

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

---

## **ZONING - FLORIDA**

### **Archstone Palmetto Park, LLC v. Kennedy**

**District Court of Appeal of Florida, Fourth District - January 29, 2014 - So.3d - 2014 WL 305086**

City brought declaratory judgment action against voters who had sought a citywide referendum to determine whether city ordinance should be repealed, seeking a declaration that development orders were not statutorily subject to referendum. The Circuit Court entered judgment in favor of voters, and city and intervening property owner appealed.

The District Court of Appeal held that:

- Voters' right to referendum was effectively tied to amendment that permitted local governments to retain and implement certain charter provisions, and provided for an initiative or referendum process in regard to development orders, and
- Legislature did not intend to radically expand the referendum process, but rather intended to bar referendum for development orders unless exempted by specific charter provisions in place as of June 1, 2011.