and Department of Environmental Protection
695 permits have been issued pursuant to chapter 373 or chapter 403,
696 the state land ~~regional~~ planning agency ~~council~~ may comment on
697 the regional implications of the permits but may not offer
698 conflicting recommendations.

699 (d) The state land ~~regional~~ planning agency shall afford
700 the developer or any substantially affected party reasonable
701 opportunity to present evidence to the state land ~~regional~~
702 planning agency head or designee relating to the proposed

703 regional ~~agency~~ report and recommendations.

704 ~~(c) If the location of a proposed development involves~~
 705 ~~land within the boundaries of multiple regional planning~~
 706 ~~councils, the state land planning agency shall designate a lead~~
 707 ~~regional planning council. The lead regional planning council~~
 708 ~~shall prepare the regional report.~~

709 (14) CRITERIA OUTSIDE AREAS OF CRITICAL STATE CONCERN.—If
 710 the development is not located in an area of critical state
 711 concern, in considering whether the development shall be
 712 approved, denied, or approved subject to conditions,
 713 restrictions, or limitations, the local government shall
 714 consider whether, and the extent to which:

715 (a) The development is consistent with the local
 716 comprehensive plan and local land development regulations;

717 (b) The development is consistent with the report and
 718 recommendations of the state land ~~regional~~ planning agency
 719 submitted pursuant to subsection (12); and

720 (c) The development is consistent with the State
 721 Comprehensive Plan. In consistency determinations the plan shall
 722 be construed and applied in accordance with s. 187.101(3).

723 (18) BIENNIAL REPORTS.—The developer shall submit a
 724 biennial report on the development of regional impact to the
 725 local government, ~~the regional planning agency,~~ the state land
 726 planning agency, and all affected permit agencies in alternate
 727 years on the date specified in the development order, unless the
 728 development order by its terms requires more frequent

729 monitoring. If the report is not received, ~~the regional planning~~
730 ~~agency or~~ the state land planning agency shall notify the local
731 government. If the local government does not receive the report
732 or receives notification that the ~~regional planning agency or~~
733 the state land planning agency has not received the report, the
734 local government shall request in writing that the developer
735 submit the report within 30 days. The failure to submit the
736 report after 30 days shall result in the temporary suspension of
737 the development order by the local government. If no additional
738 development pursuant to the development order has occurred since
739 the submission of the previous report, then a letter from the
740 developer stating that no development has occurred shall satisfy
741 the requirement for a report. Development orders that require
742 annual reports may be amended to require biennial reports at the
743 option of the local government.

744 (19) SUBSTANTIAL DEVIATIONS.—

745 (a) Any proposed change to a previously approved
746 development which creates a reasonable likelihood of additional
747 regional impact, or any type of regional impact created by the
748 change not previously reviewed by the state land ~~regional~~
749 planning agency, shall constitute a substantial deviation and
750 shall cause the proposed change to be subject to further
751 development-of-regional-impact review. There are a variety of
752 reasons why a developer may wish to propose changes to an
753 approved development of regional impact, including changed
754 market conditions. The procedures set forth in this subsection

755 are for that purpose.

756 (e)1. Except for a development order rendered pursuant to
757 subsection (22) or subsection (25), a proposed change to a
758 development order which individually or cumulatively with any
759 previous change is less than any numerical criterion contained
760 in subparagraphs (b)1.-10. and does not exceed any other
761 criterion, or which involves an extension of the buildout date
762 of a development, or any phase thereof, of less than 5 years is
763 not subject to the public hearing requirements of subparagraph
764 (f)3., and is not subject to a determination pursuant to
765 subparagraph (f)5. Notice of the proposed change shall be made
766 to the ~~regional planning council and the~~ state land planning
767 agency. Such notice must include a description of previous
768 individual changes made to the development, including changes
769 previously approved by the local government, and must include
770 appropriate amendments to the development order.

771 2. The following changes, individually or cumulatively
772 with any previous changes, are not substantial deviations:

773 a. Changes in the name of the project, developer, owner,
774 or monitoring official.

775 b. Changes to a setback which do not affect noise buffers,
776 environmental protection or mitigation areas, or archaeological
777 or historical resources.

778 c. Changes to minimum lot sizes.

779 d. Changes in the configuration of internal roads which do
780 not affect external access points.

781 e. Changes to the building design or orientation which
782 stay approximately within the approved area designated for such
783 building and parking lot, and which do not affect historical
784 buildings designated as significant by the Division of
785 Historical Resources of the Department of State.

786 f. Changes to increase the acreage in the development, if
787 no development is proposed on the acreage to be added.

788 g. Changes to eliminate an approved land use, if there are
789 no additional regional impacts.

790 h. Changes required to conform to permits approved by any
791 federal, state, or regional permitting agency, if these changes
792 do not create additional regional impacts.

793 i. Any renovation or redevelopment of development within a
794 previously approved development of regional impact which does
795 not change land use or increase density or intensity of use.

796 j. Changes that modify boundaries and configuration of
797 areas described in subparagraph (b)11. due to science-based
798 refinement of such areas by survey, by habitat evaluation, by
799 other recognized assessment methodology, or by an environmental
800 assessment. In order for changes to qualify under this sub-
801 subparagraph, the survey, habitat evaluation, or assessment must
802 occur before the time that a conservation easement protecting
803 such lands is recorded and must not result in any net decrease
804 in the total acreage of the lands specifically set aside for
805 permanent preservation in the final development order.

806 k. Changes that do not increase the number of external

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807 peak hour trips and do not reduce open space and conserved areas
808 within the project except as otherwise permitted by sub-
809 subparagraph j.

810 1. Any other change that the state land planning agency~~7~~
811 ~~in consultation with the regional planning council,~~ agrees in
812 writing is similar in nature, impact, or character to the
813 changes enumerated in sub-subparagraphs a.-k. and that does not
814 create the likelihood of any additional regional impact.

815

816 This subsection does not require the filing of a notice of
817 proposed change but requires an application to the local
818 government to amend the development order in accordance with the
819 local government's procedures for amendment of a development
820 order. In accordance with the local government's procedures,
821 including requirements for notice to the applicant and the
822 public, the local government shall ~~either~~ deny the application
823 for amendment or adopt an amendment to the development order
824 which approves the application with or without conditions.
825 Following adoption, the local government shall render to the
826 state land planning agency the amendment to the development
827 order. The state land planning agency may appeal, pursuant to s.
828 380.07(3), the amendment to the development order if the
829 amendment involves sub-subparagraph g., sub-subparagraph h.,
830 sub-subparagraph j., sub-subparagraph k., or sub-subparagraph l.
831 and if the agency believes that the change creates a reasonable
832 likelihood of new or additional regional impacts.

833 3. Except for the change authorized by sub-subparagraph
834 2.f., any addition of land not previously reviewed or any change
835 not specified in paragraph (b) or paragraph (c) shall be
836 presumed to create a substantial deviation. This presumption may
837 be rebutted by clear and convincing evidence.

838 4. Any submittal of a proposed change to a previously
839 approved development must include a description of individual
840 changes previously made to the development, including changes
841 previously approved by the local government. The local
842 government shall consider the previous and current proposed
843 changes in deciding whether such changes cumulatively constitute
844 a substantial deviation requiring further development-of-
845 regional-impact review.

846 5. The following changes to an approved development of
847 regional impact shall be presumed to create a substantial
848 deviation. Such presumption may be rebutted by clear and
849 convincing evidence.

850 a. A change proposed for 15 percent or more of the acreage
851 to a land use not previously approved in the development order.
852 Changes of less than 15 percent are ~~shall be~~ presumed not to
853 create a substantial deviation.

854 b. Notwithstanding any provision of paragraph (b) to the
855 contrary, a proposed change consisting of simultaneous increases
856 and decreases of at least two of the uses within an authorized
857 multiuse development of regional impact which was originally
858 approved with three or more uses specified in s. 380.0651(3)(c)

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859 and (d) and residential use.

860 6. If a local government agrees to a proposed change, a
861 change in the transportation proportionate share calculation and
862 mitigation plan in an adopted development order as a result of
863 recalculation of the proportionate share contribution meeting
864 the requirements of s. 163.3180(5)(h) in effect as of the date
865 of such change are ~~shall be~~ presumed not to create a substantial
866 deviation. For purposes of this subsection, the proposed change
867 in the proportionate share calculation or mitigation plan may
868 not be considered an additional regional transportation impact.

869 (f)1. The state land planning agency shall establish by
870 rule standard forms for submittal of proposed changes to a
871 previously approved development of regional impact which may
872 require further development-of-regional-impact review. At a
873 minimum, the standard form shall require the developer to
874 provide the precise language that the developer proposes to
875 delete or add as an amendment to the development order.

876 2. The developer shall submit, simultaneously, to the
877 local government, ~~the regional planning agency,~~ and the state
878 land planning agency the request for approval of a proposed
879 change.

880 3. No sooner than 30 days but no later than 45 days after
881 submittal by the developer to the local government, the state
882 land planning agency, ~~and the appropriate regional planning~~
883 ~~agency,~~ the local government shall give 15 days' notice and
884 schedule a public hearing to consider the change that the

885 developer asserts does not create a substantial deviation. This
886 public hearing shall be held within 60 days after submittal of
887 the proposed changes, unless that time is extended by the
888 developer.

889 4. The ~~appropriate regional planning agency or the state~~
890 land planning agency shall review the proposed change and, no
891 later than 45 days after submittal by the developer of the
892 proposed change, unless that time is extended by the developer,
893 and prior to the public hearing at which the proposed change is
894 to be considered, shall advise the local government in writing
895 whether it objects to the proposed change, shall specify the
896 reasons for its objection, if any, and shall provide a copy to
897 the developer.

898 5. At the public hearing, the local government shall
899 determine whether the proposed change requires further
900 development-of-regional-impact review. The provisions of
901 paragraphs (a) and (e), the thresholds set forth in paragraph
902 (b), and the presumptions set forth in paragraphs (c) and (d)
903 and subparagraph (e)3. shall be applicable in determining
904 whether further development-of-regional-impact review is
905 required. The local government may also deny the proposed change
906 based on matters relating to local issues, such as if the land
907 on which the change is sought is plat restricted in a way that
908 would be incompatible with the proposed change, and the local
909 government does not wish to change the plat restriction as part
910 of the proposed change.

911 6. If the local government determines that the proposed
912 change does not require further development-of-regional-impact
913 review and is otherwise approved, or if the proposed change is
914 not subject to a hearing and determination pursuant to
915 subparagraphs 3. and 5. and is otherwise approved, the local
916 government shall issue an amendment to the development order
917 incorporating the approved change and conditions of approval
918 relating to the change. The requirement that a change be
919 otherwise approved shall not be construed to require additional
920 local review or approval if the change is allowed by applicable
921 local ordinances without further local review or approval. The
922 decision of the local government to approve, with or without
923 conditions, or to deny the proposed change that the developer
924 asserts does not require further review shall be subject to the
925 appeal provisions of s. 380.07. However, the state land planning
926 agency may not appeal the local government decision if it did
927 not comply with subparagraph 4. The state land planning agency
928 may not appeal a change to a development order made pursuant to
929 subparagraph (e)1. or subparagraph (e)2. for developments of
930 regional impact approved after January 1, 1980, unless the
931 change would result in a significant impact to a regionally
932 significant archaeological, historical, or natural resource not
933 previously identified in the original development-of-regional-
934 impact review.

935 (g) If a proposed change requires further development-of-
936 regional-impact review pursuant to this section, the review

937 shall be conducted subject to the following additional
 938 conditions:

939 1. The development-of-regional-impact review conducted by
 940 the appropriate regional planning agency shall address only
 941 those issues raised by the proposed change except as provided in
 942 subparagraph 2.

943 2. The state land ~~regional~~ planning agency shall consider,
 944 and the local government shall determine whether to approve,
 945 approve with conditions, or deny the proposed change as it
 946 relates to the entire development. If the local government
 947 determines that the proposed change, as it relates to the entire
 948 development, is unacceptable, the local government shall deny
 949 the change.

950 3. If the local government determines that the proposed
 951 change should be approved, any new conditions in the amendment
 952 to the development order issued by the local government shall
 953 address only those issues raised by the proposed change and
 954 require mitigation only for the individual and cumulative
 955 impacts of the proposed change.

956 4. Development within the previously approved development
 957 of regional impact may continue, as approved, during the
 958 development-of-regional-impact review in those portions of the
 959 development which are not directly affected by the proposed
 960 change.

961 (h) When further development-of-regional-impact review is
 962 required because a substantial deviation has been determined or

963 admitted by the developer, the amendment to the development
964 order issued by the local government shall be consistent with
965 the requirements of subsection (15) and shall be subject to the
966 hearing and appeal provisions of s. 380.07. The state land
967 planning agency ~~or the appropriate regional planning agency~~ need
968 not participate at the local hearing in order to appeal a local
969 government development order issued pursuant to this paragraph.

970 (21) COMPREHENSIVE APPLICATION; MASTER PLAN DEVELOPMENT
971 ORDER.—

972 (b) If a proposed development is planned for development
973 over an extended period of time, the developer may file an
974 application for master development approval of the project and
975 agree to present subsequent increments of the development for
976 preconstruction review. This agreement shall be entered into by
977 the developer, the state land ~~regional~~ planning agency, and the
978 appropriate local government having jurisdiction. The provisions
979 of subsection (9) do not apply to this subsection, except that a
980 developer may elect to utilize the review process established in
981 subsection (9) for review of the increments of a master plan.

982 1. Prior to adoption of the master plan development order,
983 the developer, the landowner, the state land ~~appropriate~~
984 ~~regional~~ planning agency, and the local government having
985 jurisdiction shall review the draft of the development order to
986 ensure that anticipated regional impacts have been adequately
987 addressed and that information requirements for subsequent
988 incremental application review are clearly defined. The

989 development order for a master application shall specify the
 990 information which must be submitted with an incremental
 991 application and shall identify those issues which can result in
 992 the denial of an incremental application.

993 2. The review of subsequent incremental applications shall
 994 be limited to that information specifically required and those
 995 issues specifically raised by the master development order,
 996 unless substantial changes in the conditions underlying the
 997 approval of the master plan development order are demonstrated
 998 or the master development order is shown to have been based on
 999 substantially inaccurate information.

1000 (23) ADOPTION OF RULES BY STATE LAND PLANNING AGENCY.—

1001 (a) The state land planning agency shall adopt rules to
 1002 ensure uniform review of developments of regional impact by the
 1003 state land planning agency ~~and regional planning agencies~~ under
 1004 this section. These rules shall be adopted pursuant to chapter
 1005 120 and shall include all forms, application content, and review
 1006 guidelines necessary to implement development-of-regional-impact
 1007 reviews. The state land planning agency, ~~in consultation with~~
 1008 ~~the regional planning agencies,~~ may also designate types of
 1009 development or areas suitable for development in which reduced
 1010 information requirements for development-of-regional-impact
 1011 review shall apply.

1012 (b) ~~Regional planning agencies shall be subject to rules~~
 1013 ~~adopted by the state land planning agency. At the request of a~~
 1014 ~~regional planning council,~~ The state land planning agency may

1015 adopt by rule different standards for a specific comprehensive
 1016 planning district upon a finding that the statewide standard is
 1017 inadequate to protect or promote the regional interest at issue.
 1018 If such a regional standard is adopted by the state land
 1019 planning agency, the regional standard shall be applied to all
 1020 pertinent development-of-regional-impact reviews conducted in
 1021 that region until rescinded.

1022 (d) The state land planning agency ~~Regional planning~~
 1023 ~~agencies~~ that performs ~~perform~~ development-of-regional-impact
 1024 and Florida Quality Development review is ~~are~~ authorized to
 1025 assess and collect fees to fund the costs, direct and indirect,
 1026 of conducting the review process. The state land planning agency
 1027 shall adopt rules to provide uniform criteria for the assessment
 1028 and collection of such fees. The rules providing uniform
 1029 criteria are ~~shall~~ not be subject to rule challenge under s.
 1030 120.56(2) or to drawout proceedings under s. 120.54(3)(c)2.,
 1031 but, once adopted, are ~~shall be~~ subject to an invalidity
 1032 challenge under s. 120.56(3) by substantially affected persons.
 1033 ~~Until the state land planning agency adopts a rule implementing~~
 1034 ~~this paragraph, rules of the regional planning councils~~
 1035 ~~currently in effect regarding fees shall remain in effect.~~ Fees
 1036 may vary in relation to the type and size of a proposed project,
 1037 but may ~~shall~~ not exceed \$75,000, unless the state land planning
 1038 agency, ~~after reviewing any disputed expenses charged by the~~
 1039 ~~regional planning agency,~~ determines that said expenses were
 1040 reasonable and necessary for an adequate regional review of the

1041 impacts of a project.

1042 (24) STATUTORY EXEMPTIONS.—

1043 (f) Any increase in the seating capacity of an existing
 1044 sports facility having a permanent seating capacity of at least
 1045 50,000 spectators is exempt from this section, provided that
 1046 such an increase does not increase permanent seating capacity by
 1047 more than 5 percent per year and not to exceed a total of 10
 1048 percent in any 5-year period, and provided that the sports
 1049 facility notifies the appropriate local government within which
 1050 the facility is located of the increase at least 6 months before
 1051 the initial use of the increased seating, in order to permit the
 1052 appropriate local government to develop a traffic management
 1053 plan for the traffic generated by the increase. Any traffic
 1054 management plan shall be consistent with the local comprehensive
 1055 plan, ~~the regional policy plan,~~ and the state comprehensive
 1056 plan.

1057
 1058 If a use is exempt from review as a development of regional
 1059 impact under paragraphs (a)-(u), but will be part of a larger
 1060 project that is subject to review as a development of regional
 1061 impact, the impact of the exempt use must be included in the
 1062 review of the larger project, unless such exempt use involves a
 1063 development of regional impact that includes a landowner,
 1064 tenant, or user that has entered into a funding agreement with
 1065 the Department of Economic Opportunity under the Innovation
 1066 Incentive Program and the agreement contemplates a state award

1067 of at least \$50 million.

1068 (25) AREAWIDE DEVELOPMENT OF REGIONAL IMPACT.—

1069 (b) A developer may petition for authorization to submit a

1070 proposed areawide development of regional impact for a defined

1071 planning area in accordance with the following requirements:

1072 1. A petition shall be submitted to the local government,~~7~~

1073 ~~the regional planning agency,~~ and the state land planning

1074 agency.

1075 2. A public hearing or joint public hearing shall be held

1076 if required by paragraph (e), with appropriate notice, before

1077 the affected local government.

1078 3. The state land planning agency shall apply the

1079 following criteria for evaluating a petition:

1080 a. Whether the developer is financially capable of

1081 processing the application for development approval through

1082 final approval pursuant to this section.

1083 b. Whether the defined planning area and anticipated

1084 development therein appear to be of a character, magnitude, and

1085 location that a proposed areawide development plan would be in

1086 the public interest. Any public interest determination under

1087 this criterion is preliminary and not binding on the state land

1088 planning agency,~~7~~ ~~regional planning agency,~~ or local government.

1089 4. The state land planning agency shall develop and make

1090 available standard forms for petitions and applications for

1091 development approval for use under this subsection.

1092 (e) The local government shall schedule a public hearing

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1093 within 60 days after receipt of the petition. The public hearing
1094 shall be advertised at least 30 days prior to the hearing. In
1095 addition to the public hearing notice by the local government,
1096 the petitioner, except when the petitioner is a local
1097 government, shall provide actual notice to each person owning
1098 land within the proposed areawide development plan at least 30
1099 days prior to the hearing. If the petitioner is a local
1100 government, or local governments pursuant to an interlocal
1101 agreement, notice of the public hearing shall be provided by the
1102 publication of an advertisement in a newspaper of general
1103 circulation that meets the requirements of this paragraph. The
1104 advertisement must be no less than one-quarter page in a
1105 standard size or tabloid size newspaper, and the headline in the
1106 advertisement must be in type no smaller than 18 point. The
1107 advertisement shall not be published in that portion of the
1108 newspaper where legal notices and classified advertisements
1109 appear. The advertisement must be published in a newspaper of
1110 general paid circulation in the county and of general interest
1111 and readership in the community, not one of limited subject
1112 matter, pursuant to chapter 50. Whenever possible, the
1113 advertisement must appear in a newspaper that is published at
1114 least 5 days a week, unless the only newspaper in the community
1115 is published less than 5 days a week. The advertisement must be
1116 in substantially the form used to advertise amendments to
1117 comprehensive plans pursuant to s. 163.3184. The local
1118 government shall specifically notify in writing the ~~regional~~

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1119 ~~planning agency and the~~ state land planning agency at least 30
 1120 days prior to the public hearing. At the public hearing, all
 1121 interested parties may testify and submit evidence regarding the
 1122 petitioner's qualifications, the need for and benefits of an
 1123 areawide development of regional impact, and such other issues
 1124 relevant to a full consideration of the petition. If more than
 1125 one local government has jurisdiction over the defined planning
 1126 area in an areawide development plan, the local governments
 1127 shall hold a joint public hearing. Such hearing shall address,
 1128 at a minimum, the need to resolve conflicting ordinances or
 1129 comprehensive plans, if any. The local government holding the
 1130 joint hearing shall comply with the following additional
 1131 requirements:

1132 1. The notice of the hearing shall be published at least
 1133 60 days in advance of the hearing and shall specify where the
 1134 petition may be reviewed.

1135 2. The notice shall be given to the state land planning
 1136 agency, ~~to the applicable regional planning agency,~~ and to such
 1137 other persons as may have been designated by the state land
 1138 planning agency as entitled to receive such notices.

1139 3. A public hearing date shall be set by the appropriate
 1140 local government at the next scheduled meeting.

1141 (h) The petitioner, an owner of property within the
 1142 defined planning area, ~~the appropriate regional planning agency~~
 1143 ~~by vote at a regularly scheduled meeting,~~ or the state land
 1144 planning agency may appeal the decision of the local government

1145 to the Florida Land and Water Adjudicatory Commission by filing
 1146 a notice of appeal with the commission. The procedures
 1147 established in s. 380.07 shall be followed for such an appeal.

1148 (j) In reviewing an application for a proposed areawide
 1149 development of regional impact, the state land ~~regional~~ planning
 1150 agency shall evaluate, and the local government shall consider,
 1151 the following criteria, in addition to any other criteria set
 1152 forth in this section:

1153 1. Whether the developer has demonstrated its legal,
 1154 financial, and administrative ability to perform any commitments
 1155 it has made in the application for a proposed areawide
 1156 development of regional impact.

1157 2. Whether the developer has demonstrated that all
 1158 property owners within the defined planning area consent or do
 1159 not object to the proposed areawide development of regional
 1160 impact.

1161 3. Whether the area and the anticipated development are
 1162 consistent with the applicable local, regional, and state
 1163 comprehensive plans, except as provided for in paragraph (k).

1164 (27) RIGHTS, RESPONSIBILITIES, AND OBLIGATIONS UNDER A
 1165 DEVELOPMENT ORDER.—If a developer or owner is in doubt as to his
 1166 or her rights, responsibilities, and obligations under a
 1167 development order and the development order does not clearly
 1168 define his or her rights, responsibilities, and obligations, the
 1169 developer or owner may request participation in resolving the
 1170 dispute through a ~~the~~ dispute resolution process ~~outlined in s.~~

1171 ~~186.509~~. The Department of Economic Opportunity shall be
 1172 notified by certified mail of any meeting held under the process
 1173 provided for by this subsection at least 5 days before the
 1174 meeting.

1175 Section 11. Paragraph (a) of subsection (3) and subsection
 1176 (5) of section 380.061, Florida Statutes, are amended to read:

1177 380.061 The Florida Quality Developments program.—

1178 (3) (a) To be eligible for designation under this program,
 1179 the developer shall comply with each of the following
 1180 requirements if applicable to the site of a qualified
 1181 development:

1182 1. Donate or enter into a binding commitment to donate the
 1183 fee or a lesser interest sufficient to protect, in perpetuity,
 1184 the natural attributes of the types of land listed below. In
 1185 lieu of this requirement, the developer may enter into a binding
 1186 commitment that runs with the land to set aside such areas on
 1187 the property, in perpetuity, as open space to be retained in a
 1188 natural condition or as otherwise permitted under this
 1189 subparagraph. Under the requirements of this subparagraph, the
 1190 developer may reserve the right to use such areas for passive
 1191 recreation that is consistent with the purposes for which the
 1192 land was preserved.

1193 a. Those wetlands and water bodies throughout the state
 1194 which would be delineated if the provisions of s. 373.4145(1) (b)
 1195 were applied. The developer may use such areas for the purpose
 1196 of site access, provided other routes of access are unavailable

1197 or impracticable; may use such areas for the purpose of
 1198 stormwater or domestic sewage management and other necessary
 1199 utilities if such uses are permitted pursuant to chapter 403; or
 1200 may redesign or alter wetlands and water bodies within the
 1201 jurisdiction of the Department of Environmental Protection which
 1202 have been artificially created if the redesign or alteration is
 1203 done so as to produce a more naturally functioning system.

1204 b. Active beach or primary and, where appropriate,
 1205 secondary dunes, to maintain the integrity of the dune system
 1206 and adequate public accessways to the beach. However, the
 1207 developer may retain the right to construct and maintain
 1208 elevated walkways over the dunes to provide access to the beach.

1209 c. Known archaeological sites determined to be of
 1210 significance by the Division of Historical Resources of the
 1211 Department of State.

1212 d. Areas known to be important to animal species
 1213 designated as endangered or threatened by the United States Fish
 1214 and Wildlife Service or by the Fish and Wildlife Conservation
 1215 Commission, for reproduction, feeding, or nesting; for traveling
 1216 between such areas used for reproduction, feeding, or nesting;
 1217 or for escape from predation.

1218 e. Areas known to contain plant species designated as
 1219 endangered by the Department of Agriculture and Consumer
 1220 Services.

1221 2. Produce, or dispose of, no substances designated as
 1222 hazardous or toxic substances by the United States Environmental

1223 Protection Agency, the Department of Environmental Protection,
 1224 or the Department of Agriculture and Consumer Services. This
 1225 subparagraph does not apply to the production of these
 1226 substances in nonsignificant amounts as would occur through
 1227 household use or incidental use by businesses.

1228 3. Participate in a downtown reuse or redevelopment
 1229 program to improve and rehabilitate a declining downtown area.

1230 4. Incorporate no dredge and fill activities in, and no
 1231 stormwater discharge into, waters designated as Class II,
 1232 aquatic preserves, or Outstanding Florida Waters, except as
 1233 permitted pursuant to s. 403.813(1), and the developer
 1234 demonstrates that those activities meet the standards under
 1235 Class II waters, Outstanding Florida Waters, or aquatic
 1236 preserves, as applicable.

1237 5. Include open space, recreation areas, Florida-friendly
 1238 landscaping as defined in s. 373.185, and energy conservation
 1239 and minimize impermeable surfaces as appropriate to the location
 1240 and type of project.

1241 6. Provide for construction and maintenance of all onsite
 1242 infrastructure necessary to support the project and enter into a
 1243 binding commitment with the local government to provide an
 1244 appropriate fair-share contribution toward the offsite impacts
 1245 that the development will impose on publicly funded facilities
 1246 and services, except offsite transportation, and condition or
 1247 phase the commencement of development to ensure that public
 1248 facilities and services, except offsite transportation, are

1249 available concurrent with the impacts of the development. For
 1250 the purposes of offsite transportation impacts, the developer
 1251 must ~~shall~~ comply, at a minimum, with the standards of the state
 1252 land planning agency's development-of-regional-impact
 1253 transportation rule, ~~the approved strategic regional policy~~
 1254 ~~plan, any applicable regional planning council transportation~~
 1255 ~~rule,~~ and the approved local government comprehensive plan and
 1256 land development regulations adopted pursuant to part II of
 1257 chapter 163.

1258 7. Design and construct the development in a manner that
 1259 is consistent with the adopted state plan, ~~the applicable~~
 1260 ~~strategic regional policy plan,~~ and the applicable adopted local
 1261 government comprehensive plan.

1262 (5) (a) Before filing an application for development
 1263 designation, the developer shall contact the Department of
 1264 Economic Opportunity to arrange one or more preapplication
 1265 conferences with the other reviewing entities. Upon the request
 1266 of the developer or any of the reviewing entities, other
 1267 affected state or regional agencies shall participate in this
 1268 conference. The department, in coordination with the local
 1269 government with jurisdiction ~~and the regional planning council,~~
 1270 shall provide the developer information about the Florida
 1271 Quality Developments designation process and the use of
 1272 preapplication conferences to identify issues, coordinate
 1273 appropriate state, regional, and local agency requirements,
 1274 fully address any concerns of the local government, ~~the regional~~

1275 ~~planning council,~~ and other reviewing agencies and the meeting
 1276 of those concerns, if applicable, through development order
 1277 conditions, and otherwise promote a proper, efficient, and
 1278 timely review of the proposed Florida Quality Development. The
 1279 department shall take the lead in coordinating the review
 1280 process.

1281 (b) The developer shall submit the application to the
 1282 state land planning agency, ~~the appropriate regional planning~~
 1283 ~~agency,~~ and the appropriate local government for review. The
 1284 review shall be conducted under the time limits and procedures
 1285 set forth in s. 120.60, except that the 90-day time limit shall
 1286 cease to run when the state land planning agency and the local
 1287 government have notified the applicant of their decision on
 1288 whether the development should be designated under this program.

1289 (c) At any time before ~~prior to~~ the issuance of the
 1290 Florida Quality Development development order, the developer of
 1291 a proposed Florida Quality Development has ~~shall have~~ the right
 1292 to withdraw the proposed project from consideration as a Florida
 1293 Quality Development. The developer may elect to convert the
 1294 proposed project to a proposed development of regional impact.
 1295 The conversion shall be in the form of a letter to the reviewing
 1296 entities stating the developer's intent to seek authorization
 1297 for the development as a development of regional impact under s.
 1298 380.06. If a proposed Florida Quality Development converts to a
 1299 development of regional impact, the developer shall resubmit the
 1300 appropriate application and the development shall be subject to

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1301 all applicable procedures under s. 380.06, except that:

1302 1. A preapplication conference held under paragraph (a)
1303 satisfies the preapplication procedures requirement under s.
1304 380.06(7); and

1305 2. If requested in the withdrawal letter, a finding of
1306 completeness of the application under paragraph (a) and s.
1307 120.60 may be converted to a finding of sufficiency by the state
1308 land ~~regional~~ planning agency ~~council~~ if such a conversion is
1309 approved by the state land ~~regional~~ planning agency ~~council~~.

1310

1311 The state land ~~regional~~ planning agency ~~council~~ shall have 30
1312 days to notify the developer if the request for conversion of
1313 completeness to sufficiency is granted or denied. If granted and
1314 the application is found sufficient, the state land ~~regional~~
1315 planning agency ~~council~~ shall notify the local government that a
1316 public hearing date may be set to consider the development for
1317 approval as a development of regional impact, and the
1318 development shall be subject to all applicable rules, standards,
1319 and procedures of s. 380.06. If the request for conversion of
1320 completeness to sufficiency is denied, the developer shall
1321 resubmit the appropriate application for review and the
1322 development shall be subject to all applicable procedures under
1323 s. 380.06, except as otherwise provided in this paragraph.

1324 (d) If the local government and state land planning agency
1325 agree that the project should be designated under this program,
1326 the state land planning agency shall issue a development order

1327 which incorporates the plan of development as set out in the
 1328 application along with any agreed-upon modifications and
 1329 conditions, based on recommendations by the local government ~~and~~
 1330 ~~regional planning council,~~ and a certification that the
 1331 development is designated as one of Florida's Quality
 1332 Developments. ~~In the event of conflicting recommendations, the~~
 1333 ~~state land planning agency, after consultation with the local~~
 1334 ~~government and the regional planning agency, shall resolve such~~
 1335 ~~conflicts in the development order.~~ Upon designation, the
 1336 development, as approved, is exempt from development-of-
 1337 regional-impact review pursuant to s. 380.06.

1338 (e) If the local government or state land planning agency,
 1339 or both, recommends against designation, the development shall
 1340 undergo development-of-regional-impact review pursuant to s.
 1341 380.06, except as provided in subsection (6) of this section.

1342 Section 12. Subsections (1) and (5) of section 380.065,
 1343 Florida Statutes, are amended to read:

1344 380.065 Certification of local government review of
 1345 development.—

1346 (1) By petition to the Administration Commission, a local
 1347 government may request certification to review developments of
 1348 regional impact that are located within the jurisdiction in lieu
 1349 of the regional review requirements set forth in s. 380.06. Such
 1350 petitions may ~~shall~~ not be accepted by the commission until the
 1351 state comprehensive plan has ~~and the strategic regional policy~~
 1352 ~~plan~~ have been adopted pursuant to chapter 186. Once certified,

1353 the development-of-regional-impact provisions of s. 380.06 are
 1354 ~~shall not be~~ applicable within such jurisdiction.

1355 (5) Upon revocation of certification, developments of
 1356 regional impact shall be reviewed by the state land ~~regional~~
 1357 ~~planning agency designated development-of-regional-impact review~~
 1358 ~~responsibilities for the region in which the local government is~~
 1359 ~~located,~~ pursuant to s. 380.06.

1360 Section 13. Subsections (3) and (6) of section 403.7225,
 1361 Florida Statutes, are amended to read:

1362 403.7225 Local hazardous waste management assessments.—

1363 (3) Each county ~~or regional planning council~~ shall
 1364 coordinate the local hazardous waste management assessments
 1365 within its jurisdiction according to guidelines established
 1366 under s. 403.7226. If a county declines to perform the local
 1367 hazardous waste management assessment, the county shall make
 1368 arrangements with the department ~~its regional planning council~~
 1369 to perform the assessment.

1370 (6) Unless performed by the county pursuant to subsection
 1371 (3), the department ~~regional planning councils~~ shall upon
 1372 successful arrangements with a county:

1373 (a) Perform local hazardous waste management assessments;
 1374 and

1375 (b) Provide any technical expertise needed by the counties
 1376 in developing the assessments.

1377 Section 14. Subsection (2) of section 403.723, Florida
 1378 Statutes, is amended to read:

1379 403.723 Siting of hazardous waste facilities.—It is the
1380 intent of the Legislature to facilitate siting of proper
1381 hazardous waste storage facilities in each region and any
1382 additional storage, treatment, or disposal facilities as
1383 required. The Legislature recognizes the need for facilitating
1384 disposal of waste produced by small generators, reducing the
1385 volume of wastes generated in the state, reducing the toxicity
1386 of wastes generated in the state, and providing treatment and
1387 disposal facilities in the state.

1388 (2) After each county designates areas for storage
1389 facilities, the department ~~each regional planning council~~ shall
1390 designate one or more sites at which a regional hazardous waste
1391 storage or treatment facility could be constructed.

1392 Section 15. Subsections (1) and (2) of section 1013.372,
1393 Florida Statutes, are amended to read:

1394 1013.372 Education facilities as emergency shelters.—

1395 (1) The Department of Education shall, in consultation
1396 with boards and county and state emergency management offices,
1397 include within the standards to be developed under this
1398 subsection public shelter design criteria to be incorporated
1399 into the Florida Building Code. The new criteria must be
1400 designed to ensure that appropriate new educational facilities
1401 can serve as public shelters for emergency management purposes.
1402 A facility, or an appropriate area within a facility, for which
1403 a design contract is entered into after the effective date of
1404 the inclusion of the public shelter criteria in the code must be

1405 built in compliance with the amended code unless the facility or
 1406 a part of it is exempted from using the new shelter criteria due
 1407 to its location, size, or other characteristics by the
 1408 applicable board with the concurrence of the applicable local
 1409 emergency management agency or the Division of Emergency
 1410 Management. Any educational facility located or proposed to be
 1411 located in an identified category 1, 2, or 3 evacuation zone is
 1412 not subject to the requirements of this subsection. If the
 1413 ~~regional planning council region in which the county is located~~
 1414 does not have a hurricane evacuation shelter deficit, as
 1415 determined by the Division of Emergency Management, educational
 1416 facilities within the county ~~planning council region~~ are not
 1417 required to incorporate the public shelter criteria.

1418 (2) By January 31 of each even-numbered year, the Division
 1419 of Emergency Management shall prepare and submit a statewide
 1420 emergency shelter plan to the Governor and the Cabinet for
 1421 approval. The plan must identify the general location and square
 1422 footage of existing shelters, by county ~~regional planning~~
 1423 ~~council region~~, and the general location and square footage of
 1424 needed shelters, by county ~~regional planning council region~~,
 1425 during the next 5 years. The plan must identify the types of
 1426 public facilities that should be constructed to comply with
 1427 emergency-shelter criteria and must recommend an appropriate and
 1428 available source of funding for the additional cost of
 1429 constructing emergency shelters within these public facilities.
 1430 After the approval of the plan, a board may not be required to

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1431 build more emergency-shelter space than identified as needed in
 1432 the plan, and decisions pertaining to exemptions pursuant to
 1433 subsection (1) must be guided by the plan.

1434 Section 16. Subsection (4) of section 1013.74, Florida
 1435 Statutes, is amended to read:

1436 1013.74 University authorization for fixed capital outlay
 1437 projects.—

1438 (4) The university board of trustees shall, in
 1439 consultation with local and state emergency management agencies,
 1440 assess existing facilities to identify the extent to which each
 1441 campus has public hurricane evacuation shelter space. The board
 1442 shall submit to the Governor and the Legislature by August 1 of
 1443 each year a 5-year capital improvements program that identifies
 1444 new or retrofitted facilities that will incorporate enhanced
 1445 hurricane resistance standards and that can be used as public
 1446 hurricane evacuation shelters. Enhanced hurricane resistance
 1447 standards include fixed passive protection for window and door
 1448 applications to provide mitigation protection, security
 1449 protection with egress, and energy efficiencies that meet
 1450 standards required in the 130-mile-per-hour wind zone areas. The
 1451 board must also submit proposed facility retrofit projects to
 1452 the Division of Emergency Management for assessment and
 1453 inclusion in the annual report prepared in accordance with s.
 1454 252.385(3). Until a county ~~regional planning council~~ region in
 1455 which a campus is located has sufficient public hurricane
 1456 evacuation shelter space, any campus building for which a design

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1457 contract is entered into subsequent to July 1, 2001, and which
 1458 has been identified by the board, with the concurrence of the
 1459 local emergency management agency or the Division of Emergency
 1460 Management, to be appropriate for use as a public hurricane
 1461 evacuation shelter, must be constructed in accordance with
 1462 public shelter standards.

1463 Section 17. Paragraph (f) of subsection (1) of section
 1464 68.082, Florida Statutes, is amended to read:

1465 68.082 False claims against the state; definitions;
 1466 liability.—

1467 (1) As used in this section, the term:

1468 (f) "State" means the government of the state or any
 1469 department, division, bureau, commission, regional ~~planning~~
 1470 agency, board, district, authority, agency, or other
 1471 instrumentality of the state.

1472 Section 18. Paragraph (a) of subsection (1) of section
 1473 120.52, Florida Statutes, is amended to read:

1474 120.52 Definitions.—As used in this act:

1475 (1) "Agency" means the following officers or governmental
 1476 entities if acting pursuant to powers other than those derived
 1477 from the constitution:

1478 (a) The Governor; each state officer and state department,
 1479 and each departmental unit described in s. 20.04; the Board of
 1480 Governors of the State University System; the Commission on
 1481 Ethics; the Fish and Wildlife Conservation Commission; a
 1482 regional water supply authority; ~~a regional planning agency; a~~

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1483 multicounty special district, but only if a majority of its
 1484 governing board is comprised of nonelected persons; educational
 1485 units; and each entity described in chapters 163, 373, 380, and
 1486 582 and ~~s. 186.504.~~

1487
 1488 This definition does not include a municipality or legal entity
 1489 created solely by a municipality; a legal entity or agency
 1490 created in whole or in part pursuant to part II of chapter 361;
 1491 a metropolitan planning organization created pursuant to s.
 1492 339.175; a separate legal or administrative entity created
 1493 pursuant to s. 339.175 of which a metropolitan planning
 1494 organization is a member; an expressway authority pursuant to
 1495 chapter 348 or any transportation authority or commission under
 1496 chapter 343 or chapter 349; or a legal or administrative entity
 1497 created by an interlocal agreement pursuant to s. 163.01(7),
 1498 unless any party to such agreement is otherwise an agency as
 1499 defined in this subsection.

1500 Section 19. Subsection (9) of section 120.65, Florida
 1501 Statutes, is amended to read:

1502 120.65 Administrative law judges.—

1503 (9) The division shall be reimbursed for administrative
 1504 law judge services and travel expenses by the following
 1505 entities: water management districts, ~~regional planning~~
 1506 ~~councils~~, school districts, community colleges, the Division of
 1507 Florida Colleges, state universities, the Board of Governors of
 1508 the State University System, the State Board of Education, the

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1509 Florida School for the Deaf and the Blind, and the Commission
1510 for Independent Education. These entities shall contract with
1511 the division to establish a contract rate for services and
1512 provisions for reimbursement of administrative law judge travel
1513 expenses and video teleconferencing expenses attributable to
1514 hearings conducted on behalf of these entities. The contract
1515 rate must be based on a total-cost-recovery methodology.

1516 Section 20. Paragraph (h) of subsection (6) of section
1517 163.3177, Florida Statutes, is amended to read:

1518 163.3177 Required and optional elements of comprehensive
1519 plan; studies and surveys.—

1520 (6) In addition to the requirements of subsections (1)-
1521 (5), the comprehensive plan shall include the following
1522 elements:

1523 (h)1. An intergovernmental coordination element showing
1524 relationships and stating principles and guidelines to be used
1525 in coordinating the adopted comprehensive plan with the plans of
1526 school boards, regional water supply authorities, and other
1527 units of local government providing services but not having
1528 regulatory authority over the use of land, with the
1529 comprehensive plans of adjacent municipalities, the county,
1530 adjacent counties, or the region, with the state comprehensive
1531 plan and with the applicable regional water supply plan approved
1532 pursuant to s. 373.709, as the case may require and as such
1533 adopted plans or plans in preparation may exist. This element of
1534 the local comprehensive plan must demonstrate consideration of

1535 the particular effects of the local plan, when adopted, upon the
 1536 development of adjacent municipalities, the county, adjacent
 1537 counties, or the region, or upon the state comprehensive plan,
 1538 as the case may require.

1539 a. The intergovernmental coordination element must provide
 1540 procedures for identifying and implementing joint planning
 1541 areas, especially for the purpose of annexation, municipal
 1542 incorporation, and joint infrastructure service areas.

1543 b. The intergovernmental coordination element shall
 1544 provide for a dispute resolution process, ~~as established~~
 1545 ~~pursuant to s. 186.509,~~ for bringing intergovernmental disputes
 1546 to closure in a timely manner.

1547 c. The intergovernmental coordination element shall
 1548 provide for interlocal agreements as established pursuant to s.
 1549 333.03(1)(b).

1550 2. The intergovernmental coordination element shall also
 1551 state principles and guidelines to be used in coordinating the
 1552 adopted comprehensive plan with the plans of school boards and
 1553 other units of local government providing facilities and
 1554 services but not having regulatory authority over the use of
 1555 land. In addition, the intergovernmental coordination element
 1556 must describe joint processes for collaborative planning and
 1557 decisionmaking on population projections and public school
 1558 siting, the location and extension of public facilities subject
 1559 to concurrency, and siting facilities with countywide
 1560 significance, including locally unwanted land uses whose nature

1561 and identity are established in an agreement.

1562 3. Within 1 year after adopting their intergovernmental
 1563 coordination elements, each county, all the municipalities
 1564 within that county, the district school board, and any unit of
 1565 local government service providers in that county shall
 1566 establish by interlocal or other formal agreement executed by
 1567 all affected entities, the joint processes described in this
 1568 subparagraph consistent with their adopted intergovernmental
 1569 coordination elements. The agreement must:

1570 a. Ensure that the local government addresses through
 1571 coordination mechanisms the impacts of development proposed in
 1572 the local comprehensive plan upon development in adjacent
 1573 municipalities, the county, adjacent counties, the region, and
 1574 the state. The area of concern for municipalities shall include
 1575 adjacent municipalities, the county, and counties adjacent to
 1576 the municipality. The area of concern for counties shall include
 1577 all municipalities within the county, adjacent counties, and
 1578 adjacent municipalities.

1579 b. Ensure coordination in establishing level of service
 1580 standards for public facilities with any state, regional, or
 1581 local entity having operational and maintenance responsibility
 1582 for such facilities.

1583 Section 21. Subsection (5) of section 163.3178, Florida
 1584 Statutes, is amended to read:

1585 163.3178 Coastal management.—

1586 (5) A ~~The appropriate~~ dispute resolution process ~~provided~~

1587 ~~under s. 186.509~~ must be used to reconcile inconsistencies
 1588 between port master plans and local comprehensive plans. In
 1589 recognition of the state's commitment to deepwater ports, the
 1590 state comprehensive plan must include goals, objectives, and
 1591 policies that establish a statewide strategy for enhancement of
 1592 existing deepwater ports, ensuring that priority is given to
 1593 water-dependent land uses. As an incentive for promoting plan
 1594 consistency, port facilities as defined in s. 315.02(6) on lands
 1595 owned or controlled by a deepwater port as defined in s.
 1596 311.09(1), as of the effective date of this act are ~~shall~~ not be
 1597 subject to development-of-regional-impact review provided the
 1598 port either successfully completes an alternative comprehensive
 1599 development agreement with a local government pursuant to ss.
 1600 163.3220-163.3243 or successfully enters into a development
 1601 agreement with the state land planning agency and applicable
 1602 local government pursuant to s. 380.032 or, where the port is a
 1603 department of a local government, successfully enters into a
 1604 development agreement with the state land planning agency
 1605 pursuant to s. 380.032. Port facilities as defined in s.
 1606 315.02(6) on lands not owned or controlled by a deepwater port
 1607 as defined in s. 311.09(1) as of the effective date of this act
 1608 are ~~shall~~ not be subject to development-of-regional-impact
 1609 review provided the port successfully enters into a development
 1610 agreement with the state land planning agency and applicable
 1611 local government pursuant to s. 380.032 or, where the port is a
 1612 department of a local government, successfully enters into a

1613 development agreement with the state land planning agency
 1614 pursuant to s. 380.032.

1615 Section 22. Paragraph (c) of subsection (1) and paragraph
 1616 (b) of subsection (3) of section 163.3184, Florida Statutes, are
 1617 amended to read:

1618 163.3184 Process for adoption of comprehensive plan or
 1619 plan amendment.—

1620 (1) DEFINITIONS.—As used in this section, the term:

1621 (c) "Reviewing agencies" means:

1622 1. The state land planning agency;

1623 ~~2. The appropriate regional planning council;~~

1624 2.3. The appropriate water management district;

1625 3.4. The Department of Environmental Protection;

1626 4.5. The Department of State;

1627 5.6. The Department of Transportation;

1628 6.7. In the case of plan amendments relating to public
 1629 schools, the Department of Education;

1630 7.8. In the case of plans or plan amendments that affect a
 1631 military installation listed in s. 163.3175, the commanding
 1632 officer of the affected military installation;

1633 8.9. In the case of county plans and plan amendments, the
 1634 Fish and Wildlife Conservation Commission and the Department of
 1635 Agriculture and Consumer Services; and

1636 9.10. In the case of municipal plans and plan amendments,
 1637 the county in which the municipality is located.

1638 (3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF

1639 COMPREHENSIVE PLAN AMENDMENTS.—

1640 (b)1. The local government, after the initial public
1641 hearing held pursuant to subsection (11), shall transmit within
1642 10 working days the amendment or amendments and appropriate
1643 supporting data and analyses to the reviewing agencies. The
1644 local governing body shall also transmit a copy of the
1645 amendments and supporting data and analyses to any other local
1646 government or governmental agency that has filed a written
1647 request with the governing body.

1648 2. The reviewing agencies and any other local government
1649 or governmental agency specified in subparagraph 1. may provide
1650 comments regarding the amendment or amendments to the local
1651 government. State agencies shall only comment on important state
1652 resources and facilities that will be adversely impacted by the
1653 amendment if adopted. Comments provided by state agencies shall
1654 state with specificity how the plan amendment will adversely
1655 impact an important state resource or facility and shall
1656 identify measures the local government may take to eliminate,
1657 reduce, or mitigate the adverse impacts. Such comments, if not
1658 resolved, may result in a challenge by the state land planning
1659 agency to the plan amendment. Agencies and local governments
1660 must transmit their comments to the affected local government
1661 such that they are received by the local government not later
1662 than 30 days after the date on which the agency or government
1663 received the amendment or amendments. Reviewing agencies shall
1664 also send a copy of their comments to the state land planning

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1665 agency.

1666 3. Comments to the local government from a ~~regional~~
1667 ~~planning council~~, county, or municipality shall be limited as
1668 follows:

1669 ~~a. The regional planning council review and comments shall~~
1670 ~~be limited to adverse effects on regional resources or~~
1671 ~~facilities identified in the strategic regional policy plan and~~
1672 ~~extrajurisdictional impacts that would be inconsistent with the~~
1673 ~~comprehensive plan of any affected local government within the~~
1674 ~~region. A regional planning council may not review and comment~~
1675 ~~on a proposed comprehensive plan amendment prepared by such~~
1676 ~~council unless the plan amendment has been changed by the local~~
1677 ~~government subsequent to the preparation of the plan amendment~~
1678 ~~by the regional planning council.~~

1679 ~~a.b.~~ County comments shall be in the context of the
1680 relationship and effect of the proposed plan amendments on the
1681 county plan.

1682 ~~b.e.~~ Municipal comments shall be in the context of the
1683 relationship and effect of the proposed plan amendments on the
1684 municipal plan.

1685 ~~c.d.~~ Military installation comments shall be provided in
1686 accordance with s. 163.3175.

1687 4. Comments to the local government from state agencies
1688 shall be limited to the following subjects as they relate to
1689 important state resources and facilities that will be adversely
1690 impacted by the amendment if adopted:

1691 a. The Department of Environmental Protection shall limit
 1692 its comments to the subjects of air and water pollution;
 1693 wetlands and other surface waters of the state; federal and
 1694 state-owned lands and interest in lands, including state parks,
 1695 greenways and trails, and conservation easements; solid waste;
 1696 water and wastewater treatment; and the Everglades ecosystem
 1697 restoration.

1698 b. The Department of State shall limit its comments to the
 1699 subjects of historic and archaeological resources.

1700 c. The Department of Transportation shall limit its
 1701 comments to issues within the agency's jurisdiction as it
 1702 relates to transportation resources and facilities of state
 1703 importance.

1704 d. The Fish and Wildlife Conservation Commission shall
 1705 limit its comments to subjects relating to fish and wildlife
 1706 habitat and listed species and their habitat.

1707 e. The Department of Agriculture and Consumer Services
 1708 shall limit its comments to the subjects of agriculture,
 1709 forestry, and aquaculture issues.

1710 f. The Department of Education shall limit its comments to
 1711 the subject of public school facilities.

1712 g. The appropriate water management district shall limit
 1713 its comments to flood protection and floodplain management,
 1714 wetlands and other surface waters, and regional water supply.

1715 h. The state land planning agency shall limit its comments
 1716 to important state resources and facilities outside the

1717 jurisdiction of other commenting state agencies and may include
 1718 comments on countervailing planning policies and objectives
 1719 served by the plan amendment that should be balanced against
 1720 potential adverse impacts to important state resources and
 1721 facilities.

1722 Section 23. Subsection (2) of section 163.3245, Florida
 1723 Statutes, is amended to read:

1724 163.3245 Sector plans.—

1725 (2) ~~Upon~~ The request of a local government having
 1726 jurisdiction, ~~the applicable regional planning council~~ shall
 1727 conduct a scoping meeting with affected local governments and
 1728 those agencies identified in s. 163.3184(1)(c) before
 1729 preparation of the sector plan. The purpose of this meeting is
 1730 to assist the state land planning agency ~~and the local~~
 1731 ~~government~~ in the identification of the relevant planning issues
 1732 to be addressed and the data and resources available to assist
 1733 in the preparation of the sector plan. ~~If a scoping meeting is~~
 1734 ~~conducted, the regional planning council shall make written~~
 1735 ~~recommendations to the state land planning agency and affected~~
 1736 ~~local governments on the issues requested by the local~~
 1737 ~~government.~~ The scoping meeting shall be noticed and open to the
 1738 public. If the entire planning area proposed for the sector plan
 1739 is within the jurisdiction of two or more local governments,
 1740 some or all of them may enter into a joint planning agreement
 1741 pursuant to s. 163.3171 with respect to the geographic area to
 1742 be subject to the sector plan, the planning issues that will be

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1743 emphasized, procedures for intergovernmental coordination to
1744 address extrajurisdictional impacts, supporting application
1745 materials including data and analysis, procedures for public
1746 participation, or other issues.

1747 Section 24. Subsection (11) of section 163.3246, Florida
1748 Statutes, is amended to read:

1749 163.3246 Local government comprehensive planning
1750 certification program.—

1751 (11) If the local government of an area described in
1752 subsection (10) does not request that the state land planning
1753 agency review the developments of regional impact that are
1754 proposed within the certified area, an application for approval
1755 of a development order within the certified area shall be exempt
1756 from review under s. 380.06, ~~subject to the following:~~

1757 ~~(a) Concurrent with filing an application for development~~
1758 ~~approval with the local government, a developer proposing a~~
1759 ~~project that would have been subject to review pursuant to s.~~
1760 ~~380.06 shall notify in writing the regional planning council~~
1761 ~~with jurisdiction.~~

1762 ~~(b) The regional planning council shall coordinate with~~
1763 The developer and the local government shall coordinate with the
1764 parties to ensure that all concurrency requirements as well as
1765 federal, state, and local environmental permit requirements are
1766 met.

1767 Section 25. Subsection (4) of section 163.3248, Florida
1768 Statutes, is amended to read:

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1769 163.3248 Rural land stewardship areas.—

1770 (4) A local government or one or more property owners may
 1771 request assistance and participation in the development of a
 1772 plan for the rural land stewardship area from the state land
 1773 planning agency, the Department of Agriculture and Consumer
 1774 Services, the Fish and Wildlife Conservation Commission, the
 1775 Department of Environmental Protection, the appropriate water
 1776 management district, the Department of Transportation, ~~the~~
 1777 ~~regional planning council,~~ private land owners, and
 1778 stakeholders.

1779 Section 26. Paragraph (i) of subsection (2) of section
 1780 163.568, Florida Statutes, is amended to read:

1781 163.568 Purposes and powers.—

1782 (2) The authority is granted the authority to exercise all
 1783 powers necessary, appurtenant, convenient, or incidental to the
 1784 carrying out of the aforesaid purposes, including, but not
 1785 limited to, the following rights and powers:

1786 (i) To develop transportation plans, and to coordinate its
 1787 planning and programs with those of appropriate municipal,
 1788 county, and state agencies and other political subdivisions of
 1789 the state. All transportation plans are subject to review and
 1790 approval by the Department of Transportation ~~and by the regional~~
 1791 ~~planning agency, if any,~~ for consistency with programs or
 1792 planning for the area and region.

1793 Section 27. Subsection (2) of section 164.1031, Florida
 1794 Statutes, is amended to read:

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1795 164.1031 Definitions.—For purposes of this act:

1796 (2) "Regional governmental entities" includes ~~regional~~
 1797 ~~planning councils~~, metropolitan planning organizations, water
 1798 supply authorities that include more than one county, local
 1799 health councils, water management districts, and other regional
 1800 entities that are authorized and created by general or special
 1801 law that have duties or responsibilities extending beyond the
 1802 jurisdiction of a single county.

1803 Section 28. Subsection (7) of section 186.006, Florida
 1804 Statutes, is amended to read:

1805 186.006 Powers and responsibilities of Executive Office of
 1806 the Governor.—For the purpose of establishing consistency and
 1807 uniformity in the state and regional planning process and in
 1808 order to ensure that the intent of ss. 186.001-186.031 and
 1809 186.801-186.901 is accomplished, the Executive Office of the
 1810 Governor shall:

1811 (7) Act as the state clearinghouse ~~and designate the~~
 1812 ~~regional planning councils as the regional data clearinghouses.~~

1813 Section 29. Subsections (7) and (8) of section 186.007,
 1814 Florida Statutes, are amended to read:

1815 186.007 State comprehensive plan; preparation; revision.—

1816 (7) In preparing and revising the state comprehensive
 1817 plan, the Executive Office of the Governor shall, to the extent
 1818 feasible, consider studies, reports, and plans of each
 1819 department, agency, and institution of state and local
 1820 government, ~~each regional planning agency~~, and the Federal

1821 Government and shall take into account the existing and
 1822 prospective resources, capabilities, and needs of state and
 1823 local levels of government.

1824 (8) The revision of the state comprehensive plan is a
 1825 continuing process. Each section of the plan shall be reviewed
 1826 and analyzed biennially by the Executive Office of the Governor
 1827 in conjunction with the planning officers of other state
 1828 agencies significantly affected by the provisions of the
 1829 particular section under review. In conducting this review and
 1830 analysis, the Executive Office of the Governor shall review and
 1831 consider, with the assistance of the state land planning agency
 1832 ~~and regional planning councils,~~ the evaluation and appraisal
 1833 reports ~~prepared pursuant to s. 186.511.~~ Any necessary revisions
 1834 of the state comprehensive plan shall be proposed by the
 1835 Governor in a written report and be accompanied by an
 1836 explanation of the need for such changes. If the Governor
 1837 determines that changes are unnecessary, the written report must
 1838 explain why changes are unnecessary. The proposed revisions and
 1839 accompanying explanations may be submitted in the report
 1840 required by s. 186.031. Any proposed revisions to the plan shall
 1841 be submitted to the Legislature as provided in s. 186.008(2) at
 1842 least 30 days before ~~prior to~~ the regular legislative session
 1843 occurring in each even-numbered year.

1844 Section 30. Subsection (1) of section 186.008, Florida
 1845 Statutes, is amended to read:

1846 186.008 State comprehensive plan; revision;

1847 implementation.—

1848 (1) On or before October 1 of every odd-numbered year, the
 1849 Executive Office of the Governor shall prepare, and the Governor
 1850 shall recommend to the Administration Commission, any proposed
 1851 revisions to the state comprehensive plan deemed necessary. The
 1852 Governor shall transmit his or her recommendations and
 1853 explanation as required by s. 186.007(8). Copies shall also be
 1854 provided to each state agency, ~~to each regional planning agency,~~
 1855 to any other unit of government that requests a copy, and to any
 1856 member of the public who requests a copy.

1857 Section 31. Section 186.803, Florida Statutes, is amended
 1858 to read:

1859 186.803 Use of geographic information by governmental
 1860 entities.—When state agencies, water management districts,
 1861 ~~regional planning councils,~~ local governments, and other
 1862 governmental entities use maps, including geographic information
 1863 maps and other graphic information materials, as the source of
 1864 data for planning or any other purposes, they must take into
 1865 account that the accuracy and reliability of such maps and data
 1866 may be limited by various factors, including the scale of the
 1867 maps, the timeliness and accuracy of the underlying information,
 1868 the availability of more accurate site-specific information, and
 1869 the presence or absence of ground truthing or peer review of the
 1870 underlying information contained in such maps and other graphic
 1871 information. This section does not apply to maps adopted
 1872 pursuant to part II of chapter 163.

1873 Section 32. Paragraph (b) of subsection (20) of section
 1874 187.201, Florida Statutes, is amended to read:

1875 187.201 State Comprehensive Plan adopted.—The Legislature
 1876 hereby adopts as the State Comprehensive Plan the following
 1877 specific goals and policies:

1878 (20) GOVERNMENTAL EFFICIENCY.—

1879 (b) *Policies*.—

1880 1. Encourage greater cooperation between, among, and
 1881 within all levels of Florida government through the use of
 1882 appropriate interlocal agreements and mutual participation for
 1883 mutual benefit.

1884 2. Allow the creation of independent special taxing
 1885 districts which have uniform general law standards and
 1886 procedures and do not overburden other governments and their
 1887 taxpayers while preventing the proliferation of independent
 1888 special taxing districts which do not meet these standards.

1889 3. Encourage the use of municipal services taxing units
 1890 and other dependent special districts to provide needed
 1891 infrastructure where the fiscal capacity exists to support such
 1892 an approach.

1893 4. Eliminate regulatory activities that are not tied to
 1894 specific public and natural resource protection needs.

1895 5. Eliminate needless duplication of, and promote
 1896 cooperation in, governmental activities between, among, and
 1897 within state, regional, county, city, and other governmental
 1898 units.

1899 6. Ensure, wherever possible, that the geographic
 1900 boundaries of water management districts, ~~regional planning~~
 1901 ~~councils~~, and substate districts of the executive departments
 1902 shall be coterminous for related state or agency programs and
 1903 functions and promote interagency agreements in order to reduce
 1904 the number of districts ~~and councils~~ with jurisdiction in any
 1905 one county.

1906 7. Encourage and provide for the restructuring of city and
 1907 county political jurisdictions with the goals of greater
 1908 efficiency and high-quality and more equitable and responsive
 1909 public service programs.

1910 8. Replace multiple, small scale, economically inefficient
 1911 local public facilities with regional facilities where they are
 1912 proven to be more economical, particularly in terms of energy
 1913 efficiency, and yet can retain the quality of service expected
 1914 by the public.

1915 9. Encourage greater efficiency and economy at all levels
 1916 of government through adoption and implementation of effective
 1917 records management, information management, and evaluation
 1918 procedures.

1919 10. Throughout government, establish citizen management
 1920 efficiency groups and internal management groups to make
 1921 recommendations for greater operating efficiencies and improved
 1922 management practices.

1923 11. Encourage governments to seek outside contracting on a
 1924 competitive-bid basis when cost-effective and appropriate.

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1925 12. Discourage undue expansion of state government and
 1926 make every effort to streamline state government in a cost-
 1927 effective manner.

1928 13. Encourage joint venture solutions to mutual problems
 1929 between levels of government and private enterprise.

1930 Section 33. Paragraph (c) of subsection (1) and subsection
 1931 (2) of section 218.32, Florida Statutes, are amended to read:

1932 218.32 Annual financial reports; local governmental
 1933 entities.—

1934 (1)

1935 (c) ~~Each regional planning council created under s.~~
 1936 ~~186.504,~~ Each local government finance commission, board, or
 1937 council, and each municipal power corporation created as a
 1938 separate legal or administrative entity by interlocal agreement
 1939 under s. 163.01(7) shall submit to the department a copy of its
 1940 audit report and an annual financial report for the previous
 1941 fiscal year in a format prescribed by the department.

1942 (2) The department shall annually by December 1 file a
 1943 verified report with the Governor, the Legislature, the Auditor
 1944 General, and the Special District Accountability Program of the
 1945 Department of Economic Opportunity showing the revenues, both
 1946 locally derived and derived from intergovernmental transfers,
 1947 and the expenditures of each local governmental entity, ~~regional~~
 1948 ~~planning council,~~ local government finance commission, and
 1949 municipal power corporation that is required to submit an annual
 1950 financial report. The report must include, but is not limited

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1951 to:

1952 (a) The total revenues and expenditures of each local
 1953 governmental entity that is a component unit included in the
 1954 annual financial report of the reporting entity.

1955 (b) The amount of outstanding long-term debt by each local
 1956 governmental entity. For purposes of this paragraph, the term
 1957 "long-term debt" means any agreement or series of agreements to
 1958 pay money, which, at inception, contemplate terms of payment
 1959 exceeding 1 year in duration.

1960 Section 34. Section 253.7828, Florida Statutes, is amended
 1961 to read:

1962 253.7828 Impairment of use or conservation by agencies
 1963 prohibited.—All agencies of the state, ~~regional planning~~
 1964 ~~councils~~, water management districts, and local governments
 1965 shall recognize the special character of the lands and waters
 1966 designated by the state as the Cross Florida Greenways State
 1967 Recreation and Conservation Area and may ~~shall~~ not take any
 1968 action which will impair its use and conservation.

1969 Section 35. Paragraph (a) of subsection (7) of section
 1970 258.501, Florida Statutes, is amended to read:

1971 258.501 Myakka River; wild and scenic segment.—

1972 (7) MANAGEMENT COORDINATING COUNCIL.—

1973 (a) Upon designation, the department shall create a
 1974 permanent council to provide interagency and intergovernmental
 1975 coordination in the management of the river. The coordinating
 1976 council shall be composed of one representative appointed from

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1977 each of the following: the department, the Department of
 1978 Transportation, the Fish and Wildlife Conservation Commission,
 1979 the Department of Economic Opportunity, the Florida Forest
 1980 Service of the Department of Agriculture and Consumer Services,
 1981 the Division of Historical Resources of the Department of State,
 1982 ~~the Tampa Bay Regional Planning Council,~~ the Southwest Florida
 1983 Water Management District, ~~the Southwest Florida Regional~~
 1984 ~~Planning Council,~~ Manatee County, Sarasota County, Charlotte
 1985 County, the City of Sarasota, the City of North Port,
 1986 agricultural interests, environmental organizations, and any
 1987 others deemed advisable by the department.

1988 Section 36. Subsections (1) and (3) of section 260.0142,
 1989 Florida Statutes, are amended to read:

1990 260.0142 Florida Greenways and Trails Council;
 1991 composition; powers and duties.-

1992 (1) There is created within the department the Florida
 1993 Greenways and Trails Council which shall advise the department
 1994 in the execution of the department's powers and duties under
 1995 this chapter. The council shall be composed of 19 ~~20~~ members,
 1996 consisting of:

1997 (a)1. Five members appointed by the Governor, with two
 1998 members representing the trail user community, two members
 1999 representing the greenway user community, and one member
 2000 representing private landowners.

2001 2. Three members appointed by the President of the Senate,
 2002 with one member representing the trail user community and two

2003 members representing the greenway user community.

2004 3. Three members appointed by the Speaker of the House of
 2005 Representatives, with two members representing the trail user
 2006 community and one member representing the greenway user
 2007 community.

2008
 2009 Those eligible to represent the trail user community shall be
 2010 chosen from, but not be limited to, paved trail users, hikers,
 2011 off-road bicyclists, users of off-highway vehicles, paddlers,
 2012 equestrians, disabled outdoor recreational users, and commercial
 2013 recreational interests. Those eligible to represent the greenway
 2014 user community shall be chosen from, but not be limited to,
 2015 conservation organizations, nature study organizations, and
 2016 scientists and university experts.

2017 (b) The 8 ~~9~~ remaining members shall include:

2018 1. The Secretary of Environmental Protection or a
 2019 designee.

2020 2. The executive director of the Fish and Wildlife
 2021 Conservation Commission or a designee.

2022 3. The Secretary of Transportation or a designee.

2023 4. The Director of the Florida Forest Service of the
 2024 Department of Agriculture and Consumer Services or a designee.

2025 5. The director of the Division of Historical Resources of
 2026 the Department of State or a designee.

2027 6. A representative of the water management districts.

2028 Membership on the council shall rotate among the five districts.

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2029 The districts shall determine the order of rotation.

2030 7. A representative of a federal land management agency.
 2031 The Secretary of Environmental Protection shall identify the
 2032 appropriate federal agency and request designation of a
 2033 representative from the agency to serve on the council.

2034 ~~8. A representative of the regional planning councils to~~
 2035 ~~be appointed by the Secretary of Environmental Protection.~~
 2036 ~~Membership on the council shall rotate among the seven regional~~
 2037 ~~planning councils. The regional planning councils shall~~
 2038 ~~determine the order of rotation.~~

2039 8.9. A representative of local governments to be appointed
 2040 by the Secretary of Environmental Protection. Membership shall
 2041 alternate between a county representative and a municipal
 2042 representative.

2043 (3) The term of all appointees shall be for 2 years unless
 2044 otherwise specified. The appointees of the Governor, the
 2045 President of the Senate, and the Speaker of the House of
 2046 Representatives may be reappointed for no more than four
 2047 consecutive terms. The representatives of the water management
 2048 districts, ~~regional planning councils,~~ and local governments may
 2049 be reappointed for no more than two consecutive terms. All other
 2050 appointees shall serve until replaced.

2051 Section 37. Section 260.018, Florida Statutes, is amended
 2052 to read:

2053 260.018 Agency recognition.—All agencies of the state,
 2054 ~~regional planning councils through their comprehensive plans,~~

2055 and local governments through their local comprehensive planning
 2056 process pursuant to chapter 163 shall recognize the special
 2057 character of publicly owned lands and waters designated by the
 2058 state as greenways and trails and may ~~shall~~ not take any action
 2059 which will impair their use as designated. Identification of
 2060 lands or waterways in planning materials, maps, data, and other
 2061 information developed or used in the greenways and trails
 2062 program may ~~shall~~ not be cause for such lands or waterways to be
 2063 subject to this section, unless such lands or waterways have
 2064 been designated as a part of the statewide system of greenways
 2065 and trails pursuant to s. 260.016(2) (d).

2066 Section 38. Paragraph (a) of subsection (6) of section
 2067 288.0656, Florida Statutes, is amended to read:

2068 288.0656 Rural Economic Development Initiative.—

2069 (6) (a) By August 1 of each year, the head of each of the
 2070 following agencies and organizations shall designate a deputy
 2071 secretary or higher-level staff person from within the agency or
 2072 organization to serve as the REDI representative for the agency
 2073 or organization:

- 2074 1. The Department of Transportation.
- 2075 2. The Department of Environmental Protection.
- 2076 3. The Department of Agriculture and Consumer Services.
- 2077 4. The Department of State.
- 2078 5. The Department of Health.
- 2079 6. The Department of Children and Families.
- 2080 7. The Department of Corrections.

- 2081 8. The Department of Education.
- 2082 9. The Department of Juvenile Justice.
- 2083 10. The Fish and Wildlife Conservation Commission.
- 2084 11. Each water management district.
- 2085 12. Enterprise Florida, Inc.
- 2086 13. Workforce Florida, Inc.
- 2087 14. VISIT Florida.
- 2088 ~~15. The Florida Regional Planning Council Association.~~
- 2089 15.16. The Agency for Health Care Administration.
- 2090 16.17. The Institute of Food and Agricultural Sciences
- 2091 (IFAS).

2092

2093 An alternate for each designee shall also be chosen, and the

2094 names of the designees and alternates shall be sent to the

2095 executive director of the department.

2096 Section 39. Subsection (2), paragraph (c) of subsection

2097 (4), and subsections (8) and (9) of section 288.975, Florida

2098 Statutes, are amended to read:

2099 288.975 Military base reuse plans.—

2100 (2) As used in this section, the term:

2101 (a) "Affected local government" means a local government

2102 adjoining the host local government and any other unit of local

2103 government that is not a host local government but that is

2104 identified in a proposed military base reuse plan as providing,

2105 operating, or maintaining one or more public facilities as

2106 defined in s. 163.3164 on lands within or serving a military

2107 base designated for closure by the Federal Government.

2108 (b) "Affected person" means a host local government; an
 2109 affected local government; any state, regional, or federal
 2110 agency; or a person who resides, owns property, or owns or
 2111 operates a business within the boundaries of a host local
 2112 government or affected local government.

2113 (c) "Base reuse activities" means development as defined
 2114 in s. 380.04 on a military base designated for closure or closed
 2115 by the Federal Government.

2116 (d) "Host local government" means a local government
 2117 within the jurisdiction of which all or part of a military base
 2118 designated for closure by the Federal Government is located.
 2119 This shall not include a county if no part of a military base is
 2120 located in its unincorporated area.

2121 (e) "Military base" means a military base designated for
 2122 closure or closed by the Federal Government.

2123 ~~(f) "Regional policy plan" means a strategic regional~~
 2124 ~~policy plan that has been adopted by rule by a regional planning~~
 2125 ~~council pursuant to s. 186.508.~~

2126 (f) ~~(g)~~ "State comprehensive plan" means the plan as
 2127 provided in chapter 187.

2128 (4)

2129 (c) Military base reuse plans shall identify projected
 2130 impacts to significant regional resources and natural resources
 2131 ~~of regional significance as identified by applicable regional~~
 2132 ~~planning councils in their regional policy plans and the actions~~

2133 that shall be taken to mitigate such impacts.

2134 (8) At the request of a host local government, the
 2135 department shall coordinate a presubmission workshop concerning
 2136 a military base reuse plan within the boundaries of the host
 2137 jurisdiction. Agencies that shall participate in the workshop
 2138 shall include any affected local governments; the Department of
 2139 Environmental Protection; the department; the Department of
 2140 Transportation; the Department of Health; the Department of
 2141 Children and Families; the Department of Juvenile Justice; the
 2142 Department of Agriculture and Consumer Services; the Department
 2143 of State; the Fish and Wildlife Conservation Commission; and any
 2144 applicable water management districts ~~and regional planning~~
 2145 ~~councils~~. The purposes of the workshop shall be to assist the
 2146 host local government to understand issues of concern to the
 2147 above listed entities pertaining to the military base site and
 2148 to identify opportunities for better coordination of planning
 2149 and review efforts with the information and analyses generated
 2150 by the federal environmental impact statement process and the
 2151 federal community base reuse planning process.

2152 (9) If a host local government elects to use the optional
 2153 provisions of this act, it shall, no later than 12 months after
 2154 notifying the agencies of its intent pursuant to subsection (3)
 2155 either:

2156 (a) Send a copy of the proposed military base reuse plan
 2157 for review to any affected local governments; the Department of
 2158 Environmental Protection; the department; the Department of

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2159 Transportation; the Department of Health; the Department of
 2160 Children and Families; the Department of Juvenile Justice; the
 2161 Department of Agriculture and Consumer Services; the Department
 2162 of State; the Fish and Wildlife Conservation Commission; and any
 2163 applicable water management districts ~~and regional planning~~
 2164 ~~councils~~, or

2165 (b) Petition the department for an extension of the
 2166 deadline for submitting a proposed reuse plan. Such an extension
 2167 request must be justified by changes or delays in the closure
 2168 process by the federal Department of Defense or for reasons
 2169 otherwise deemed to promote the orderly and beneficial planning
 2170 of the subject military base reuse. The department may grant
 2171 extensions to the required submission date of the reuse plan.

2172 Section 40. Paragraph (b) of subsection (26) of section
 2173 320.08058, Florida Statutes, is amended to read:

2174 320.08058 Specialty license plates.—

2175 (26) TAMPA BAY ESTUARY LICENSE PLATES.—

2176 (b) The annual use fees shall be distributed to the Tampa
 2177 Bay Estuary Program created by s. 163.01.

2178 1. A maximum of 5 percent of such fees may be used for
 2179 marketing the plate.

2180 ~~2. Twenty percent of the proceeds from the annual use fee,~~
 2181 ~~not to exceed \$50,000, shall be provided to the Tampa Bay~~
 2182 ~~Regional Planning Council for activities of the Agency on Bay~~
 2183 ~~Management implementing the Council/Agency Action Plan for the~~
 2184 ~~restoration of the Tampa Bay estuary, as approved by the Tampa~~

2185 ~~Bay Estuary Program Policy Board.~~

2186 2.3. The remaining proceeds must be used to implement the
 2187 Comprehensive Conservation and Management Plan for Tampa Bay,
 2188 pursuant to priorities approved by the Tampa Bay Estuary Program
 2189 Policy Board.

2190 Section 41. Paragraph (b) of subsection (3) of section
 2191 335.188, Florida Statutes, is amended to read:

2192 335.188 Access management standards; access control
 2193 classification system; criteria.—

2194 (3) The control classification system shall be developed
 2195 consistent with the following:

2196 (b) The access control classification system shall be
 2197 developed in cooperation with counties, municipalities, the
 2198 state land planning agency, ~~regional planning councils,~~
 2199 metropolitan planning organizations, and other local
 2200 governmental entities.

2201 Section 42. Subsection (4) of section 339.155, Florida
 2202 Statutes, is amended to read:

2203 339.155 Transportation planning.—

2204 (4) ADDITIONAL TRANSPORTATION PLANS.—

2205 (a) Upon request by local governmental entities, the
 2206 department may in its discretion develop and design
 2207 transportation corridors, arterial and collector streets,
 2208 vehicular parking areas, and other support facilities which are
 2209 consistent with the plans of the department for major
 2210 transportation facilities. The department may render to local

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2211 governmental entities or their planning agencies such technical
 2212 assistance and services as are necessary so that local plans and
 2213 facilities are coordinated with the plans and facilities of the
 2214 department.

2215 ~~(b) Each regional planning council, as provided for in s.~~
 2216 ~~186.504, or any successor agency thereto, shall develop, as an~~
 2217 ~~element of its strategic regional policy plan, transportation~~
 2218 ~~goals and policies. The transportation goals and policies must~~
 2219 ~~be prioritized to comply with the prevailing principles provided~~
 2220 ~~in subsection (1) and s. 334.046(1). The transportation goals~~
 2221 ~~and policies shall be consistent, to the maximum extent~~
 2222 ~~feasible, with the goals and policies of the metropolitan~~
 2223 ~~planning organization and the Florida Transportation Plan. The~~
 2224 ~~transportation goals and policies of the regional planning~~
 2225 ~~council will be advisory only and shall be submitted to the~~
 2226 ~~department and any affected metropolitan planning organization~~
 2227 ~~for their consideration and comments. Metropolitan planning~~
 2228 ~~organization plans and other local transportation plans shall be~~
 2229 ~~developed consistent, to the maximum extent feasible, with the~~
 2230 ~~regional transportation goals and policies. The regional~~
 2231 ~~planning council shall review urbanized area transportation~~
 2232 ~~plans and any other planning products stipulated in s. 339.175~~
 2233 ~~and provide the department and respective metropolitan planning~~
 2234 ~~organizations with written recommendations, which the department~~
 2235 ~~and the metropolitan planning organizations shall take under~~
 2236 ~~advisement. Further, the regional planning councils shall~~

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2237 ~~directly assist local governments that are not part of a~~
2238 ~~metropolitan area transportation planning process in the~~
2239 ~~development of the transportation element of their comprehensive~~
2240 ~~plans as required by s. 163.3177.~~

2241 (b)~~(e)~~ Regional transportation plans may be developed in
2242 regional transportation areas in accordance with an interlocal
2243 agreement entered into pursuant to s. 163.01 by two or more
2244 contiguous metropolitan planning organizations; one or more
2245 metropolitan planning organizations and one or more contiguous
2246 counties, none of which is a member of a metropolitan planning
2247 organization; a multicounty regional transportation authority
2248 created by or pursuant to law; two or more contiguous counties
2249 that are not members of a metropolitan planning organization; or
2250 metropolitan planning organizations comprised of three or more
2251 counties.

2252 (c)~~(d)~~ The interlocal agreement must, at a minimum,
2253 identify the entity that will coordinate the development of the
2254 regional transportation plan; delineate the boundaries of the
2255 regional transportation area; provide the duration of the
2256 agreement and specify how the agreement may be terminated,
2257 modified, or rescinded; describe the process by which the
2258 regional transportation plan will be developed; and provide how
2259 members of the entity will resolve disagreements regarding
2260 interpretation of the interlocal agreement or disputes relating
2261 to the development or content of the regional transportation
2262 plan. Such interlocal agreement shall become effective upon its

2263 recordation in the official public records of each county in the
 2264 regional transportation area.

2265 (d)~~(e)~~ The regional transportation plan developed pursuant
 2266 to this section must, at a minimum, identify regionally
 2267 significant transportation facilities located within a regional
 2268 transportation area and contain a prioritized list of regionally
 2269 significant projects. The projects shall be adopted into the
 2270 capital improvements schedule of the local government
 2271 comprehensive plan pursuant to s. 163.3177(3).

2272 Section 43. Paragraph (g) of subsection (6) of section
 2273 339.175, Florida Statutes, is amended to read:

2274 339.175 Metropolitan planning organization.—

2275 (6) POWERS, DUTIES, AND RESPONSIBILITIES.—The powers,
 2276 privileges, and authority of an M.P.O. are those specified in
 2277 this section or incorporated in an interlocal agreement
 2278 authorized under s. 163.01. Each M.P.O. shall perform all acts
 2279 required by federal or state laws or rules, now and subsequently
 2280 applicable, which are necessary to qualify for federal aid. It
 2281 is the intent of this section that each M.P.O. shall be involved
 2282 in the planning and programming of transportation facilities,
 2283 including, but not limited to, airports, intercity and high-
 2284 speed rail lines, seaports, and intermodal facilities, to the
 2285 extent permitted by state or federal law.

2286 (g) Each M.P.O. shall have an executive or staff director
 2287 who reports directly to the M.P.O. governing board for all
 2288 matters regarding the administration and operation of the M.P.O.

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2289 and any additional personnel as deemed necessary. The executive
 2290 director and any additional personnel may be employed either by
 2291 an M.P.O. or by another governmental entity, such as a county,
 2292 or city, ~~or regional planning council,~~ that has a staff services
 2293 agreement signed and in effect with the M.P.O. Each M.P.O. may
 2294 enter into contracts with local or state agencies, private
 2295 planning firms, private engineering firms, or other public or
 2296 private entities to accomplish its transportation planning and
 2297 programming duties and administrative functions.

2298 Section 44. Subsection (6) of section 339.285, Florida
 2299 Statutes, is amended to read:

2300 339.285 Enhanced Bridge Program for Sustainable
 2301 Transportation.—

2302 (6) Preference shall be given to bridge projects located
 2303 on corridors that connect to the Strategic Intermodal System,
 2304 created under s. 339.64, and that have been identified as
 2305 regionally significant in accordance with s. 339.155(4)(b), (c),
 2306 and (d) ~~s. 339.155(4)(c), (d), and (e).~~

2307 Section 45. Subsections (3) and (4) of section 339.63,
 2308 Florida Statutes, are amended to read:

2309 339.63 System facilities designated; additions and
 2310 deletions.—

2311 (3) After the initial designation of the Strategic
 2312 Intermodal System under subsection (1), the department shall, in
 2313 coordination with the metropolitan planning organizations, local
 2314 governments, ~~regional planning councils,~~ transportation

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2315 providers, and affected public agencies, add facilities to or
2316 delete facilities from the Strategic Intermodal System described
2317 in paragraphs (2)(b) and (c) based upon criteria adopted by the
2318 department.

2319 (4) After the initial designation of the Strategic
2320 Intermodal System under subsection (1), the department shall, in
2321 coordination with the metropolitan planning organizations, local
2322 governments, ~~regional planning councils~~, transportation
2323 providers, and affected public agencies, add facilities to or
2324 delete facilities from the Strategic Intermodal System described
2325 in paragraph (2)(a) based upon criteria adopted by the
2326 department. However, an airport that is designated as a reliever
2327 airport to a Strategic Intermodal System airport which has at
2328 least 75,000 itinerant operations per year, has a runway length
2329 of at least 5,500 linear feet, is capable of handling aircraft
2330 weighing at least 60,000 pounds with a dual wheel configuration
2331 which is served by at least one precision instrument approach,
2332 and serves a cluster of aviation-dependent industries, shall be
2333 designated as part of the Strategic Intermodal System by the
2334 Secretary of Transportation upon the request of a reliever
2335 airport meeting this criteria.

2336 Section 46. Subsection (1) and paragraph (a) of subsection
2337 (3) of section 339.64, Florida Statutes, are amended to read:

2338 339.64 Strategic Intermodal System Plan.—

2339 (1) The department shall develop, in cooperation with
2340 metropolitan planning organizations, ~~regional planning councils~~,

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2341 local governments, and other transportation providers, a
 2342 Strategic Intermodal System Plan. The plan shall be consistent
 2343 with the Florida Transportation Plan developed pursuant to s.
 2344 339.155 and shall be updated at least once every 5 years,
 2345 subsequent to updates of the Florida Transportation Plan.

2346 (3) (a) During the development of updates to the Strategic
 2347 Intermodal System Plan, the department shall provide
 2348 metropolitan planning organizations, ~~regional planning councils,~~
 2349 local governments, transportation providers, affected public
 2350 agencies, and citizens with an opportunity to participate in and
 2351 comment on the development of the update.

2352 Section 47. Subsection (1) of section 341.041, Florida
 2353 Statutes, is amended to read:

2354 341.041 Transit responsibilities of the department.—The
 2355 department shall, within the resources provided pursuant to
 2356 chapter 216:

2357 (1) Develop a statewide plan that provides for public
 2358 transit and intercity bus service needs at least 5 years in
 2359 advance. The plan shall be developed in a manner that will
 2360 assure maximum use of existing facilities, and optimum
 2361 integration and coordination of the various modes of
 2362 transportation, including both governmentally owned and
 2363 privately owned resources, in the most cost-effective manner
 2364 possible. The plan shall also incorporate plans adopted by local
 2365 ~~and regional~~ planning agencies which are consistent, to the
 2366 maximum extent feasible, with ~~adopted strategic policy plans and~~

2367 approved local government comprehensive plans for the region and
 2368 units of local government covered by the plan and shall, insofar
 2369 as practical, conform to federal planning requirements. The plan
 2370 shall be consistent with the goals of the Florida Transportation
 2371 Plan developed pursuant to s. 339.155.

2372 Section 48. Paragraph (b) of subsection (1) of section
 2373 343.1004, Florida Statutes, is amended to read:

2374 343.1004 Commission powers and duties.—

2375 (1) The express purposes of the commission are to improve
 2376 mobility and expand multimodal transportation options for
 2377 persons and freight throughout the six-county North Florida
 2378 region. The commission shall, at a minimum:

2379 (b) Research and develop an implementation plan that
 2380 identifies available but not yet imposed, and potentially
 2381 developable, sources of funding to execute the regional
 2382 transportation plan. In developing the regional transportation
 2383 plan, the commission shall review and coordinate with the future
 2384 land use, capital improvements, and traffic circulation elements
 2385 of the counties' local government comprehensive plans, ~~the~~
 2386 ~~Strategic Regional Policy Plan of the Northeast Florida Regional~~
 2387 ~~Council,~~ and the schedules of other units of government having
 2388 transit or transportation authority within whose jurisdictions
 2389 the projects or improvements will be located in order to define
 2390 and resolve potential inconsistencies between such plans and the
 2391 commission's regional transportation plan. The commission shall
 2392 present the regional transportation plan and updates to the

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2393 governing bodies of the constituent counties within 90 days
 2394 after adoption. The commission shall update the regional
 2395 transportation plan and the implementation plan at least every
 2396 other year.

2397 Section 49. Section 343.1006, Florida Statutes, is amended
 2398 to read:

2399 343.1006 Plan coordination with other agencies.—The
 2400 regional transportation plan and implementation plan shall be
 2401 forwarded to the North Florida Transportation Planning
 2402 Organization for inclusion in its long-range transportation plan
 2403 and other planning documents as required by law. To the extent
 2404 feasible, the commission's planning activities, including the
 2405 development and adoption of the regional transportation plan and
 2406 the implementation plan, shall be coordinated with the work of
 2407 the North Florida Transportation Planning Organization, ~~the~~
 2408 ~~Northeast Florida Regional Council,~~ and the department.

2409 Section 50. Subsection (1) of section 343.1010, Florida
 2410 Statutes, is amended to read:

2411 343.1010 Powers of commission are supplemental.—

2412 (1) The powers conferred by this part are supplemental to
 2413 the existing powers of the North Florida Transportation Planning
 2414 Organization, the Jacksonville Transportation Authority, ~~the~~
 2415 ~~Northeast Florida Regional Council,~~ the counties and the
 2416 municipalities located therein, and the department. This part
 2417 does not repeal any provisions of any other law, general,
 2418 special, or local, but supplements such other laws in the

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2419 exercise of the powers provided under this part and provides a
 2420 complete method for the exercise of the powers granted in this
 2421 part. The projects of the commission must comply with all
 2422 applicable federal, state, and local laws. The projects of the
 2423 commission undertaken pursuant to this part may be accomplished
 2424 without regard to or necessity for compliance with the
 2425 provisions, limitations, or restrictions contained in any other
 2426 general, special, or local law except as specifically set forth
 2427 in this part.

2428 Section 51. Paragraph (m) of subsection (3) of section
 2429 343.54, Florida Statutes, is amended to read:

2430 343.54 Powers and duties.—

2431 (3) The authority may exercise all powers necessary,
 2432 appurtenant, convenient, or incidental to the carrying out of
 2433 the aforesaid purposes, including, but not limited to, the
 2434 following rights and powers:

2435 (m) To cooperate with other governmental entities and to
 2436 contract with other governmental agencies, including the
 2437 Department of Transportation, the Federal Government, ~~regional~~
 2438 ~~planning councils~~, counties, and municipalities.

2439 Section 52. Paragraph (e) of subsection (1) of section
 2440 373.309, Florida Statutes, is amended to read:

2441 373.309 Authority to adopt rules and procedures.—

2442 (1) The department shall adopt, and may from time to time
 2443 amend, rules governing the location, construction, repair, and
 2444 abandonment of water wells and shall be responsible for the

2445 administration of this part. With respect thereto, the
 2446 department shall:

2447 (e) Encourage prevention of potable water well
 2448 contamination and promote cost-effective remediation of
 2449 contaminated potable water supplies by use of the Water Quality
 2450 Assurance Trust Fund as provided in s. 376.307(1)(e) and
 2451 establish by rule:

2452 1. Delineation of areas of groundwater contamination for
 2453 implementation of well location and construction, testing,
 2454 permitting, and clearance requirements as set forth in
 2455 subparagraphs 2., 3., 4., 5., and 6. The department shall make
 2456 available to water management districts, ~~regional planning~~
 2457 ~~councils~~, the Department of Health, and county building and
 2458 zoning departments, maps or other information on areas of
 2459 contamination, including areas of ethylene dibromide
 2460 contamination. Such maps or other information shall be made
 2461 available to property owners, realtors, real estate
 2462 associations, property appraisers, and other interested persons
 2463 upon request and upon payment of appropriate costs.

2464 2. Requirements for testing for suspected contamination in
 2465 areas of known contamination, as a prerequisite for clearance of
 2466 a water well for drinking purposes. The department is authorized
 2467 to establish criteria for acceptance of water quality testing
 2468 results from the Department of Health and laboratories certified
 2469 by the Department of Health, and is authorized to establish
 2470 requirements for sample collection quality assurance.

2471 3. Requirements for mandatory connection to available
2472 potable water systems in areas of known contamination, wherein
2473 the department may prohibit the permitting and construction of
2474 new potable water wells.

2475 4. Location and construction standards for public and all
2476 other potable water wells permitted in areas of contamination.
2477 Such standards shall be designed to minimize the effects of such
2478 contamination.

2479 5. A procedure for permitting all potable water wells in
2480 areas of known contamination. Any new water well that is to be
2481 used for drinking water purposes and that does not meet
2482 construction standards pursuant to subparagraph 4. must be
2483 abandoned and plugged by the owner. Water management districts
2484 shall implement, through delegation from the department, the
2485 permitting and enforcement responsibilities of this
2486 subparagraph.

2487 6. A procedure for clearing for use all potable water
2488 wells, except wells that serve a public water supply system, in
2489 areas of known contamination. If contaminants are found upon
2490 testing pursuant to subparagraph 2., a well may not be cleared
2491 for use without a filter or other means of preventing the users
2492 of the well from being exposed to deleterious amounts of
2493 contaminants. The Department of Health shall implement the
2494 responsibilities of this subparagraph.

2495 7. Fees to be paid for well construction permits and
2496 clearance for use. The fees shall be based on the actual costs

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2497 incurred by the water management districts, the Department of
 2498 Health, or other political subdivisions in carrying out the
 2499 responsibilities related to potable water well permitting and
 2500 clearance for use. The fees shall provide revenue to cover all
 2501 such costs and shall be set according to the following schedule:

2502 a. The well construction permit fee may not exceed \$500.

2503 b. The clearance fee may not exceed \$50.

2504 8. Procedures for implementing well-location,
 2505 construction, testing, permitting, and clearance requirements as
 2506 set forth in subparagraphs 2.-6. within areas that research or
 2507 monitoring data indicate are vulnerable to contamination with
 2508 nitrate, or areas in which the department provides a subsidy for
 2509 restoration or replacement of contaminated drinking water
 2510 supplies through extending existing water lines or developing
 2511 new water supply systems pursuant to s. 376.307(1)(e). The
 2512 department shall consult with the Florida Ground Water
 2513 Association in the process of developing rules pursuant to this
 2514 subparagraph.

2515
 2516 All fees and funds collected by each delegated entity pursuant
 2517 to this part shall be deposited in the appropriate operating
 2518 account of that entity.

2519 Section 53. Subsections (1) and (2) of section 373.415,
 2520 Florida Statutes, are amended to read:

2521 373.415 Protection zones; duties of the St. Johns River
 2522 Water Management District.—

2523 (1) Not later than November 1, 1988, the St. Johns River
 2524 Water Management District shall adopt rules establishing
 2525 protection zones adjacent to the watercourses in the Wekiva
 2526 River System, as designated in s. 369.303(9) ~~s. 369.303(10)~~.
 2527 Such protection zones shall be sufficiently wide to prevent harm
 2528 to the Wekiva River System, including water quality, water
 2529 quantity, hydrology, wetlands, and aquatic and wetland-dependent
 2530 wildlife species, caused by any of the activities regulated
 2531 under this part. Factors on which the widths of the protection
 2532 zones shall be based shall include, but not be limited to:

2533 (a) The biological significance of the wetlands and
 2534 uplands adjacent to the designated watercourses in the Wekiva
 2535 River System, including the nesting, feeding, breeding, and
 2536 resting needs of aquatic species and wetland-dependent wildlife
 2537 species.

2538 (b) The sensitivity of these species to disturbance,
 2539 including the short-term and long-term adaptability to
 2540 disturbance of the more sensitive species, both migratory and
 2541 resident.

2542 (c) The susceptibility of these lands to erosion,
 2543 including the slope, soils, runoff characteristics, and
 2544 vegetative cover.

2545
 2546 In addition, the rules may establish permitting thresholds,
 2547 permitting exemptions, or general permits, if such thresholds,
 2548 exemptions, or general permits do not allow significant adverse

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2549 impacts to the Wekiva River System to occur individually or
 2550 cumulatively.

2551 (2) Notwithstanding the provisions of s. 120.60, the St.
 2552 Johns River Water Management District may ~~shall~~ not issue any
 2553 permit under this part within the Wekiva River Protection Area,
 2554 as defined in s. 369.303(8) ~~s. 369.303(9)~~, until the appropriate
 2555 local government has provided written notification to the
 2556 district that the proposed activity is consistent with the local
 2557 comprehensive plan and is in compliance with any land
 2558 development regulation in effect in the area where the
 2559 development will take place. The district may, however, inform
 2560 any property owner who makes a request for such information as
 2561 to the location of the protection zone or zones on his or her
 2562 property. However, if a development proposal is amended as the
 2563 result of the review by the district, a permit may be issued
 2564 prior to the development proposal being returned, if necessary,
 2565 to the local government for additional review.

2566 Section 54. Paragraph (k) of subsection (2) of section
 2567 377.703, Florida Statutes, is amended to read:

2568 377.703 Additional functions of the Department of
 2569 Agriculture and Consumer Services.—

2570 (2) DUTIES.—The department shall perform the following
 2571 functions, unless as otherwise provided, consistent with the
 2572 development of a state energy policy:

2573 (k) The department shall coordinate energy-related
 2574 programs of state government, including, but not limited to, the

2575 | programs provided in this section. To this end, the department
 2576 | shall:

2577 | 1. Provide assistance to other state agencies, counties,
 2578 | and municipalities,~~and regional planning agencies~~ to further
 2579 | and promote their energy planning activities.

2580 | 2. Require, in cooperation with the Department of
 2581 | Management Services, all state agencies to operate state-owned
 2582 | and state-leased buildings in accordance with energy
 2583 | conservation standards as adopted by the Department of
 2584 | Management Services. Every 3 months, the Department of
 2585 | Management Services shall furnish the department data on
 2586 | agencies' energy consumption and emissions of greenhouse gases
 2587 | in a format prescribed by the department.

2588 | 3. Promote the development and use of renewable energy
 2589 | resources, energy efficiency technologies, and conservation
 2590 | measures.

2591 | 4. Promote the recovery of energy from wastes, including,
 2592 | but not limited to, the use of waste heat, the use of
 2593 | agricultural products as a source of energy, and recycling of
 2594 | manufactured products. Such promotion shall be conducted in
 2595 | conjunction with, and after consultation with, the Department of
 2596 | Environmental Protection and the Florida Public Service
 2597 | Commission where electrical generation or natural gas is
 2598 | involved, and any other relevant federal, state, or local
 2599 | governmental agency having responsibility for resource recovery
 2600 | programs.

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2601 Section 55. Subsection (3) of section 378.411, Florida
 2602 Statutes, is amended to read:

2603 378.411 Certification to receive notices of intent to
 2604 mine, to review, and to inspect for compliance.—

2605 (3) In making his or her determination, the secretary
 2606 shall consult with the Department of Economic Opportunity, ~~the~~
 2607 ~~appropriate regional planning council,~~ and the appropriate water
 2608 management district.

2609 Section 56. Subsection (2) of section 380.045, Florida
 2610 Statutes, is amended to read:

2611 380.045 Resource planning and management committees;
 2612 objectives; procedures.—

2613 (2) The committee shall include, but shall not be limited
 2614 to, representation from each of the following: elected officials
 2615 from the local governments within the area under study; the
 2616 planning office of each of the local governments within the area
 2617 under study; the state land planning agency; any other state
 2618 agency under chapter 20 a representative of which the Governor
 2619 feels is relevant to the compilation of the committee; and a
 2620 water management district, if appropriate, ~~and regional planning~~
 2621 ~~council all or part of whose jurisdiction lies within the area~~
 2622 ~~under study.~~ After the appointment of the members, the Governor
 2623 shall select a chair and vice chair. A staff member of the state
 2624 land planning agency shall be appointed by the director of such
 2625 agency to serve as the secretary of the committee. The state
 2626 land planning agency shall, to the greatest extent possible,

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2627 provide technical assistance and administrative support to the
2628 committee. Meetings will be called as needed by the chair or on
2629 the demand of three or more members of the committee. The
2630 committee will act on a simple majority of a quorum present and
2631 shall make a report within 6 months to the head of the state
2632 land planning agency. The committee shall, from the time of
2633 appointment, remain in existence for no less than 6 months.

2634 Section 57. Subsection (3) of section 380.055, Florida
2635 Statutes, is amended to read:

2636 380.055 Big Cypress Area.—

2637 (3) DESIGNATION AS AREA OF CRITICAL STATE CONCERN.—The
2638 "Big Cypress Area," as defined in this subsection, is hereby
2639 designated as an area of critical state concern. "Big Cypress
2640 Area" means the area generally depicted on the map entitled
2641 "Boundary Map, Big Cypress National Freshwater Reserve,
2642 Florida," numbered BC-91,001 and dated November 1971, which is
2643 on file and available for public inspection in the office of the
2644 National Park Service, Department of the Interior, Washington,
2645 D.C., and in the office of the Board of Trustees of the Internal
2646 Improvement Trust Fund, which is the area proposed as the
2647 Federal Big Cypress National Freshwater Reserve, Florida, and
2648 that area described as follows: Sections 1, 2, 11, 12 and 13 in
2649 Township 49 South, Range 31 East; and Township 49 South, Range
2650 32 East, less Sections 19, 30 and 31; and Township 49 South,
2651 Range 33 East; and Township 49 South, Range 34 East; and
2652 Sections 1 through 5 and 10 through 14 in Township 50 South,

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2653 Range 32 East; and Sections 1 through 18 and 20 through 25 in
 2654 Township 50 South, Range 33 East; and Township 50 South, Range
 2655 34 East, less Section 31; and Sections 1 and 2 in Township 51
 2656 South, Range 34 East; All in Collier County, Florida, which
 2657 described area shall be known as the "Big Cypress National
 2658 Preserve Addition, Florida," together with such contiguous land
 2659 and water areas as are ecologically linked with the Everglades
 2660 National Park, certain of the estuarine fisheries of South
 2661 Florida, or the freshwater aquifer of South Florida, the
 2662 definitive boundaries of which shall be set in the following
 2663 manner: Within 120 days following the effective date of this
 2664 act, the state land planning agency shall recommend definitive
 2665 boundaries for the Big Cypress Area to the Administration
 2666 Commission, after giving notice to all local governments and
 2667 regional ~~planning~~ agencies which include within their boundaries
 2668 any part of the area proposed to be included in the Big Cypress
 2669 Area and holding such hearings as the state land planning agency
 2670 deems appropriate. Within 45 days following receipt of the
 2671 recommended boundaries, the Administration Commission shall
 2672 adopt, modify, or reject the recommendation and shall by rule
 2673 establish the boundaries of the area defined as the Big Cypress
 2674 Area.

2675 Section 58. Subsection (2) of section 380.07, Florida
 2676 Statutes, is amended to read:

2677 380.07 Florida Land and Water Adjudicatory Commission.—

2678 (2) Whenever any local government issues any development

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2679 | order in any area of critical state concern, or in regard to any
 2680 | development of regional impact, copies of such orders as
 2681 | prescribed by rule by the state land planning agency shall be
 2682 | transmitted to the state land planning agency, ~~the regional~~
 2683 | ~~planning agency,~~ and the owner or developer of the property
 2684 | affected by such order. The state land planning agency shall
 2685 | adopt rules describing development order rendition and
 2686 | effectiveness in designated areas of critical state concern.
 2687 | Within 45 days after the order is rendered, the owner, the
 2688 | developer, or the state land planning agency may appeal the
 2689 | order to the Florida Land and Water Adjudicatory Commission by
 2690 | filing a petition alleging that the development order is not
 2691 | consistent with the provisions of this part. ~~The appropriate~~
 2692 | ~~regional planning agency by vote at a regularly scheduled~~
 2693 | ~~meeting may recommend that the state land planning agency~~
 2694 | ~~undertake an appeal of a development of regional impact~~
 2695 | ~~development order.~~ Upon the request of an ~~appropriate regional~~
 2696 | ~~planning council,~~ affected local government, or any citizen, the
 2697 | state land planning agency shall consider whether to appeal the
 2698 | order and shall respond to the request within the 45-day appeal
 2699 | period.

2700 | Section 59. Subsection (3) of section 380.507, Florida
 2701 | Statutes, is amended to read:

2702 | 380.507 Powers of the trust.—The trust shall have all the
 2703 | powers necessary or convenient to carry out the purposes and
 2704 | provisions of this part, including:

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2705 (3) To provide technical and financial assistance to local
2706 governments, state agencies, water management districts,
2707 ~~regional planning councils~~, and nonprofit agencies to carry out
2708 projects and activities and develop programs to achieve the
2709 purposes of this part.

2710 Section 60. Subsection (6) of section 403.0752, Florida
2711 Statutes, is amended to read:

2712 403.0752 Ecosystem management agreements.—

2713 (6) The secretary of the department may form ecosystem
2714 management advisory teams for consultation and participation in
2715 the preparation of an ecosystem management agreement. The
2716 secretary shall request the participation of at least the state
2717 and regional and local government entities having regulatory
2718 authority over the activities to be subject to the ecosystem
2719 management agreement. Such teams may also include
2720 representatives of other participating or advisory government
2721 agencies, which may include ~~regional planning councils~~, private
2722 landowners, public landowners and managers, public and private
2723 utilities, corporations, and environmental interests. Team
2724 members shall be selected in a manner that ensures adequate
2725 representation of the diverse interests and perspectives within
2726 the designated ecosystem. Participation by any department of
2727 state government is at the discretion of that agency.

2728 Section 61. Section 403.50663, Florida Statutes, is
2729 amended to read:

2730 403.50663 Informational public meetings.—

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2731 (1) A local government within whose jurisdiction the power
2732 plant is proposed to be sited may hold one informational public
2733 meeting in addition to the hearings specifically authorized by
2734 this act on any matter associated with the electrical power
2735 plant proceeding. Such informational public meetings shall be
2736 held by the local government ~~or by the regional planning council~~
2737 ~~if the local government does not hold such meeting~~ within 70
2738 days after the filing of the application. The purpose of an
2739 informational public meeting is for the local government ~~or~~
2740 ~~regional planning council~~ to further inform the public about the
2741 proposed electrical power plant or associated facilities, obtain
2742 comments from the public, and formulate its recommendation with
2743 respect to the proposed electrical power plant.

2744 (2) Informational public meetings shall be held solely at
2745 the option of each local government ~~or regional planning council~~
2746 ~~if a public meeting is not held by the local government~~. It is
2747 the legislative intent that local governments ~~or regional~~
2748 ~~planning councils~~ attempt to hold such public meetings. Parties
2749 to the proceedings under this act shall be encouraged to attend;
2750 however, no party other than the applicant and the department
2751 shall be required to attend such informational public meetings.

2752 (3) A local government ~~or regional planning council~~ that
2753 intends to conduct an informational public meeting must provide
2754 notice of the meeting to all parties not less than 5 days prior
2755 to the meeting and to the general public in accordance with s.
2756 403.5115(5). The expense for such notice is eligible for

2757 reimbursement under s. 403.518(2)(c)1.

2758 (4) The failure to hold an informational public meeting or
 2759 the procedure used for the informational public meeting is not
 2760 grounds for the alteration of any time limitation in this act
 2761 under s. 403.5095 or grounds to deny or condition certification.

2762 Section 62. Paragraph (a) of subsection (2) of section
 2763 403.507, Florida Statutes, is amended to read:

2764 403.507 Preliminary statements of issues, reports, project
 2765 analyses, and studies.—

2766 (2)(a) No later than 100 days after the certification
 2767 application has been determined complete, the following agencies
 2768 shall prepare reports as provided below and shall submit them to
 2769 the department and the applicant, unless a final order denying
 2770 the determination of need has been issued under s. 403.519:

2771 1. The Department of Economic Opportunity shall prepare a
 2772 report containing recommendations which address the impact upon
 2773 the public of the proposed electrical power plant, based on the
 2774 degree to which the electrical power plant is consistent with
 2775 the applicable portions of the state comprehensive plan,
 2776 emergency management, and other such matters within its
 2777 jurisdiction. The Department of Economic Opportunity may also
 2778 comment on the consistency of the proposed electrical power
 2779 plant with applicable ~~strategic regional policy plans~~ or local
 2780 comprehensive plans and land development regulations.

2781 2. The water management district shall prepare a report as
 2782 to matters within its jurisdiction, including but not limited

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2783 to, the impact of the proposed electrical power plant on water
2784 resources, regional water supply planning, and district-owned
2785 lands and works.

2786 3. Each local government in whose jurisdiction the
2787 proposed electrical power plant is to be located shall prepare a
2788 report as to the consistency of the proposed electrical power
2789 plant with all applicable local ordinances, regulations,
2790 standards, or criteria that apply to the proposed electrical
2791 power plant, including any applicable local environmental
2792 regulations adopted pursuant to s. 403.182 or by other means.

2793 4. The Fish and Wildlife Conservation Commission shall
2794 prepare a report as to matters within its jurisdiction.

2795 ~~5. Each regional planning council shall prepare a report~~
2796 ~~containing recommendations that address the impact upon the~~
2797 ~~public of the proposed electrical power plant, based on the~~
2798 ~~degree to which the electrical power plant is consistent with~~
2799 ~~the applicable provisions of the strategic regional policy plan~~
2800 ~~adopted pursuant to chapter 186 and other matters within its~~
2801 ~~jurisdiction.~~

2802 5.6. The Department of Transportation shall address the
2803 impact of the proposed electrical power plant on matters within
2804 its jurisdiction.

2805 Section 63. Paragraph (a) of subsection (3) and paragraph
2806 (a) of subsection (4) of section 403.508, Florida Statutes, are
2807 amended to read:

2808 403.508 Land use and certification hearings, parties,

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2809 participants.—

2810 (3) (a) Parties to the proceeding shall include:

2811 1. The applicant.

2812 2. The Public Service Commission.

2813 3. The Department of Economic Opportunity.

2814 4. The Fish and Wildlife Conservation Commission.

2815 5. The water management district.

2816 6. The department.

2817 ~~7. The regional planning council.~~

2818 7.8. The local government.

2819 8.9. The Department of Transportation.

2820 (4) (a) The order of presentation at the certification
 2821 hearing, unless otherwise changed by the administrative law
 2822 judge to ensure the orderly presentation of witnesses and
 2823 evidence, shall be:

2824 1. The applicant.

2825 2. The department.

2826 3. State agencies.

2827 4. Regional agencies, including ~~regional planning councils~~
 2828 ~~and~~ water management districts.

2829 5. Local governments.

2830 6. Other parties.

2831 Section 64. Subsection (5), paragraph (a) of subsection
 2832 (6), and paragraph (a) of subsection (7) of section 403.5115,
 2833 Florida Statutes, are amended to read:

2834 403.5115 Public notice.—

2835 (5) A local government ~~or regional planning council~~ that
 2836 proposes to conduct an informational public meeting pursuant to
 2837 s. 403.50663 must publish notice of the meeting in a newspaper
 2838 of general circulation within the county or counties in which
 2839 the proposed electrical power plant will be located no later
 2840 than 7 days prior to the meeting. A newspaper of general
 2841 circulation shall be the newspaper that has the largest daily
 2842 circulation in that county and has its principal office in that
 2843 county. If the newspaper with the largest daily circulation has
 2844 its principal office outside the county, the notices shall
 2845 appear in both the newspaper having the largest circulation in
 2846 that county and in a newspaper authorized to publish legal
 2847 notices in that county.

2848 (6) (a) A good faith effort shall be made by the applicant
 2849 to provide direct written notice of the filing of an application
 2850 for certification by United States mail or hand delivery no
 2851 later than 45 days after filing of the application to all local
 2852 landowners whose property, as noted in the most recent local
 2853 government tax records, and residences are located within the
 2854 following distances of the proposed project:

2855 1. Three miles of the proposed main site boundaries of the
 2856 proposed electrical power plant.

2857 2. One-quarter mile for a transmission line corridor that
 2858 only includes a transmission line as defined by s. 403.522(21)
 2859 ~~s. 403.522(22)~~.

2860 3. One-quarter mile for all other linear associated

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2861 facilities extending away from the main site boundary except for
2862 a transmission line corridor that includes a transmission line
2863 that operates below those defined by s. 403.522(21) ~~s.~~
2864 ~~403.522(22)~~.

2865 (7) (a) A good faith effort shall be made by the proponent
2866 of an alternate corridor that includes a transmission line, as
2867 defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct
2868 written notice of the filing of an alternate corridor for
2869 certification by United States mail or hand delivery of the
2870 filing no later than 30 days after filing of the alternate
2871 corridor to all local landowners whose property, as noted in the
2872 most recent local government tax records, and residences, are
2873 located within one-quarter mile of the proposed boundaries of a
2874 transmission line corridor that includes a transmission line as
2875 defined by s. 403.522(21) ~~s. 403.522(22)~~.

2876 Section 65. Paragraph (c) of subsection (2) of section
2877 403.518, Florida Statutes, is amended to read:

2878 403.518 Fees; disposition.—The department shall charge the
2879 applicant the following fees, as appropriate, which, unless
2880 otherwise specified, shall be paid into the Florida Permit Fee
2881 Trust Fund:

2882 (2) An application fee, which shall not exceed \$200,000.
2883 The fee shall be fixed by rule on a sliding scale related to the
2884 size, type, ultimate site capacity, or increase in electrical
2885 generating capacity proposed by the application.

2886 (c)1. Upon written request with proper itemized accounting

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2887 within 90 days after final agency action by the board or
2888 department or withdrawal of the application, the agencies that
2889 prepared reports pursuant to s. 403.507 or participated in a
2890 hearing pursuant to s. 403.508 may submit a written request to
2891 the department for reimbursement of expenses incurred during the
2892 certification proceedings. The request must ~~shall~~ contain an
2893 accounting of expenses incurred which may include time spent
2894 reviewing the application, preparation of any studies required
2895 of the agencies by this act, agency travel and per diem to
2896 attend any hearing held pursuant to this act, and for any local
2897 government's ~~or regional planning council's~~ provision of notice
2898 of public meetings required as a result of the application for
2899 certification. The department shall review the request and
2900 verify that the expenses are valid. Valid expenses shall be
2901 reimbursed; however, if ~~in the event~~ the amount of funds
2902 available for reimbursement is insufficient to provide for full
2903 compensation to the agencies requesting reimbursement,
2904 reimbursement shall be on a prorated basis.

2905 2. If the application review is held in abeyance for more
2906 than 1 year, the agencies may submit a request for
2907 reimbursement. This time period shall be measured from the date
2908 the applicant has provided written notification to the
2909 department that it desires to have the application review
2910 process placed on hold. The fee disbursement shall be processed
2911 in accordance with subparagraph 1.

2912 Section 66. Paragraph (a) of subsection (2) of section

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2913 403.526, Florida Statutes, is amended to read:

2914 403.526 Preliminary statements of issues, reports, and
 2915 project analyses; studies.—

2916 (2) (a) No later than 90 days after the filing of the
 2917 application, the following agencies shall prepare reports as
 2918 provided below, unless a final order denying the determination
 2919 of need has been issued under s. 403.537:

2920 1. The department shall prepare a report as to the impact
 2921 of each proposed transmission line or corridor as it relates to
 2922 matters within its jurisdiction.

2923 2. Each water management district in the jurisdiction of
 2924 which a proposed transmission line or corridor is to be located
 2925 shall prepare a report as to the impact on water resources and
 2926 other matters within its jurisdiction.

2927 3. The Department of Economic Opportunity shall prepare a
 2928 report containing recommendations which address the impact upon
 2929 the public of the proposed transmission line or corridor, based
 2930 on the degree to which the proposed transmission line or
 2931 corridor is consistent with the applicable portions of the state
 2932 comprehensive plan, emergency management, and other matters
 2933 within its jurisdiction. The Department of Economic Opportunity
 2934 may also comment on the consistency of the proposed transmission
 2935 line or corridor with applicable ~~strategic regional policy plans~~
 2936 ~~or~~ local comprehensive plans and land development regulations.

2937 4. The Fish and Wildlife Conservation Commission shall
 2938 prepare a report as to the impact of each proposed transmission

2939 line or corridor on fish and wildlife resources and other
 2940 matters within its jurisdiction.

2941 5. Each local government shall prepare a report as to the
 2942 impact of each proposed transmission line or corridor on matters
 2943 within its jurisdiction, including the consistency of the
 2944 proposed transmission line or corridor with all applicable local
 2945 ordinances, regulations, standards, or criteria that apply to
 2946 the proposed transmission line or corridor, including local
 2947 comprehensive plans, zoning regulations, land development
 2948 regulations, and any applicable local environmental regulations
 2949 adopted pursuant to s. 403.182 or by other means. A change by
 2950 the responsible local government or local agency in local
 2951 comprehensive plans, zoning ordinances, or other regulations
 2952 made after the date required for the filing of the local
 2953 government's report required by this section is not applicable
 2954 to the certification of the proposed transmission line or
 2955 corridor unless the certification is denied or the application
 2956 is withdrawn.

2957 ~~6. Each regional planning council shall present a report~~
 2958 ~~containing recommendations that address the impact upon the~~
 2959 ~~public of the proposed transmission line or corridor based on~~
 2960 ~~the degree to which the transmission line or corridor is~~
 2961 ~~consistent with the applicable provisions of the strategic~~
 2962 ~~regional policy plan adopted under chapter 186 and other impacts~~
 2963 ~~of each proposed transmission line or corridor on matters within~~
 2964 ~~its jurisdiction.~~

2965 ~~6.7.~~ The Department of Transportation shall prepare a
 2966 report as to the impact of the proposed transmission line or
 2967 corridor on state roads, railroads, airports, aeronautics,
 2968 seaports, and other matters within its jurisdiction.

2969 ~~7.8.~~ The commission shall prepare a report containing its
 2970 determination under s. 403.537, and the report may include the
 2971 comments from the commission with respect to any other subject
 2972 within its jurisdiction.

2973 ~~8.9.~~ Any other agency, if requested by the department,
 2974 shall also perform studies or prepare reports as to subjects
 2975 within the jurisdiction of the agency which may potentially be
 2976 affected by the proposed transmission line.

2977 Section 67. Paragraph (a) of subsection (2) and paragraph
 2978 (a) of subsection (3) of section 403.527, Florida Statutes, are
 2979 amended to read:

2980 403.527 Certification hearing, parties, participants.—

2981 (2) (a) Parties to the proceeding shall be:

- 2982 1. The applicant.
- 2983 2. The department.
- 2984 3. The commission.
- 2985 4. The Department of Economic Opportunity.
- 2986 5. The Fish and Wildlife Conservation Commission.
- 2987 6. The Department of Transportation.
- 2988 7. Each water management district in the jurisdiction of
- 2989 which the proposed transmission line or corridor is to be
- 2990 located.

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2991 8. The local government.

2992 ~~9. The regional planning council.~~

2993 (3) (a) The order of presentation at the certification

2994 hearing, unless otherwise changed by the administrative law

2995 judge to ensure the orderly presentation of witnesses and

2996 evidence, shall be:

2997 1. The applicant.

2998 2. The department.

2999 3. State agencies.

3000 4. Regional agencies, including ~~regional planning councils~~

3001 ~~and~~ water management districts.

3002 5. Local governments.

3003 6. Other parties.

3004 Section 68. Section 403.5272, Florida Statutes, is amended

3005 to read:

3006 403.5272 Informational public meetings.—

3007 (1) A local government whose jurisdiction is to be crossed

3008 by a proposed corridor may hold one informational public meeting

3009 in addition to the hearings specifically authorized by this act

3010 on any matter associated with the transmission line proceeding.

3011 The informational public meeting may be conducted by the local

3012 government ~~or the regional planning council~~ and shall be held no

3013 later than 55 days after the application is filed. The purpose

3014 of an informational public meeting is for the local government

3015 ~~or regional planning council~~ to further inform the public about

3016 the transmission line proposed, obtain comments from the public,

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3017 and formulate its recommendation with respect to the proposed
 3018 transmission line.

3019 (2) Informational public meetings shall be held solely at
 3020 the option of each local government ~~or regional planning~~
 3021 ~~council~~. It is the legislative intent that local governments ~~or~~
 3022 ~~regional planning councils~~ attempt to hold such public meetings.
 3023 Parties to the proceedings under this act shall be encouraged to
 3024 attend; however, a party other than the applicant and the
 3025 department is not required to attend the informational public
 3026 meetings.

3027 (3) A local government ~~or regional planning council~~ that
 3028 intends to conduct an informational public meeting must provide
 3029 notice of the meeting, with notice sent to all parties listed in
 3030 s. 403.527(2) (a), not less than 15 days before the meeting and
 3031 to the general public in accordance with s. 403.5363(4).

3032 (4) The failure to hold an informational public meeting or
 3033 the procedure used for the informational public meeting is not
 3034 grounds for the alteration of any time limitation in this act
 3035 under s. 403.528 or grounds to deny or condition certification.

3036 Section 69. Subsection (4), paragraph (a) of subsection
 3037 (5), and paragraph (a) of subsection (6) of section 403.5363,
 3038 Florida Statutes, are amended to read:

3039 403.5363 Public notices; requirements.—

3040 (4) A local government ~~or regional planning council~~ that
 3041 proposes to conduct an informational public meeting pursuant to
 3042 s. 403.5272 must publish notice of the meeting in a newspaper of

3043 general circulation within the county or counties in which the
 3044 proposed electrical transmission line will be located no later
 3045 than 7 days prior to the meeting. A newspaper of general
 3046 circulation shall be the newspaper that has the largest daily
 3047 circulation in that county and has its principal office in that
 3048 county. If the newspaper with the largest daily circulation has
 3049 its principal office outside the county, the notices shall
 3050 appear in both the newspaper having the largest circulation in
 3051 that county and in a newspaper authorized to publish legal
 3052 notices in that county.

3053 (5) (a) A good faith effort shall be made by the applicant
 3054 to provide direct notice of the filing of an application for
 3055 certification by United States mail or hand delivery no later
 3056 than 45 days after filing of the application to all local
 3057 landowners whose property, as noted in the most recent local
 3058 government tax records, and residences are located within one-
 3059 quarter mile of the proposed boundaries of a transmission line
 3060 corridor that only includes a transmission line as defined by s.
 3061 403.522(21) ~~s. 403.522(22)~~.

3062 (6) (a) A good faith effort shall be made by the proponent
 3063 of an alternate corridor that includes a transmission line, as
 3064 defined by s. 403.522(21) ~~s. 403.522(22)~~, to provide direct
 3065 notice of the filing of an alternate corridor for certification
 3066 by United States mail or hand delivery of the filing no later
 3067 than 30 days after filing of the alternate corridor to all local
 3068 landowners whose property, as noted in the most recent local

3069 government tax records, and residences are located within one-
 3070 quarter mile of the proposed boundaries of a transmission line
 3071 corridor that includes a transmission line as defined by s.
 3072 403.522(21) ~~s. 403.522(22)~~.

3073 Section 70. Paragraph (d) of subsection (1) of section
 3074 403.5365, Florida Statutes, is amended to read:

3075 403.5365 Fees; disposition.—The department shall charge
 3076 the applicant the following fees, as appropriate, which, unless
 3077 otherwise specified, shall be paid into the Florida Permit Fee
 3078 Trust Fund:

3079 (1) An application fee.

3080 (d)1. Upon written request with proper itemized accounting
 3081 within 90 days after final agency action by the siting board or
 3082 the department or the written notification of the withdrawal of
 3083 the application, the agencies that prepared reports under s.
 3084 403.526 or s. 403.5271 or participated in a hearing under s.
 3085 403.527 or s. 403.5271 may submit a written request to the
 3086 department for reimbursement of expenses incurred during the
 3087 certification proceedings. The request must contain an
 3088 accounting of expenses incurred, which may include time spent
 3089 reviewing the application, preparation of any studies required
 3090 of the agencies by this act, agency travel and per diem to
 3091 attend any hearing held under this act, and for the local
 3092 government ~~or regional planning council~~ providing additional
 3093 notice of the informational public meeting. The department shall
 3094 review the request and verify whether a claimed expense is

3095 valid. Valid expenses shall be reimbursed; however, if the
3096 amount of funds available for reimbursement is insufficient to
3097 provide for full compensation to the agencies, reimbursement
3098 shall be on a prorated basis.

3099 2. If the application review is held in abeyance for more
3100 than 1 year, the agencies may submit a request for reimbursement
3101 under subparagraph 1. This time period shall be measured from
3102 the date the applicant has provided written notification to the
3103 department that it desires to have the application review
3104 process placed on hold. The fee disbursement shall be processed
3105 in accordance with subparagraph 1.

3106 Section 71. Paragraphs (a) and (d) of subsection (1) of
3107 section 403.537, Florida Statutes, are amended to read:

3108 403.537 Determination of need for transmission line;
3109 powers and duties.—

3110 (1)(a) Upon request by an applicant or upon its own
3111 motion, the Florida Public Service Commission shall schedule a
3112 public hearing, after notice, to determine the need for a
3113 transmission line regulated by the Florida Electric Transmission
3114 Line Siting Act, ss. 403.52-403.5365. The notice shall be
3115 published at least 21 days before the date set for the hearing
3116 and shall be published by the applicant in at least one-quarter
3117 page size notice in newspapers of general circulation, and by
3118 the commission in the manner specified in chapter 120, by giving
3119 notice to counties ~~and regional planning councils~~ in whose
3120 jurisdiction the transmission line could be placed, and by

3121 giving notice to any persons who have requested to be placed on
 3122 the mailing list of the commission for this purpose. Within 21
 3123 days after receipt of a request for determination by an
 3124 applicant, the commission shall set a date for the hearing. The
 3125 hearing shall be held pursuant to s. 350.01 within 45 days after
 3126 the filing of the request, and a decision shall be rendered
 3127 within 60 days after such filing.

3128 (d) The determination by the commission of the need for
 3129 the transmission line, as defined in s. 403.522(21) ~~s.~~
 3130 ~~403.522(22)~~, is binding on all parties to any certification
 3131 proceeding under the Florida Electric Transmission Line Siting
 3132 Act and is a condition precedent to the conduct of the
 3133 certification hearing prescribed therein. An order entered
 3134 pursuant to this section constitutes final agency action.

3135 Section 72. Subsection (17) of section 403.704, Florida
 3136 Statutes, is amended to read:

3137 403.704 Powers and duties of the department.—The
 3138 department shall have responsibility for the implementation and
 3139 enforcement of this act. In addition to other powers and duties,
 3140 the department shall:

3141 (17) Provide technical assistance to local governments and
 3142 regional agencies to ensure consistency between county hazardous
 3143 waste management assessments; coordinate the development of such
 3144 assessments ~~with the assistance of the appropriate regional~~
 3145 ~~planning councils~~; and review and make recommendations to the
 3146 Legislature relative to the sufficiency of the assessments to

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3147 meet state hazardous waste management needs.

3148 Section 73. Subsection (1) of section 403.7226, Florida
3149 Statutes, is amended to read:

3150 403.7226 Technical assistance by the department.—The
3151 department shall:

3152 (1) Provide technical assistance to county governments ~~and~~
3153 ~~regional planning councils~~ to ensure consistency in implementing
3154 local hazardous waste management assessments as provided in ss.
3155 403.7225, 403.7234, and 403.7236. In order to ensure that each
3156 local assessment is properly implemented and that all
3157 information gathered during the assessment is uniformly compiled
3158 and documented, each county ~~or regional planning council~~ shall
3159 contact the department during the preparation of the local
3160 assessment to receive technical assistance. Each county ~~or~~
3161 ~~regional planning council~~ shall follow guidelines established by
3162 the department, and adopted by rule as appropriate, in order to
3163 properly implement these assessments.

3164 Section 74. Paragraph (a) of subsection (2) of section
3165 403.941, Florida Statutes, is amended to read:

3166 403.941 Preliminary statements of issues, reports, and
3167 studies.—

3168 (2) (a) The affected agencies shall prepare reports as
3169 provided in this paragraph and shall submit them to the
3170 department and the applicant within 60 days after the
3171 application is determined sufficient:

3172 1. The department shall prepare a report as to the impact

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3173 of each proposed natural gas transmission pipeline or corridor
3174 as it relates to matters within its jurisdiction.

3175 2. Each water management district in the jurisdiction of
3176 which a proposed natural gas transmission pipeline or corridor
3177 is to be located shall prepare a report as to the impact on
3178 water resources and other matters within its jurisdiction.

3179 3. The Department of Economic Opportunity shall prepare a
3180 report containing recommendations which address the impact upon
3181 the public of the proposed natural gas transmission pipeline or
3182 corridor, based on the degree to which the proposed natural gas
3183 transmission pipeline or corridor is consistent with the
3184 applicable portions of the state comprehensive plan and other
3185 matters within its jurisdiction. The Department of Economic
3186 Opportunity may also comment on the consistency of the proposed
3187 natural gas transmission pipeline or corridor with applicable
3188 ~~strategic regional policy plans or~~ local comprehensive plans and
3189 land development regulations.

3190 4. The Fish and Wildlife Conservation Commission shall
3191 prepare a report as to the impact of each proposed natural gas
3192 transmission pipeline or corridor on fish and wildlife resources
3193 and other matters within its jurisdiction.

3194 5. Each local government in which the natural gas
3195 transmission pipeline or natural gas transmission pipeline
3196 corridor will be located shall prepare a report as to the impact
3197 of each proposed natural gas transmission pipeline or corridor
3198 on matters within its jurisdiction, including the consistency of

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3199 the proposed natural gas transmission pipeline or corridor with
3200 all applicable local ordinances, regulations, standards, or
3201 criteria that apply to the proposed natural gas transmission
3202 pipeline or corridor, including local comprehensive plans,
3203 zoning regulations, land development regulations, and any
3204 applicable local environmental regulations adopted pursuant to
3205 s. 403.182 or by other means. No change by the responsible local
3206 government or local agency in local comprehensive plans, zoning
3207 ordinances, or other regulations made after the date required
3208 for the filing of the local government's report required by this
3209 section shall be applicable to the certification of the proposed
3210 natural gas transmission pipeline or corridor unless the
3211 certification is denied or the application is withdrawn.

3212 ~~6. Each regional planning council in which the natural gas~~
3213 ~~transmission pipeline or natural gas transmission pipeline~~
3214 ~~corridor will be located shall present a report containing~~
3215 ~~recommendations that address the impact upon the public of the~~
3216 ~~proposed natural gas transmission pipeline or corridor, based on~~
3217 ~~the degree to which the natural gas transmission pipeline or~~
3218 ~~corridor is consistent with the applicable provisions of the~~
3219 ~~strategic regional policy plan adopted pursuant to chapter 186~~
3220 ~~and other impacts of each proposed natural gas transmission~~
3221 ~~pipeline or corridor on matters within its jurisdiction.~~

3222 6.7. The Department of Transportation shall prepare a
3223 report on the effect of the natural gas transmission pipeline or
3224 natural gas transmission pipeline corridor on matters within its

3225 jurisdiction, including roadway crossings by the pipeline. The
 3226 report shall contain at a minimum:

3227 a. A report by the applicant to the department stating
 3228 that all requirements of the department's utilities
 3229 accommodation guide have been or will be met in regard to the
 3230 proposed pipeline or pipeline corridor; and

3231 b. A statement by the department as to the adequacy of the
 3232 report to the department by the applicant.

3233 ~~7.8.~~ The Department of State, Division of Historical
 3234 Resources, shall prepare a report on the impact of the natural
 3235 gas transmission pipeline or natural gas transmission pipeline
 3236 corridor on matters within its jurisdiction.

3237 ~~8.9.~~ The commission shall prepare a report addressing
 3238 matters within its jurisdiction. The commission's report shall
 3239 include its determination of need issued pursuant to s.
 3240 403.9422.

3241 Section 75. Paragraph (a) of subsection (4) and subsection
 3242 (6) of section 403.9411, Florida Statutes, are amended to read:

3243 403.9411 Notice; proceedings; parties and participants.—

3244 (4) (a) Parties to the proceeding shall be:

- 3245 1. The applicant.
- 3246 2. The department.
- 3247 3. The commission.
- 3248 4. The Department of Economic Opportunity.
- 3249 5. The Fish and Wildlife Conservation Commission.
- 3250 6. Each water management district in the jurisdiction of

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3251 | which the proposed natural gas transmission pipeline or corridor
 3252 | is to be located.

3253 | 7. The local government.

3254 | ~~8. The regional planning council.~~

3255 | 8.9. The Department of Transportation.

3256 | ~~9.10.~~ The Department of State, Division of Historical
 3257 | Resources.

3258 | (6) The order of presentation at the certification
 3259 | hearing, unless otherwise changed by the administrative law
 3260 | judge to ensure the orderly presentation of witnesses and
 3261 | evidence, shall be:

3262 | (a) The applicant.

3263 | (b) The department.

3264 | (c) State agencies.

3265 | (d) Regional agencies, including ~~regional planning~~
 3266 | ~~councils~~ and water management districts.

3267 | (e) Local governments.

3268 | (f) Other parties.

3269 | Section 76. Paragraph (a) of subsection (1) of section
 3270 | 403.9422, Florida Statutes, is amended to read:

3271 | 403.9422 Determination of need for natural gas
 3272 | transmission pipeline; powers and duties.—

3273 | (1) (a) Upon request by an applicant or upon its own
 3274 | motion, the commission shall schedule a public hearing, after
 3275 | notice, to determine the need for a natural gas transmission
 3276 | pipeline regulated by ss. 403.9401-403.9425. Such notice shall

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3277 be published at least 45 days before the date set for the
3278 hearing and shall be published in at least one-quarter page size
3279 in newspapers of general circulation and in the Florida
3280 Administrative Register, by giving notice to counties ~~and~~
3281 ~~regional planning councils~~ in whose jurisdiction the natural gas
3282 transmission pipeline could be placed, and by giving notice to
3283 any persons who have requested to be placed on the mailing list
3284 of the commission for this purpose. Within 21 days after receipt
3285 of a request for determination by an applicant, the commission
3286 shall set a date for the hearing. The hearing shall be held
3287 pursuant to s. 350.01 within 75 days after the filing of the
3288 request, and a decision shall be rendered within 90 days after
3289 such filing.

3290 Section 77. Subsection (4) of section 403.973, Florida
3291 Statutes, is amended to read:

3292 403.973 Expedited permitting; amendments to comprehensive
3293 plans.—

3294 (4) The regional teams shall be established through the
3295 execution of a project-specific memorandum of agreement
3296 developed and executed by the applicant and the secretary, with
3297 input solicited from the respective heads of the Department of
3298 Transportation and its district offices, the Department of
3299 Agriculture and Consumer Services, the Fish and Wildlife
3300 Conservation Commission, ~~appropriate regional planning councils,~~
3301 appropriate water management districts, and voluntarily
3302 participating municipalities and counties. The memorandum of

3303 agreement should also accommodate participation in this
 3304 expedited process by other local governments and federal
 3305 agencies as circumstances warrant.

3306 Section 78. Paragraphs (b) and (d) of subsection (1) of
 3307 section 408.033, Florida Statutes, are amended to read:

3308 408.033 Local and state health planning.—

3309 (1) LOCAL HEALTH COUNCILS.—

3310 (b) Each local health council may:

3311 1. Develop a district area health plan that permits each
 3312 local health council to develop strategies and set priorities
 3313 for implementation based on its unique local health needs.

3314 2. Advise the agency on health care issues and resource
 3315 allocations.

3316 3. Promote public awareness of community health needs,
 3317 emphasizing health promotion and cost-effective health service
 3318 selection.

3319 4. Collect data and conduct analyses and studies related
 3320 to health care needs of the district, including the needs of
 3321 medically indigent persons, and assist the agency and other
 3322 state agencies in carrying out data collection activities that
 3323 relate to the functions in this subsection.

3324 5. Monitor the onsite construction progress, if any, of
 3325 certificate-of-need approved projects and report council
 3326 findings to the agency on forms provided by the agency.

3327 ~~6. Advise and assist any regional planning councils within~~
 3328 ~~each district that have elected to address health issues in~~

3329 ~~their strategic regional policy plans with the development of~~
3330 ~~the health element of the plans to address the health goals and~~
3331 ~~policies in the State Comprehensive Plan.~~

3332 6.7. Advise and assist local governments within each
3333 district on the development of an optional health plan element
3334 of the comprehensive plan provided in chapter 163, to assure
3335 compatibility with the health goals and policies in the State
3336 Comprehensive Plan and district health plan. To facilitate the
3337 implementation of this section, the local health council shall
3338 annually provide the local governments in its service area, upon
3339 request, with:

3340 a. A copy and appropriate updates of the district health
3341 plan;

3342 b. A report of hospital and nursing home utilization
3343 statistics for facilities within the local government
3344 jurisdiction; and

3345 c. Applicable agency rules and calculated need
3346 methodologies for health facilities and services regulated under
3347 s. 408.034 for the district served by the local health council.

3348 ~~7.8.~~ Monitor and evaluate the adequacy, appropriateness,
3349 and effectiveness, within the district, of local, state,
3350 federal, and private funds distributed to meet the needs of the
3351 medically indigent and other underserved population groups.

3352 8.9. In conjunction with the Department of Health, plan
3353 for services at the local level for persons infected with the
3354 human immunodeficiency virus.

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3355 9.10. Provide technical assistance to encourage and
 3356 support activities by providers, purchasers, consumers, and
 3357 local, regional, and state agencies in meeting the health care
 3358 goals, objectives, and policies adopted by the local health
 3359 council.

3360 10.11. Provide the agency with data required by rule for
 3361 the review of certificate-of-need applications and the
 3362 projection of need for health services and facilities in the
 3363 district.

3364 (d) ~~Each local health council shall enter into a~~
 3365 ~~memorandum of agreement with each regional planning council in~~
 3366 ~~its district that elects to address health issues in its~~
 3367 ~~strategic regional policy plan. In addition,~~ Each local health
 3368 council shall enter into a memorandum of agreement with each
 3369 local government that includes an optional health element in its
 3370 comprehensive plan. Each memorandum of agreement must specify
 3371 the manner in which each local government, ~~regional planning~~
 3372 ~~council,~~ and local health council will coordinate its activities
 3373 to ensure a unified approach to health planning and
 3374 implementation efforts.

3375 Section 79. Subsection (6) of section 419.001, Florida
 3376 Statutes, is amended to read:

3377 419.001 Site selection of community residential homes.—

3378 (6) If agreed to by both the local government and the
 3379 sponsoring agency, a conflict may be resolved through informal
 3380 mediation. The local government shall arrange for the services

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3381 of an independent mediator or may utilize a ~~the~~ dispute
 3382 resolution process ~~established by a regional planning council~~
 3383 ~~pursuant to s. 186.509~~. Mediation shall be concluded within 45
 3384 days of a request therefor. The resolution of any issue through
 3385 the mediation process may ~~shall~~ not alter any person's right to
 3386 a judicial determination of any issue if that person is entitled
 3387 to such a determination under statutory or common law.

3388 Section 80. Subsection (1) of section 420.609, Florida
 3389 Statutes, is amended to read:

3390 420.609 Affordable Housing Study Commission.—Because the
 3391 Legislature firmly supports affordable housing in Florida for
 3392 all economic classes:

3393 (1) There is created the Affordable Housing Study
 3394 Commission, which shall be composed of 20 ~~21~~ members to be
 3395 appointed by the Governor:

3396 (a) One citizen actively engaged in the residential home
 3397 building industry.

3398 (b) One citizen actively engaged in the home mortgage
 3399 lending profession.

3400 (c) One citizen actively engaged in the real estate sales
 3401 profession.

3402 (d) One citizen actively engaged in apartment development.

3403 (e) One citizen actively engaged in the management and
 3404 operation of a rental housing development.

3405 (f) Two citizens who represent very-low-income and low-
 3406 income persons.

3407 (g) One citizen representing a community-based
 3408 organization with experience in housing development.
 3409 (h) One citizen representing a community-based
 3410 organization with experience in housing development in a
 3411 community with a population of less than 50,000 persons.
 3412 (i) Two citizens who represent elderly persons' housing
 3413 interests.
 3414 ~~(j) One representative of regional planning councils.~~
 3415 (j)~~(k)~~ One representative of the Florida League of Cities.
 3416 (k)~~(l)~~ One representative of the Florida Association of
 3417 Counties.
 3418 (l)~~(m)~~ Two citizens representing statewide growth
 3419 management organizations.
 3420 (m)~~(n)~~ One citizen of the state to serve as chair of the
 3421 commission.
 3422 (n)~~(o)~~ One citizen representing a residential community
 3423 developer.
 3424 (o)~~(p)~~ One member who is a resident of the state.
 3425 (p)~~(q)~~ One representative from a local housing authority.
 3426 (q)~~(r)~~ One citizen representing the housing interests of
 3427 homeless persons.
 3428 Section 81. Subsection (8) of section 427.012, Florida
 3429 Statutes, is amended to read:
 3430 427.012 The Commission for the Transportation
 3431 Disadvantaged.—There is created the Commission for the
 3432 Transportation Disadvantaged in the Department of

3433 Transportation.

3434 (8) The commission shall appoint a technical working group
 3435 that includes representatives of private paratransit providers.
 3436 The technical working group shall advise the commission on
 3437 issues of importance to the state, including information,
 3438 advice, and direction regarding the coordination of services for
 3439 the transportation disadvantaged. The commission may appoint
 3440 other technical working groups whose members may include
 3441 representatives of community transportation coordinators;
 3442 metropolitan planning organizations; ~~regional planning councils;~~
 3443 experts in insurance, marketing, economic development, or
 3444 financial planning; and persons who use transportation for the
 3445 transportation disadvantaged, or their relatives, parents,
 3446 guardians, or service professionals who tend to their needs.

3447 Section 82. Paragraph (f) of subsection (1) of section
 3448 501.171, Florida Statutes, is amended to read:

3449 501.171 Security of confidential personal information.—

3450 (1) DEFINITIONS.—As used in this section, the term:

3451 (f) "Governmental entity" means any department, division,
 3452 bureau, commission, ~~regional planning agency,~~ board, district,
 3453 authority, agency, or other instrumentality of this state that
 3454 acquires, maintains, stores, or uses data in electronic form
 3455 containing personal information.

3456 Section 83. Subsection (4) of section 985.682, Florida
 3457 Statutes, is amended to read:

3458 985.682 Siting of facilities; criteria.—

3459 (4) When the department requests such a modification and
 3460 it is denied by the local government, the local government or
 3461 the department shall initiate a ~~the~~ dispute resolution process
 3462 ~~established under s. 186.509~~ to reconcile differences on the
 3463 siting of correctional facilities between the department, local
 3464 governments, and private citizens. ~~If the regional planning~~
 3465 ~~council has not established a dispute resolution process~~
 3466 ~~pursuant to s. 186.509,~~ The department shall establish, by rule,
 3467 procedures for dispute resolution. The dispute resolution
 3468 process shall require the parties to commence meetings to
 3469 reconcile their differences. If the parties fail to resolve
 3470 their differences within 30 days after the denial, the parties
 3471 shall engage in voluntary mediation or similar process. If the
 3472 parties fail to resolve their differences by mediation within 60
 3473 days after the denial, or if no action is taken on the
 3474 department's request within 90 days after the request, the
 3475 department must appeal the decision of the local government on
 3476 the requested modification of local plans, ordinances, or
 3477 regulations to the Governor and Cabinet. Any dispute resolution
 3478 process initiated under this section must conform to the time
 3479 limitations set forth herein. However, upon agreement of all
 3480 parties, the time limits may be extended, but in no event may
 3481 the dispute resolution process extend over 180 days.

3482 Section 84. Subsection (6) of section 1013.30, Florida
 3483 Statutes, is amended to read:

3484 1013.30 University campus master plans and campus

3485 development agreements.—

3486 (6) Before a campus master plan is adopted, a copy of the
3487 draft master plan must be sent for review or made available
3488 electronically to the host and any affected local governments,
3489 the state land planning agency, the Department of Environmental
3490 Protection, the Department of Transportation, the Department of
3491 State, the Fish and Wildlife Conservation Commission, and the
3492 applicable water management district ~~and regional planning~~
3493 ~~council~~. At the request of a governmental entity, a hard copy of
3494 the draft master plan shall be submitted within 7 business days
3495 of an electronic copy being made available. These agencies must
3496 be given 90 days after receipt of the campus master plans in
3497 which to conduct their review and provide comments to the
3498 university board of trustees. The commencement of this review
3499 period must be advertised in newspapers of general circulation
3500 within the host local government and any affected local
3501 government to allow for public comment. Following receipt and
3502 consideration of all comments and the holding of an informal
3503 information session and at least two public hearings within the
3504 host jurisdiction, the university board of trustees shall adopt
3505 the campus master plan. It is the intent of the Legislature that
3506 the university board of trustees comply with the notice
3507 requirements set forth in s. 163.3184(11) to ensure full public
3508 participation in this planning process. The informal public
3509 information session must be held before the first public
3510 hearing. The first public hearing shall be held before the draft

3511 master plan is sent to the agencies specified in this
 3512 subsection. The second public hearing shall be held in
 3513 conjunction with the adoption of the draft master plan by the
 3514 university board of trustees. Campus master plans developed
 3515 under this section are not rules and are not subject to chapter
 3516 120 except as otherwise provided in this section.

3517 Section 85. Subsection (40) of section 163.3164, Florida
 3518 Statutes, is repealed.

3519 Section 86. Subsection (5) of section 186.003, Florida
 3520 Statutes, is repealed.

3521 Section 87. Paragraph (c) of subsection (11) of section
 3522 343.1003, Florida Statutes, is repealed.

3523 Section 88. Subsection (1) of section 369.303, Florida
 3524 Statutes, is repealed.

3525 Section 89. Subsection (15) of section 380.031, Florida
 3526 Statutes, is repealed.

3527 Section 90. Subsection (26) of section 403.503, Florida
 3528 Statutes, is repealed.

3529 Section 91. Subsection (21) of section 403.522, Florida
 3530 Statutes, is repealed.

3531 Section 92. Subsection (4) of section 403.7264, Florida
 3532 Statutes, is repealed.

3533 Section 93. Subsection (22) of section 403.9403, Florida
 3534 Statutes, is repealed.

3535 Section 94. This act shall take effect July 1, 2015.