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CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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        05/03/2006 02:54 PM          .
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11   Senator Bennett moved the following **amendment to amendment**

12   (352586):

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14   **Senate Amendment (with title amendment)**

15   On page 40, between lines 13 and 14,

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17   insert:

18   (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL

19   IMPACT.--<u>(a)</u> There is hereby established a process to abandon

20   a development of regional impact and its associated

21   development orders. A development of regional impact and its

22   associated development orders may be proposed to be abandoned

23   by the owner or developer. The local government in which the

24   development of regional impact is located also may propose to

25   abandon the development of regional impact, provided that the

26   local government gives individual written notice to each

27   development-of-regional-impact owner and developer of record,

28   and provided that no such owner or developer objects in

29   writing to the local government prior to or at the public

30   hearing pertaining to abandonment of the development of

31   regional impact. The state land planning agency is authorized

1 to promulgate rules that shall include, but not be limited to,

2 criteria for determining whether to grant, grant with

3 conditions, or deny a proposal to abandon, and provisions to

4 ensure that the developer satisfies all applicable conditions

5 of the development order and adequately mitigates for the

6 impacts of the development. If there is no existing

7 development within the development of regional impact at the

8 time of abandonment and no development within the development

9 of regional impact is proposed by the owner or developer after

10 such abandonment, an abandonment order shall not require the

11 owner or developer to contribute any land, funds, or public

12 facilities as a condition of such abandonment order. The rules

13 shall also provide a procedure for filing notice of the

14 abandonment pursuant to s. 28.222 with the clerk of the

15 circuit court for each county in which the development of

16 regional impact is located. Any decision by a local government

17 concerning the abandonment of a development of regional impact

18 shall be subject to an appeal pursuant to s. 380.07. The

19 issues in any such appeal shall be confined to whether the

20 provisions of this subsection or any rules promulgated

21 thereunder have been satisfied.

22   (b) Upon receipt of written confirmation from the

23 state land planning agency that any required mitigation

24 applicable to completed development has occurred, an

25 industrial development of regional impact located within the

26 coastal high-hazard area of a rural county of economic concern

27 which was approved prior to the adoption of the local

28 government's comprehensive plan required under s. 163.3167 and

29 which plan's future land use map and zoning designates the

30 land use for the development of regional impact as commercial

31 may be unilaterally abandoned without the need to proceed

1 <u>through the process described in paragraph (a) if the</u>

2 <u>developer or owner provides a notice of abandonment to the</u>

3 <u>local government and records such notice with the applicable</u>

4 <u>clerk of court. Abandonment shall be deemed to have occurred</u>

5 <u>upon the recording of the notice. All development following</u>

6 <u>abandonment shall be fully consistent with the current</u>

7 <u>comprehensive plan and applicable zoning.</u>

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10 =============== T I T L E   A M E N D M E N T ===============

11 And the title is amended as follows:

12   On page 52, line 28, after the semicolon,

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14 insert:

15   revising provisions for the abandonment of

16   developments of regional impact; providing an

17   exemption from such provisions for certain

18   developments of regional impact;

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