

By Senator Jones

13-664-04

1                                   A bill to be entitled  
2           An act relating to developments of regional  
3           impact; amending s. 380.06, F.S.; revising  
4           provisions governing substantial deviation  
5           standards for the date of buildout of a  
6           development; providing an effective date.

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

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10           Section 1. Paragraph (c) of subsection (19) of section  
11 380.06, Florida Statutes, is amended to read:

12           380.06 Developments of regional impact.--

13           (19) SUBSTANTIAL DEVIATIONS.--

14           (c) An extension of the date of buildout of a  
15 development, or any phase thereof, by 7 or more years shall be  
16 presumed to create a substantial deviation subject to further  
17 development-of-regional-impact review. An extension of the  
18 date of buildout, or any phase thereof, of 5 years or more but  
19 less than 7 years shall be presumed not to create a  
20 substantial deviation. The extension of the date of buildout  
21 of an areawide development of regional impact by more than 5  
22 years but less than 10 years is presumed not to create a  
23 substantial deviation.These presumptions may be rebutted by  
24 clear and convincing evidence at the public hearing held by  
25 the local government. An extension of less than 5 years is  
26 not a substantial deviation. For the purpose of calculating  
27 when a buildout, phase, or termination date has been exceeded,  
28 the time shall be tolled during the pendency of administrative  
29 or judicial proceedings relating to development permits. Any  
30 extension of the buildout date of a project or a phase thereof  
31 shall automatically extend the commencement date of the

1 project, the termination date of the development order, the  
2 expiration date of the development of regional impact, and the  
3 phases thereof by a like period of time.

4 Section 2. This act shall take effect July 1, 2004.

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7 SENATE SUMMARY

8 Extends by 3 years the time allowed to complete a project  
9 within an areawide development of regional impact.

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