



**LEGISLATIVE COMMITTEE  
MEETING AGENDA**

**March 8, 2023 – 11:00 a.m.**

333 Chestnut Street, Clearwater  
The Palm Room

**THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY**

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- 1. CALL TO ORDER**
- 2. APPROVAL OF MINUTES FROM JANUARY 11, 2023**
- 3. TRANSPORTATION BILLS OF INTEREST**
- 4. HOUSING BILLS OF INTEREST**
- 5. OTHER BILLS OF INTEREST**
- 6. ADJOURNMENT**

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*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 8, 2023**



**2. Approval of Minutes from January 11, 2023**

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**SUMMARY**

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

**ATTACHMENT(S):** Minutes of the January 11, 2023 Legislative Committee Meeting

**ACTION:** Committee to review and approve the meeting minutes.

**FORWARD PINELLAS  
LEGISLATIVE COMMITTEE MEETING SUMMARY  
JANUARY 11, 2023**

Committee Members in Attendance:

Vice Mayor Patti Reed, City of Pinellas Park, Committee Chair  
Councilmember David Allbritton, City of Clearwater, Forward Pinellas Treasurer  
Commissioner Dave Eggers, Pinellas County  
Commissioner Janet Long, Pinellas County, Forward Pinellas Chair (non-voting attendee for this meeting until appointment confirmed by the full board)

Also Present:

Whit Blanton, Executive Director  
Linda Fisher, Principal Planner  
Tina Jablon, Executive Administrative Secretary

The Forward Pinellas Legislative Committee met in the Palm Room at the Pinellas County Communications Building; 333 Chestnut Street, Clearwater.

1. CALL TO ORDER

Vice Mayor Reed called the meeting to order at 11:02 a.m.

2. APPROVAL OF MINUTES FROM NOVEMBER 9, 2022

A motion was made by Councilmember Allbritton and seconded by Commissioner Eggers, and carried unanimously, to approve the minutes from the November 2022 meeting. (vote: 3-0; Commissioner Long non-voting attendee)

3. FOLLOW-UP TO FLORIDA POLITICS ESSAY ON PEDESTRIAN UNDERPASSES

Whit Blanton updated the committee on a recent article in the Times where Senator Hooper walked back his erroneous claims that previously appeared in his Florida Politics editorial. In follow up to the senator's claims that the underpass would increase criminal activity in the area, Forward Pinellas staff spoke to the Sheriff's Office and Pinellas County staff and were advised there is no evidence of such at other similar underpasses. He further advised that emails have been received from citizens advising they would use the underpass once built.

Councilmember Allbritton stated that he followed up with the City of Clearwater regarding concerns expressed by the local business owners relating to signage. He found that signage for the businesses impacted by the underpass construction would likely not need to be modified. Commissioner Eggers pointed out that this is largely because the underpass will only raise the roadway 10 feet, which is less than originally perceived by the business owners.

Mr. Blanton stated that Councilmember Beckman, City of Clearwater, advised that there is also a group of citizens in the Countryside neighborhood off Northside Drive that is opposed to the overpass construction there.

4. BILLS OF INTEREST

Linda Fisher alerted the group that bills have begun to be filed.

***SB 64: Department of Transportation***

Whit Blanton summarized the proposed bill, which would impose a cap on transit expenditures from the State Transportation Trust Fund to no more than 20% of annual expenditures. He reminded the committee members that the Trust Fund is mostly funded through fuel taxes and document stamp fees, and covers all transportation modes. There are no other caps for other modes. He advised that the state spends money on public transit only where there is a local match and that Miami-Dade and Broward are poised to meet those criteria and could receive a large share of state funds as a result. He expressed concern that this could impede other communities from receiving funding.

Mr. Blanton stated that Senator Hooper has previously said that the Florida Department of Transportation (FDOT) requested this bill. However, Mr. Blanton has been advised by FDOT staff that it was actually drafted by asphalt manufacturing and roadbuilding lobbyists. Mr. Blanton expressed his desire for metropolitan planning organizations to determine whether a cap is appropriate. He asked the committee to authorize him to engage with Senator Hooper and suggested drafting a letter to do so.

There was some extemporaneous discussions about electric vehicles and alternative methods of taxation to address decreases in gas tax revenues.

Whit returned the discussion to SB 64 and asked for a recommendation to send a letter.

Commissioner Eggers requested clarification about the concern regarding the bill. He emphasized his support for ensuring roads and crumbling infrastructure is adequately funded for repair and maintenance.

Whit reiterated that the bill creates an artificial cap on one form of transportation (transit), and there will be unintended consequences to such limitations.

Councilmember Allbritton made a motion to write a letter outlining concerns and encouraging more discussion, but not expressly opposing the bill. Commissioner Eggers seconded the motion and it carried by unanimous vote. (3-0; Commissioner Long non-voting attendee)

#### ***HB 41: Land Development Initiative and Referendum Process***

Linda Fisher outlined the details of the bill, explaining that it would preempt any local government from requiring a referendum to amend its land development regulations, and would invalidate any such referenda held after June 1, 2011. She further advised that while this type of referendum requirement is rare, within Pinellas County, it would impact the Town of Redington Beach. There is currently no Senate companion bill.

#### ***Proposed Mixed-Use Housing Bill (no number yet)***

Ms. Fisher explained that this draft bill contains provisions attributed to Senator Passidomo, incoming Senate President, that have been circulated for review by the Florida League of Cities. The bill would build upon the preemption provisions of HB

1339 from 2020 and SB 962 from 2022, but this time focus on commercial rather than industrial land. The bill has not yet been filed. Ms. Fisher cautioned that the bill, if passed, could significantly increase densities and building heights. She outlined the details of the major provisions of the bill as follows:

- A mixed-used housing development would be allowed on any commercially zoned property if 20% of the units are set aside as affordable, with a commitment of 30 years.
- The development would be entitled to highest residential density allowed in the local government's jurisdiction, with a maximum height equal to the tallest building located within one mile of the development or three stories, whichever is higher.
- If the statutory requirements are met, the local government would be required to administratively approve the development, without a public hearing.
- Those provisions would preempt any other state, county, or city limitations currently in place, including city charter limitations.
- In addition to the development-specific requirements, the draft bill would require all cities and counties to adopt density bonus regulations for affordable housing if not currently in place.

Commissioner Eggers expressed concern that while the Legislature is all for affordable housing in theory, it is not being backed up with funding.

Whit Blanton stated there have been concerns expressed around the state about the ability for local governments to preserve community character if the bill is passed.

### ***HB 155: Tampa Bay Area Regional Transit Authority (TBARTA)***

Ms. Fisher stated that a new bill has been proposed to abolish TBARTA, which was expected. However, it also abolishes the Chairs Coordinating Committee (CCC.) While originally associated with TBARTA, it has grown into its own entity, the Sun Coast Transportation Planning Agency (SCTPA.)

Whit Blanton suggested enlightening the sponsor, Representative Holcomb, who represents Pasco/Hernando, of the potential unintended consequences that could result, specifically the impacts to the SCTPA.

### **5. DRAFT BILL LANGUAGE FOR VIRTUAL MEETING PARTICIPATION**

Linda Fisher reminded the committee that it had previously made allowances for virtual meeting participation a priority for potential changes to current state law. However, the idea has not gained traction elsewhere. Ms. Fisher advised she took the liberty to draft proposed bill language. She asked the committee for permission to shop for a bill sponsor.

In response to query by Commissioner Eggers about allowing advisory committees to meet 100% virtually, Whit advised that lower quorum thresholds have already been implemented to ensure the ability to continue conducting business.

Commissioner Eggers emphasized the benefits of in person meetings. After which, there was discussion about quorum thresholds, committee membership bias resulting from in person requirements, the recent decline in committee membership since returning to in person meetings post pandemic, citizen participation and equipment provisions. It was suggested that some of the meetings remain in person throughout the year even if virtual meetings are permitted.

Ultimately, the committee gave permission to look for a sponsor for the draft bill.

6. STATE LEGISLATIVE COMMITTEE MEMBERS

Referring to the agenda packet, Linda Fisher alerted the members that a listing was provided of the state legislative committees and corresponding membership. Information was also provided about changes to the House committee structure that were made this year. The committee members praised the usefulness and thoroughness of the documents.

7. OTHER ITEMS NOT ON THE AGENDA

Mr. Blanton suggested the committee forego its scheduled February meeting to avoid some scheduling conflicts with other meetings occurring that day, including a Forward Pinellas Board orientation. The members agreed to cancel the February meeting. Staff will provide any important updates via e-mail, and discuss at the board meeting if needed.

Mr. Blanton alerted the committee members that conversations are ongoing about the possibility of forming a regional metropolitan planning organization. This was followed by extensive discussion about the process, timing, potential regional board composition, pros and cons of doing so, the importance of maintaining a local voice, and what would happen to the Pinellas Planning Council.

8. ADJOURNMENT

There being no additional items for discussion, the meeting adjourned at 11:59 a.m.

### **3. Transportation Bills of Interest**

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#### **SUMMARY**

[Senate Bill \(SB\) 64](#), filed by Senator Hooper, was discussed as a bill of concern by this committee at its January meeting. The bill has since been amended to eliminate the provision that no more than 20 percent of annual revenues from the State Transportation Trust Fund may be committed annually for public transit projects. At a Senate Transportation Committee meeting on February 21, Senator Hooper stated that the principal objection to the limitation had come from south Florida, but that he had spoken to other parties with similar concerns around the state. The bill has passed one of its three committees.

Its companion [House Bill \(HB\) 425](#), filed by Representative Esposito, was also amended to remove the public transit spending limitation. However, it has been further amended to direct the Florida Department of Transportation to establish standards to assess whether roads on the State Highway System are compatible with the operation of autonomous vehicles. It also establishes the Implementing Solutions from Transportation Research and Evaluating Emerging Technologies Living Lab (I-STREET) at the University of Florida. A similar I-STREET bill was proposed last year, but was unsuccessful. The bill has passed one of its three committees.

[SB 588](#), filed by Senator Rodriguez, and [HB 657](#), filed by Representative Koster, would allow local governments to enforce speed limits in school zone through speed detection systems. Similar, unsuccessful legislation has been proposed in previous years. Neither bill has been heard by any of its three committees.

**ATTACHMENT(S):** “Florida lawmakers look to the future to get roads ready for driverless cars.” *Florida Politics*, February 22, 2023.

**ACTION:** None required; informational item only.



## Florida lawmakers look to the future to get roads ready for driverless cars

*Gabrielle Russon*

'This bill will bridge the gap in our infrastructure and prepare Florida for autonomous vehicles and other emerging technologies.'

A House transportation subcommittee approved a bill that seeks to regulate the roads for the future of driverless cars.

“This bill will bridge the gap in our infrastructure and prepare Florida for autonomous vehicles and other emerging technologies,” said the bill’s sponsor, Rep. **Tiffany Esposito**.

One section of HB 425 requires the [Florida Department of Transportation](#) to establish updated rules for the Florida State Highway System.

“When we talk about autonomous vehicles on the road, we want it to be safe,” said Rep. **Fiona McFarland**, the Sarasota Republican who chairs the Transportation & Modals Subcommittee, during Wednesday’s hearing.

“Florida roads are not graded or categorized according to their compatibility with autonomous vehicles,” according to the House staff analysis of the bill. “Autonomous vehicles are equipped with advanced sensors, such as radar, LIDAR, or cameras; and computing abilities to perceive surroundings and activate steering, braking, and acceleration actions without operator input.”

McFarland said the bill sets standards for road construction “whether that’s the brightness of the photoluminescent or the specific paint that we use in the road lines” for the autonomous vehicles’ sensors.

“The standards don’t exist across the country. With Rep. Esposito’s bill, we have an opportunity to put Florida on the map as the safest roads for autonomous vehicles to operate,” McFarland went on to say.

Other legislators voiced concerns about their fears of autonomous cars, or jokingly asked Esposito if she got comment from the futuristic cartoon family Jetsons, known for their self-flying cars, while



putting together her bill.

“I’m from a different era. I’d like to see somebody behind the wheel of a car,” said Rep. **Yvonne Hayes Hinson**, a Democrat from Gainesville. “Explain to me what it is you’re recommending about these autonomous vehicles. Are they going to be on the road with me — without a driver? What’s going on with the autonomous vehicles?”

Esposito, a Republican from Fort Myers who was elected in 2022 and was defending her first-ever bill, assured Hinson the bill doesn’t address autonomous vehicles themselves but only deals with the standards of the highway system and develops a grading system for the driverless vehicles.

In the end, the House subcommittee approved the bill 17-0.

#### **4. Housing Bills of Interest**

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##### **SUMMARY**

As previously discussed, [Senate Bill \(SB\) 102](#), filed by Senator Calatayud, is an omnibus housing bill that directs new funding to various existing affordable housing programs, creates a tax credit program for corporations to donate to affordable housing, deletes statutes enabling rent control, and preempts local regulation of density and height for residential and mixed-use developments on commercial land if at least 40% of the units are affordable. Local governments may not restrict density for these developments below the maximum permitted standard within the jurisdiction, and may not restrict building heights below the tallest permitted building height within one mile or three stories, whichever is greater.

SB 102 was referred to only two committees, has already passed both of them, and is awaiting scheduling for a Senate floor vote. Its companion [House Bill \(HB\) 627](#), filed by Representative Busatta Cabrera, has not yet been heard by any of its three committees.

[SB 1212](#), filed by Senator Rodriguez, would exempt the Florida Keys from the provisions of last year's SB 962, which allows a local government to approve a residential or mixed-use development on any residential, commercial or industrial parcel, notwithstanding any other law, as long as 10 percent of the units are affordable housing. The bill states that the exemption is for Areas of Critical Concern, a state designation for environmental sensitive areas, but references the statute that governs the Keys specifically. The bill has not been referred to any committees thus far, and no house companion has been filed.

**ATTACHMENT(S):** “Florida housing bill moves forward despite questions about local rent control ban.” *Tampa Bay Times*, February 8, 2023.

**ACTION:** None required; informational item only.

# Tampa Bay Times

## Florida housing bill moves forward despite questions about local rent control ban

*News Service of Florida*

Published Feb. 8

TALLAHASSEE — A priority of Senate President Kathleen Passidomo to make housing more affordable for workers started to move forward Wednesday despite some questions about issues such as preventing rent controls.

The Senate Community Affairs Committee unanimously backed the wide-ranging bill ([SB 102](#)), which would provide incentives for private investment in affordable housing, preempt local government rules on zoning, density and building height in certain circumstances, encourage mixed-use development in struggling commercial areas and bar local rent controls.

The bill, dubbed the “Live Local Act,” carries a \$711 million price tag.

Community Affairs Chairwoman Alexis Calatayud, a Miami Republican who is sponsoring the bill, said the goal is that housing costs would not exceed 30% of families’ household incomes.

“We need to make sure Floridians can live close to good jobs, schools, hospitals and the critical centers of their communities in a way that fits comfortably within their household budgets,” Calatayud said.

But Democrats said setting a definition of affordable at 120% of an area’s median income will have different impacts across the state, with affordable rentals in Miami starting at \$2,200 for a one-bedroom apartment.

Sen. Lori Berman, D-Delray Beach, said the proposal is a way to start addressing the “affordable housing crisis.”

“Putting more money into affordable housing has to be a benefit for the state, but we are going to have to have accountability,” Berman said.

Berman and others questioned prohibiting local rent controls, as Orange County voters last year approved limits on how much landlords can raise rates. The change hasn’t taken effect because of a legal challenge by the industry groups Florida Realtors and the Florida Apartment Association.

“This is paid sick leave all over again, where the voters in Orange County said we want to put this requirement on business, and it was just a few months later that the Legislature preempted it,” Florida AFL-CIO lobbyist Rich Templin said. “And now we’re looking at that again.”

In 2013, the Legislature approved a bill that prevented local governments from setting sick-leave standards for workers after a citizens petition went to the Orange County Commission on the issue.

Several Republican lawmakers said rent control would hinder affordability efforts in Orange County.

“The only thing that’s going to cure this housing shortage issue and the cost and the spikes of rent is supply,” Sen. Jonathan Martin, R-Fort Myers, said. “The supply has to be increased dramatically.”

The bill would direct \$150 million a year in documentary stamp tax revenues from real estate transactions to the State Housing Trust Fund, with 70% of the money focused on converting existing structures into “attainable” housing and projects near military installations. The remaining 30% would go to housing for seniors, young adults aging out of foster care and projects in rural areas.

Another \$252 million would be moved into the State Housing Initiatives Partnership, or SHIP, program, while \$259 million would go to the State Apartment Incentive Loan, or SAIL, program. Those are longstanding programs designed to boost affordable housing.

The proposal also would add \$100 million to the Hometown Heroes program, which was [created last year](#) to help people such as teachers, health care workers and police officers buy homes.

Calatayud said about half of the current funding for Hometown Heroes has been used.

Another \$100 million would be set aside to offset inflation at new construction projects.

The state budget for the current year includes \$362.7 million for affordable housing, with \$209 million going to SHIP.

The bill also seeks to ease local regulations related to such things as zoning, density and height to try to clear the way for multi-family developments in commercial areas.

An incentive labeled “missing middle” would offer tax exemptions on newly constructed developments of 70 or more units that set aside units for tenants who meet certain income requirements.

Developers also could receive property tax breaks when land is owned by nonprofit organizations and leased for at least 99 years to provide affordable housing.

Identical legislation ([HB 627](#)) was filed Monday in the House by Rep. Demi Busatta Cabrera, R-Coral Gables. The bills are filed for the legislative session that will start March 7.

*By Jim Turner, News Service of Florida*

**5. Other Bills of Interest**

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**SUMMARY**

[Senate Bill \(SB\) 882](#), filed by Senator Brodeur, and [House Bill \(HB\) 885](#), filed by Representative Plasencia, would amend the statute governing the local government infrastructure surtax, which governs the Penny for Pinellas program. While the surtax is currently limited to funding capital expenditures for infrastructure, the bill would expand that allowance to include infrastructure maintenance and operational costs. SB 882 has not been heard by any of its three committees. HB 885 is currently in the Ways & Means Committee and has also been referred to the Local Administration, Federal Affairs & Special Districts Subcommittee and State Affairs Committee.

[SB 740](#), filed by Senator Brodeur, would create a Statewide Blue Ribbon Task Force on County Realignment within the Department of Economic Opportunity. The purpose of the task force would be to “review whether changing county boundaries to address population shifts would help local governments provide more efficient local services and more effective public administration.” The bill has not yet been heard by any of its three committees, and there is no House companion bill.

**ATTACHMENT(S):** None

**ACTION:** None required; informational item only.