

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative Kendrick offered the following:

2
3 **Amendment (with directory and title amendments)**

4 Between lines 1253 and 1254 insert:

5 (26) ABANDONMENT OF DEVELOPMENTS OF REGIONAL IMPACT.--

6 (a) There is hereby established a process to abandon a
7 development of regional impact and its associated development
8 orders. A development of regional impact and its associated
9 development orders may be proposed to be abandoned by the owner
10 or developer. The local government in which the development of
11 regional impact is located also may propose to abandon the
12 development of regional impact, provided that the local
13 government gives individual written notice to each development-
14 of-regional-impact owner and developer of record, and provided
15 that no such owner or developer objects in writing to the local
16 government prior to or at the public hearing pertaining to
17 abandonment of the development of regional impact. The state

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18 land planning agency is authorized to promulgate rules that
19 shall include, but not be limited to, criteria for determining
20 whether to grant, grant with conditions, or deny a proposal to
21 abandon, and provisions to ensure that the developer satisfies
22 all applicable conditions of the development order and
23 adequately mitigates for the impacts of the development. If
24 there is no existing development within the development of
25 regional impact at the time of abandonment and no development
26 within the development of regional impact is proposed by the
27 owner or developer after such abandonment, an abandonment order
28 shall not require the owner or developer to contribute any land,
29 funds, or public facilities as a condition of such abandonment
30 order. The rules shall also provide a procedure for filing
31 notice of the abandonment pursuant to s. 28.222 with the clerk
32 of the circuit court for each county in which the development of
33 regional impact is located. Any decision by a local government
34 concerning the abandonment of a development of regional impact
35 shall be subject to an appeal pursuant to s. 380.07. The issues
36 in any such appeal shall be confined to whether the provisions
37 of this subsection or any rules promulgated thereunder have been
38 satisfied.

39 (b) Upon receipt of written confirmation from the state
40 land planning agency that any required mitigation applicable to
41 completed development has occurred, an industrial development of
42 regional impact located within the coastal high-hazard area of a
43 rural county of economic concern which was approved prior to the
44 adoption of the local government's comprehensive plan required
45 under s. 163.3167 and which plan's future land use map and
46 zoning designates the land use for the development of regional

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47 impact as commercial may be unilaterally abandoned without the
48 need to proceed through the process described in paragraph (a)
49 if the developer or owner provides a notice of abandonment to
50 the local government and records such notice with the applicable
51 clerk of court. Abandonment shall be deemed to have occurred
52 upon the recording of the notice. All development following
53 abandonment shall be fully consistent with the current
54 comprehensive plan and applicable zoning.

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56 ===== D I R E C T O R Y A M E N D M E N T =====

57 Remove line 456 and insert:

58 and (i) of subsection (4), and subsections (15), (19), (24), and
59 (26)

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

62 Remove line 55 and insert:

63 certain projects; revising provisions for the abandonment
64 of developments of regional impact; providing an exemption
65 from such provisions for certain developments of regional
66 impact; providing requirements for developments following
67 abandonment; amending s. 380.0651, F.S.; revising the