
Senate Committee on Comprehensive Planning, Local and Military Affairs

EXPEDITED PERMITTING

CS/CS/SB 662 — One-Stop Permitting System

by Fiscal Policy Committee; Comprehensive Planning, Local & Military Affairs Committee; and Senator Carlton

The bill authorizes the Department of Management Services to create, by January 1, 2000, a One-Stop Permitting Internet System to provide individuals and businesses with a central source of development permit information. Certain permit fees are waived for applicants who use the One-Stop Permitting System for the first six months a permit is available on-line, and complete applications submitted on the system must be processed within 60 days, rather than 90 days. The bill also creates a Quick Permitting County Program where counties who certify that they employ certain permitting “best management practices,” must be designated as Quick Permitting Counties by the Department of Management Services and become eligible for grant money of up to \$50,000 per county to connect to the One-Stop Permitting Internet System.

The bill amends s. 403.973, F.S., regarding the expedited permitting process, to provide counties and the Office of Tourism, Trade and Economic Development (OTTED) with additional flexibility to certify projects as eligible for expedited permitting in counties where the ratio between the number of jobs created and the number of Work and Gain Economic Self-Sufficiency Act (WAGES) clients are low. In such counties, the jobs created by the project need not be considered high wage jobs that diversify the state’s economy. In addition, OTTED is authorized to delegate to a Quick Permitting County the responsibility for certifying certain projects as eligible for expedited review and the convening of regional permit teams.

The bill repeals the permit information clearinghouse responsibilities of OTTED within the Governor’s Office and repeals the Jobs Siting Act, ss. 403.950-403.972, F.S.

The bill appropriates \$100,000 to the Department of Management Services to fund the administrative costs of establishing the One-Stop Permitting System and \$3 million from nonrecurring general revenue to offset revenue lost to agencies as a result of the 6 month permit fee waiver for users of the expedited One-Stop Permitting System. In addition, the Appropriations Act appropriates \$550,000 to the Department of Management Services to fund the grant program for One-Stop Permitting Counties.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 39-0; House 114-0

TELECOMMUNICATIONS

HB 621 — Wireless 911 Telephone Services

by Rep. Logan and others (SB 178 by Comprehensive Planning, Local & Military Affairs Committee)

This bill creates the “Wireless Emergency Communications Act” in s. 365.172, F.S., to authorize the state to levy a monthly fee of 50 cents on wireless telephone subscribers. Fee proceeds will be used to fund the capital and operating costs incurred by wireless providers and county 911 systems in developing and maintaining an Enhanced 911 system for wireless phones. A Wireless 911 Board is created to administer the fee and oversee the Wireless Emergency Telephone System Trust Fund. The board is required to submit a report to the Governor and Legislature that outlines trust fund expenditures and recommends, if necessary, adjustments to the levy, distribution of the fee, or addressing any other issues related to providing wireless Enhanced 911 services.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 39-1; House 102-11

SB 180 — Wireless Telephone Proprietary Information/Confidentiality

by Comprehensive Planning, Local & Military Affairs Committee

This bill creates s. 365.174, F.S., to exempt specific proprietary information submitted to the Wireless Emergency Telephone Board by wireless communications providers from the public access provisions of the Public Records Law and s. 24(a), Art. I, State Constitution.

This exemption is repealed on October 1, 2004, unless reviewed and reenacted by the Legislature before that date.

If approved by the Governor, these provisions take effect on July 1, 1999.

Vote: Senate 40-0; House 108-0

SB 182 — Wireless Emergency Telephone System Fund

by Comprehensive Planning, Local & Military Affairs Committee

The bill creates s. 365.173, F.S., to establish the Wireless Emergency Telephone System Trust Fund within the Department of Management Services for the deposit of fees levied on subscribers of wireless telephone service. Trust fund revenues are divided as follows:

- 44 percent to counties, distributed monthly, for the costs of upgrading or operating 911 services;
- 54 percent to wireless providers, as reimbursement for actual costs incurred to provide Enhanced 911 service, upon approval of the Advisory Board; and
- 2 percent to rural counties for 911 facilities and service enhancements.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 40-0; House 107-1

LOCAL GOVERNMENT

SB 2350 — Eminent Domain (Public Records Exemption)

by Senator Carlton

Under s. 24, Art. I, State Constitution, and ch. 119, F.S., the Public Records Law, records of governmental and other public entities are open to the public unless made exempt. This bill creates a public records exemption for business records provided to a governmental condemning authority by an owner of a business as part of the owner's offer of business damages to the condemning authority in an eminent domain proceeding pursuant to s. 73.015, F.S., (created by House Bill 591). The bill states that there is a public necessity to hold business records confidential in order to encourage prelitigation settlements and in order to protect the privacy interest in these sensitive business records.

This bill creates an unnumbered section of law.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 40-0; House 119-0

CS/SB 2380 — Comprehensive Planning

by Comprehensive Planning, Local & Military Affairs Committee and Senator Rossin

The bill provides a new exception to the twice a year limitation on the frequency of local comprehensive plan amendments adopted by the local government to establish public school concurrency.

Clarifies the requirement that local governments designate land use categories where public schools are an allowable use by October 1, 1999 and that the sanction for failing to comply with this requirement is that the local government will be unable to amend their comprehensive plan, except for development of regional impact amendments, until the school siting requirements are met.

Limits the scope of the Department of Community Affairs review of onsite sewage treatment and disposal systems (septic tanks) to prevent the department from requiring the use of standards, conditions or land-use restrictions on the use of onsite sewage treatment systems that are more stringent than the rules of the Department of Health and the Department of Environmental Protection. This restriction would not apply to the department's review of comprehensive plan amendments regarding areas of critical state concern.

Provides that where a local government comprehensive plan restricts the construction of new schools within the existing "primary urban service district," the construction of a new school outside of the "primary urban service district" is not inconsistent with the local government's comprehensive plan where the new school is designed to serve students residing in residential development located outside the primary urban service district which has been previously approved by the local government. The collocation of a proposed school with an existing school, or the expansion of an existing school is not inconsistent with a local government's comprehensive plan if the site is consistent with the local government's comprehensive plan and adopted level of service standards for facilities affected by the construction of the new school.

Amends s. 234.021, F.S., regarding hazardous walking conditions surrounding schools to provide that roadways of six lanes or more with a traffic volume of over 3,000 vehicles per hour through an intersection constitutes a hazardous walking condition for children walking to and from school. Local governments having jurisdiction over the roadways identified as posing a hazardous walking condition are requested to budget funds to correct the condition within a reasonable period of time after being notified by the local school district of the hazardous conditions.

Provides that county-owned courthouses constructed as part of a community redevelopment plan pursuant to s. 163.362, F.S., are exempt from the office space requirements for state attorneys set forth in s. 27.34(2), F.S.

This bill amends ss. 163.3187, 163.3177, 163.362, 234.021, and 235.193, of the Florida Statutes.

If approved by the Governor, these provisions take effect upon becoming law.

Vote: Senate 35-0; House 117-1

CS/CS/HB 17 — The Growth Policy Act (Urban Infill and Redevelopment and Front Porch Florida)

by Water & Resource Management Committee; Community Affairs Committee; and Rep. Constantine and others (CS/SB 1078 by Comprehensive Planning, Local & Military Affairs Committee and Senators Carlton, Klein and Jones)

The bill creates the Growth Policy Act, establishing a voluntary program for local governments to designate urban infill and redevelopment areas for the purpose of holistically approaching the revitalization of urban centers, and ensuring the adequate provision of infrastructure, human services, safe neighborhoods, educational facilities, job creation and economic opportunity. The act creates an incentive program for areas designated as urban infill and redevelopment areas and creates a matching grant program for local governments.

In addition, the bill:

- Provides exceptions from transportation concurrency requirements, Development of Regional Impact substantial deviation thresholds, and limitations on amendments to comprehensive plans, for certain types of development within urban infill and redevelopment areas. The bill also amends the State Comprehensive Plan, ch. 187, F.S., to establish the preservation and revitalization of urban centers as a goal.
- Adopts several recommendations of the Transportation and Land Use Study Commission: defining “projects that promote public transportation to include projects which are transit oriented; an exemption from the concurrency requirement for public transit facilities; allows local governments to establish level-of-service standards for general lanes in urbanized areas; allows certain multiuse developments or regional impact to satisfy transportation concurrency requirements by the payment of a proportionate share contribution.

- Exempts comprehensive plan amendments necessary to establish school concurrency from the twice-a-year amendment limitation and clarifies that local governments must comply with a requirement for identifying land use categories appropriate for school siting no later than October 1, 1999.
- Revises the Florida Local Government Development Agreement Act to provide certain assurances to the developer of a brownfield site.
- Authorizes the acquisition by eminent domain of property in an unincorporated enclave surrounded by a community development district.
- Revises the requirements for feasibility studies for proposed incorporations, and allows municipalities to annex unincorporated areas through a single referendum of the residents of the unincorporated area to be annexed.
- Provides procedures by which a county or a combination of counties and municipalities may develop and adopt plans to improve efficiency, accountability, and coordination of delivery of local government services. The bill provides new criteria for feasibility studies that are submitted in conjunction with proposals for incorporation of a municipality.
- Creates the State Housing Tax Credit Program authorizing tax credits to be issued against the state corporate income tax.
- Creates an Urban Homesteading Program within the Governor's Office to make single-family housing properties available to eligible low-income buyers for purchase.
- Amends ch. 190, F.S, regarding community development districts, and includes a number of changes to ch. 290, F.S., relating to Community Development Districts which were the content of CS/SB 2456 including: financial disclosure requirements; the imposition and collection of special assessments; revising bidding and contracting procedures; providing additional functions authorized for CDDs; offering training for new board members; and making it easier to alter district boundaries.
- Authorizes water management districts to advertise bids, RFPs or other solicitations in a newspaper of general circulation in the county where the principal office of the water management is located, at least 7 days before the meeting, instead of the Florida Administrative Weekly.

The bill includes appropriations of \$2.5 million to the Department of Community Affairs for the Urban Infill and Redevelopment Program and \$2.5 million for the State Housing Tax Credit Program.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 40-0; House 118-0

HB 289 — Local Government Infrastructure Sales Surtax

by Rep. K. Smith and others (SB 732 by Senators Horne and Kirkpatrick)

This bill amends s. 212.055, F.S., 1998 Supp., to authorize charter counties to use the proceeds of the local government infrastructure surtax, and interest earned thereon, to retire or service bonded indebtedness incurred prior to July 1, 1987, for infrastructure purposes, and to refund such bonds issued after July 1, 1987. The bill also ratifies the use of local government infrastructure surtax proceeds for these purposes prior to July 1, 1999.

If approved by the Governor, these provisions take effect July 1, 1999.

Vote: Senate 37-0; House 115-0.

EMERGENCY MANAGEMENT

HB 975 — Hurricane Loss Mitigation Program

by Rep. Feeney and others (SB 872 by Senators Latvala, Brown-Waite, Webster, Lee, Sebesta, Saunders, Kurth, Forman, Carlton, Dyer, Diaz-Balart, Cowin, Sullivan and Burt)

This bill creates s. 215.559, F.S., the “Bill Williams Residential Safety and Preparedness Act,” to establish the Hurricane Loss Mitigation Program. The Legislature is directed to annually appropriate \$7 million from the Florida Hurricane Catastrophe Fund to the Department of Community Affairs to fund programs to improve the wind resistance of residences and mobile homes, mobile home tie-down and inspection programs, and research and development related to hurricane loss reduction devices and techniques for residences and mobile homes.

If approved by the Governor, these provisions take effect July 1, 2000.

Vote: Senate 40-0; House 115-0

MILITARY AFFAIRS

CS/SB 714 — World War II Memorial Act

by Comprehensive Planning, Local & Military Affairs Committee and Senators Mitchell, Forman, Dyer, Clary, Jones and Klein

This bill creates the Florida World War II Veterans Memorial Act for the purpose of providing for the construction of a memorial to those Florida residents who served on active duty in the Armed Services of the United States during World War II.

If approved by the Governor, this provision will take effect July 1, 1999.

Vote: Senate 39-0; House 118-0

CS/SB 716 — World War II Memorial Trust Fund

by Comprehensive Planning, Local & Military Affairs Committee and Senators Mitchell, Forman, Clary, Dyer, Jones and Klein

This bill creates the Florida World War II Veterans Memorial Trust Fund to be administered by the Department of Veterans' Affairs for purpose of receiving private contributions and matching state funds to build a Florida World War II Veterans Memorial.

If approved by the Governor, this provision will take effect July 1, 1999.

Vote: Senate 38-0; House 117-0