

THE FLORIDA SENATE
2023 SUMMARY OF LEGISLATION PASSED
Committee on Community Affairs

CS/CS/SB 540 — Local Government Comprehensive Plans

by Rules Committee; Judiciary Committee; and Senator DiCeglie

Current law provides a process for an affected person to challenge whether a comprehensive plan or plan amendment complies with the Community Planning Act in ch. 163, F.S., by petitioning the Division of Administrative Hearings for a formal hearing on the matter. The bill provides that in an administrative challenge to a comprehensive plan or a plan amendment, the prevailing party is entitled to recover attorney fees and costs, including reasonable appellate attorney fees and costs.

The bill also clarifies the scope of review for a local government decision to grant or deny a development order by providing that the order may only be challenged if it would materially alter the use, density, or intensity of the property in a manner not consistent with the comprehensive plan.

Lastly, the bill provides that land development regulations relating to any characteristic of development other than use, or intensity or density of use, do not apply to Florida College System institutions.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect July 1, 2023.

Vote: Senate 29-10; House 87-30