

1                   A bill to be entitled  
 2           An act relating to developments of regional impact;  
 3           amending s. 380.06, F.S.; requiring that certain  
 4           individual use and multiuse guidelines and standards be  
 5           increased by a specified percentage in certain areas if  
 6           the land use of a multiuse development is residential and  
 7           is not less than a specified percentage of the  
 8           jurisdiction's residential threshold; revising provisions  
 9           governing substantial deviation standards for the date of  
 10          buildout of a development; providing an effective date.

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

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 14           Section 1. Paragraph (e) of subsection (2) and paragraph  
 15           (c) of subsection (19) of section 380.06, Florida Statutes, are  
 16           amended to read:

17           380.06 Developments of regional impact.--

18           (2) STATEWIDE GUIDELINES AND STANDARDS.--

19           (e) With respect to residential, hotel, motel, office, and  
 20           retail developments, the applicable guidelines and standards  
 21           shall be increased by 50 percent in urban central business  
 22           districts and regional activity centers of jurisdictions whose  
 23           local comprehensive plans are in compliance with part II of  
 24           chapter 163. With respect to multiuse developments, the  
 25           applicable individual use guidelines and standards for  
 26           residential, hotel, motel, office, and retail developments and  
 27           multiuse guidelines and standards shall be increased by 100  
 28           percent in urban central business districts and regional

29 activity centers of jurisdictions whose local comprehensive  
30 plans are in compliance with part II of chapter 163, if one land  
31 use of the multiuse development is residential and amounts to  
32 not less than 35 percent of the jurisdiction's applicable  
33 residential threshold. With respect to resort or convention  
34 hotel developments, the applicable guidelines and standards  
35 shall be increased by 150 percent in urban central business  
36 districts and regional activity centers of jurisdictions whose  
37 local comprehensive plans are in compliance with part II of  
38 chapter 163 and where the increase is specifically for a  
39 proposed resort or convention hotel located in a county with a  
40 population greater than 500,000 and the local government  
41 specifically designates that the proposed resort or convention  
42 hotel development will serve an existing convention center of  
43 more than 250,000 gross square feet built prior to July 1, 1992.  
44 The applicable guidelines and standards shall be increased by  
45 150 percent for development in any area designated by the  
46 Governor as a rural area of critical economic concern pursuant  
47 to s. 288.0656 during the effectiveness of the designation.

48 (19) SUBSTANTIAL DEVIATIONS.--

49 (c) An extension of the date of buildout of a development,  
50 or any phase thereof, by 7 or more years shall be presumed to  
51 create a substantial deviation subject to further development-  
52 of-regional-impact review. An extension of the date of  
53 buildout, or any phase thereof, of 5 years or more but less than  
54 7 years shall be presumed not to create a substantial deviation.  
55 The extension of the date of buildout of an areawide development  
56 of regional impact by more than 5 years but less than 10 years

57 | is presumed not to create a substantial deviation. These  
58 | presumptions may be rebutted by clear and convincing evidence at  
59 | the public hearing held by the local government. An extension  
60 | of less than 5 years is not a substantial deviation. For the  
61 | purpose of calculating when a buildout, phase, or termination  
62 | date has been exceeded, the time shall be tolled during the  
63 | pendency of administrative or judicial proceedings relating to  
64 | development permits. Any extension of the buildout date of a  
65 | project or a phase thereof shall automatically extend the  
66 | commencement date of the project, the termination date of the  
67 | development order, the expiration date of the development of  
68 | regional impact, and the phases thereof by a like period of  
69 | time.

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