



**LEGISLATIVE COMMITTEE
MEETING AGENDA**

March 10, 2021 – 11:00 a.m.

12520 Ulmerton Road
Magnolia Room at Florida Botanical Gardens
Largo, FL 33774

THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY

- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES FROM FEBRUARY 10, 2021**
- 3. TRANSPORTATION FUNDING & POLICY**
 - A. Hillsborough Transportation Tax**
 - B. Tampa-Hillsborough County Expressway Authority**
 - C. Pedestrian Crossings**
 - D. Vulnerable Road Users**
 - E. Transportation Projects**
 - F. Electric Vehicles**
 - G. Tampa Bay Area Regional Transit Authority**
- 4. OTHER PROPOSED STATE LEGISLATION**
 - A. Building Design**
 - B. Vacation Rentals**
 - C. Virtual Meetings**
 - D. Flooding and Sea Level Rise**
 - E. Additional Bills of Interest**
- 5. OTHER BUSINESS**
 - A. Letter to Secretary Buttigieg**
 - B. Form Letter to President Biden**
- 6. ADJOURNMENT**

Public participation is solicited without regard to race, color, national origin, age, sex, religion, disability, or family status. Persons who require special accommodations under the Americans with Disabilities Act or persons who require translation services (free of charge) should contact the Office of Human Rights, 400 South Fort Harrison Avenue, Suite 300, Clearwater, Florida 33756; [(727) 464-4062 (V/TDD)] at least seven days prior to the meeting.

Appeals: Certain public meetings result in actions taken by the public board, commission or agency that may be appealed; in such case persons are advised that, if they decide to appeal any decision made at a public meeting/hearing, they will need a record of the proceedings, and, for such purposes, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Legislative Committee – March 10, 2021

2. Approval of Minutes from February 10, 2021



SUMMARY

The minutes from the previous Legislative Committee meeting are attached for the committee's review and approval.

ATTACHMENT(S): Minutes of the February 10, 2021 Forward Pinellas Legislative Committee Meeting

ACTION: Committee to review and approve the meeting minutes.

**FORWARD PINELLAS
LEGISLATIVE COMMITTEE MEETING SUMMARY
FEBRUARY 10, 2021**

Committee Members in Attendance:

Councilmember Brandi Gabbard, City of St. Petersburg

Vice Mayor David Allbritton, City of Clearwater

Commissioner Janet Long, Pinellas County

(Representing PSTA)

Councilmember Bonnie Noble, Town of Kenneth City

(Representing the Inland Communities)

Councilmember Patti Reed, City of Pinellas Park

Commissioner Michael Smith, City of Largo

Not in Attendance:

Mayor Cookie Kennedy, City of Indian Rocks Beach, Forward Pinellas Treasurer

Also Present:

Whit Blanton, Executive Director

Linda Fisher, Principal Planner

Tina Jablon, Executive Administrative Secretary

Chelsea Hardy, County Attorney's Office

Cheryl Reed, City of Largo

Brian Lowack, Pinellas County

The Forward Pinellas Legislative Committee met in the Magnolia Room at the Florida Botanical Gardens; 12520 Ulmerton Road, Largo.

1. CALL TO ORDER

Councilmember Gabbard called the meeting to order at 11:03 a.m.

An item was walked onto the agenda ad-hoc in order to elect a chair for the committee. This item had been previously addressed at the last meeting in the absence of a full quorum. Therefore, the group re-nominated Councilmember Brandi Gabbard and voted unanimously to appoint her as the chair. (vote: 6-0)

2. APPROVAL OF MINUTES FROM JANUARY 13, 2020

A motion was made by Commissioner Long and seconded by Vice Mayor Allbritton, and carried unanimously to approve the minutes from the January meeting (6-0).

3. TRANSPORTATION FUNDING & POLICY

A. Surface Transportation Block Grant Program

Whit Blanton explained that the current Federal Surface Transportation Act (FAST) will be expiring this year in September. There is a filed bill that would support local transportation efforts by increasing the Surface Transportation Block Grant Program funding from 55% to 65% over five years, which would allow for more discretionary funding. This proposed bill filed by Congresswoman Brownley would likely receive broad support from metropolitan planning organizations (MPOs).

B. Tampa Bay Area Regional Transit Authority (TBARTA)

There are two opposing bills related to TBARTA. One filed by Senator Rouson cleans up the language to allow mayors to make appointees to meet quorum and removes the Chairs Coordinating Committee (CCC) out from under TBARTA. The other bill (SB 1130), filed by Senator Brandes, seeks to sunset TBARTA altogether by July 2022.

It has been suggested that the name of the CCC be changed to the Suncoast Transportation Planning Council (or similar) to better reflect its mission. A funding mechanism for TBARTA is needed instead of the agency relying on earmarks year to year. A suggested approach would be to allocate funds to TBARTA off the top of the state Transportation Trust Fund in proportion to local contributions (not to exceed \$3M annually).

Commissioner Long stated she had recently spoken to Senator Brandes regarding his proposed bill. She advised the committee that, at present, there is no House Sponsor to support the bill. However, she further advised that legally one would not be required to dissolve legislation. She cautioned that it is early in the process and alerted the group of some of the challenges currently facing TBARTA. Some of those challenges include empty seats on the board being slow to be filled by the governor, the variety of locations for the meetings around the region do not allow for ideal attendance, and lack of quorum impedes voting abilities. She expressed disappointment in the bill and stated abolishing TBARTA would take the region back decades.

After query by Commissioner Smith about the rationale behind the bill, Commissioner Long further elaborated that Senator Brandes feels TBARTA is not spending its funding fast enough. However, she explained that is not due to lack of projects, but rather the difficulty achieving quorum to move them forward. She advised she has another meeting with the Senator next week to continue the discussion.

Whit Blanton added that it seems Senator Brandes does not feel TBARTA is effective in its role. Commissioner Long feels the Senator is looking for shovel-ready projects, not plans.

C. Fiscal Impact of Electric Vehicles

Reflecting on the MPOAC and Senate Transportation Committee presentations, Whit Blanton offered highlights citing a decline in gas tax revenues despite an increase in vehicle miles travelled as a trend over the last 10-15 years. The COVID-19 pandemic has only worsened these trends. He outlined what was referred to in the presentations as low, medium and aggressive options for adopting policy changes that could ease this trend. He advised that major motor companies have announced plans to produce only electric vehicles over the coming years.

A bill by Senator Brandes (SB 140) is an attempt to have electric vehicles contribute to revenues that support expanding electric charging stations. Councilmember Gabbard pointed out that similarly, HB 819 by Representative Toledo would also create additional fees for electric vehicles. Additionally, SB 138

and HB 817 by Toledo would authorize FDOT to adopt rules and establish a grant program.

There is also a bill that would require charging stations to be installed at all rest areas.

D. Governor's Budget Proposal

Whit Blanton advised that there is \$10.4B for transportation improvements this year in the governor's proposed budget. He cautioned, however, that these rarely make it through the process intact. The Metropolitan Planning Organizations Advisory Council (MPOAC) has expressed concerns about safety funding being too low.

In contrast, the efforts to target funding for resiliency is notable. Whit Blanton advised the committee that Forward Pinellas staff was actively evaluating projects within the Gateway Area Master Plan that may qualify for resiliency funding.

Councilmember Gabbard was happy to report that the governor is seeking to keep the Sadowsky Trust Fund fully funded this year, however she cautioned that this goal is rarely achieved each year. Whit Blanton advised that Senator Hooper will be in charge of ensuring that happens this year. After some further discussion, the group decided not to begin drafting any letters on this topic yet.

4. OTHER PROPOSED STATE LEGISLATION

A. Vacation Rentals

Linda Fisher provided an update to the committee on vacation rentals advising that the bill this year would actually soften the language on the grandfathering of ordinances adopted prior to 2011. Previously, if any changes were made to the ordinance, it negated the grandfathering and the ordinance was voided. However, the new language would allow for amendments to the existing ordinances to make them less restrictive while maintaining the grandfathering in status of the local government.

B. Use of Wireless Communications Devices While Driving

Linda Fisher explained that HB 91 would expand the prohibition on the use of wireless devices while driving and updated the group on its status. She reiterated that the current bill does not add any clarifying language on the definitions of stationary and operating vehicles as was sought by Forward Pinellas in the prior session. She will continue to monitor the bills' progress and report back to the committee. There is currently no Senate companion bill.

C. Regional Planning Councils

Linda Fisher reported that SB 62, filed by Senator Brandes, seeks to abolish regional planning councils. Currently there is no House Companion bill. However, Councilmember Gabbard advised the bill has already passed the Senate Community Affairs Committee and is moving to the Judiciary Committee which is chaired by Senator Brandes.

Commissioner Long, again referring to her conversation with Senator Brandes, advised the group that he feels this is a leadership bill and a priority for Speaker Sprowls. The bill will, therefore, likely be passed. Commissioner Long further reported that in years past state funding was vetoed by the governor for regional planning councils. However, they have survived on local funding.

D. Urban Agriculture

Linda Fisher updated the committee on a bill sponsored by Senator Rouson, the chair of the Senate Agriculture Committee, at the request of the City of St. Petersburg. It was noted that Ms. Fisher and County Attorney Chelsea Hardy previously assisted on an earlier draft of the bill to support the City's efforts. The bill currently has no House Companion.

5. COORDINATION OF LEGISLATIVE PRIORITIES

A. Virtual Meetings

Whit Blanton provided some historical context and outlined some of the challenges faced trying to conduct public meetings during a pandemic. He stated there is interest in broadening the ability to conduct virtual meetings, even during times when not under a declared state of emergency.

Chelsea Hardy reviewed existing Sunshine Law, specifically its requirements for a physical quorum, and current statutes regarding virtual meetings for regional agencies. She noted that the County Attorney's Office is working closely with the Florida Association of County Attorneys to pursue changes that would allow for virtual meetings on some level. She advised the committee that she wishes to actively involve herself in the drafting of language for a proposed bill and wants to include input from Forward Pinellas relating to its needs.

There was discussion about the many variables to be considered, specifically which boards and/or advisory committees the legislation should be applied to. Overwhelmingly, it was felt that virtual participation for advisory committees and advocacy groups, especially those comprised of members of the public, be considered for virtual meetings.

Chelsea Hardy summarized the wishes of the group to include:

- Having the legislation apply to any board or commission
- Allow for virtual participation without extenuating circumstances existing if a physical quorum is present

The County Attorney's Office will continue monitoring this and Chelsea Hardy will follow up with some suggested language for the committee to consider.

6. OTHER BUSINESS

Whit Blanton suggested that in an effort to expand on the work started with our Safe Streets Pinellas initiative, Forward Pinellas should consider sending a letter to the Biden Administration encouraging the creation of a National Vision Zero Network and committing to a goal of zero traffic deaths. He asked the committee for a recommendation to the full board for support. A motion was made by Commissioner Smith, which was seconded by Vice Mayor Allbritton, and carried unanimously (vote: 5-0, Commissioner Long had stepped out of the meeting) to recommend a letter be

sent from Forward Pinellas in support of a National Vision Zero Network. This will be presented to the full board for approval at today's meeting.

Commissioner Smith suggested sending a letter to Transportation Secretary Buttigieg congratulating him on his recent appointment and encouraging support for MPO policies. There being consensus to draft such a letter, Commissioner Smith made an official motion, which was seconded by Vice Mayor Allbritton, and carried unanimously (vote: 5-0, Commissioner Long had stepped out).

Commissioner Smith recognized Cheryl Reed from the City of Largo for her recent promotion to Community Development Director.

Whit Blanton advised there are many other noteworthy bills that were not mentioned today being monitored by staff. Any that need to be brought to the attention of the committee will be added to the next agenda. Councilmember Gabbard encouraged everyone to set up a bill tracker on the House website to more easily follow the activity of all the bills.

7. ADJOURNMENT

There being no additional items for discussion, the meeting adjourned at 12:12 p.m.

3A. Hillsborough Transportation Tax

SUMMARY

On February 25th, the Supreme Court struck down Hillsborough County’s local option sales tax intended to fund transit and other transportation projects. The 2018 ballot initiative enabling the tax was led by a citizens’ group known as All For Transportation, which also developed the associated spending plan. Following a challenge from one of Hillsborough’s own county commissioners, the court ruled that only the county commission can develop such a spending plan, and that the premise of the tax was therefore unconstitutional.

At their meeting on March 3, the Hillsborough County Commission voted to work with the state Department of Revenue and the Hillsborough Clerk of the Circuit Court to refund the \$500 million collected from taxpayers. The commission also voted to begin the process of putting a similar transportation tax on the ballot for 2022, without the involvement of the citizens’ group. We will closely monitor these developments and their potential implications for a similar proposed initiative in Pinellas.

ATTACHMENT(S):

- “Florida Supreme Court strikes down Hillsborough transportation tax.” *Tampa Bay Times*, February 25, 2021.
- “Hillsborough commissioners: We’ll give back sales tax money.” *Tampa Bay Times*, March 3, 2021.

ACTION: None required; informational item only.

Tampa Bay Times

Florida Supreme Court strikes down Hillsborough transportation tax

Reaction from supporters ranged from “disappointed” to “devastated,” but they vowed to get started immediately on a replacement referendum for voters

By Caitlin Johnston
Published Feb. 25

TAMPA — One thing’s for sure: A voter-approved plan to increase the sales tax a penny on the dollar for better bus service and other transportation improvements is dead.

The Florida Supreme Court, in a ruling released Thursday, decided 4-1 that restrictions on how and where the revenue from the tax could be spent were unconstitutional.

But now, authorities are scrambling to figure out what to do with the \$502.3 million already collected since the tax took effect in Hillsborough County on Jan. 1, 2019. The justices did not address that question, but the plaintiffs and the defendants in the case may ask them to revisit it.

Among the options: Refund the money to the people who paid the tax each time they made a purchase in Hillsborough, use it for local transportation improvements as the voters intended, turn it over to the state of Florida, or some combination of all three.

Backers of the tax, including elected officials and business leaders, say they won’t wait for an answer before they launch a new campaign to bring the exact same plan to the voters again.

This time, they aim to head off the Supreme Court’s objections by having the Hillsborough County Commission place the measure on the ballot rather than getting there directly through voter signatures.

A commission with a Republican majority had declined to act on transportation improvements year after year, but in the same November 2018 election where voters approved the tax, they delivered a Democratic majority more likely to embrace a plan.

Said County Commissioner Pat Kemp, “I feel there will be very strong support for this kind of initiative with the board we have now, thank goodness.”

For the Supreme Court, the sticking point was that All For Transportation — the group that spearheaded the charter amendment paving the way for the plan — spelled out how local government agencies could

spend their share of the money on needs such as congestion, bus routes, and safer travel for vehicles, bicycles and pedestrians.

By structuring the measure this way, supporters illegally usurped power from the County Commission — granted sole responsibility under state law for deciding how the money is spent, the court said.

“Because it cannot reasonably be said that the voters would have approved the tax without the accompanying spending plan, we must strike the charter amendment in its entirety,” Justice Charles Canady wrote. He called the attempt to restrict how the money could be spent “an elaborate scheme.”

Justices Ricky Polston, Alan Lawson and Carlos Muñiz supported the decision. Justice Jorge Labarga was the lone dissenter.

The ruling came more than two years after Hillsborough County Commissioner Stacy White filed a lawsuit challenging the tax. White had said at the time that he hoped the case would be resolved within a month.

White, who represents much of eastern and southern Hillsborough, called the collection of the tax “reckless” Thursday and called on authorities to stop it now. He said he will stick by his position that the County Commission should “tighten its belt” and deal with the county’s transportation challenges by spending within its existing budget.

White said he would not support a new referendum proposal if it comes before the commission. The sales tax boosts the Hillsborough rate to 8.5 cents on the dollar, higher than anywhere in Florida and too much for the county to bear, he said.

“Any future transportation spending plan should be well balanced and treat the two-thirds of our residents who live in unincorporated Hillsborough County equitably,” White said.

The Florida Legislature joined the suit in challenging the sales tax. Former state Sen. Tom Lee, the Thonotosassa Republican, echoed White’s reaction to the court’s decision.

“This ruling confirms we don’t live in a lawless society and politics can’t trump the Florida constitution,” Lee said.

The soonest the sales tax could be rolled back is a couple of weeks from now, the Florida Department of Revenue told the *Tampa Bay Times*. That’s how much time the parties to the lawsuit have to seek a rehearing if they wish.

The plan called for sending 45 percent of the revenue to the county’s transit authority. The rest would be divided among the county and the cities of Tampa, Temple Terrace and Plant City. The Metropolitan Planning Organization would use 1 percent of revenue for transportation planning and oversight.

Those who helped see the plan to victory in November 2018 with a 57 percent margin were reeling Thursday from the court’s decision. Still, they vowed to move ahead quickly on a replacement.

Commissioner Kemp said she was “devastated.” Tampa Bay Partnership chief executive Rick Homans called the ruling “a slap in the face” to the people of Hillsborough County.

“Today’s infamous ruling is an insult to Hillsborough County voters that will worsen our transportation crisis,” said Tyler Hudson, co-chairman of All for Transportation. “As Hillsborough County continues to grow, the court’s ruling deprives residents of the necessary transportation investment that they voted for two years ago.”

The Hillsborough Area Regional Transit authority, which was looking forward to boosting bus service with its share of the tax proceeds, issued a statement saying it will continue doing the best it can.

“We continue to do more with less — as one of the most underfunded transit systems per capita in the country,” the agency said. “One thing that is clear, Hillsborough County voters showed overwhelming support for alternative transportation solutions.”

U.S. Rep. Kathy Castor cited research showing transit improvements would reduce poverty and said the ruling will hurt efforts to land more federal investment in local transportation.

“It’s a true setback for all of us who call the Tampa Bay area home and what happens when Republicans have held the levers of power too long in a state that deserves better,” said Castor, the Tampa Democrat.

Tampa City Council chairman Luis Viera said, “It’s a terrible blow to public safety and it’s a terrible blow for our community to be able to have self-determination involving transportation and mass transit.”

Viera said he would ask City Council members this week to join with the County Commission in getting a new referendum on the ballot.

Also looking ahead was Jeff Vinik, owner of the Tampa Bay Lightning, Water Street Tampa developer and a major supporter of the sales tax.

“While today’s court ruling is a setback,” Vinik said, “We must look ahead and forge a new path forward for 2022. This investment is too important to the future of our community to delay any further.”

As long as the seven-member County Commission is the architect behind the new measure, the state’s courts will find it acceptable, said All For Transportation co-founder Christina Barker.

“The Florida Supreme Court basically said that citizens cannot say how they want their tax dollars spent, that that is purely in the realm and power of the County Commission,” Barker said. “So we want the County Commission to put back on, really, the exact same plan that voters voted on and passed in 2018.”

<https://www.tampabay.com/news/transportation/2021/02/25/florida-supreme-court-strikes-down-hillsborough-transportation-tax/>

Tampa Bay Times

Hillsborough commissioners: We'll give back sales tax money

By C.T. Bowen
Published Mar. 3

TAMPA — Hillsborough County commissioners said Wednesday they will refund the proceeds from the voided transportation sales tax.

Then they said they will start the process of asking voters to consider paying the higher sales tax again in a November 2022 referendum.

“Our citizens have been paying into this for two years. We waited to spend the money. We don’t have to wait to refund the money,” said Commissioner Ken Hagan.

Hagan’s motion called for the county, state Department of Revenue and the Hillsborough Clerk of the Circuit Court to work together to facilitate the refunds pending court action. Commissioners approved it unanimously.

Hagan called the \$502.3 million that’s been collected, but not spent, “fruit from a poisonous tree.” The commission’s resolution, Hagan said, “shows our citizens we understand the stakes here. We’re not fighting this.”

Voters approved a penny-on-the-dollar transportation sales tax increase in November 2018, a measure that had been championed by the citizens group All for Transportation. Forty-five percent of the revenue was earmarked to the county’s transit authority and the rest divided among the county and the cities of Tampa, Temple Terrace and Plant City. The Metropolitan Planning Organization would use 1 percent of revenue for transportation planning and oversight.

Commissioner Stacy White, however, filed a legal challenge to the referendum’s validity. And last week, the Florida Supreme Court tossed out the sales tax increase, saying the spending decisions must lie with elected county commissioners, not a citizens group. The court, however, did not address how to handle the revenue that had been collected already.

The court order isn’t final until the time limit for a rehearing request expires March 12. A separate class action lawsuit also sought to void the tax, but it has been on hold pending the Florida Supreme Court case. The county attorney’s office said it will ask to have that case dismissed.

Separately, the commission also supported a motion from Commissioner Gwen Myers instructing the county staff to begin the necessary paperwork and set a timeline to put another sales tax referendum before the voters in 2022.

“You might be surprised I’m going to support your motion,” White told Myers, complimenting her leadership and her desire to fulfill a campaign promise. “That does not necessarily mean I will be supportive of sending this out to referendum.” .

Hagan noted the hundreds of millions of dollars needed for repaving and repairing existing roads and sidewalks.

“It’s too big of an issue for us to keep kicking the can down the road for another couple of years,” he said.

Myers asked the county staff to prepare a timeline for workshops, public hearings and a deadline to deliver ballot language to the Supervisor of Elections Office. She asked to have the information delivered to commissioners next month.

<https://www.tampabay.com/news/hillsborough/2021/03/03/hillsborough-commissioners-well-give-back-sales-tax-money/>

3B. Tampa-Hillsborough County Expressway Authority

SUMMARY

House Bill 1283 and Senate Bill 1660 propose to rename the Tampa-Hillsborough County Expressway Authority (THEA) as the West Florida Expressway Authority and allow for its expansion into other counties, with the following provisions:

- Eligible “expansion counties” include Citrus, Hernando, Manatee, Pasco, Pinellas, and Polk counties;
- Expansion may occur by the adoption of a resolution or other formal action by the governing board of the authority to construct, complete, or acquire a transportation facility within one of the expansion counties;
- The statute does not set forth a process for the expansion county itself to request or approve its membership in the authority, or for the authority to build or take over an existing facility in its jurisdiction;
- The jurisdictional limits of the authority will automatically be extended to include the new county, and a county commissioner from it will be appointed to serve on the authority’s governing board; and
- The governing board may conduct all meetings virtually.

The effective date for both bills is upon becoming a law. The House bill has been referred to four committees but has not yet been heard by any. As of this writing, the Senate bill has not yet been referred to any committees.

ATTACHMENT(S):

- [House Bill 1283 \(link\)](#)
- [Senate Bill 1660 \(link\)](#)

ACTION: None required; informational item only.

3C. Pedestrian Crossings

SUMMARY

Similar to bills filed last year, House Bill 1113, filed by Representative Fine, and Senate Bill 1412, filed by Senator Perry, propose to significantly limit state and local governments' ability to use yellow rectangular rapid flashing beacons (RRFBs) at pedestrian crossings. The bill contains a number of overlapping deadlines for various provisions, including:

1. After October 1, 2021, installation of a pedestrian crosswalk other than at an intersection (i.e., a mid-block crossing) must be based on the recommendation of a traffic engineering study.
2. By October 1, 2022, the Florida Department of Transportation shall request federal authorization to allow yellow RRFBs to be replaced by red RRFBs, and:
 - If authorization is granted, the entity with jurisdiction over such crosswalk will have 12 months to implement the change or remove the yellow RRFB; or
 - If authorization is not granted, yellow RRFBs must be removed from roadways with a speed limit of 30 miles per hour or greater by October 1, 2025.
3. By October 1, 2024:
 - If located on a road with a speed limit of 30 miles per hour or more, a mid-block pedestrian crosswalk must conform to specified chapters of the Manual on Uniform Traffic Control Devices addressing traffic signals and pedestrian crossings;
 - Signalization of mid-block crossings must be coordinated with traffic control signal devices at intersections adjacent to the crosswalk, and the latter must be "taken into account;" and
 - All mid-block crosswalks must have pedestrian-facing signage outlining pedestrian responsibilities.

The effective date of both bills is October 1, 2021. Neither bill has been heard by any committees thus far.

ATTACHMENT(S):

- [House Bill 1113 \(link\)](#)
- [Senate Bill 1412 \(link\)](#)

ACTION: None required; informational item only.

3D. Vulnerable Road Users

SUMMARY

Two pairs of bills address roadway safety for bicyclists and pedestrians. House Bill (HB) 605, filed by Representative Hunschofsky, and Senate Bill (SB) 950, filed by Senator Book, propose to revise requirements for the interaction between motor vehicles and bicycles, electric bicycles, pedestrians, and other users of nonmotorized transportation. The bills' provisions include:

- A vehicle driver overtaking a bicyclist or other nonmotorized road user occupying the same travel lane must vacate the lane while doing so, or remain at a safe distance behind the nonmotorized road user until the lane can be vacated.
- Bicyclists may not ride more than two abreast in a bicycle lane, except on a “bicycle path,” which is not defined. This may be intended to refer to a separated bicycle lane, for which a definition is provided.
- Groups of bicyclists, after coming to a full stop at a stop sign, may proceed through the intersection in groups of 10 or fewer at a time, and vehicle operations must allow each such group to travel through the intersection before moving forward.
- The Florida Department of Transportation must provide an awareness campaign and printed educational materials about the new requirements.

The effective date of the bills is July 1, 2021. Each bill has been referred to three committees, but has not yet been heard by any.

SB 278, filed by Senator Baxley, and HB 1643, filed by Representative McClain, propose the “Vulnerable Road User Act,” imposing criminal penalties on a person who commits a moving violation that causes serious bodily injury or death to bicyclist, pedestrian, other nonmotorized or low-speed transportation user, or highway, utility, or emergency workers within the right-of-way. The effective date of the bills is July 1, 2021. The Senate bill has been referred to three committees but has not yet been heard by any. The House bill has not yet been referred to any committees.

ATTACHMENT(S):

- [House Bill 605 \(link\)](#)
- [Senate Bill 950 \(link\)](#)
- [Senate Bill 278 \(link\)](#)
- [House Bill 1643 \(link\)](#)

ACTION: None required; informational item only; or as deemed appropriate by the committee.

SUMMARY

House Bill (HB) 729, filed by Representative Gregory, and Senate Bill (SB) 1364, filed by Senator Brodeur, propose changes to statutes governing various aspects of transportation projects.

Section 206.46, Florida Statutes (F.S.), currently requires that each fiscal year, the Florida Department of Transportation (FDOT) shall commit a minimum of 15% of the state revenues deposited into the State Transportation Trust Fund to public transportation projects, including transit, airports, seaports, and regional transportation authorities including TBARTA. The bills propose to limit this commitment to a maximum of 25% of revenues annually.

Section 337.11, F.S., governs the contracting authority of the Florida Department of Transportation (FDOT). The bills propose to add authorization for FDOT to enter into no-bid contracts up to \$1 million to repair or improve roadways “which may have contributed to one or more fatalities.” The design and construction phases may be combined for such projects.

Lastly, Section 334.044, F.S., currently stipulates that at least 1.5% of the cost of new roadway construction projects, on a statewide basis, shall be allocated for the purchase of “plant materials.” The bills propose to change the 1.5% to “a portion” of the cost, add road widening to the applicable project types, and require that the plant materials be grown in Florida unless prohibited by federal law.

ATTACHMENT(S):

- [House Bill 729 \(link\)](#)
- [Senate Bill 1364 \(link\)](#)

ACTION: None required; informational item only; or as deemed appropriate by the committee.

SUMMARY

As discussed at last month's committee meeting, the rise in adoption of electric vehicles (EVs), while beneficial for environmental reasons, will cause a proportional decrease in the amount of gas taxes collected. While the current EV adoption rate is less than 1%, the Florida Department of transportation projects that by 2040, the rate could reach as high as 35% and result in a 30% decrease to revenues in the Motor Fuel Sales Tax (highway) portion of the State Transportation Trust Fund. A number of bills have been filed this session to accommodate growing EV use and address its revenue impacts.

Two pairs of linked bills, Senate Bills (SB)138/140 and House Bills (HB) 817/819, propose the following:

- SB 138 and HB 817 would establish an Electric Vehicle Infrastructure Grant Program to provide financial incentives for the installation of electric vehicle charging infrastructure. Grants would be open to local governments, state agencies, public transit agencies, public universities, airports, and ports, and would fund both planning and implementation. \$5 million would be allocated to the program.
- SB 140 and HB 819 would impose a license fee structure for electric and plug-in hybrid vehicles. Such vehicles would be subject to the same licensing fee as non-electric vehicles, plus an additional flat fee ranging from \$35 to \$235 depending on vehicle mode and size. The new fee collection would begin on January 1, 2025.

The effective date for all four bills is July 1, 2021, but the SB 140/HB 819 provisions will only take effect if the SB 138/HB 817 legislation also becomes law. None of the bills have been heard by any committees.

SB 1276, filed by Senator Hooper, proposes to create a similar "motor vehicle fuel tax equivalent" license fee, which would take effect when the EV adoption rate reaches 5%. The additional fee would be \$200 for electric vehicles and \$50 for hybrid vehicles. It has not yet been heard by any committees.

Lastly, Senate Memorial 1332, filed by Senator Brandes, and House Memorial 1509, filed by Representative Hunschofsky, urge the United States Congress to authorize installation of electric vehicle charging stations in rest areas on the interstate highway system.

ATTACHMENT(S):

- [Senate Bill 138 \(link\)](#)
- [Senate Bill 140 \(link\)](#)
- [House Bill 817 \(link\)](#)
- [House Bill 819 \(link\)](#)
- [SB 1276 \(link\)](#)
- [SM 1332 \(link\)](#)
- [HM 1509 \(link\)](#)

ACTION: None required; informational item only; or as deemed appropriate by the committee.

SUMMARY

As discussed last month, a number of competing bills have been filed regarding the Tampa Bay Area Regional Transit Authority (TBARTA). Since not all of the bills were included in the previous agenda, this item provides the full list and an update on the status of each item.

Senate Bill (SB) 1130

SB 1130, filed by Senator Brandes, would dissolve TBARTA and distribute its assets to member local governments represented on the authority's board. The effective date is July 1, 2022. There is currently no House companion. The bill has passed one of its three committees.

House Bill (HB) 389/SB 422

HB 389, filed by Representative Mariano, and SB 422, filed by Senator Rouson, propose changes to the relationship between the TBARTA and the Chair's Coordinating Committee, and make administrative changes to TBARTA's representation and voting. The bills propose to:

- Rename the Chair's Coordinating Committee to remove reference to TBARTA;
- Delete the requirement that TBARTA provide administrative support and direction to the committee;
- Delete requirements for TBARTA to coordinate plans and projects with the committee, including the regional transit development plan, or to participate in the regional MPO planning process;
- Allow mayors serving on the TBARTA board to designate alternates with full voting rights; and
- Revise TBARTA quorum and majority voting requirements.

The effective date for both bills is July 1, 2021. The House bill has passed one of its three committees. The Senate bill has been referred to three committees, but has not yet been heard by any of them.

HB 2037

HB 2037, filed by Representative Toledo, is an appropriations bill that would allocate \$1.5 million in nonrecurring funds to TBARTA for fiscal year 2021-2022, drawn from the State Transportation (Primary) Trust Fund. The effective date is July 1, 2021. The bill has been referred to three committees but has not yet been heard by any of them. There is currently no Senate companion bill.

Letter from Chairs Coordinating Committee

Forward Pinellas, acting on behalf of the Chairs Coordinating Committee, has submitted language to TBARTA renaming the Chair Coordinating Committee as the Suncoast Transportation Planning Council and striking the language removing the requirement for TBARTA to coordinate plans and projects with the CCC. The language also suggested a revised formula for funding TBARTA operations through a state-regional match using pre-allocation State Transportation Trust Funds instead of legislative earmarks.

ATTACHMENT(S):

- [Senate Bill 1130 \(link\)](#)
- [House Bill 389 \(link\)](#)
- [Senate Bill 422 \(link\)](#)
- [House Bill 2037 \(link\)](#)
- Email from Whit Blanton to David Green, TBARTA Executive Director, dated January 19, 2021

ACTION: None required; informational item only; or as deemed appropriate by the committee.

4A. Building Design

SUMMARY

House Bill (HB) 55, sponsored by Representative Overdorf, and Senate Bill (SB) 284, sponsored by Senator Perry, would prohibit local zoning and development regulations relating to building design elements for residential dwellings, such as the appearance of roofs, porches, windows, entry doors, garage doors, and architectural style. The only exceptions are for designated historic properties or as needed to meet requirements of the National Flood Insurance Program.

The original version of both bills would have applied to all residential buildings. The House bill was subsequently amended to apply only to one- and two-story residential buildings. Despite this change, both versions of the proposed legislation would undermine local governments' ability to determine the character of their own communities. The bills are similar to unsuccessful legislation that was strongly opposed by Forward Pinellas in 2020. The Board has included the issue in its adopted policy positions for 2021.

The effective date for both bills is July 1, 2021. The House bill has passed two of its three committees, including the Regulatory Reform Subcommittee on February 10, where the City of St. Petersburg made a presentation in opposition. The Senate bill has been assigned to three committees but has not yet been heard by any of them.

Staff has discussed these bills with the Planners Advisory Committee, who have expressed significant concern. We recommend that the Board authorize staff to draft a letter of opposition to these bills, similar to the one sent last year, and that the letter be shared with our local government partners.

ATTACHMENT(S):

- [House Bill 55 \(link\)](#)
- [Senate Bill 284 \(link\)](#)
- Letter and presentation from St. Petersburg opposing HB 55 and SB 284
- Letter from Forward Pinellas opposing similar 2020 legislation

ACTION: Committee to recommend authorizing staff to draft a letter of opposition to HB 55 and SB 284.



MEMORANDUM

Date: February 8, 2021
To: Florida House of Representative: Regulatory Reform Subcommittee
From: Elizabeth Abernethy, AICP, Planning & Development Services Director
RE: **HB55/SB284 - Building Design**

Bill Summary: HB55/SB284 prohibits zoning & development regulations relating to building design for one- or two-family buildings with the exception structures listed on National Register of Historic Places or contributing structures to a historic district; or the regulations implement the National Flood Insurance Program.

Design regulations are critical in our City for the following reasons:

1. They protect and enhance neighborhood character, improving compatibility of new infill homes, which protects the investment of all the homeowners in the neighborhood.
2. They allow community support for change; if the community stakeholders understand what new residential building types might look like, they can be more widely accepted:
 - Accessory Dwelling Units (ADUs), commonly called carriage homes or garage apartments, were reintroduced in 2007 with design standards. Since 2007, staff has worked with residents and neighborhood associations to expand the opportunity to build ADUs in more locations. In 2017, modifications were made to the design standards which resulted in increased construction activity for ADUs. In 2019, changes to minimum lot size regulations increased the number of qualifying properties to over 30,000. If we lose the ability to regulate design standards, which require ADUs to match the home, it will be difficult to get any further support to for expansion of the right to build an ADU into the remainder of the City.
 - Neighborhood Traditional Mixed-Residential is a new zoning category adopted in December 2019 which allows up to four units on a standard single-family lot (AKA “Missing Middle”). Design regulations require that these multi-unit buildings are similar in size and character with existing single-family homes. If we are precluded from having design regulations for two unit buildings, it will be very unlikely that neighborhoods will support the rezoning necessary to implement this new district.
3. Provision of design elements allow for additional or “bonus” floor area allowing the developer/owner to obtain a larger house than what the base zoning standards otherwise allow. This is described in further detail of the attached NT FAR Bonuses Status Report.

Affordability is not significantly impacted by the design regulations. In 2019, the City made housing affordability a top priority instituting a variety of programs and changes to address affordability, including eliminating building fees for homes 1,400 s.f. and less. In partnership with Habitat for Humanity, reductions in design regulations were approved for Certified Affordable Homes. Habitat estimated the regulations added \$8,000-\$10,000 cost to a new home. For the typical new home in our city, priced \$600,000 – to over a million, this is less than 2%.

Background: St. Petersburg is a built-out city of over 275,000, with housing stock developed primarily in the 1920's and 50's, prior to the advent and more widespread use of HOA's, covenants and restrictions. Much of our housing consists of small, two-bedroom homes which do not meet the needs of today's residents. Many of these homes are being replaced and the City supports the updating and replacement of these structures through infill development of vacant lots, home additions and razing/replacement of obsolescent structures.

In 2001, a community wide visioning process led to a citywide rezoning in 2007 and adoption of design standards for all development types in all districts. These design regulations are intended to preserve the character of distinct neighborhoods and promote compatibility for new homes. There are no regulations for color or architectural style. In Neighborhood Traditional districts, which make up about half of the neighborhoods in the City, there are requirements for design elements such as a front porch, a 12-inch step-up to the front entry, and a minimum percentage of windows and architectural features.

During the recession of 2007-12, an average of about 50 new homes were built each year, and since then the average has been over 275, with some neighborhoods experiencing a 10-20% replacement of the existing housing stock. In 2017, after broad community outreach which included both neighborhood representatives as well as designers and builders, the code was modified with unanimous approval, easing some design standards (percentages of windows and architectural features) while adopting limits on building size, to control scale and mass, and allow for larger homes with bonuses for design elements. In October of 2019, we reported back on the effect of the regulations and demonstrated that these standards are improving compatibility of new homes, while still allowing the size of homes desired by the market (see attached Design Standard Examples).

Proposed Historic Exemption: We are concerned that the exemption for contributing structures will have the unintended consequence of incentivizing the demolition of these structures. If only those structures within the historic district which are deemed contributing are held to design standards, an owner of such a home may opt to demolish the building instead of being held to a standard that would not apply to other non-contributing properties in the same neighborhood. The legislation should exempt all individually listed, contributing and non-contributing resources. Non-contributing structures can be just as important to the neighborhood character and surrounding district.

In summary, St. Petersburg design guidelines do not restrict property rights or limit free market conditions; they allow for building of homes that are in harmony with and welcomed into our neighborhoods, protecting the rights of both new and existing property owners. We respectfully oppose HB55 which pre-empts our design regulations for single-family and two-unit buildings. A friendly amendment that would exempt Accessory Dwelling Units, overlay districts, and expand the historic district exemption to include non-contributing structures would alleviate most of our concerns. Overlay districts can protect existing neighborhoods without the need for HOA's/Covenants & Restrictions.

Attachment

Traditional Neighborhood Design Examples



Traditional Neighborhood Design Examples

Florida House of Representatives
Regulatory Reform Subcommittee

February 10, 2021



Front Porches

Design standards require a front porch with minimum size and a step-up – improves compatibility of new homes into existing traditional neighborhoods



Front Porches



Fenestration & Architectural Details

Design standards require doors, windows and architectural features on the front and sides of new homes:



Fenestration & Architectural Details



New zoning for Missing Middle

Design standards allow two-unit buildings with similar scale and massing of single-family homes:



Two-unit "DUPLEX" buildings

Design standards for Accessory Units

Design standards allowed the re-introduction of Accessory units in our traditional neighborhoods:



Accessory One Unit Building over Garage

Design Bonus Options allow larger homes:

Bonus A One story covered front porch with a separate roof structure - minimum width of 60% of the front façade



Bonus B

Additional second story front setbacks: .01 bonus for every 1 foot of additional front setback of the entire facade



Bonus C Additional second story side setbacks: .01 bonus for every 1 foot of additional side setback



Bonus F

Entire peak of the primary roof structure of the front façade parallel to the front property line



Bonus L

Style, materials and detailing consistent with an Architectural Style in St. Petersburg's Design Guidelines for Historic Properties



Bonus N

LEED or Green Building 0.05 bonus.

Bonus O

Solar Ready 0.02 bonus.



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FORWARD PINELLAS

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310 Court Street
Clearwater, FL 33756



February 14, 2020

Representative Tobin Rogers “Toby” Overdorf
1401 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

RE: HB 459 and SB 954 – An Act Relating to Building Design

Dear Representative Overdorf:

Forward Pinellas—the planning council and metropolitan planning organization for Pinellas County—has reviewed House Bill 459, entitled “An act relating to building design,” and the associated Senate Bill 954. On behalf of our 24 municipalities and the unincorporated county, we would like to express our strong opposition to these bills, which undermine local governments’ ability to determine the character of their own communities.

We object to the assertion that local governments should not be allowed to regulate building design for most one- and two-story residential structures for the following reasons:

- Building design is essential to community character. Particularly for mature communities such as those in Pinellas County, where neighborhoods are already established and new development is primarily in the form of infill and redevelopment, design standards ensure that new residential structures fit in aesthetically and functionally, without disrupting quality of life for existing residents.
- Building design is essential to the walkability of neighborhoods. The location and design of garages can affect the safety of pedestrians on the sidewalk. The presence of front porches draws residents outdoors and directs more attention toward the street, which can increase public safety. The design of building frontages, such as the presence and visibility of windows and doors, can mean the difference between an inviting streetscape that encourages walking, and an imposing one that discourages it. The same factors that affect walkability also affect other non-automobile modes of transportation, such as biking and transit use.
- Rather than detracting from housing affordability, building design is essential to addressing it. In an increasingly common approach to addressing the housing affordability crisis, a number of communities in Pinellas County allow and encourage the construction of small multifamily buildings that are compatible in scale and design with single-family neighborhoods. These buildings provide more dwelling units on less land without disrupting existing neighborhoods, placing housing affordability within reach of more families.

- Residential building design affects more than just neighborhoods. Two-story residential structures are commonly found in traditional downtowns and town centers, and for many small communities, may actually comprise the bulk of these areas. The ability of local governments to determine the character of the civic and economic centers of their communities, therefore, depends on their ability to regulate the design of these structures.

Forward Pinellas is committed to advocating for our member local governments and ensuring their ability to create safe, healthy, equitable communities that respect local character. While well-intended, this proposed legislation advocates for a one-size-fits-all legislative approach that is at odds with the established principles of sound land use planning. I urge you to consider the negative consequences, both direct and indirect, of these bills.

Please contact me at 727-464-8712 if you would like clarification on the Forward Pinellas policy position.

Respectfully,

Whit Blanton, FAICP
Executive Director

cc: Pinellas County Legislative Delegation
Forward Pinellas Board

4B. Vacation Rentals

SUMMARY

House Bill (HB) 1481, filed by Representative Goff-Marcil, and Senate Bill (SB) 1988, filed by Senator Pizzo, are two newly filed bills that would reduce some of the current state preemption on local regulation of vacation rentals. The bills propose to:

- Allow local governments to adopt land development regulations specific to vacation rentals, as long as they do not prohibit or regulate the siting of those uses or regulate the duration or frequency of stays; and
- Preserve the grandfathered status of regulations adopted before June 1, 2011, and allow them to be amended without losing their grandfathered status.

The effective date for both bills is July 1, 2021. As of this writing, neither bill has been filed to any committees.

The new bills are notably different from those discussed last month. HB 219, filed by Representative Fischer, and SB 522, filed by Senator Diaz, propose to reinforce the State's preemption of local regulation of vacation rentals with some caveats. The bills propose to:

- Expand the preemption to include local inspection or licensing of vacation rentals and regulation of online vacation rental advertising platforms;
- Preserve the prohibition against regulating duration and frequency of stays, but establish that vacation rentals may be subject to other local regulations if they apply uniformly to all residential properties; and
- Preserve the grandfathering of local regulations adopted prior to July 1, 2011, and add a provision allowing amendments to make them less restrictive.

HB 291 and SB 522 have each passed one of three committees. The effective date for both bills is upon becoming law.

ATTACHMENT(S):

- [House Bill 1481 \(link\)](#)
- [Senate Bill 1988 \(link\)](#)
- [House Bill 219 \(link\)](#)
- [Senate Bill 522 \(link\)](#)

ACTION: None required; informational item only.

4C. Virtual Meetings

SUMMARY

Senate Bill (SB) 972, filed by Senator Casello, and House Bill (HB) 1019, filed by Representative Rodriguez, broaden the eligibility of multi-county regional entities to hold virtual meetings. As discussed at last month's meeting, Section 163.01(18), Florida Statutes, allows a commission, board or council with member public agencies located in at least five counties, of which at least three are not contiguous, to conduct public meetings and workshops by means of communications media technology. The regional body must provide a location where communications media technology facilities are available to the public. SB 972 and HB 1019 propose to extend eligibility to entities with member public agencies located in four contiguous counties.

The current statute confers eligibility to larger multi-county entities including the Tampa Bay Area Regional Transit Authority and Chairs Coordinating Committee. While the proposed change could benefit additional entities elsewhere in the state, it would not include the Tampa Bay Transportation Management Area Leadership Group or any local advisory committees, and therefore does not go far enough to meet the needs of our local governments.

ATTACHMENT(S):

- [Senate Bill 972 \(link\)](#)
- [House Bill 1019 \(link\)](#)

ACTION: None required; informational item only.

4D. Flooding and Sea Level Rise

SUMMARY

Lawmakers have proposed a package of several bills to address sea level rise and climate change, collectively dubbed as the “Always Ready” effort. The bills include:

- House Bill (HB) 315, filed by Representative LaMarca, and Senate Bill (SB) 514, filed by Senator Rodrigues, propose to create a Statewide Office of Resiliency and task force within the executive office of the governor, with a non-recurring allocation of \$500,000 from the General Revenue Fund.
- HB 901, filed by Representatives Bartleman and Mooney, and SB 1252, filed by Senator Berman, propose a requirement for the Office of Economic and Demographic Research to estimate the need for federal, state, regional, and local funding to improve resilience to flooding associated with sea level rise and adverse weather events, every five years beginning in 2021.
- Senate Joint Resolution (SJR) 1182, filed by Senator Brandes, and House Joint Resolution (HJR) 1377, filed by Representative Chaney, propose a constitutional amendment to create a property tax exemption for “any change or improvement made to improve the property's resistance to flood damage” for any “real property used for residential purposes.”
- SB 1186, filed by Senator Brandes, and HB 1379, filed by Representatives Chaney and Aloupis, propose to create a property tax exemption for homesteaded properties whose owners voluntarily elevate their structures to comply with requirements of the National Flood Insurance Program and Florida Building Code. The bills are linked to SJR 1182 and HJR 1377, respectively.
- SB 1954, filed by Senator Rodrigues, proposes to create the Resilient Florida Grant Program within the Department of Environmental Protection, in order to fund local government plans and projects to improve resiliency to flooding, sea level rise and climate change. The bill also creates the Florida Flood Hub for Applied Research and Innovation at the University of South Florida’s College of Marine Science.

ATTACHMENT(S):

- [House Bill 315](#) and [Senate Bill 514](#) (links)
- [House Bill 901](#) and [Senate Bill 1252](#) (links)
- [Senate Joint Resolution 1182](#) and [House Joint Resolution 1377](#) (links)
- [Senate Bill 1186](#) and [House Bill 1379](#) (links)
- [Senate Bill 1954](#) (link)
- “Florida lawmakers reveal their ‘most robust agenda’ on flooding, sea-level rise.” Tampa Bay Times, February 26, 2021

ACTION: None required; informational item only.

Tampa Bay Times

Florida lawmakers reveal their ‘most robust agenda’ on flooding, sea-level rise

By [Zachary T. Sampson](#)

Published Feb. 26

ST. PETERSBURG — State lawmakers debuted on Friday what House Speaker Chris Sprowls called the “most robust agenda to mitigate flooding and sea-level rise that the State of Florida has ever seen.”

Across multiple bills, the plan — deemed “Always Ready” — would create a hub for flood research and innovation at the University of South Florida St. Petersburg, offer tax breaks to property owners who voluntarily raise their buildings and order the state to draw up a sea-level rise resilience plan.

Sprowls, R-Palm Harbor, said the lawmakers want to commit \$100 million a year to address flooding and sea-level rise.

“While some continue to debate word choices, we’re rolling up our sleeves and focusing on real problems that affect real business owners and real homeowners in our community,” he said.

The proposals mark a departure for the Republican-led Legislature following years of top politicians in Tallahassee declining to take on the threats of climate change. Environmental advocates say the progress is limited.

One draft bill, led in the House by Rep. Demi Busatta Cabrera, R-Coral Gables, calls on the state to create a sea-level rise and flooding resilience plan by December 2021, with a three-year outlook for projects. By July 2023, the bill would require staffers under the Department of Environmental Protection to devise Florida’s first-ever statewide flood vulnerability and sea-level rise assessment.

Busatta Cabrera said she wants to become “the world leader in flood mitigation.”

“Sea-level rise doesn’t care who you are or which ZIP code you live in, it affects all Floridians,” she said. “It’s time to ensure that future generations aren’t left with nothing.”

The policies would ask the state’s chief science officer — currently Thomas Frazer, [who is also dean of the University of South Florida’s College of Marine Science](#) — to coordinate with experts on developing standard sea-level rise projections. Frazer’s college, meanwhile, would lead research efforts on future flooding, reporting each year to the governor’s office and legislative leaders. Sen. Ray Rodrigues, R-Estero, is behind similar proposals in the Senate.

Rep. Linda Chaney, R-St. Pete Beach, and Sen. Jeff Brandes, R-St. Petersburg, are introducing the tax break legislation, which was recommended by Pinellas County Property Appraiser Mike Twitty. It

would allow owners to voluntarily elevate their houses without the added value counting against them on property tax assessments.

During the news conference Friday, with a scenic backdrop of Bayboro Harbor along the University of South Florida St. Petersburg campus, Sprowls and other leaders rolled through projections suggesting several Florida cities or counties are more at risk to flood losses than just about anywhere else in the country. They discussed billions of dollars of potential costs the state could incur from property damages, diminished home values and business closures after disasters.

The knock for years from resilience advocates has been that local governments and regional collaboratives are confronting the problems of climate change — especially in South Florida — without support from the Capitol.

“They really want to tackle this issue, but they desperately need support,” said Alec Bogdanoff, Florida lead for the American Flood Coalition, who works with local governments and spoke alongside lawmakers Friday.

The push would direct more funding to regional vulnerability assessments and planning, as directed in Gov. Ron DeSantis’ proposed budget, which [calls for \\$1 billion in bonds for resilience projects](#) over several years.

Bogdanoff said the package “marks a new era in Florida.”

Environmentalists, while happy to hear the words “sea-level rise” uttered openly in the Capitol, say lawmakers are focused on adaptation while ignoring fossil fuel emissions that are man-made contributors to warming and climate change. Florida is paying too much attention to consequences, they say, rather than causes.

“It is a good first step,” said Yoca Ardit-Rocha, executive director of the advocacy group The CLEO Institute, in a statement. “But if we are not proposing solutions to reduce the greenhouse gas emissions driving rising sea levels and other extreme weather events, such as expansion of solar energy and storage, then our solutions will continue to be reactionary, not proactive.”

During a question and answer period following the announcement, Getulio Gonzalez-Mulattieri, who said he represents a group called the Tampa Bay Disaster Resiliency Initiative, confronted Sprowls: “Unless you address the fossil fuel industry, nothing will change. You’re just going to keep building higher and higher walls.”

The Speaker rejected such criticism when asked how the Legislature will consider emissions.

“Too often, when we have conversations about flooding or we have conversations about the environment, we have some of our friends — and respectfully, some of our friends in the press — who want to engage in the hyper-politicization of the environment,” he said. “It’s all about words. I’ve said all the words. What we’re here to do is tackle real problems.”

<https://www.tampabay.com/news/florida-politics/2021/02/26/florida-lawmakers-reveal-their-most-robust-agenda-on-flooding-sea-level-rise/>

4E. Additional Bills of Interest

SUMMARY

More than 2,900 bills have been filed for the 2021 Legislative Session. We are tracking a significant number of bills with relevance to local and regional planning efforts, as listed below.

Growth Management

[HB 59](#), filed by Representative McClain, and [SB 496](#), filed by Senator Perry, would require a Private Property Rights element to be adopted into local comprehensive plans. A version of this bill has been filed annually for several years. Last year, the Senate version of the bill, which passed both chambers but was ultimately vetoed by the governor, also contained a provision that would have invalidated countywide planning for some counties. We will continue to monitor this year's version closely. Effective date for both bills: July 1, 2021. SB 496 has not yet been heard by any committees, but HB 59 has passed two of its three committees.

Urban Agriculture

At the request of the City of St. Petersburg, [SB 628](#), filed by Senator Rouson, and [HB 1013](#), filed by Representative Rayner, propose to create the Florida Urban Agriculture Act to distinguish between urban agriculture and traditional farming in rural areas. Traditional farms are exempt from most local land development regulations under the Florida Right to Farm Act, but this provision makes it difficult for communities to allow new farms in developed urban areas. Forward Pinellas staff worked with the City on previous versions of the proposed legislation. Effective date for both bills: July 1, 2021. Neither bill has been heard by any committees thus far.

Solar Electrical Generating Facilities

[SB 1008](#), filed by Senator Hutson, and [HB 761](#), filed by Representative Overdorf, would permit solar facilities (including solar farms and related buildings, transmission lines and substations) as-of-right in agricultural land use categories and zoning districts. The uses would be required to comply with minimal criteria such as setbacks and buffering applicable to similar uses within the agricultural district. Effective date for both bills: July 1, 2021. Neither bill has been heard by any committees thus far.

Home-Based Businesses

[SB 266](#), filed by Senator Perry, and [HB 403](#), filed by Representative Giallombardo, propose to preempt local regulation of home-based businesses. Both bills allow residential property owners to operate businesses from their homes, provided that the business does not create a substantial increase in traffic, noise, or solid waste/recycling; does not employ more than two unrelated non-resident employees; and does not create a visible use that is inconsistent with residential zoning. Licensure and regulation of home-based businesses are preempted to the state, and local governments may not enact or enforce any regulation of them. Effective date for both bills: July 1, 2021. SB 266 has not yet been heard by any committees, but HB 403 has passed one of its two committees.

Legal Notices

[HB 35](#), filed by Representative Fine, and [SB 402](#), filed by Senator Rodrigues, propose to allow local governments to advertise public hearings on websites in lieu of a newspaper, with each bill taking a different approach. HB 35 would allow notices to be published on the local government website, provided that the local government maintains a registry of citizens who opt to be notified by mail or email, and advertises the availability of this service in a newspaper once per year. SB 402 permits notices to be published on a “website established by the Supreme Court” for a fee of no more than \$500. The effective dates for the bills are July 1, 2022 and July 1, 2021, respectively. SB 402 has not yet been heard by any committees, but HB 35 has passed one of its two committees.

Impact Fees

[HB 337](#), filed by Representative DiCeglie, and [SB 750](#), filed by Senator Gruters, would place new conditions on impact fee collection by local governments. New definitions appear to allow the fees to be used only for emergency medical, fire, and law enforcement facilities. The bill would allow fees to be collected only if the local government has planned or funded capital improvements within the impact fee assessment district, require local governments to credit any contribution related to public facilities against collection of impact fees, and limit annual increases to 3%. Effective date for both bills: July 1, 2021. Neither bill has been heard by any committees thus far.

Regional Planning Councils

[SB 62](#), filed by Senator Bradley, proposes to abolish the state’s regional planning councils. Local governments would have the option of entering into agreements to create regional planning entities, but without the authority of current regional planning councils. Effective date: July 1, 2021. There is currently no House companion. The bill has passed one of its three committees.

ATTACHMENT(S): None.

ACTION: None required; informational item only.

SUMMARY

Pete Buttigieg was confirmed as Transportation Secretary on February 2, 2021. At its last meeting, the board directed the executive director to draft a letter to the Secretary congratulating him on his appointment and outlining key issues regarding the MPO, funding autonomy and sustainability of the Transportation Trust Fund.

ATTACHMENT(S): Letter from Whit Blanton to Transportation Secretary Pete Buttigieg

ACTION: None required; informational item only; or as deemed appropriate by the committee.



February 24, 2021

Mr. Peter P. Buttigieg
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave. SE
Washington, DC 20590

Dear Secretary Buttigieg:

As a local and regional transportation planning partner, it is my pleasure to extend heartfelt congratulations to you on your historic appointment and confirmation as Transportation Secretary. This accomplishment reflects your passion, leadership, and commitment as a former local government mayor to serving the American people by improving safety, access to economic opportunity, and adapting our transportation infrastructure to the realities of climate change.

Forward Pinellas serves as the metropolitan planning organization (MPO) for Pinellas County. We are one of three MPOs in the Tampa-St. Petersburg urbanized area that collaborate to develop regional transportation priorities serving our local communities and the broader region. Unlike most other MPOs, we enjoy special additional responsibilities for countywide land use planning, bringing into focus the integration of transportation spending priorities with land use decision-making.

We are excited about your leadership at the Department of Transportation to provide support for regional and community initiatives. MPOs need flexible and sustainable funding to meet the needs of our regions and local communities in ways that best fit their context and decision-making process. Your statements on developing and expanding energy alternatives in the transportation sector, addressing historic continuing inequities in our transportation decisions, and providing the investment necessary for communities to Build Back Better as we recover from the effects of the pandemic give us hope and a sense of purpose in our own efforts.

Successful transportation policy and wise investment decisions depend on effective partnerships. We value our positive collaboration with the Florida Department of Transportation, our local governments, and the Pinellas Suncoast Transit Authority, our local transit provider, to deliver valuable projects and service to meet our community's needs. We look forward to your success as US DOT Secretary in meeting the Administration's goals.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Whit Blanton'. The signature is fluid and cursive, with a long horizontal stroke at the end.

Whit Blanton, FAICP
Executive Director

SUMMARY

The National Safety Council is calling on President Biden and his leadership team to commit to reduce traffic fatalities to zero by 2050. At its last meeting, the board directed the executive director to send a letter to the President in support of this effort. The National Safety Council website has a [page dedicated to this topic](#) with a [link to a form letter](#) for agencies to use to participate. A list of all those who have signed in support can be found at: <https://nsc-org-storage.azureedge.net/cms/nsc.org/media/site-media/docs/safe-driving/road-to-zero/biden-outreach-signatures.pdf>.

ATTACHMENT(S): Copy of Form Letter to President Biden as Submitted by Forward Pinellas

ACTION: None required; informational item only; or as deemed appropriate by the committee.

Call on President Biden to End Roadway Fatalities

This letter will be sent to President Biden on January 20, 2021. As we receive more signatories, we will resubmit the letter to show the support for the call of zero roadway fatalities. A list of all those who have signed in support can be found at: <https://nsc-org-storage.azureedge.net/cms/nsc.org/media/site-media/docs/safe-driving/road-to-zero/biden-outreach-signatures.pdf> . If you have any questions please email Heidi Simon at heidi.simon@nsc.org. To learn more, visit www.zerotrafficdeaths.org

Dear President Biden,

Congratulations on your inauguration as the 46th President of the United States! You are taking office at a time in American history when our country is facing many challenges.

We are writing to bring your attention to one of the immense, but solvable, challenges facing the United States, and one with which you, sadly, have personal experience — roadway fatalities. Our country loses almost 40,000 community members each year as a result of crashes. You know all too well the pain and devastation that comes when someone is killed in a crash. These are not just numbers — each life is someone's family, friend and neighbor.

We are asking that you commit to reduce roadway fatalities to zero by 2050. As a nation, it is time to take decisive and collective action to address roadway safety and save tens of thousands of lives and millions injured in preventable crashes.

For decades, we have known the solutions in this country, and watched other countries make incredible progress towards this goal, while we have lacked the leadership to make roadway safety a national priority in the United States. We look to you, as a leader with lived experience, to prioritize a goal of zero fatalities and advance accompanying policies across your administration. We encourage you to engage and lead on this topic globally, joining other nations as they share efforts in road safety.

We are committed to roadway safety and know what it takes to achieve zero deaths. It will take action at the local, state and federal levels. A commitment by you and your Administration to prioritize safety, including adopting the Safe System approach, will provide the leadership needed to save lives. By making a public commitment early in your Administration to end roadway fatalities by 2050, you will demonstrate the importance of safe mobility for all and set the tone at the Federal level to prioritize safety in planning and policy.

We look forward to working with you and your Administration to ensure people in this country can move about their communities safely.

Forward Pinellas joined the list of signatories and submitted its letter on February 26, 2020.