

HB 0539

2004

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

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

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

11 380.06 Developments of regional impact.--

12 (19) SUBSTANTIAL DEVIATIONS.--

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

HB 0539

2004

30 commencement date of the project, the termination date of the
31 development order, the expiration date of the development of
32 regional impact, and the phases thereof by a like period of
33 time.

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