



North Central Florida Regional Planning Council



2019 Growth Management Legislation



**North
Central
Florida
Regional
Planning
Council**

Sandra Joseph, Senior Planner
Local Government
Comprehensive Planning

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Senate Bill 7068
- ❑ Community Redevelopment Agencies
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House Bill 7103

Omnibus Growth Management Bill:

- ❑ Affordable Housing
- ❑ Development Permits and Development Orders Review Timeframes
- ❑ Comprehensive Plans/Land Development Regulations
- ❑ Concurrency
- ❑ Impact Fees



House Bill 7103

Omnibus Growth Management Bill:

- ❑ Standing to Enforce Local Comprehensive Plans Through Development Orders
- ❑ Tolling of Permits
- ❑ Alternative Plan Review and Inspection
- ❑ Workforce Housing



House Bill 7103

Affordable Housing:

- ❑ Inclusionary housing ordinances may require developer to provide specified number or percentage of affordable housing units to be included in development or allow developer to contribute to housing fund or other alternatives in lieu of building affordable housing units.
- ❑ However, in exchange, local governments must provide incentives to fully offset all costs to the developer of its affordable housing contributions.
- ❑ Does not apply to an area of critical state concern.



House Bill 7103

Affordable Housing:

- ❑ Incentives may include, but are not limited to:
 - ❑ Allowing developer density or intensity bonus incentives or more floor space than allowed under current or proposed future land use designation or zoning;
 - ❑ Reducing or waiving fees, such as impact fees or water and sewer charges; or
 - ❑ Granting other incentives.



House Bill 7103

Development Permits and Development Orders Review Timeframes:

- ❑ Within 30 days after receiving application for approval of a development permit or development order, local government must review the application for completeness and issue a letter indicating that all required information is submitted or specifying with particularity any areas that are deficient.
- ❑ If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.



House Bill 7103

Development Permits and Development Orders Review Timeframes:

- ❑ Within 120 days after the local government has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the local government must approve, approve with conditions, or deny the application for a development permit or development order.
- ❑ There has to be written findings supporting local government decision.



House Bill 7103

Development Permits and Development Orders Review Timeframes:

- ❑ Both parties may agree to reasonable request for extension of time frames.
- ❑ These timeframes do not apply in area of critical state concern.



House Bill 7103

Comprehensive Plan/Land Development Regulations:

- ❑ For newly incorporated municipalities, comprehensive plans adopted after January 1, 2019, and all land development regulations adopted to implement the comprehensive plan:
 - ❑ Must incorporate each development order existing before the comprehensive plan effective date,
 - ❑ May not impair the completion of development in accordance with such existing development order, and
 - ❑ Must vest density and intensity approved by development order without limitation or modification.



House Bill 7103

Concurrency:

- ❑ Any contribution, construction, expansion or payment made to satisfy proportionate-share mitigation for school concurrency must be credited toward any other impact fee or exaction for public educational facilities and must be based on total impact fee assessed and not on impact fee for any particular type of school.



House Bill 7103

Impact Fees:

- ❑ Includes impact fee language in House Bill 207
- ❑ Local government prohibited from collecting impact fees prior to issuance of building permit.
- ❑ Impact fee must be reasonably connected to, or have rational nexus with:
 - ❑ Need for additional capital facilities and increased impact generated by new residential or commercial construction.
 - ❑ Expenditures of revenues generated and benefits accruing to new residential or commercial construction.



House Bill 7103

Impact Fees:

- ❑ Requires credit for any contribution related to public educational facilities and any such contribution must be applied to reduce any education-based impact fees on a dollar-for-dollar basis at fair market value.
- ❑ Provides exceptions for water and sewer connection fees.



House Bill 7103

Impact Fees:

- ❑ If a local government increases its impact fee rates, holder of any impact fee credits which were in existence before increase, is entitled to full benefit of intensity or density prepaid by credit balance as of date it was first established.
- ❑ This provision operates prospectively, not retrospectively.



House Bill 7103

Impact Fees:

- ❑ Any action challenging local government failure to provide required credits related to public educational facilities, local government has the burden of proof by a preponderance of the evidence. Court may not use a deferential standard for benefit of local government.
- ❑ Local government may provide an exception or waiver for impact fee for development or construction of affordable housing and would not be required to use any revenues to offset impact.



House Bill 7103

Standing to Enforce Local Comprehensive Plans Through Development Orders:

- ❑ Either party in development order challenge is entitled to summary procedure and court shall advance the cause on calendar.
- ❑ Prevailing party in challenge to development order is entitled to recover reasonable attorney fees and costs incurred in challenging or defending order, including reasonable appellate attorney fees and costs.
- ❑ Department of Legal Affairs can no longer intervene to protect state interests.



House Bill 7103

Tolling of Permits:

- ❑ Declaration of state of emergency issued by Governor for natural emergency tolls period remaining to exercise rights under a permit or other authorization for the duration of emergency declaration.



House Bill 7103

Alternative Plan Review and Inspection:

- ❑ Expands scope of services of private provider by allowing them to review plans and perform inspection for portions of project that are not part of building structure such as services involving review of site plans and site work engineering plan, or their functional equivalents.
- ❑ Local governments are prohibited from charging building inspection fees if private provider is hired.



House Bill 7103

Alternative Plan Review and Inspection:

- ❑ Reduces the required minimum notification time to a local building official regarding the use of a private provider from seven business days to 2:00 PM local time, two business days prior to scheduled inspection if private provider is hired.
- ❑ Reduces timing of permit application process from 30 business days to 20 business days for building official to review application from private provider.



House Bill 7103

Alternative Plan Review and Inspection:

- ❑ States that any subsequent review of revisions submitted by applicant is limited to deficiencies cited in written notice.
- ❑ Provides that building official may not audit private provider more than four times in calendar year unless building official determines the condition of building constitutes immediate threat to public safety and welfare.



House Bill 7103

Workforce Housing:

- ❑ Adds legislature finding regarding need to create state housing finance strategies to provide affordable workforce housing opportunities to essential services personnel.



House Bill 7103

Workforce Housing:

- ❑ Provides definition of essential services personal to mean natural persons or families whose total annual household income is at or below 120 percent of the area median income, adjusted for household size, and at least one of whom is employed as police or fire personnel, child care worker, teacher or other education personnel, health care personnel, public employee, or service worker.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Created within the Florida Department of Transportation to advance construction of three regional corridors that will accommodate multiple modes of transportation and infrastructure.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Three corridors:
 - ❑ Suncoast Connector extending from Citrus County to Jefferson County.
 - ❑ Northern turnpike Connector extending from the northern terminus of the Florida Turnpike to the Suncoast Parkway.
 - ❑ Southwest-Central Florida Connector extending from Collier County to Polk County.



Senate Bill 7068

m.cores About ▾ Interactive Map ▾ Task Forces ▾ Stay Informed ▾ FAQs Contact Us 📍

Study Areas

Suncoast Connector [Hide on Map](#)

The Suncoast Connector (PDF) study area extends from Citrus County to Jefferson County.

[Read More](#)

Northern Turnpike Connector [Hide on Map](#)

The Northern Turnpike Connector (PDF) study area extends from the northern terminus of Florida's Turnpike northwest to the Suncoast Parkway.

[Read More](#)

Southwest-Central Florida Connector [Hide on Map](#)

The Southwest-Central Florida Connector (PDF) study area extends from Collier County to Polk County.

[Read More](#)

Task forces will research three areas in Florida to identify opportunities to revitalize rural communities, encourage job creation and provide regional connectivity. The study will explore the development of a tolled roadway operated by Florida's Turnpike Enterprise that could accommodate:

- Multiple modes of transportation, including autonomous, connected and electric vehicles; freight and passenger rail; public transit; and mixed-use trails
- Multiple types of infrastructure, including broadband connectivity and improved water, power and sewer services

The benefits that this infrastructure can bring to Florida include more options for hurricane evacuation, improved traffic flow on area roadways, improvements to the movement of freight through the region, and job training and availability. A priority of the study is the protection or enhancement of environmentally sensitive areas, springs and farmland.

Map data ©2019 Google, INEGI Terms of Use



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Projects undertaken in three corridors are tolled facilities and approved turnpike projects that are part of the turnpike system, and are considered as Strategic Intermodal System facilities.
- ❑ During project development phase, Department shall identify opportunities to accommodate or co-locate multiple types of infrastructure-addressing issues within or adjacent to corridors.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- During project development phase, Department shall utilize inclusive, consensus-building mechanism for each proposed multi-use corridor.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Department shall convene corridor task force composed of appropriate representatives of:
 - ❑ State agency representatives
 - ❑ Local government officials from each local government within proposed corridor
 - ❑ Metropolitan planning organizations
 - ❑ Regional planning councils
 - ❑ Community
 - ❑ Environmental groups



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Florida Department of Transportation Secretary must appoint members of three corridor task forces by August 1, 2019.
- ❑ Each corridor task force shall coordinate with Department on pertinent aspects of corridor analysis, including accommodation or co-location of multiple types of infrastructure



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Each corridor task force shall evaluate need for, and economic and environmental impacts of, hurricane evacuation impact of, and land use impacts of, related corridor.
- ❑ Each corridor task force shall hold public meeting in each local government jurisdiction in which project within identified corridor is being considered.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Each corridor task force must also consider and evaluate certain environmental issues identified for individual corridors such as:
 - ❑ Freight and passenger rail.
 - ❑ Protection or enhancement of wildlife corridors or environmentally sensitive areas.
 - ❑ Protection or enhancement of primary springs protection zones and farmland preservation areas.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ Each corridor task force shall issue its evaluations in final report that must be submitted to the Governor, President of Senate, and Speaker of House of Representatives by October 1, 2020.
- ❑ Department must provide affected local governments copy of applicable task force report and project alignment.
- ❑ By December 31, 2020, local governments must review the report and its local comprehensive plan to consider whether comprehensive plan should be amend to provide appropriate land use and natural resource protections in area around interchanges.



Senate Bill 7068

Multi-Use Corridors of Regional Economic Significance Program (M-CORES):

- ❑ To the maximum extent feasible, Department shall adhere to recommendations of task force created for each corridor in design of multiple modes of transportation and multiple types of infrastructure associated with corridor
- ❑ Project construction is not eligible for funding until the task force report is submitted and 30 percent of design phase of any project within corridor is completed, except for project phases that are under construction or for which project alignment has been determined.



House Bill 9

Community Redevelopment Agencies:

- ❑ Terminates community redevelopment agencies in existence on October 1, 2019 at earlier of community redevelopment agencies charter expiration date or September 30, 2039.
- ❑ Allows governing board of local government entity to approve a community redevelopment agency continued existence by majority vote.



House Bill 9

Community Redevelopment Agencies:

- ❑ Community redevelopment agencies with outstanding bond obligations as of October 1, 2019 that are not continued, and whose bonds do not mature until after earlier of the termination date of agency or September 30, 2039, remaining in existence until bond matures.
- ❑ Community redevelopment agencies with no reported revenue, expenditure or debt for six consecutive years beginning no earlier than October 1, 2016, must be declared inactive by Florida Department of Economic Opportunity.



House Bill 9

Community Redevelopment Agencies:

- ❑ Governing board of community redevelopment agency that is declared inactive under this section may seek to invalidate declaration by initiating proceedings within 30 days after date of receipt of notice.
- ❑ If declared inactive, only funds necessary to serve outstanding bond debt can be spent.



House Bill 9

Community Redevelopment Agencies:

- ❑ Increase Community Redevelopment Agency Accountability by:
 - ❑ Requiring governing body members of a community redevelopment agency to undergo four hours of ethics training annually.
 - ❑ Requiring by January 1, 2020, each community redevelopment agency post digital maps that depict its geographic boundaries and total acreage on its website; updates must be posted within 60 days of change taking effect.
 - ❑ Requiring each community redevelopment agency to use same procurement and purchasing processes as creating county or municipality.



House Bill 9

Community Redevelopment Agencies:

- ❑ Increase Community Redevelopment Agency Accountability by (continued):
 - ❑ Beginning March 31, 2020, expanding annual reporting requirements for community redevelopment agencies and requiring the information and data to be posted on agency website.
 - ❑ Allowing budgets to include payment for administrative and overhead expenses directly or indirectly necessary to implement community redevelopment plan, and expense that are necessary to exercise powers.
 - ❑ Providing that monies in the redevelopment trust fund may only be expended pursuant to annual budget adopted by board of community redevelopment agency and only for those purposes specified in current law.



House Bill 9

Community Redevelopment Agencies:

- ❑ Increase Community Redevelopment Agency Accountability by (continued):
 - ❑ Requiring a community redevelopment agency created by municipality to provide its budget and any amendments to board of county commissioners within ten days of adoption.
 - ❑ Requiring counties and municipalities to include community redevelopment agency data in their annual financial report.



Senate Bill 1000

Communications Services:

- ❑ Prohibits municipality or county from imposing permit fees for use of public rights-of-way by communications service providers if it had not levied permit fees as of January 1, 2019. In contrast, municipalities and counties that were imposing permit fees as of that date may continue to do so or may elect to no longer impose permit fees.



Senate Bill 82

Vegetable Gardens:

- ❑ Defines vegetable garden as: a plot of ground where herbs, fruit, flowers or vegetables are cultivated for human ingestion.
- ❑ Prohibits local governments from regulating vegetable gardens on residential properties.
- ❑ Voids any existing local ordinances or regulations that regulates vegetable gardens on residential properties.



House Bill 127

Permits:

- ❑ Requires governing bodies of counties and municipalities to post permit and inspection fee schedules and building permit and inspection utilization reports on their website by December 31, 2020, governing body of local government that provides schedule of fees must update its building permit and inspection utilization report before adjusting fee schedule.



House Bill 207

Impact Fees:

- ❑ Local governments are prohibited from requiring payment of impact fees prior to issuance of building permit.
- ❑ Impact fee must be reasonably connected to, or have rational nexus with:
 - ❑ Need for additional capital facilities and increased impact generated by new residential or commercial construction.
 - ❑ Expenditures of revenues generated and benefits accruing to new residential or commercial construction.



House Bill 207

Impact Fees:

- ❑ Local governments must specifically earmark revenues generated by impact fee to acquire, construct or improve capital facilities to benefit new users.
- ❑ Local government may not use revenues generated by impact fee to pay existing debt or for previously approved projects, unless the expenditure is reasonably connected to, or has a rational nexus with, increased impact generated by new construction.



House Bill 207

Impact Fees:

- Does not apply to water and sewer connections fees.



House Bill 437

Community Development Districts:

- ❑ Provides that the petition to create a community development district of less than 2,500 acres on land located solely in one county or municipality may include a list of sufficiently contiguous parcels with the same county or municipality that the petition expects to include in the direct boundaries within ten years. Provides process for expanding boundaries of community development district to include such parcel.



House Bill 521

Wetland Mitigation:

- ❑ Authorizes local government to allow permittee responsible mitigation consisting of restoration or enhancement of conservation lands purchased and owned by local government, if state and federal mitigation credits are not available.



House Bill 829

Attorney Fees and Costs

- If civil action is filed against local government to challenge adoption or enforcement of local ordinance on grounds that it is expressly preempted by the State Constitution or by state law, court shall assess and award reasonable attorney fees and costs and damages to prevailing party.



House Bill 829

Attorney Fees and Costs

- ❑ Attorney fees and cost may not be awarded if:
 - ❑ Local government receives written notice that ordinance that has been publicly noticed or adopted is expressly preempted by the State Constitution or state law; and
 - ❑ Local government withdraws proposed ordinance within 30 days; or, in case of an adopted ordinance local government notices an intent to repeal ordinance within 30 days of receipt of notice and repeals ordinance within 30 days thereafter.



House Bill 1159

Residential Tree Pruning, Trimming, or Removal:

- ❑ If a property owner obtains documentation from certified arborist or licensed landscape architect that tree presents danger to person or property, then local government cannot require notice, application, approval, permit, fee, or mitigation for tree trimming or tree removal on residential property.
- ❑ Additionally, local government cannot require property owner to replant tree that was pruned, trimmed or removed.



House Bill 1159

Residential Tree Pruning, Trimming, or Removal:

- ❑ Enables property owners adjacent to electric utility right-of-way to request electric utility perform vegetation maintenance in right-of-way without approval from local government.
- ❑ Preemption does not apply to exercise of specifically delegated authority for mangrove protection.



House Bill 1159

Property Owner Bill of Rights:

- ❑ County property appraiser has to post on website Property Owner Bill of Rights.
- ❑ Purpose is to identify certain existing rights afforded to property owners, however it is not comprehensive guide.
- ❑ Property Owner Bill of Rights does not create civil cause of action.



House Bill 6017

Small Scale Comprehensive Plan Amendments:

- Repeals 120-acre cumulative annual limit on small-scale land use map amendment that can be approved at local government level.



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North Central Florida Regional Planning Council

2009 NW 67th Place
Gainesville, FL 32653-1603
352.955.2200, ext. 111
joseph@ncfrpc.org
www.ncfrpc.org

