



413270

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/06/2012	.	
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The Committee on Community Affairs (Bennett) recommended the following:

Senate Amendment to Amendment (788434) (with title amendment)

After line 330
insert:

Section 5. (1) Except as provided in subsection (4), and in recognition of 2012 real estate market conditions, any building permit, and any permit issued by the Department of Environmental Protection or by a water management district pursuant to part IV of chapter 373, Florida Statutes, which has an expiration date from January 1, 2012, through January 1, 2014, is extended and renewed for a period of 2 years after its previously scheduled



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13 date of expiration. This extension includes any local
14 government-issued development order or building permit including
15 certificates of levels of service. This section does not
16 prohibit conversion from the construction phase to the operation
17 phase upon completion of construction. This extension is in
18 addition to any existing permit extension. Extensions granted
19 pursuant to this section; section 14 of chapter 2009-96, Laws of
20 Florida, as reauthorized by section 47 of chapter 2010-147, Laws
21 of Florida; section 46 of chapter 2010-147, Laws of Florida;
22 section 74 of chapter 2011-139, Laws of Florida; or section 79
23 of chapter 2011-139, Laws of Florida shall not exceed 4 years in
24 total. Further, specific development order extensions granted
25 pursuant to s. 380.06(19)(c)2., Florida Statutes, cannot be
26 further extended by this section.

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28 (2) The commencement and completion dates for any required
29 mitigation associated with a phased construction project are
30 extended so that mitigation takes place in the same timeframe
31 relative to the phase as originally permitted.

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33 (3) The holder of a valid permit or other authorization that is
34 eligible for the 2-year extension must notify the authorizing
35 agency in writing by December 31, 2012, identifying the specific
36 authorization for which the holder intends to use the extension
37 and the anticipated timeframe for acting on the authorization.

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39 (4) The extension provided for in subsection (1) does not apply
40 to:
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42 (a) A permit or other authorization under any programmatic or
43 regional general permit issued by the Army Corps of Engineers.

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45 (b) A permit or other authorization held by an owner or operator
46 determined to be in significant noncompliance with the
47 conditions of the permit or authorization as established through
48 the issuance of a warning letter or notice of violation, the
49 initiation of formal enforcement, or other equivalent action by
50 the authorizing agency.

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

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55 (5) Permits extended under this section shall continue to be
56 governed by the rules in effect at the time the permit was
57 issued, except if it is demonstrated that the rules in effect at
58 the time the permit was issued would create an immediate threat
59 to public safety or health. This provision applies to any
60 modification of the plans, terms, and conditions of the permit
61 which lessens the environmental impact, except that any such
62 modification does not extend the time limit beyond 2 additional
63 years.

64
65 (6) This section does not impair the authority of a county or
66 municipality to require the owner of a property that has
67 notified the county or municipality of the owner's intent to
68 receive the extension of time granted pursuant to this section
69 to maintain and secure the property in a safe and sanitary
70 condition in compliance with applicable laws and ordinances.



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===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete line 361

and insert:

certain criteria as an agricultural enclave; creating
a 2-year permit extension; providing