

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Local Administration,
 2 Federal Affairs & Special Districts Subcommittee
 3 Representative Duggan offered the following:

Amendment

Remove lines 229-310 and insert:

7 development or that changes only the location or acreage of uses
 8 and infrastructure or exchanges permitted uses must be
 9 administratively approved and is not subject to review by the
 10 local government. The local government review of any proposed
 11 change to a previously approved development of regional impact
 12 and of any development order required to construct the
 13 development set forth in the development of regional impact must
 14 ~~be reviewed by the local government based on the standards in~~
 15 ~~the local comprehensive plan at the time the development was~~
 16 ~~originally approved, and if the development would have been~~

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17 ~~consistent with the comprehensive plan in effect when the~~
18 ~~development was originally approved, the local government may~~
19 ~~approve the change. If the revised development is approved, the~~
20 ~~developer may proceed as provided in s. 163.3167(5). For any~~
21 ~~proposed change to a previously approved development of regional~~
22 ~~impact, at least one public hearing must be held on the~~
23 ~~application for change, and any change must be approved by the~~
24 ~~local governing body before it becomes effective. The review~~
25 ~~must abide by any prior agreements or other actions vesting the~~
26 ~~laws and policies governing the development. Development within~~
27 ~~the previously approved development of regional impact may~~
28 ~~continue, as approved, during the review in portions of the~~
29 ~~development which are not directly affected by the proposed~~
30 ~~change.~~

31 (b) The local government shall either adopt an amendment
32 to the development order that approves the application, with or
33 without conditions, or deny the application for the proposed
34 change. Any new conditions in the amendment to the development
35 order issued by the local government may address only those
36 impacts directly created by the proposed change, and must be
37 consistent with s. 163.3180(5), ~~the adopted comprehensive plan,~~
38 ~~and adopted land development regulations.~~ Changes to a phase
39 date, buildout date, expiration date, or termination date may
40 also extend any required mitigation associated with a phased

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41 construction project so that mitigation takes place in the same
42 timeframe relative to the impacts as approved.

43 (c) This section is not intended to alter or otherwise
44 limit the extension, previously granted by statute, of a
45 commencement, buildout, phase, termination, or expiration date
46 in any development order for an approved development of regional
47 impact and any corresponding modification of a related permit or
48 agreement. Any such extension is not subject to review or
49 modification in any future amendment to a development order
50 pursuant to the adopted local comprehensive plan and adopted
51 local land development regulations.

52 (d) Any proposed change to a previously approved
53 development of regional impact showing a dedicated multimodal
54 pathway suitable for bicycles, pedestrians, and low-speed
55 vehicles, as defined in s. 320.01, along any internal roadway
56 must be approved so long as the right-of-way remains sufficient
57 for the ultimate number of lanes of the internal road. Any
58 proposed change to a previously approved development of regional
59 impact which proposes to substitute a multimodal pathway
60 suitable for bicycles, pedestrians, and low-speed vehicles, as
61 defined in s. 320.01, in lieu of an internal road must be
62 approved if the change does not result in any road within or
63 adjacent to the development of regional impact falling below the
64 local government's adopted level of service and does not
65 increase the original distribution of trips on any road analyzed

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66 as part of the approved development of regional impact by more
67 than 20 percent. If the developer has already dedicated right-
68 of-way to the local government for the proposed internal roadway
69 as part of the approval of the proposed change, the local
70 government must return any interest it may have in the right-of-
71 way to the developer.

72 (8) VESTED RIGHTS.—Nothing in this section shall limit or
73 modify the rights of any person to complete any development that
74 was authorized by registration of a subdivision pursuant to
75 former chapter 498, by recordation pursuant to local subdivision
76 plat law, or by a building permit or other authorization to
77 commence development on which there has been reliance and a
78 change of position and which registration or recordation was
79 accomplished, or which permit or authorization was issued, prior
80 to July 1, 1973. If a developer has, by his or her actions in
81 reliance on prior regulations, obtained vested or other legal
82 rights that in law would have prevented a local government from
83 changing those regulations in a way adverse to the developer's
84 interests, nothing in this chapter authorizes any governmental
85 agency to abridge those rights. Consistent with s. 163.3167(5),
86 comprehensive plan policies and land development regulations
87 adopted after a development of regional impact has vested do not
88 apply to proposed changes to an approved development of regional
89 impact or to development orders required to implement the