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An act relating to local government; amending s. 163.3167, F.S.; limiting the effect of judicial determinations concerning certain development orders pursuant to adopted land development regulations under the Local Government Comprehensive Planning and Land Development Regulation Act; providing an exception; providing for retroactive application; providing an effective date.

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

Section 1. Subsection (13) is added to section 163.3167, Florida Statutes, to read:

163.3167 Scope of act.--

(13)(a) If a local government grants a development order pursuant to its adopted land development regulations and the order is not the subject of a pending appeal and the timeframe for filing an appeal has expired, the development order may not be invalidated by a subsequent judicial determination that such land development regulations, or any portion thereof that is relevant to the development order, are invalid because of a deficiency in the approval standards.

(b) This subsection does not preclude or affect the timely institution of any other remedy available at law or equity, including a common law writ of certiorari proceeding pursuant to Rule 9.190, Florida Rules of Appellate Procedure, or an original proceeding pursuant to s. 163.3215, as applicable.

1 (c) This subsection applies retroactively to any
2 development order granted on or after January 1, 2002.

3 Section 2. This act shall take effect upon becoming a
4 law.

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