

CHAMBER ACTION

1 The Committee on Local Government & Veterans' Affairs recommends  
2 the following:

3  
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

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

16  
17 Be It Enacted by the Legislature of the State of Florida:

18  
19 Section 1. Paragraph (e) of subsection (2) and paragraph  
20 (c) of subsection (19) of section 380.06, Florida Statutes, are  
21 amended to read:

22 380.06 Developments of regional impact.--

23 (2) STATEWIDE GUIDELINES AND STANDARDS.--

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24 (e) With respect to residential, hotel, motel, office, and  
25 retail developments, the applicable guidelines and standards  
26 shall be increased by 50 percent in urban central business  
27 districts and regional activity centers of jurisdictions whose  
28 local comprehensive plans are in compliance with part II of  
29 chapter 163. With respect to multiuse developments, the  
30 applicable individual use guidelines and standards for  
31 residential, hotel, motel, office, and retail developments and  
32 multiuse guidelines and standards shall be increased by 100  
33 percent in urban central business districts and regional  
34 activity centers of jurisdictions whose local comprehensive  
35 plans are in compliance with part II of chapter 163, if one land  
36 use of the multiuse development is residential and amounts to  
37 not less than 35 percent of the jurisdiction's applicable  
38 residential threshold. With respect to resort or convention  
39 hotel developments, the applicable guidelines and standards  
40 shall be increased by 150 percent in urban central business  
41 districts and regional activity centers of jurisdictions whose  
42 local comprehensive plans are in compliance with part II of  
43 chapter 163 and where the increase is specifically for a  
44 proposed resort or convention hotel located in a county with a  
45 population greater than 500,000 and the local government  
46 specifically designates that the proposed resort or convention  
47 hotel development will serve an existing convention center of  
48 more than 250,000 gross square feet built prior to July 1, 1992.  
49 The applicable guidelines and standards shall be increased by  
50 150 percent for development in any area designated by the

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51 Governor as a rural area of critical economic concern pursuant  
52 to s. 288.0656 during the effectiveness of the designation.

53 (19) SUBSTANTIAL DEVIATIONS.--

54 (c) An extension of the date of buildout of a development,  
55 or any phase thereof, by 7 or more years shall be presumed to  
56 create a substantial deviation subject to further development-  
57 of-regional-impact review. An extension of the date of  
58 buildout, or any phase thereof, of 5 years or more but less than  
59 7 years shall be presumed not to create a substantial deviation.  
60 The extension of the date of buildout of an areawide development  
61 of regional impact by more than 5 years but less than 10 years  
62 is presumed not to create a substantial deviation. These  
63 presumptions may be rebutted by clear and convincing evidence at  
64 the public hearing held by the local government. An extension  
65 of less than 5 years is not a substantial deviation. For the  
66 purpose of calculating when a buildout, phase, or termination  
67 date has been exceeded, the time shall be tolled during the  
68 pendency of administrative or judicial proceedings relating to  
69 development permits. Any extension of the buildout date of a  
70 project or a phase thereof shall automatically extend the  
71 commencement date of the project, the termination date of the  
72 development order, the expiration date of the development of  
73 regional impact, and the phases thereof by a like period of  
74 time.

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