

By the Committee on Comprehensive Planning; and Senator Jones

316-1966-04

1 A bill to be entitled
2 An act relating to developments of regional
3 impact; amending s. 380.06, F.S.; requiring
4 that the individual use and multiuse guidelines
5 and standards be increased in specified areas
6 if one land use of a multiuse development is
7 residential and amounts to not less than a
8 specified percentage of a jurisdiction's
9 residential threshold; revising provisions
10 governing substantial deviation standards for
11 the date of buildout of a development;
12 providing an effective date.
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14 Be It Enacted by the Legislature of the State of Florida:
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16 Section 1. Paragraph (e) of subsection (2) and
17 paragraph (c) of subsection (19) of section 380.06, Florida
18 Statutes, are amended to read:
19 380.06 Developments of regional impact.--
20 (2) STATEWIDE GUIDELINES AND STANDARDS.--
21 (e) With respect to residential, hotel, motel, office,
22 and retail developments, the applicable guidelines and
23 standards shall be increased by 50 percent in urban central
24 business districts and regional activity centers of
25 jurisdictions whose local comprehensive plans are in
26 compliance with part II of chapter 163. With respect to
27 multiuse developments, the applicable individual use and
28 multiuse guidelines and standards shall be increased by 100
29 percent in urban central business districts and regional
30 activity centers of jurisdictions whose local comprehensive
31 plans are in compliance with part II of chapter 163, if one

1 land use of the multiuse development is residential and
2 amounts to not less than 35 percent of the jurisdiction's
3 applicable residential threshold. With respect to resort or
4 convention hotel developments, the applicable guidelines and
5 standards shall be increased by 150 percent in urban central
6 business districts and regional activity centers of
7 jurisdictions whose local comprehensive plans are in
8 compliance with part II of chapter 163 and where the increase
9 is specifically for a proposed resort or convention hotel
10 located in a county with a population greater than 500,000 and
11 the local government specifically designates that the proposed
12 resort or convention hotel development will serve an existing
13 convention center of more than 250,000 gross square feet built
14 prior to July 1, 1992. The applicable guidelines and standards
15 shall be increased by 150 percent for development in any area
16 designated by the Governor as a rural area of critical
17 economic concern pursuant to s. 288.0656 during the
18 effectiveness of the designation.

19 (19) SUBSTANTIAL DEVIATIONS.--

20 (c) An extension of the date of buildout of a
21 development, or any phase thereof, by 7 or more years shall be
22 presumed to create a substantial deviation subject to further
23 development-of-regional-impact review. An extension of the
24 date of buildout, or any phase thereof, of 5 years or more but
25 less than 7 years shall be presumed not to create a
26 substantial deviation. The extension of the date of buildout
27 of an areawide development of regional impact by more than 5
28 years but less than 10 years is presumed not to create a
29 substantial deviation. These presumptions may be rebutted by
30 clear and convincing evidence at the public hearing held by
31 the local government. An extension of less than 5 years is

1 not a substantial deviation. For the purpose of calculating
2 when a buildout, phase, or termination date has been exceeded,
3 the time shall be tolled during the pendency of administrative
4 or judicial proceedings relating to development permits. Any
5 extension of the buildout date of a project or a phase thereof
6 shall automatically extend the commencement date of the
7 project, the termination date of the development order, the
8 expiration date of the development of regional impact, and the
9 phases thereof by a like period of time.

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

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 Senate Bill 1310

15 The Committee Substitute increases the individual use and
16 multiuse guidelines and standards by 100 percent for multiuse
17 developments in urban central business districts and regional
18 activity centers if the jurisdiction's comprehensive plan is
19 in compliance with part II of chapter 163, F.S., and if one
20 land use in the multiuse development is residential and
21 amounts to not less than 35 percent of the jurisdiction's
22 applicable residential threshold.
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