

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Eskamani offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 85-174 and insert:

5 Section 2. Section 125.022, Florida Statutes, is amended
6 to read:

7 125.022 Development permits and development orders.-

8 (1) When reviewing an application for a development permit
9 or development order that is certified by a professional listed
10 in s. 403.0877, a county may not request additional information
11 from the applicant more than three times, unless the applicant
12 waives the limitation in writing. Before a third request for
13 additional information, the applicant must be offered a meeting

538061

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Amendment No.

14 to attempt to resolve outstanding issues. Except as provided in
15 subsection (4), if the applicant believes the request for
16 additional information is not authorized by ordinance, rule,
17 statute, or other legal authority, the county, at the
18 applicant's request, shall proceed to process the application
19 for approval or denial.

20 (2) When a county denies an application for a development
21 permit or development order, the county shall give written
22 notice to the applicant. The notice must include a citation to
23 the applicable portions of an ordinance, rule, statute, or other
24 legal authority for the denial of the permit or order.

25 (3) As used in this section, the terms ~~term~~ "development
26 permit" and "development order" have ~~has~~ the same meaning as in
27 s. 163.3164, but do ~~does~~ not include building permits.

28 (4) For any development permit application filed with the
29 county on or after July 1, 2012, a county may not require as a
30 condition of processing or issuing a development permit or
31 development order that an applicant obtain a permit or approval
32 from any state or federal agency unless the agency has issued a
33 final agency action that denies the federal or state permit
34 before the county action on the local development permit.

35 (5) Issuance of a development permit or development order
36 by a county does not in any way create any rights on the part of
37 the applicant to obtain a permit from a state or federal agency
38 and does not create any liability on the part of the county for

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Amendment No.

39 issuance of the permit if the applicant fails to obtain
40 requisite approvals or fulfill the obligations imposed by a
41 state or federal agency or undertakes actions that result in a
42 violation of state or federal law. A county shall attach such a
43 disclaimer to the issuance of a development permit and shall
44 include a permit condition that all other applicable state or
45 federal permits be obtained before commencement of the
46 development.

47 (6) This section does not prohibit a county from providing
48 information to an applicant regarding what other state or
49 federal permits may apply.

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52 **T I T L E A M E N D M E N T**

53 Remove lines 2-14 and insert:

54 An act relating to property development; amending s.
55 125.022, F.S.; requiring applicants for development
56 orders to follow the processes used by applicants for
57 development permits; conforming provisions to changes
58 made by the act; defining the term "development
59 order";

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