

Insights

Florida Legislature Passes Bill to Limit Orange County's Proposed Rural Development Rules

Article

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On March 6, 2024, the Florida State Legislature passed SB 1420 in an effort to block regulations proposed by the Orange County Charter Review Committee (CRC) that would have drawn a new rural boundary that would have heavily restricted development.

Every four (4) years, the Orange County Charter is reviewed by the CRC. The CRC has spent the last six (6) months working on the "Rural Boundary Amendment" that would have not only adjusted rural boundary lines but also made it more difficult to develop. Additionally, as explained in *Proposed Charter Changes Threaten Orange County's Economic Future*, the considered changes would have had a chilling effect on all annexations by prohibiting a property owner from annexing into a City to get increased density because the property would have remained in the rural boundary. The CRC provides that the intent behind the amendment is to protect rural lands and green space.

The Florida Senate quickly jumped into action, responding with passage of its own legislation despite the fact the Rural Boundary Amendment has not yet been approved by the CRC.

SB 1420 proposes the following language:

"163.3167 Scope of act. —

(d) A citizen-led county charter amendment that is not required to be approved by the board of county commissioners preempting any development order, land development regulation, comprehensive plan, or voluntary annexation is prohibited unless expressly authorized in a county charter."

As a result of the Florida House of Representatives also passing SB 1420, it will be presented to the Governor. Once SB 1420 has been presented to the Governor, the Governor will have fifteen (15) days to either sign or veto the bill. If the Governor takes no action within the prescribed timeframe, SB 1420 will become law without being signed. If enacted, the effective date

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for SB 1420 is July 1, 2024.

By passing SB 1420, the State Legislature has taken action to not only prevent Orange County from citizen-led Charter initiatives to limit development but also has made clear that the State Legislature has an active interest in local land development regulations.

If you have additional questions on this proposed legislation or any real property rights, land use, zoning and business matters, please contact **Becky Wilson** (rebecca.wilson@lowndes-law.com), **Jonathan Huels** (jonathan.huels@lowndes-law.com) or **Hal Kantor** (hal.kantor@lowndes-law.com).