

Chapter 86-335, Laws of Florida (HB 1217, 2015)

AN ACT RELATING TO HILLSBOROUGH COUNTY; CREATING THE HILLSBOROUGH RIVER INTERLOCAL PLANNING BOARD; PRESCRIBING MEMBERSHIP AND TERMS; PROVIDING FOR QUORUM AND MEETINGS; PROVIDING OBJECTIVES AND DUTIES OF THE BOARD; REQUIRING DEVELOPMENT OF A COORDINATED MASTER PLAN FOR THE HILLSBOROUGH RIVER CORRIDOR; PROVIDING FOR INCORPORATION OF ELEMENTS OF THE COORDINATED MASTER PLAN INTO LOCAL COMPREHENSIVE PLANS; AUTHORIZING LOCAL GOVERNMENTS TO IMPOSE USER FEES AND REMIT THEM TO THE BOARD; AUTHORIZING THE BOARD TO ACCEPT AND EXPEND GRANTS AND DONATIONS; PROVIDING FOR BUDGETS; CREATING THE HILLSBOROUGH RIVER TECHNICAL ADVISORY COUNCIL; PRESCRIBING MEMBERSHIP AND TERMS; PROVIDING FOR QUORUM AND MEETINGS; PRESCRIBING ITS DUTIES; PROVIDING FOR TRAVELING EXPENSES; GRANTING THE COUNCIL STANDING TO APPEAL CERTAIN LOCAL GOVERNMENT ACTIONS; PROVIDING FOR MEETINGS AND NOTICE OF MEETINGS OF THE BOARD AND COUNCIL; PROVIDING AN EFFECTIVE DATE.

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

Section 1. As used in this act, the term "Hillsborough River Corridor" includes that portion of the Hillsborough River beginning at the Platt Street Bridge and extending north to the county line and all land situated within 500 feet of either bank of that portion of the river.

Section 2. (1) The Hillsborough River Interlocal Planning Board is hereby created. The board shall be composed of three members, selected as follows:

- (a) One member of the [Hillsborough County Board of County Commissioners](#), appointed by the Board of County Commissioners.
- (b) One member of the [City Council of the City of Tampa](#), appointed by the City Council
- (c) One member of the [City Council of the City of Temple Terrace](#), appointed by the City Council.

Members shall serve at the pleasure of the appointing entity. Vacancies on the board shall be filled in the same manner as the original appointment.

(2) The board shall elect from among its members a chairman. The board shall meet at the call of the chairman. Two members constitute a quorum for the transaction of business, except that all three members must be present for the adoption of the budget and for the adoption of the plan or any amendments thereto.

(3) The Hillsborough River Interlocal Planning Board shall, with the advice and recommendations of the Hillsborough River Technical Advisory Council, develop a coordinated master plan for the Hillsborough River Corridor which will:

- (a) As a matter of highest priority, ensure the potability of the water supply; (b) Reverse the trend toward hardened shores and channelization;
- (c) Control erosion and the propagation of undesirable vegetation; (d) Improve water quality to a swimmable standard;
- (e) Control boat traffic and mitigate public nuisances;

- (f) Minimize use conflicts and promote the enforcement of water safety laws;
- (g) Specify construction and placement standards for ramps, docks, and seawalls;
- (h) Specify land-use design standards for development in the river corridor;
- (i) Minimize urban encroachment upon the riverbank and establish a "green" river corridor plan;
- (j) Improve public access to the river in appropriate areas;
- (k) Preserve the water supply afforded by the river and conserve its use; and
- (l) Preserve wildlife habitats and archaeological resources.

(4) The Hillsborough River Interlocal Planning Board shall be responsible for monitoring, amending, and revising the plan as needed.

(5) The coordinated master plan for the Hillsborough River Corridor developed under subsection (3), and all amendments and revisions developed under subsection (4), shall be forwarded to the Local Planning Agency for incorporation into such agency's recommended local comprehensive plan. The elements of the coordinated master plan relating to land management, land acquisition, water quality, and economic development shall be incorporated into the local comprehensive plans of such local planning agency. The affected local government may modify the coordinated master plan submitted by the Hillsborough River Interlocal Planning Board. Any modification to the plan proposed by a local governing body shall be submitted to the Hillsborough River Interlocal Planning Board and to the Hillsborough River Technical Advisory Council.

(6) The board shall monitor all development within the Hillsborough River Corridor, shall monitor the actions of local governments in implementing the corridor plan, and may issue public declarations as to whether such development or actions are consistent with the corridor plan.

(7) The board and any governmental entity which owns property or facilities within the river corridor may enter into an agreement under which the governmental entity imposes and collects fees for the use of such property or facilities and remits all or part of such fees to the board to be used to make, anywhere within the river corridor, improvements which will further the goals and objectives of the coordinated plan.

(8) The board may accept and expend grants and other donations from any other governmental agency or from any private source for the purposes of carrying out its duties and responsibilities under this act.

(9) The Board may adopt a budget as necessary to accomplish the purposes of this Act. Such budget may be funded from sources enumerated in subsections (7) and (8) and supplemented by funding provided by the governmental bodies represented on the Hillsborough River Interlocal Planning Board. Budget requests to these governmental bodies may be submitted directly to them or through a separate budget request of the Hillsborough City/County Planning Commission. Staff of the Board and the Technical Advisory Council shall be provided by the [Hillsborough City/County Planning Commission](#).

Section 3. (1) The Hillsborough River Technical Advisory Council is hereby created to give advice and make recommendations to the Hillsborough River Interlocal Planning Board with respect to the

coordinated master plan for the Hillsborough River Corridor. The council shall be composed of ten members, selected as follows:

- (a) A member of the City-County Planning Commission, appointed by that commission or its chairperson.
- (b) A member or employee of the Hillsborough County Environmental Protection Commission, appointed by that commission or its executive director.
- (c) An employee of the Southwest Florida Water Management District, appointed by the governing board of the district or its executive director.
- (d) A member or employee of the Tampa Port Authority, appointed by the authority or its chief executive officer.
- (e) A member or employee of the Tampa Bay Regional Planning Council, appointed by that council or its chief executive officer.
- (f) An employee of the Florida Department of Environmental Protection, appointed by the department's local director.
- (g) A member of the U.S. Army Corps of Engineers, appointed by the corps of engineers or its local director.
- (h) Three persons who have demonstrated an interest in the protection of the Hillsborough River and who are not officers or employees of any governmental entity referred to in paragraphs (a)-(g) or in section 2(1)(a)-(c). One such person shall be appointed by the Hillsborough County Board of County Commissioners or its chairperson, one such person shall be appointed by the City Council of the City of Tampa or its chairperson, and one such person shall be appointed by the City Council of the City of Temple Terrace or its chairperson.

Members shall serve at the pleasure of the appointing entity. Vacancies on the council shall be filled in the same manner as the original appointment. Alternates may be designated by the appointing authorities.

(2) The council shall elect from among its members a chairperson. The council board shall meet at the call of the chairperson. Five members constitute a quorum for the transaction of business. Members appointed under paragraph (1)(h) are entitled to traveling expenses pursuant to s. 112.061, Florida Statutes.

(3) The Hillsborough River Technical Advisory Council shall have standing to appeal, under the provisions of chapter 75-390, Laws of Florida, as amended, local government action taken with respect to the Hillsborough River Corridor.

Section 2. This act shall take effect upon becoming a law.