



**LEGISLATIVE COMMITTEE
MEETING AGENDA**

October 12, 2022 – 11:00 a.m.

333 Chestnut Street, Clearwater
The Palm Room

THE PLANNING COUNCIL AND METROPOLITAN PLANNING ORGANIZATION FOR PINELLAS COUNTY

1. **CALL TO ORDER**
2. **APPROVAL OF MINUTES FROM APRIL 13, 2022**
3. **ELECTION OF NEW COMMITTEE CHAIR**
4. **UNFUNDED LOCAL SUPPORT GRANTS**
5. **STATE COMMENT ON GAINESVILLE'S MISSING MIDDLE HOUSING ORDINANCE**
6. **PROPOSED PREEMPTION OPT-OUT BILL**
7. **APA-FL 2023 LEGISLATIVE PLATFORM**
8. **PRELIMINARY DISCUSSION OF 2023 LEGISLATIVE PRIORITIES**
9. **2023 SESSION DATES**
10. **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 – October 12, 2022



2. Approval of Minutes from April 13, 2022

SUMMARY

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

ATTACHMENT(S): Minutes of the April 13, 2022 Forward Pinellas Legislative Committee Meeting

ACTION: Committee to review and approve the meeting minutes.

**FORWARD PINELLAS
LEGISLATIVE COMMITTEE MEETING SUMMARY
APRIL 13, 2022**

Committee Members in Attendance:

Mayor Cookie Kennedy, City of Indian Rocks Beach, Forward Pinellas Chair
(*Representing the Beach Communities*)

Commissioner Dave Eggers, Pinellas County

Councilmember Bonnie Noble, Town of Kenneth City

Vice Mayor Patti Reed, City of Pinellas Park

(*Representing the Inland Communities*)

Absent

Councilmember Brandi Gabbard, City of St. Petersburg, Committee Chair

Councilmember David Allbritton, City of Clearwater, Forward Pinellas Treasurer

Commissioner Janet Long, Pinellas County, Forward Pinellas Vice Chair

Vice Mayor Michael Smith, City of Largo

Also Present:

Whit Blanton, Executive Director

Linda Fisher, Principal Planner

Tina Jablon, Executive Administrative Secretary

Chris Hawks, City of Largo

Nicole Delfino, City of Dunedin

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

1. CALL TO ORDER

Mayor Kennedy called the meeting to order at 11:15 a.m. and advised she was filling in for Councilmember Gabbard, the committee's chair.

2. APPROVAL OF MINUTES FROM MARCH 9, 2022

A motion was made by Vice Mayor Reed and seconded by Councilmember Noble, and carried unanimously, to approve the minutes from the March meeting. (vote: 4-0)

3. LEGISLATIVE SESSION WRAP-UP

Linda Fisher updated the committee members on the final outcomes and associated local impacts on the bills of interest that were followed throughout the Florida Legislative Session, which included:

- Residential Development Projects and Affordable Housing (SB 962)
- Local Business Protection Act (SB 620)
- Radio Communication Systems (SB 1190)
- Net Metering (HB 741)
- Local Tax Referenda Requirements (HB 777)
- Individual Freedom (HB 7)

Committee member questions were answered and some minor discussion ensued relative to the net metering and affordable housing bills.

Ms. Fisher also alerted the committee of the bills that only made it through one chamber, but ultimately failed. She advised many of these bills are likely to return next session.

Ms. Fisher provided an overview of the state budget for FY 22-23, highlighting items of interest to local governments and Forward Pinellas specifically. The total budget was a record \$112B, which included:

- \$12.7B to transportation, which is an increase of 23% from the prior year
- \$262M to affordable housing, which is an increase of 25% from the prior year
- \$100M for the Home Town Heroes
- Three infrastructure earmarks for Oldsmar, Madeira Beach and Redington Beach

The budget is subject to approval by the governor who has advised he plans to veto some items. Once signed, the budget will take effect on July 1st.

4. FEDERAL FUNDING UPDATE

Whit Blanton alerted the committee that due to the passing of an appropriations act, the Bipartisan Infrastructure Law funds are now beginning to flow and equate to \$1.5T in discretionary funding. Funds will go through the Department of Transportation, the Department of Housing and Urban Development and other agencies.

He further reminded the members that April 14th is the deadline to submit applications for Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants. Pinellas County plans to submit one for Joe's Creek and the Pinellas Suncoast Transit Authority (PSTA) plans to submit for the Clearwater Multimodal Center.

5. SUMMER RECESS

Whit Blanton suggested the committee reconvene in September or October to begin drafting the legislative priorities for the next Florida Legislative Session. He further stated that the summer months would be used to begin talks with partners at the staff level on aligning priorities. Commissioner Eggers stated he thought October would be a good month to start meeting again. Mr. Blanton agreed and advised that staff would have some draft priorities ready for the committee to review at that time. He further stated that the priorities could then be approved by November.

Mayor Kennedy inquired if any members had any thoughts at present to guide staff in the development of the preliminary priorities. She suggested topics such as vacation rentals, mixed use development, affordable housing or industrial lands. Mr. Blanton also suggested the topics of speed management in school zones and virtual meeting provisions for advisory committees.

6. ADJOURNMENT

There being no additional items for discussion, the meeting adjourned at 12:08 p.m.

Legislative Committee – October 12, 2022



3. Election of New Committee Chair

SUMMARY

Last month the board appointed new members to the Forward Pinellas Legislative Committee to include Councilmember Brandi Gabbard, Commissioner Dave Eggers, Councilmember David Allbritton and Vice Mayor Patti Reed. A chair will need to be selected by the committee to be affirmed by the full board.

ATTACHMENT(S): None

ACTION: Committee to select new chair for FY 2022-23

4. Unfunded Local Support Grants

SUMMARY

Governor DeSantis did not release funding for \$175 million in local support grants by the state budgetary deadline of September 30, nullifying the awards. Local support grant funding was included as an item in the state budget approved on June 2, with individual projects selected by the Joint Legislative Budget Commission in September.

The list of approved projects included the West Klosterman Preserve and a University of South Florida St. Petersburg facility to house the Florida Flood Hub for Applied Research & Innovation. The Governor's decision to withhold funding was not announced ahead of the deadline's expiration.

ATTACHMENT(S): "DeSantis rejects \$175 million in projects in latest brush with state lawmakers." *Tampa Bay Times*, October 6, 2022

ACTION: None required; informational item only.

DeSantis rejects \$175 million in projects in latest brush with state lawmakers

Lawrence Mower, Tracey McManus

October 6, 2022

TALLAHASSEE — The \$2.5 million that a panel of lawmakers [granted last month](#) to the West Klosterman Preservation Group was supposed to save the 14 acres of untouched forest in Pinellas County from development.

But the grant was killed along with financial pledges for scores of other projects across the state after Gov. Ron DeSantis failed to take a necessary step to distribute the money.

The awards were part of a provision for “local support grants” tucked in the state budget that the governor had signed in June.

The panel of lawmakers awarded 238 projects last month across Florida worth [\\$175 million, including more than 30 in Tampa Bay](#). The two-year battle to save the West Klosterman land appeared won.

But with no announcement, DeSantis failed to distribute the money to state agencies by a Sept. 30 deadline dictated by state law, meaning the \$175 million of local projects across the state are now unfunded.

“The Preserve is environmental resiliency,” said Kay Carter, treasurer of the West Klosterman group. “I feel it is short-sighted to continue to leave projects like this unfunded and unprotected.”

With the state flush with billions of dollars in reserves, the move is a not-so-subtle dig at Republican lawmakers and the latest assertion of power from Florida’s boundary-pushing governor.

DeSantis’ office did not respond to multiple requests for comment.

Although legislators [enacted DeSantis’ hard-right agenda](#) this year, the governor vetoed [more than \\$3.1 billion from the budget](#) that included top priorities for Republican leaders.

The provision for local support grants was supposed to be a way for legislators to still fund some projects in light of the vetoes. Rep. Chris Latvala, R-Clearwater, sponsored the local grant request for the West Klosterman land after an appropriation for the group was part of DeSantis’ veto list earlier in the year.

However, after the Joint Legislative Budget Commission named the grant recipients last month, DeSantis was still required to spell it out in a memo for state agencies to distribute the funds.

The state budget — [which DeSantis signed into law](#) — said, “the Executive Office of the Governor shall submit (the memo) ... no later than September 30, 2022.”

Because the deadline came and went without the governor taking action, the money now goes back into the state coffers.

House Speaker Chris Sprowls, R-Palm Harbor, who championed the idea behind the support grants, didn’t respond to a message seeking comment.

The 33 now unfunded projects in Hillsborough, Pasco and Pinellas counties included environmental, public safety and infrastructure projects that local leaders saw as critical priorities.

The city of Clearwater lost \$500,000 that would have helped build wave attenuation walls on the downtown waterfront, which Mayor Frank Hibbard said is an infrastructure need for natural disasters like Hurricane Ian.

“I’m very disappointed that the item was originally vetoed and now lost in this process,” Hibbard said. “We’re trying to harden the marina for events like we just experienced in Florida.”

The list of lost projects also includes \$3 million for the creation of the Pinellas County Sheriff’s Office High Liability Training Center to help [hone pursuit skills for law enforcement officers](#).

Sheriff Bob Gualtieri declined to comment.

The University of South Florida St. Petersburg took the biggest loss: \$15 million now for a facility to house the Florida Flood Hub for Applied Research & Innovation.

Zephyrhills was in line for \$2.75 million for a new indoor athletic center at the Sarah Vande Berg Tennis and Wellness Center, which will now be put on hold, said City Manager Billy Poe.

Latvala, who sponsored grant requests for nine local projects totaling \$6.4 million, declined to comment about the loss of funds.

The governor’s decision not to assign the money is just the latest expansive use of DeSantis’ power.

Lawmakers [on both sides of the aisle](#) have questioned his use of state money to send migrants to Martha’s Vineyard last month.

Although the state budget said the program had to be used to send migrants “from this state” to other states, DeSantis said [he couldn’t find migrants](#) in Florida. He has spent more than \$1.5 million to send migrants from Texas to Martha’s Vineyard.

One state lawmaker [is suing him over the discrepancy](#). Neither DeSantis nor his spokespeople have provided any details about how the program complies with the law.

When the Legislature this year imposed penalties on school districts that enacted mask mandates in fall 2021, against the rules and guidelines set forth by his administration, DeSantis [told the Department of Education to ignore the law](#).

And in August, DeSantis removed Hillsborough County State Attorney Andrew Warren for signing on to memos stating he wouldn’t enforce laws restricting abortion or transgender health care.

The move was considered an extraordinary reach of the governor’s powers. Warren has sued in federal court, alleging his free speech was violated, and the case is set to go to trial in federal court later this year.

Times staff writer Barbara Behrendt and the News Service of Florida contributed to this report.

5. State Comment on Gainesville’s Missing Middle Housing Ordinance

SUMMARY

The Florida Department of Economic Opportunity (DEO), the state agency that reviews local government comprehensive plan amendments, has issued a comment to the City of Gainesville opposing its effort to allow zoning for “missing middle” housing in single-family neighborhoods. Missing middle housing is a term used to describe small multifamily buildings (e.g., duplexes/triplexes, garden apartments, small townhome developments) that can fit within the scale of a single-family neighborhood, and is an important tool for local governments seeking to promote market-rate housing that is affordable to households with a broad range of incomes.

DEO conducts technical reviews of comprehensive plan amendments based on consistency with state law. The comment to Gainesville, which is highly unusual in its editorial content and vehemence, argues that allowing missing middle housing is “an ineffective approach to providing affordable housing,” implemented in “a careless way that will result in the opposite effect than the purpose it was proposed for.” It exhorts the City to withdraw the amendment.

A DEO review may result in objections, recommendations and/or comments to local governments. Of those, only objections are legally binding and require corrective action from the local government before the amendment can proceed. Since the letter to Gainesville contains only a comment and recommendation, it is simply a statement of opinion by DEO and does not need to be addressed by the City. However, it signals a politicization of the comprehensive review process.

Given the high profile of this emerging state policy direction, it is also likely that preemption bills to formally implement it will be filed during the 2023 session. Forward Pinellas staff will continue to monitor this issue and keep the committee apprised.

ATTACHMENT(S): “Gov. Ron DeSantis’ Administration Tells Florida Town to Abandon Zoning Reform.” *Reason Magazine*, September 13, 2022

ACTION: None required; informational item only.

Gov. Ron DeSantis' Administration Tells Florida Town to Abandon Zoning Reform

Christian Britschgi

Across the country, a growing number of state politicians are proposing or passing laws that override localities' ability to say no to new development. In Florida, Republican Gov. Ron DeSantis' administration is actively urging cities to knock off zoning reforms that legalize more housing.

Last week, Florida's Department of Economic Opportunity (DEO) sent a comment letter to Lauren Poe, Gainesville's mayor, recommending that the city withdraw a provisionally approved [zoning amendment](#) that allows two-, three-, and four-unit homes to be built in neighborhoods that were once zoned exclusively for single-family homes.

The legalization of this so-called "missing middle" housing "results in a scattered, unplanned, unfocused, and untenable approach to providing affordable housing," [reads](#) the department's letter, first [reported](#) by *The Independent Florida Alligator*. "This approach may result in fewer opportunities for providing access to affordable housing."

"I find it interesting that probably the most progressive [city] commission in the state of Florida is pushing to allow more property rights to bring down housing prices," counters Gainesville City Commissioner Adrian Hayes-Santos, who supported the city's zoning reforms. "A Republican executive branch under DeSantis is trying to stop people having more property rights."

In a tight [4-3 vote](#) last month, Gainesville passed a zoning code amendment that allows up to four homes to be built on residential land citywide. The amendment also shrank the city's minimum lot size and setback rules, meaning newly legalized units can take up more land on smaller lots.

Proponents argue that allowing more housing units on individual parcels will grow supply and allow renters and homebuyers to split the increasing costs of land among more families. Both should make housing more affordable. After all, Gainesville's [population](#) is growing faster than its housing stock.

This same logic has undergirded "missing middle" reforms in states like Oregon, [California](#), and [Maine](#), along with cities like [Minneapolis](#).

DEO raised a number of criticisms of Gainesville's approach. It argued that new rental housing stock would all be snatched up by the growing student population at the University of Florida, without benefiting city residents.

It also said the city hadn't done the necessary analysis of the strain increased citywide density would put on infrastructure, schools, and other public resources. The department said Gainesville had failed to study the impact of multifamily housing on the "character" and "stability" of single-family neighborhoods.

The letter echoes criticisms made by Gainesville neighborhood activists who've vocally opposed zoning reform, and [who are threatening to sue](#) the city if it moves ahead with a second, finalizing vote on the reforms.

The DEO's letter seems intent on bolstering that impending lawsuit, saying that if Gainesville fails to resolve the department's comments, then those comments "could form the basis of a challenge to the amendment."

Hayes-Santos argues that the DEO letter has numerous inaccuracies and conceptual flaws. The University of Florida's student population has remained flat for a decade, meaning new housing won't just benefit college students, he says. The idea that allowing more housing supply will make housing affordability worse just doesn't make sense, he adds.

"I believe this is a politically motivated thing," says Hayes-Santos.

Zoning reform is becoming a bipartisan movement, and it's not hard to see why. Free market advocates and conservatives see in it the promise of less regulation and enhanced property rights. Liberals and progressives like the idea of denser housing leading to more environmentally friendly, inclusive neighborhoods.

California Gov. [Gavin Newsom](#), a Democrat, has endorsed a slew of YIMBY ("yes in my backyard") reforms and beefed up state departments tasked with cracking down on anti-development jurisdictions that thwart state housing laws. Virginia Gov. [Glenn Youngkin](#), a Republican, has fired rhetorical broadsides against restrictive zoning laws and the local governments that enforce them.

The federal [YIMBY Act](#), a modest bill that requires jurisdictions receiving some federal grants to report on barriers to new housing construction, has managed to attract co-sponsors like conservative Sen. Tom Cotton (R–Ark.) and progressive Sen. Brian Schatz (D–Hawaii).

The flip side is that opposition to zoning reform also appears to cut across partisan lines. Florida's Republican-run state government is offering the same critiques of fourplex legalization that you might hear from progressive and socialist activists in Berkeley or San Francisco.

Hayes-Santos says the state's opposition isn't going to force the city to change course. He says they'll move ahead with a required second vote on the zoning amendment.

Next month, Gainesville is set to vote on abolishing requirements that new developments come with a minimum number of parking spaces—[another prized YIMBY reform](#).

6. Proposed Preemption Opt-Out Bill

SUMMARY

Mayor David Will of Redington Beach is asking the committee for its consideration of a proposed bill that would allow citizens to vote to override state preemption laws in their communities.

The bill would allow a local referendum to opt out of any statute that “expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to the [local government’s] home rule authority.” This novel approach would allow voters to directly express their desires to state legislators, independent of the local governments who are the targets of preemption legislation.

The proposed bill does not yet have a legislative sponsor. The Mayor is seeking the committee’s input and consideration of support for the bill.

ATTACHMENT(S): Proposed Preemption Opt-Out Bill

ACTION: Committee to provide direction to staff.

A bill to be entitled

An act relating to laws of Florida which preempt local governments from adopting regulations regarding various matters at the local level; creating s. 125.01005 and 166.0315; authorizing the electors of the state's municipalities and counties to opt out of statutory preemptions of local regulations by referendum vote; providing for the effect of votes approving of an opt out; providing an effective date.

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

Section 1. 125.01005, Florida Statutes, is created to read:

125.01005 Preemption opt-out referendum. –

(1) Within one year of June 1, 2023, the electors within the unincorporated portions of a county may, by a referendum vote, opt out of any statute existing on that which statute expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to the county's home rule authority.

(2) Within one year of the effective date of any statute which becomes effective on or after June 1, 2023, and which expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to a county's home rule authority, the electors within the unincorporated portions of the county may, by a referendum vote, opt out of the statute.

(3) A referendum vote conducted pursuant to this section shall be scheduled by the county's governing board and shall be paid for by the county. The result of a referendum vote conducted pursuant to this section shall become effective on the date the result of the vote is certified by the canvassing board, and shall be codified in the county's code.

Section 2. 166.0315, Florida Statutes, is created to read:

166.0315 Preemption opt-out referendum. –

(1) Within one year of June 1, 2023, the electors within a municipality may, by a referendum vote, opt out of any statute existing on that which statute expressly preempts to the state the authority to adopt a local ordinance, resolution or rule pursuant to the municipality's home rule authority.

(2) Within one year of the effective date of any statute which becomes effective on or after June 1, 2023, and which expressly preempts to the state the authority to adopt a local ordinance,

resolution or rule pursuant to a municipality's home rule authority, the electors within the municipality may, by a referendum vote, opt out of the statute.

(3) A referendum vote conducted pursuant to this section shall be scheduled by the county's governing board and shall be paid for by the county. The result of a referendum vote conducted pursuant to this section shall become effective on the date the result of the vote is certified by the canvassing board, and shall be codified in the municipality's code.

Section 3. This act shall take effect June 1, 2023.

7. APA-FL 2023 Legislative Platform

SUMMARY

Each year, the Florida chapter of the American Planning Association (APA Florida) releases key position statements to help with advocacy efforts on legislative matters that affect local governments. The position statements assist APA Florida leadership in allocating time and resources when responding to and prioritizing the overwhelming volume of issues that develop in the course of the annual 60-day Legislative Session, and can be used by local governments to inform their own legislative priorities and guide conversations with legislators. The 2023 positions were approved at the APA Florida Annual Meeting on September 6, 2022.

ATTACHMENT(S): APA-FL 2023 Legislative Platform

ACTION: None required; informational item only.

APA FLORIDA 2023 LEGISLATIVE MISSION, GUIDING PRINCIPLES, and POLICY POSITIONS

The American Planning Association (APA) and its professional institute, the American Institute of Certified Planners (AICP), are organized to advance the art and science of planning and to foster the activity of planning – physical, economic, and social – at the local, regional, state, and national levels. The objective of the Association is to encourage planning efforts that will contribute to the public well-being by creating communities and environments that meet the needs of people and of society more equitably and effectively, as well as meeting the challenges engendered by our changing society, population, economy, and environment.

The Florida Chapter of the American Planning Association (APA Florida) serves APA members in the state and is the state-level resource for professional development and networking. The Chapter provides members the opportunity to share experiences with colleagues and to broaden perspectives. The Chapter holds an annual conference, educational workshops and professional development seminars, and AICP exam preparation courses, as well as provides information through a variety of communication tools. APA Florida also conducts legislative programs, sponsors training workshops, conducts an awards program, provides input to various elected officials, and provides public information to and about the planning profession. APA Florida collaborates with other professional organizations for education and interdisciplinary best practices.

APA Florida's Legislative Program and Positions represent a general consensus of the Chapter's views on the diverse areas of interest found in professional planning related to the State's annual Legislative Session. Developed over time, there is a consistency over the years intended to offer background and guidance as issues evolve, emerge or change on an annual basis. The Program is adopted by the members as part of the annual members meeting during APA Florida's Annual Conference. This ensures regular updates and timely support. It is regularly reviewed and updated by the Chapter's Legislative Policy Committee (LPC), made up of representatives of each local Section and numerous at-large appointments ensuring depth and breadth of expertise. The LPC submits the Program for review to APA Florida's elected Executive Committee before the annual meeting, where it is adopted as is or with amendments. General members unable to attend the annual meeting may vote on it by proxy.

The Guiding Principles are intended as a tool for any APA Florida member to use articulating APA Florida's position to one of their Legislators. It can also simplify a member's focus and foster the use of APA Florida's positions to communicate on issues arising before local and regional decision-makers. This format has been successful in broadening APA Florida's impact and increasing its effectiveness, as the Chapter works with its Sections to expand the planning constituency through participating in the legislative process.

The Policy Positions assist and guide members, the Executive Committee, the Legislative Representative and the Chapter Office in allocating time and resources when responding to and prioritizing the overwhelming volume of issues that arise during the annual 60-day Legislative Session. It enables the APA Florida leadership to refine and adapt the Chapter's legislative response to meet its most pressing needs and those of the profession. It further benefits the Executive Committee and Legislative Policy Committee, which convene on a year-round basis, in being able to articulate a stand on issues between annual meetings.

LEGISLATIVE MISSION

The Florida Chapter of the American Planning Association (APA Florida) provides statewide leadership in developing equitable, vibrant, and sustainable communities by promoting excellence in planning, providing professional development for its members, serving as the state's collective technical resource, building partnerships, and working to protect and enhance the natural and built environments through a strong public affairs and advocacy program.

GUIDING PRINCIPLES

APA Florida is committed to and supports policies, programs, funding, and legislation that:

- Create an **integrated and coordinated planning system** with clearly defined roles across all levels of government that reflects the long-standing commitment to growth management and is subject to judicial oversight and citizen input;
- Create **resilient and sustainable communities** through proper planning that focuses on sustainable resource management practices and adaptation to a changing climate;
- Encourage using **appropriate techniques** that foster economic development, create jobs, and promote a healthy statewide economy;
- Assure access to traditional and innovative funding mechanisms to **fully fund** existing and future infrastructure needs;
- Provide **equal access** to safe, dynamic, equitable, convenient, attractive and healthy environments with employment and economic opportunities, friendly neighborhoods, and education, recreation, and personal growth opportunities for all generations;
- Strengthen, improve and integrate current planning processes consistent with Florida's long-standing **commitment to growth management**, sustainable economic development, and healthy communities;
- **Balance public and private sector perspectives** in state, regional and local planning, policy development and decision-making that does not preempt local government authority;
- Support a long-range approach to **land and resource management** that conserves, protects, and enhances the state's natural resources;
- Effectively integrate the siting and planning of significant land uses with **greater public/private cooperation** and accountability;
- Provide open, collaborative, **meaningful and responsible citizen participation** and citizen standing and emphasizes dispute resolution alternatives as a preferred option to litigation; and
- Respect **local land use authority** and only pre-empt local regulation when there is a compelling state interest or need for statewide coordination.

POLICY POSITIONS¹

- **Adequate Public Facilities:** APA Florida supports programs and legislation that ensure that impacts to public infrastructure and facilities (in particular, schools, transportation, health care, water and wastewater) that occur as a result of new development are adequately mitigated in a timely and financially feasible manner and that the construction of infrastructure is compatible with the character of the local community. APA Florida supports revisions to Florida's growth management laws that alleviate conflicts between local government comprehensive planning requirements and state requirements for mitigation measures related to development impacts. APA Florida also supports revisions that assure accountability to the public and a dedicated, recurring source of funding for mitigation.
- **Affordable/Workforce Housing:** Shelter is a basic human need. APA Florida supports efforts to identify and remove regulatory, social and economic barriers to housing affordability for working families, elders, children, and people with disabilities. In order to increase the supply of safe, quality affordable housing for all, APA Florida supports efforts of public and private housing partners to develop and implement incentive strategies, including fully funding the Sadowski State and Local Housing Trust Fund.
- **Agriculture & Food Systems:** APA Florida supports programs designed to ensure the ongoing viability of agriculture in communities and the expansion of new opportunities for local and regional food systems and urban agriculture, such as community gardens, farmers markets, local produce stands, small food processors and food processing spaces.
- **Annexation:** APA Florida supports annexation policies or legislation that provide coordinated land use planning and efficient provision of infrastructure and services between cities and counties.
- **Brownfields:** APA Florida supports funding to provide sufficient additional tax credits and other incentives to ensure the continued success of Florida's Brownfield Programs in the future. Brownfields are abandoned, idled, or underused industrial and commercial properties where expansion, reuse, or redevelopment may be complicated by real or perceived environmental contamination.
- **Carbon Sequestration/Credits:** APA Florida supports the promotion of carbon sequestration and a carbon credit system, through the use of agriculture, silviculture, urban forestry practices and the continued protection of natural systems, and the implementation of cap-and-trade and other methods of achieving GHG reduction targets, which create a market for carbon credits. To promote Florida as a desirable location for investment by institutional investors and for economic development, APA Florida supports laws, regulations, and policies that reward companies for implementing programs that reduce energy use in their supply chain, invest in energy efficiencies, voluntarily report their carbon emissions that can be independently verified, and have internal practices that incentivize emission reductions.
- **Citizen Standing:** APA Florida supports the rights of citizens to meaningfully participate in the planning process and will oppose proposals to weaken citizen standing, as public participation is fundamental to an effective growth management process. Judicial decisions impacting citizen standing

¹ The Chapter's key position statements are listed below in alphabetical order, not in order of priority.

should be reviewed periodically to consider whether legislative amendments are necessary. APA Florida further supports the adoption and implementation of appropriate review standards to ensure a consistent and fair development review process for all participants in order to minimize the potential for disputes, and the utilization of dispute resolution alternatives as a preferred method to reduce litigation.

- **Climate Change:** APA Florida supports a growth management system at the state, regional and local level which recognizes and provides plans, incentives, standards, and regulations that address climate change adaptation and mitigation. APA Florida supports policies and programs, including APA's Climate Change Policy Guide, that will reduce long-term risk, promote economic development and sustainability, and provide transparent disclosure of the risk associated with climate change. APA Florida also supports state, regional and local policies, plans and safe development practices that promote sustainable Disaster Resistant Communities as a component of climate change resilience. Adaptation to climate change and mitigation of its impacts is important for the State's overall economy and the jobs that support it, business investments, infrastructure, the health of its people, and the conservation of its natural resources and protection of its natural amenities.
- **Community Engagement:** APA Florida strongly supports citizen access and public input to the planning process and is committed to improving citizen involvement. APA Florida supports an open and collaborative planning process that encourages meaningful citizen participation and environmental justice through reasonable notice, open public records and accessibility to all stages of the planning process, as well as promoting the use of citizen participation best practices at the local level.
 - APA Florida supports legislation that will clarify the use of technology, ie. virtual meetings to expand access to information and participation in public hearings and meetings.
 - APA Florida supports legislation that would permit governmental boards or agencies to conduct meetings using communication technology in lieu of a quorum being physically present.
- **Community Redevelopment:** APA Florida supports initiatives that promote quality urban development and redevelopment within our cities, especially new statutory and regulatory incentives for projects that involve infill development, job creation, and economic development. Infill development and redevelopment of blighted areas and of dilapidated or abandoned properties supports economic development and renewed essential services and infrastructure to improve the quality of life in our communities.
 - APA Florida also supports appropriate statutory and regulatory incentives to improve the form and pattern of development of areas with extensive antiquated and undeveloped subdivisions.
 - APA Florida supports legislation that preserves the home rule powers of local governments to create and effectively use community redevelopment agencies to redevelop and revitalize their declining areas, including the use of tax increment financing.
 - APA Florida supports local control and disposition of any disputes between local governments over the use of such agencies and financing and, to that end, supports current mechanisms for cities and counties to negotiate, establish, operate, and fund Community Redevelopment Agencies.

- **Economic Development:** APA Florida supports the attraction, development, and expansion of economically diverse mixed land uses to expand state and local economic bases and high-quality employment opportunities to be sustainable and resilient communities. To do so, all levels of government should ensure:
 - availability of appropriately entitled land and statewide economic development assistance and other incentives, consistent with each region’s adopted Comprehensive Economic Development Strategy;
 - adequate infrastructure;
 - conservation of high value ecosystems, natural land areas, and coastlines that attract employers and tourists alike;
 - development design that promotes community resiliency and proactive pre-disaster planning to preserve public health, safety and welfare;
 - an appropriate mix of housing choices; and
 - the availability of affordable quality education and training.

- **Energy Policy:** APA Florida supports State Energy Policies to meet the needs of the population of the State of Florida consistent with efficient conservation of natural resources, multi-modal transportation options, use of and allowing for alternative and renewable fuels, advanced vehicles, and other fuel-saving measures, and provision of electric power stations for public, personal, delivery and freight vehicles along major state and federal roadways. APA also supports flexible local land use planning programs that encourages a mix of uses and continues the requirement to allow for renewable and alternative fueling of homes, cars, pools, and businesses. A statewide Energy Policy should provide incentives for renewable energy projects and programs that create jobs, redevelop existing buildings and infrastructure, attract and retain existing businesses, and encourage the location of new industries in Florida, without compromising the State’s natural resources.
 - The energy policy should also address the best practices for life-cycle equipment disposal and emergency management strategies for battery related events.
 - State, regional and local policies should encourage the manufacturing, distribution and use of alternative and renewable energy sources rather than methods such as hydraulic fracturing, which significantly and negatively impact surface or sub-surface water and other environmental resources.

- **Equity:** APA Florida supports statutes and rules that promote an “equity in all policies” approach to ensure inclusive, culturally-competent, and equitable planning in all Florida communities. APA Florida supports strategies that build access to opportunity for all, recognize and plan with diverse communities and their members, and acknowledge and take action to address inequity. APA Florida supports efforts to dismantle planning processes and techniques that result in systemic racism and other discriminatory practices to promote just, equitable, and inclusive communities.

- **Everglades Restoration:** APA Florida supports Everglades Restoration and, to that end, encourages affected local governments to incorporate the needs of this restoration program into their land use decisions and comprehensive planning processes.

- **Finance & Taxation:** APA Florida supports an equitable approach to finance and taxation that enables communities to adequately address local needs and priorities. APA Florida supports simplifying and stabilizing Florida’s state and local revenue structure to provide diverse and adequate fiscal resources

to fully fund the existing and future infrastructure needs of the state on a continuing basis. APA Florida supports the re-examination of Florida's tax system to address inequities in such areas as ad valorem taxation and sales tax exemptions. APA Florida supports the creation of local options for taxation that may be necessary to enable communities to finance local needs.

- **Fiscally Sound Planning:** APA Florida supports comprehensive planning as an important foundation for economic development and job creation. These goals can only be realized if community infrastructure needs are fully funded. Local governments should be able to pursue flexible state and local option revenue sources to meet these important goals.
- **Florida Forever Act:** APA Florida is a member of the Florida Forever Coalition and supports funding for the Florida Forever Act. Furthermore, APA Florida opposes any diversion of funds from this program for other uses. APA Florida supports innovative land protection acquisition strategies.
- **Funding:** Effective planning and growth management requires adequate funding to address the challenges of Florida's growth. APA Florida supports provision of adequate funding for sound planning and growth management capabilities at all levels of government, with State Government being of primary importance as a model for regional and local efforts. APA Florida also supports growth management legislation that provides local government with the ability to obtain mitigation for impacts related to new development without restrictions that limit reasonable escalation in mitigation costs.
- **Governmental Roles:** APA Florida supports adjusting governmental roles to respect the capabilities of local and regional entities to implement the vision of individual communities and meet the long-term needs of the public at large. In general, governmental functions should be handled at the lowest level capable of a given task. Recognizing that State and local governments, Regional Planning Councils, and other governmental entities each play vital roles in managing growth, APA Florida supports legislative authority to support local planning and zoning options, as operating within the state framework is preferable to legislative mandate.
- **Hazard Mitigation:** APA Florida supports the integration of hazard mitigation principles into the local comprehensive planning process, including pre-disaster resilience and post-disaster redevelopment planning for both coastal and inland communities.
- **Healthy Communities:** APA Florida recognizes the positive and negative health impacts the built environment has on the people that live, work, and play there. To that end, APA Florida supports policies and programs at all government levels that:
 - encourage a holistic, multi-disciplinary approach to planning, redeveloping, and retrofitting communities that promotes physical activities and active transportation for all ages;
 - provide for management of health risks and public health emergencies to prepare for and be resilient to natural and manmade negative health impacts;
 - preserve and promote public health, safety, welfare, and social justice;
 - measure and monitor community health indicators, using the best available information, such as rates of obesity, diabetes, heart disease, regular exercise, and consumption of fresh fruits and vegetables;

- forge collaboration of planners with public health officials, public and civic organizations, and private business to improve community health efforts;
 - promote community participation in the provision of and access to open space and adequate recreational services for all ages;
 - improve access to healthy, nutritious foods, identify areas prone to food deserts, resolve the impetus for food deserts, and eliminate food deserts; and,
 - promote greater physical activity among the population in both scheduled or non-scheduled opportunities.
- **Impact/Mobility Fees:** APA Florida supports the ability of local governments to establish a system of impact fees based on local needs in accordance with existing case law. APA Florida supports a structure of impact fees, or mobility fees based on a locally adopted mobility plan, as funding for additional capacity needs to address the impacts created by new development. The fee payment amount should be based on the actual cost of the mitigation of impacts and not restricted in the timing and levels of escalation to match documented increases in costs but should ensure that developers are not charged twice for the same improvement; that total long-term costs are considered; and that public subsidies, investments or costs to be borne by others are transparent.
- **Infrastructure Planning:** APA Florida supports intergovernmental coordination to secure and allocate scarce resources for the construction of infrastructure such as roads, bridges, transit systems, trails and sidewalks, stormwater and wastewater reuse systems, schools and related infrastructure, more efficient capital improvements planning, governmental and public-private partnerships, and shared use of systems. Additionally, APA Florida supports the application of a wide range of funding tools including bonding, grants, tax increment financing, and matching appropriation from multiple governmental levels to satisfy the demand for infrastructure maintenance and improvements.
- **Intergovernmental and Regional Coordination:** APA Florida supports multiple approaches to ensure that communities and agencies work with outside partners so that potential development impacts and collaborative opportunities can be assessed regionally.
 - APA Florida advocates revisions to growth management law(s) that will assure that the intent of the statute regarding regional review and intergovernmental coordination is maintained as a requirement under Chapter 380.06 FS and Chapter 163.3177 5 (4)(a) F.S.
 - APA Florida supports implementation of a comprehensive planning process that will address regional and intergovernmental impacts of major development in order to maintain and enhance a strong Florida economy and a sound Florida environment.
 - APA Florida supports efforts to minimize unintended and unmitigated extra-jurisdictional impacts and to ensure that the mitigation of impacts occur in a timely manner. Such efforts could be through historically significant processes such as the Development of Regional Impact programs, or the newer process such as Sector Planning, but should be coordinated at all levels and for all sizes of development exhibiting significant impacts across jurisdictional boundaries.

- APA Florida supports growth management processes that include intergovernmental coordination to ensure that developments are sufficiently reviewed for the mitigation of regional impacts.
- **Integrated Transportation and Land Use Planning:** APA Florida supports planning and development in communities that is not singularly focused but incorporates consideration of walkable, mixed-use projects to create housing and transportation choices. These choices would lower household costs and reduce travel demand, provide multimodal transportation systems to serve all users safely, create sustainable infrastructure to minimize future maintenance and replacement costs, and anticipate impacts that could occur related to climate change. APA Florida supports and advocates statutes and rules, including close coordination of MPOs, transit, transportation authorities, FDOT and local governments, to provide for the integration of land use and transportation planning. APA Florida further supports the development and implementation of context-sensitive transportation solutions appropriate to the communities they serve.
- **Land Acquisition Trust Fund:** APA Florida supports an implementation program for the 2014 Land Acquisition Trust Fund constitutional amendment which will maintain a significant, dedicated stream of funding for the acquisition and improvement of land, water areas, and related property interests. APA Florida believes that such a program should be a priority for the Legislature's expenditure of Land Acquisition Trust Fund, and related monies, and that any expenditure which might undermine public support for the preservation goals of this constitutional amendment should not be approved. APA Florida supports land acquisition should be at or greater than the historic (~\$300 million/year) funding level of the previous Florida Forever program. APA Florida supports use of Trust Fund monies to be spent on land management, restoration of natural systems, and the enhancement of public access or recreational enjoyment of conservation lands to improve water quality, augmentation of land acquisition, protection of vital estuarine and terrestrial habitat, and to complement the management of existing public lands.
- **Land Use Board of Appeals:** APA Florida supports the creation of a Land Use Board of Appeals as an efficient and expert means to settle disputes on certain local or state land use decisions in place of the circuit court. APA Florida believes such a Board could be an appointed panel of attorneys and related professionals with expertise in land use matters and could be established either on a regional basis or statewide basis.
- **Military Installations:** APA Florida supports policies and legislation that provide for the viability and continued presence of military installations within the State, protect against incompatible land uses, which may affect vital military missions, and provide for the continuity of operations while adequately protecting private property rights and community visions. To further this aim, APA Florida supports the creation of a voluntary, willing seller state land acquisition program and fund for the purchase of buffers. In addition, APA Florida promotes cooperation and open communications between military installations, local governments and the general public, including but not limited to the collaborative exchange of information regarding official plans and programs.
- **Plan Amendment Review Process:** APA Florida continues to support maintaining a streamlined plan amendment review process that provides both meaningful input and enforcement on issues related to important regional and state interests, and, possibly, to assign certain review duties to the regional

level. APA Florida also supports and advocates that the term “important regional and state interests” be defined by statute or that existing statutes be amended to include criteria for defining such interests and that the state land planning agency be required to undertake rulemaking to define such interests.

- **Preemption of Local Government Authority:** APA Florida supports local government authority to fund and implement sound planning practices and opposes preemption or incremental erosion of local planning, zoning, regulatory and taxing authority, as this substantially diminishes the ability of local governments to carry out comprehensive planning activities and address their unique local needs.
- **Private Property Rights:** APA supports a citizen’s right to use their property in accordance with applicable laws, to the extent there are no negative impacts to the public, neighboring properties or surrounding community or such impacts are adequately mitigated. APA supports the local government’s responsibility to protect the public interest, and their obligation to balance protection of the rights of both property owners and users or developers of property within their jurisdictions. To that end, APA Florida supports legislation that upholds the following principles:
 - ***Eminent Domain.*** APA Florida supports the balancing of public interests with private property rights and adherence to a thorough, open and transparent planning process before invoking the use of eminent domain.
 - ***Inverse Condemnation and Bert Harris Act.*** APA Florida supports the protection and exercise of private property rights but opposes any expansion of existing statutory rights of compensation for regulatory impacts to property rights.
 - ***Comprehensive Planning.*** APA Florida supports the continued balancing of the private property rights of those who seek to make use of or modify their properties with the rights of those who may be affected by the impacts of those uses or modifications in comprehensive planning and zoning decisions, with due consideration for the public interest.
- **Referenda for Comprehensive Planning:** APA Florida supports local government authority to fund and implement sound planning practices and opposes preemption of this authority by referenda. APA Florida believes the use of referenda is neither an effective growth management tool nor a means for effective citizen participation in the community planning process.
- **Regional Boundaries:** APA Florida supports improved regional integrated planning for jobs creation and economic development, integrated and efficient transportation systems, and environmental resource management to create a more efficient and strategic selection of infrastructure improvements and the associated allocation of fiscal resources. APA Florida supports existing regional jurisdictional boundaries unless a compelling rationale can be demonstrated for changing such boundaries, such as achieving more effective regional governing structures or intergovernmental coordination. APA Florida supports coordination and cooperation among Florida’s regional entities accomplished under the existing structure, and supports the Legislature in promoting regional cooperation by supporting and funding regional visioning and regional planning initiatives.
- **Regional Planning:** APA Florida supports expanding the role of Regional Planning Councils (RPCs) to promote enhanced regional visioning and planning, and better address regional needs. APA Florida

encourages and supports efforts that give more authority to Regional Planning Councils along with the funding necessary to support their duties and responsibilities.

- **Resilience:** APA Florida supports a growth management system at the state, regional, and local levels which recognizes and provides plans, incentives, standards, and regulations that address resilient planning and development practices. APA Florida supports an integrated planning and emergency management system that increases resilience such as post-disaster recovery plans, adaptation action areas, adaptation planting plans or other means of restoring natural features to mitigate the effects hazards may have on our communities. To promote resilience, APA Florida recommends:
 - Infrastructure that can withstand natural hazards and increasing risks of climate change;
 - Development patterns that occur away from high hazard areas;
 - Threatened or vulnerable facilities relocated to safer areas;
 - Protected environmental systems that assist in hazard mitigation;
 - Streamlined Economic Recovery Programs;
 - Regional plans for recovery and redevelopment; and
 - Private and public pre-disaster planning initiatives that seek to provide public health, safety and welfare responses for assistance during and after catastrophic events.

- **Rural Lands:** APA Florida supports and advocates sustainable planning for rural lands requiring long-range efforts for sustainability, economic diversification, and protection of scenic, natural, and environmentally significant areas to:
 - protect environmentally valuable lands and resources;
 - maintain and enhance the economic viability of agricultural and other predominantly rural land uses;
 - promote economic diversification while reducing premature urban conversion;
 - allow limited future development in appropriate locations using a compact mixed-use form that ensures compatibility with surrounding rural lands; and
 - provide cost-efficient delivery of public facilities and services.

APA Florida also supports the continued funding of state land acquisition and the use of rural land programs, conservation easements and other incentive-based initiatives to preserve agriculture and rural lands and to help plan for future growth outside urban areas.

- **Supply Chain Resiliency:** APA Florida believes that industrial and manufacturing land uses are a valuable community land use that reduce impacts from supply chain interruptions and promote resilient local economies. APA Florida supports the growth of local manufacturing and sourcing of raw materials wherever local governments deem appropriate. APA Florida also supports funding for the expansion of seaports and intermodal facilities to facilitate the movement of goods and services for Florida and the southeastern U.S.

- **Schools:** APA Florida supports programs that coordinate planning and intergovernmental coordination between state, local governments, and school districts for school siting, construction and supporting infrastructure, including support for remote education options where appropriate. APA Florida encourages this planning and coordination with an emphasis on sharing data, adaptively reusing existing facilities, being proactive in the acquisition of land and construction of schools, and expanding new funding sources.

- **Septic-to-Sewer:** Aging or poorly maintained septic tanks allow nutrients and pathogens to contaminate nearby waterways, which can result in algal blooms that are harmful to aquatic life. Reducing these contaminants is critical to restore seagrass beds and habitat on which fish and wildlife species like the endangered manatee depend. Protecting the state’s estuaries, lagoons, and other bodies of water is vital toward supporting a healthy natural resource-based economy. APA Florida advocates the removal of septic tanks and other pollutant sources near springs, estuaries and other sensitive environmental areas, along with the creation of new funding sources at the regional, state, and federal levels for this purpose.
- **Sound Planning:** APA Florida supports a fully-funded, integrated state growth management program established in state statutes and rules and adequate funding to prepare and implement local comprehensive plans and regional policy plans. APA Florida supports statutory changes which promote sustainability and resiliency planning initiatives seeking proactive planning efforts supporting public health, safety and welfare in local communities to remain economic viability, environmental integrity, and social equity in our communities. APA Florida further supports policies which strengthen, improve and integrate current planning processes without sacrificing accountability on the local, regional and state scale.
- **State Plan:** APA Florida supports efforts to insure the State Comprehensive Plan is an integral component of Florida’s planning and growth management policy framework, and supports restructuring of this long-standing statute (Chapter 187, F.S.) to link the plan to the state budget in accordance with Article III, Section 19(h) of the Florida Constitution, officially designating it as the “state planning document” and clearly delineating state level priorities, within and beyond the growth management realm.
- **State Priority Interests:** APA Florida believes that ‘state priority interests’ should be compelling, clearly defined and designated for long-term planning purposes. (See Plan Amendment Review Process above.)
- **Sustainability:** APA Florida supports the incorporation of new community and redevelopment practices, standards, policy regulations, and measurable outcomes that balance the impact of the built environment on natural ecosystems, minimize impacts to surrounding rural lands or water bodies, enhances natural biodiversity, and incorporates wise use of all resources to provide compatible infrastructure and services. APA Florida strongly encourages and supports using a combination of incentives for sustainable and livable communities and regulatory frameworks to mitigate problems caused by climate change and wasteful energy consumption, as well as fostering the redevelopment and revitalization of urban areas, local hazard mitigation, sustainability action plans, and proactive post-disaster redevelopment planning.
- **Technology and Governance:** APA Florida supports the ethical use of a wide range of data-based technologies to increase government accessibility and accountability, optimize operational efficiency, and identify solutions that balance and synergize among competing interests. However, the data derived must be safe guarded and kept anonymous. APA Florida supports creating the means to protect the privacy of personal data collected through the use of public facilities, platforms, and utility-

type services to limit potential exposure of such data when it has been in the public domain historically. APA Florida supports resources target to provide technical support at a local level regarding data privacy issues.

- **Transportation:** APA Florida supports provision of safe multimodal transportation systems, with a diversity of modal choices with balanced emphasis on the pedestrian, bicycle, automobile, freight, and public transit as the best strategy to serving the public need for comprehensive accessibility and mobility solutions and congestion reduction.
 - APA Florida supports planning and development in communities that is not singularly focused but incorporates consideration of walkable, mixed-use projects to create housing and transportation choices that lower household costs and reduce travel demand, multimodal transportation systems to serve all users safely, sustainable infrastructure to minimize future maintenance and replacement costs, and the anticipation of the impacts that could occur related to climate change.
 - APA Florida supports sustainable economic development and job creation based on an efficient, interconnected, multi-modal network of transportation facilities including port, waterway, aviation, rail, highways, transit, trails, bicycle, and pedestrian modes of transportation.
 - APA Florida supports the application of innovative approaches and growth management practices in all facets of public infrastructure planning, funding and construction, including improved measures to mitigate development impacts, implementation of accessibility and multi-modal level of service standards, and the application of new and approved technologies to be used to identify vehicle miles traveled versus trip production. APA Florida supports reduction of parking requirements and incentives for location efficiency that result in affordable transit-oriented development that fits the context of the community.
 - APA Florida recognizes that the safety and security of the transportation system is of utmost importance for all users and supports the implementation of strategies that reduce the number of crashes, particularly those of the most vulnerable, including pedestrians and bicyclists.
 - APA Florida supports the adopted “Complete Streets” and “Vision Zero” policies of the Florida Department of Transportation and the importance that is placed on context sensitive design to promote mobility for people and goods, and for coordinated transportation and land use initiatives that promote transportation modal choice and reduce vehicle miles traveled. APA Florida supports and advocates statutes and rules, including close coordination of MPOs, transit, transportation authorities, FDOT and local governments, to provide for the integration of land use and transportation planning.
 - APA Florida supports an increased allocation of state and federal funding for projects and programs that will advance innovation to support and sustain the use of public transportation in all its forms, increase the resources devoted to existing local and regional public transportation properties, improve the connectivity of our neighborhoods to transit services and enhance the non-motorized elements of the transportation infrastructure. APA Florida

supports funding, whether it is public, private or an appropriate public/private partnership (P3) and whether it is on a statewide or local level, for new transportation initiatives, such as transit and rail construction and re-use of existing transportation rights-of-way and infrastructure. APA Florida requests additional State resources that enhance the safe and efficient movement of goods that minimize impacts to communities and implement investments in Freight Logistics Zones developed in compliance with State statutes. APA Florida requests additional State resources that support research and development of autonomous, connected, electric and shared-vehicles and capture the economic benefits of these systems and standards for the incorporation of necessary infrastructure in the planning of new and retrofitted corridors.

- APA Florida supports continued local government authority to regulate micro-mobility usage (including electric scooters and bike share infrastructure) on streets or trails separate from the State Highway System.
- APA Florida also recognizes the emergence of Unmanned Aerial Vehicles and Vertical Take-Off and Landing technologies and supports additional state resources to update local governments on the changing regulatory environment and research to identify best practices for implementing local regulations for vertiports and low elevation airspace management.
- APA Florida supports legislation and policies that align statewide modal transportation plans and that increase the State's role in the planning, funding, implementation and operations of passenger rail and transit services in existing and future corridors to provide viable options for intercity travel and encourage private investment in the necessary infrastructure and lands adjacent to existing and planned passenger stations. APA supports the inclusion of intercity mass transportation as a critical component of any managed lane corridor planning and implementation developed by the Florida Department of Transportation in consultation with local and regional stakeholders, including transit agencies. APA supports the principle that any new limited-access expressway/highway corridors planned and funded must be multi-modal, be developed based on policies that discourage inefficient and unsustainable land use patterns, and should not re-allocate existing funding sources from local transportation safety and multi-modal needs. APA Florida also supports local and regional government authority, and the formation of new regional authorities, to manage, fund and implement recurring revenue sources for the ongoing operations and development of multi-modal transportation systems.
- APA Florida encourages a holistic approach to vehicle fleet electrification. These technologies have vast long-term implications that require appropriate investment, implementation, timing, and environmental mitigation planning at a state and local level. In addition to the funding that has been made to implement EV charging, local governments will require extensive technical assistance to address questions regarding electrical power generation to support the additional electrical demand, best practices for life-cycle equipment disposal, and emergency management strategies for battery related events. While the provision of new solar power generation may fill some of these needs, issues inherent in meeting the daily and seasonal temporal demand have yet to be well understood. The fiscal and logistical implications of the electrification of public transit and freight travel should also be explored. APA Florida encourages the legislature to fund and support additional research to better understand these

issues and their policy implications. Once identified, APA Florida supports funding and legislation, if needed, to implement identified solutions.

- **Trust Funds:** APA Florida supports the integrity of all Trust Funds for their stated use.
- **Urban Areas:** APA Florida supports statutory and regulatory incentives, policies, and programs that:
 - encourage development and redevelopment of underutilized urban land to maximize the use of existing infrastructure, including transportation facilities, utilities, public safety resources, parks, schools and other community facilities;
 - promote quality development and redevelopment projects that involve infill development, job creation, and economic development;
 - improve the form and pattern of development of areas with extensive antiquated and undeveloped subdivisions;
 - preserve the home rule powers of local governments to create and effectively use community redevelopment agencies to redevelop and revitalize their declining areas, including the use of tax increment financing; and
- **Water Resource Protection:** APA Florida supports planning and funding efforts which seek to conserve water resources; provide for an adequate supply of water resources; protect Waters of the State for use by all citizens of the state, and not allow them to become a privately held, property-based right.

(Approved at the June 24, 2022 EC meeting for presentation to Members at September 6, 2022 Annual Meeting)

8. Preliminary Discussion of 2023 Legislative Priorities

SUMMARY

The Legislative Committee is tasked with recommending an annual set of legislative priorities to focus on during each session. Upon board approval and further direction, those priorities serve as the basis for coordinating countywide messages and communicating with responsible entities.

The draft 2023 policy positions have been updated from those of the previous year for the committee's consideration and discussion.

ATTACHMENT(S): Draft 2023 Forward Pinellas Policy Positions

ACTION: Committee to provide direction to staff.



DRAFT Policy Positions – 2023

[Adoption Date]

KEEP OUR COMMUNITIES STRONG AND INDEPENDENT, WHILE WORKING TO SOLVE BIGGER CHALLENGES TOGETHER.

- Florida is a diverse state characterized by unique communities. Pinellas County is an example of that with its many downtowns, beach communities and neighborhoods. Home rule allows local governments to align the values of a community to its ordinances and other governing elements. **Forward Pinellas supports home rule and opposes bills that erode the ability of local governments to reflect the wishes and desires of their communities.**
- To ensure economic opportunity for our citizens, it is essential that local governments allow for diverse housing types that are affordable to a broader range of incomes. State-level interference with local zoning efforts reduces the rights of property owners and compromises the ability of communities to meet the needs of residents. **Forward Pinellas supports local authority to address housing needs through zoning regulations.**
- In 2011, the Florida Legislature passed legislation curtailing the ability of local governments to regulate vacation rentals, defined as residences that are rented out to visitors on a short-term basis. Preemption of this local authority impairs the ability of communities to determine their own character and protect neighboring homes from the impacts of incompatible tourist-related uses. **Forward Pinellas supports the restoration of local authority to regulate vacation rentals.**
- Trust funds such as the Sadowski Housing Trust Fund and the State Transportation Trust Fund are established with a clear purpose. These trust funds should be adequately funded and not subject to transfers to the Budget Stabilization Fund and the General Revenue Fund. **Forward Pinellas supports fully funding and protecting state trust funds.**
- State-mandated changes to metropolitan planning organizations (MPOs) are a recurring concern to Forward Pinellas and other MPOs statewide. **Forward Pinellas opposes one-size-fits all changes that would usurp local authority to determine the most appropriate structure of MPOs consistent with federal law and consultation with the Governor.**

ENSURE A TARGETED, FOCUSED AND COLLABORATIVE APPROACH TOWARD SAFETY.

- Safe Streets Pinellas is a collaborative effort to create a transportation system that is safe for everyone. On average, more than two people are killed or seriously injured each day in Pinellas County (Crash Data Management System). Forward Pinellas created Safe Streets Pinellas, a sustained effort of education, research and transportation facility improvements, based on the vision that not one person should be killed or seriously injured using our roadways. **Forward Pinellas supports state funding to address high injury corridors, conduct demonstration projects, and educate the public to ensure that Pinellas County streets are safe.**
- Rectangular rapid flashing beacons (RRFBs) at pedestrian crossings have proven effective at reducing injuries and fatalities for vulnerable road users. Studies by the National Academies of Science and the Federal Highway Administration show that RRFBs increase driver yielding rates

between 73-96% and reduce pedestrian collisions by 47%. **Forward Pinellas supports continued local authority over the use of RRFBs.**

- Distracted driving poses a threat to the safety of motorists and non-motorized users. Between 2017 and 2021, 48 fatalities and 373 incapacitating injuries happened in Pinellas County related to distracted driving crashes (Crash Data Management System). **Forward Pinellas supports legislation that expands upon the adopted Texting While Driving law by prohibiting distracted driving by addressing the use of wireless communications devices with clear definitions and clarification on what it means to be stationary and operating.**

FIND FLEXIBLE SOLUTIONS TO FUND TRANSPORTATION NEEDS IN OUR COMMUNITY.

- Taxes on fuel are a primary source of transportation funding for local governments. Increasing fuel efficiency, more electric vehicles in the fleet, and rising roadway maintenance and operating costs are placing pressure on local governments to search for additional funding. **Forward Pinellas supports the creation of a statewide pilot program to tax automobiles based on vehicle miles traveled (VMT), ensuring sufficient roadway funding while charging users fairly.**
- Local fuel taxes are not indexed to the Consumer Price Index to account for inflation, as state fuel taxes are, and therefore, revenues are declining at a faster rate. **Forward Pinellas supports the Legislature permitting the indexing of local fuel taxes for inflation to better keep pace with transportation needs like it has done for state fuel tax revenues.**
- The Strategic Intermodal System (SIS) receives the vast majority of state transportation funding. As our highway network continues to mature in urban areas like Pinellas County, and reaches a point where expansion is not a feasible or affordable option, **Forward Pinellas supports increased flexibility for SIS funds for improvements to parallel non-SIS roadways, and allowing premium or express transit operating on the SIS roadway, but not necessarily on its own fixed guideway, to enhance mobility on the SIS.** This is consistent with the legislative position of the Florida Metropolitan Planning Organization Advisory Council.
- The Transportation Regional Incentive Program (TRIP) is a valuable transportation funding mechanism based on 50/50 state and local participation through regional collaboration. **Forward Pinellas believes in fostering stronger regional transportation planning and decision-making and supports sustained funding of \$250 million per year for the TRIP program as a way to strengthen regional partnerships to improve mobility.**
- Increasing flexibility of funds in urban areas enables MPOs and transit agencies to collaborate on priorities and direct resources to projects where they are most needed. In contrast, the use of legislative earmarks merely reallocates funding from existing priorities, reducing funding for needed local transit projects. **Forward Pinellas supports the Tampa Bay Transportation Management Area position calling for increased flexibility for state transportation funding programs in urban areas while discouraging the use of earmarks.**

ENHANCE RESILIENCE TO GUARANTEE THE SAFETY AND PROSPERITY OF OUR COMMUNITIES AND MAINTAIN OUR QUALITY OF LIFE.

- The Resilient Tampa Bay Transportation Study, of which Forward Pinellas was a partner along with other MPOs and regional agencies, found that 19% of the Tampa Bay region's roadways are highly or moderately vulnerable to storms, sea level rise, and heavy precipitation. The State can take a leadership role by providing funding to harden infrastructure, conduct vulnerability assessments on transportation projects, incentivize resilient development, and support research and mitigation for sea level rise. **Forward Pinellas supports state funding assistance to address the impacts of climate change and increase the resiliency of our communities.**

9. 2023 Legislative Session Dates

SUMMARY

Dates for the 2023 session of the Florida Legislature that have been released thus far are as follows:

August 1, 2022	Deadline for filing claim bills
March 7, 2023	Regular Session convenes 12:00 noon, deadline for filing bills for introduction
April 22, 2023	Motion to reconsider made and considered the same day All bills are immediately certified
April 25, 2023	50th day – last day for regularly scheduled committee meetings
May 5, 2023	60th day – last day of Regular Session

ATTACHMENT(S): None

ACTION: None required; informational item only.

2023 REGULAR SESSION DATES

- August 1, 2022 Deadline for filing claim bills (Senate Rule 4.81(2))
- March 7, 2023 Regular Session convenes (Article III, section 3(b), State Constitution)
12:00 noon, deadline for filing bills for introduction (Senate Rule 3.7(1))
- April 22, 2023 Motion to reconsider made and considered the same day (Senate Rule 6.4(4))
All bills are immediately certified (Senate Rule 6.8)
- April 25, 2023 50th day – last day for regularly scheduled committee meetings (Senate Rule 2.9(2))
- May 5, 2023 60th day – last day of Regular Session (Article III, section 3(d), State Constitution)