

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Robaina offered the following:

2  
3 **Substitute Amendment to Amendment (494204) (with title**  
4 **amendment)**

5 Between lines 34 and 35, insert:

6 Section 3. (1) Except as provided in subsection (4), a  
7 development order issued by a local government, building permit,  
8 permit issued by the Department of Environmental Protection, or  
9 permit issued by a water management district pursuant to part IV  
10 of chapter 373, Florida Statutes, which has an expiration date  
11 from September 1, 2008, through January 1, 2012, is extended and  
12 renewed for a period of 2 years following its previously  
13 scheduled date of expiration. This 2-year extension also applies  
14 to build-out dates including any extension of build-out date  
15 that was granted previously under s. 380.06(19)(c), Florida  
16 Statutes. This section does not prohibit conversion from the

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17 construction phase to the operation phase upon completion of  
18 construction. This extension is in addition to a 2-year permit  
19 extension under s. 14 of chapter 2009-96, Laws of Florida.

20 (2) The commencement and completion dates for any required  
21 mitigation associated with a phased construction project are  
22 extended such that mitigation takes place in the same timeframe  
23 relative to the phase as originally permitted.

24 (3) The holder of a valid permit or other authorization  
25 that is eligible for the 2-year extension must notify the  
26 authorizing agency in writing by December 31, 2010, identifying  
27 the specific authorization for which the holder intends to use  
28 the extension and the anticipated timeframe for acting on the  
29 authorization.

30 (4) The extension provided for in subsection (1) does not  
31 apply to:

32 (a) A permit or other authorization under any programmatic  
33 or regional general permit issued by the Army Corps of  
34 Engineers.

35 (b) A permit or other authorization held by an owner or  
36 operator determined to be in significant noncompliance with the  
37 conditions of the permit or authorization as established through  
38 the issuance of a warning letter or notice of violation, the  
39 initiation of formal enforcement, or other equivalent action by  
40 the authorizing agency.

41 (c) A permit or other authorization, if granted an  
42 extension that would delay or prevent compliance with a court  
43 order.

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44       (5) Permits extended under this section shall continue to  
 45 be governed by rules in effect at the time the permit was  
 46 issued, except if it can be demonstrated that the rules in  
 47 effect at the time the permit was issued would create an  
 48 immediate threat to public safety or health. This provision  
 49 applies to any modification of the plans, terms, and conditions  
 50 of the permit which lessens the environmental impact, except  
 51 that any such modification does not extend the time limit beyond  
 52 2 additional years.

53       (6) This section does not impair the authority of a county  
 54 or municipality to require the owner of a property that has  
 55 notified the county or municipality of the owner's intention to  
 56 receive the extension of time granted by this section to  
 57 maintain and secure the property in a safe and sanitary  
 58 condition in compliance with applicable laws and ordinances.

59       Section 4. Effective June 20, 2010, section 20.18, Florida  
 60 Statutes, is reenacted.

61       Section 5. Section 420.504, Florida Statutes, is  
 62 reenacted.

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**T I T L E   A M E N D M E N T**

Remove lines 2-7 and insert:

69 An act relating to growth management; reauthorizing certain  
 70 exemptions, 2-year extensions, and local comprehensive plan  
 71 amendments granted, authorized, or adopted under general law and  
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72 in effect as of a certain date; providing construction;  
73 providing for retroactive application; extending the expiration  
74 dates of certain permits issued by the Department of  
75 Environmental Protection, a water management district, or a  
76 local government; extending certain previously granted build-out  
77 dates; reenacting s. 20.18, F.S., relating to the establishment  
78 of the Department of Community Affairs; reenacting s. 420.504,  
79 F.S., relating to the establishment of the Florida Housing  
80 Finance Corporation; providing effective dates.