1	A bill to be entitled
2	An act relating to local government land regulation;
3	amending s. 125.022, F.S.; requiring counties to
4	specify minimum information necessary for certain
5	applications; revising timeframes for processing
6	applications for approval of development permits or
7	development orders; defining the term "substantive
8	change"; providing refund parameters in situations
9	where the county fails to meet certain timeframes;
10	providing exceptions; amending s. 163.3180, F.S.;
11	prohibiting a school district from collecting,
12	charging, or imposing certain fees unless they meet
13	certain requirements; providing a standard of review
14	for actions challenging such fees; amending s. 553.80,
15	F.S.; specifying certain purposes for which local
16	governments may use certain fees to carry out
17	activities relating to obtaining or finalizing a
18	building permit; amending s. 163.31801, F.S.; revising
19	the voting threshold required for approval of certain
20	impact fee increase ordinances by local governments,
21	school districts, and special districts; requiring
22	that certain impact fee increases be implemented in
23	specified increments; prohibiting a local government
24	from increasing an impact fee rate beyond certain
25	phase-in limitations under certain circumstances;
26	deleting retroactive applicability; amending s.
27	163.3184, F.S.; providing that if comprehensive plan
28	amendments are not adopted at a specified hearing,
29	such amendments must be formally adopted within a

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30	certain time period or they are deemed withdrawn;
31	increasing the time period within which comprehensive
32	plan amendments must be transmitted; amending s.
33	166.033, F.S.; requiring municipalities to specify
34	minimum information necessary for certain
35	applications; revising timeframes for processing
36	applications for approval of development permits or
37	development orders; defining the term "substantive
38	change"; providing refund parameters in situations
39	where the municipality fails to meet certain
40	timeframes; providing exceptions; providing effective
41	dates.
42	
43	Be It Enacted by the Legislature of the State of Florida:
44	
45	Section 1. Section 125.022, Florida Statutes, is amended to
46	read:
47	125.022 Development permits and orders
48	(1) A county shall specify in writing the minimum
49	information that must be submitted in an application for a
50	zoning approval, rezoning approval, subdivision approval,
51	certification, special exception, or variance. A county shall
52	make the minimum information available for inspection and
53	copying at the location where the county receives applications
54	for development permits and orders, provide the information to
55	the applicant at a preapplication meeting, or post the
56	information on the county's website.
57	(2) Within 5 business days after receiving an application
58	for approval of a development permit or development order, a

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59 county shall confirm receipt of the application using contact 60 information provided by the applicant. Within 30 days after 61 receiving an application for approval of a development permit or 62 development order, a county must review the application for completeness and issue a written notification to the applicant 63 64 letter indicating that all required information is submitted or 65 specify in writing specifying with particularity any areas that 66 are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the 67 68 required additional information. For applications that do not 69 require final action through a quasi-judicial hearing or a 70 public hearing, the county must approve, approve with 71 conditions, or deny the application for a development permit or 72 development order within 120 days after the county has deemed 73 the application complete., or 180 days For applications that 74 require final action through a quasi-judicial hearing or a 75 public hearing, the county must approve, approve with 76 conditions, or deny the application for a development permit or 77 development order within 180 days after the county has deemed 78 the application complete. Both parties may agree in writing or 79 in a public meeting or hearing to a reasonable request for an 80 extension of time, particularly in the event of a force majeure 81 or other extraordinary circumstance. An approval, approval with 82 conditions, or denial of the application for a development 83 permit or development order must include written findings supporting the county's decision. The timeframes contained in 84 85 this subsection do not apply in an area of critical state concern, as designated in s. 380.0552. The timeframes contained 86 in this subsection restart if an applicant makes a substantive 87

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88 <u>change to the application. As used in this subsection, the term</u> 89 <u>"substantive change" means an applicant-initiated change of 15</u> 90 <u>percent or more in the proposed density, intensity, or square</u> 91 <u>footage of a parcel.</u>

92 <u>(3)(a)(2)(a)</u> When reviewing an application for a 93 development permit or development order that is certified by a 94 professional listed in s. 403.0877, a county may not request 95 additional information from the applicant more than three times, 96 unless the applicant waives the limitation in writing.

97 (b) If a county makes a request for additional information 98 and the applicant submits the required additional information 99 within 30 days after receiving the request, the county must 100 review the application for completeness and issue a letter 101 indicating that all required information has been submitted or 102 specify with particularity any areas that are deficient within 103 days after receiving the additional information.

104 (c) If a county makes a second request for additional 105 information and the applicant submits the required additional 106 information within 30 days after receiving the request, the 107 county must review the application for completeness and issue a 108 letter indicating that all required information has been 109 submitted or specify with particularity any areas that are 110 deficient within 10 days after receiving the additional 111 information.

(d) Before a third request for additional information, the applicant must be offered a meeting to attempt to resolve outstanding issues. If a county makes a third request for additional information and the applicant submits the required additional information within 30 days after receiving the

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117 request, the county must deem the application complete within 10 118 days after receiving the additional information or proceed to 119 process the application for approval or denial unless the 120 applicant waived the county's limitation in writing as described 121 in paragraph (a). 122 (e) Except as provided in subsection (7)  $\frac{(5)}{(5)}$ , if the 123 applicant believes the request for additional information is not 124 authorized by ordinance, rule, statute, or other legal 125 authority, the county, at the applicant's request, shall proceed 126 to process the application for approval or denial. 127 (4) A county must issue a refund to an applicant equal to: 128 (a) Ten percent of the application fee if the county fails 129 to issue written notification of completeness or written 130 specification of areas of deficiency within 30 days after 131 receiving the application. 132 Ten percent of the application fee if the county fails (b) 133 to issue a written notification of completeness or written 134 specification of areas of deficiency within 30 days after 135 receiving the additional information pursuant to paragraph 136 (3)(b). 137 (c) Twenty percent of the application fee if the county 138 fails to issue a written notification of completeness or written 139 specification of areas of deficiency within 10 days after 140 receiving the additional information pursuant to paragraph 141 (3)(c). 142 (d) Fifty percent of the application fee if the county 143 fails to approve, approves with conditions, or denies the 144 application within 30 days after conclusion of the 120-day or 145 180-day timeframe specified in subsection (2).

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146 (e) One hundred percent of the application fee if the 147 county fails to approve, approves with conditions, or denies an 148 application 31 days or more after conclusion of the 120-day or 149 180-day timeframe specified in subsection (2). 150 151 A county is not required to issue a refund if the applicant and

151 <u>A county is not required to issue a retained if the applicant and</u> 152 <u>the county agree to an extension of time, the delay is caused by</u> 153 <u>the applicant, or the delay is attributable to a force majeure</u> 154 <u>or other extraordinary circumstance.</u>

155 <u>(5)(3)</u> When a county denies an application for a 156 development permit or development order, the county shall give 157 written notice to the applicant. The notice must include a 158 citation to the applicable portions of an ordinance, rule, 159 statute, or other legal authority for the denial of the permit 160 or order.

161 (6) (4) As used in this section, the terms "development 162 permit" and "development order" have the same meaning as in s. 163.3164, but do not include building permits.

164 <u>(7)(5)</u> For any development permit application filed with 165 the county after July 1, 2012, a county may not require as a 166 condition of processing or issuing a development permit or 167 development order that an applicant obtain a permit or approval 168 from any state or federal agency unless the agency has issued a 169 final agency action that denies the federal or state permit 170 before the county action on the local development permit.

171 <u>(8) (6)</u> Issuance of a development permit or development 172 order by a county does not in any way create any rights on the 173 part of the applicant to obtain a permit from a state or federal 174 agency and does not create any liability on the part of the

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175	county for issuance of the permit if the applicant fails to
176	obtain requisite approvals or fulfill the obligations imposed by
177	a state or federal agency or undertakes actions that result in a
178	violation of state or federal law. A county shall attach such a
179	disclaimer to the issuance of a development permit and shall
180	include a permit condition that all other applicable state or
181	federal permits be obtained before commencement of the
182	development.
183	<u>(9)</u> This section does not prohibit a county from
184	providing information to an applicant regarding what other state
185	or federal permits may apply.
186	Section 2. Present paragraph (j) of subsection (6) of
187	section 163.3180, Florida Statutes, is redesignated as paragraph
188	(k), and a new paragraph (j) is added to that subsection, to
189	read:
190	163.3180 Concurrency
191	(6)
192	(j) A school district may not collect, charge, or impose
193	any alternative fee in lieu of an impact fee to mitigate the
194	impact of development on educational facilities unless such fee
195	meets the requirements of s. 163.31801(4)(f) and (g). In any
196	action challenging a fee under this paragraph, the school
197	district has the burden of proving by a preponderance of the
198	evidence that the imposition and amount of the fee meet the
199	requirements of state legal precedent.
200	Section 3. Paragraph (a) of subsection (7) of section
201	553.80, Florida Statutes, is amended to read:
202	553.80 Enforcement
203	(7)(a) The governing bodies of local governments may
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204 provide a schedule of reasonable fees, as authorized by s. 205 125.56(2) or s. 166.222 and this section, for enforcing this 206 part. These fees, and any fines or investment earnings related 207 to the fees, may only be used for carrying out the local 208 government's responsibilities in enforcing the Florida Building 209 Code, including, but not limited to, any process or enforcement 210 related to obtaining or finalizing a building permit. When 211 providing a schedule of reasonable fees, the total estimated annual revenue derived from fees, and the fines and investment 212 earnings related to the fees, may not exceed the total estimated 213 214 annual costs of allowable activities. Any unexpended balances 215 must be carried forward to future years for allowable activities or must be refunded at the discretion of the local government. A 216 217 local government may not carry forward an amount exceeding the 218 average of its operating budget for enforcing the Florida 219 Building Code for the previous 4 fiscal years. For purposes of 220 this subsection, the term "operating budget" does not include reserve amounts. Any amount exceeding this limit must be used as 221 222 authorized in subparagraph 2. However, a local government that 223 established, as of January 1, 2019, a Building Inspections Fund 224 Advisory Board consisting of five members from the construction 225 stakeholder community and carries an unexpended balance in 226 excess of the average of its operating budget for the previous 4 227 fiscal years may continue to carry such excess funds forward 228 upon the recommendation of the advisory board. The basis for a 229 fee structure for allowable activities must relate to the level 230 of service provided by the local government and must include 231 consideration for refunding fees due to reduced services based on services provided as prescribed by s. 553.791, but not 232

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233 provided by the local government. Fees charged must be 234 consistently applied.

235 1. As used in this subsection, the phrase "enforcing the 236 Florida Building Code" includes the direct costs and reasonable 237 indirect costs associated with review of building plans, 238 building inspections, reinspections, and building permit 239 processing; building code enforcement; and fire inspections 240 associated with new construction. The phrase may also include training costs associated with the enforcement of the Florida 241 Building Code and enforcement action pertaining to unlicensed 242 243 contractor activity to the extent not funded by other user fees.

244 2. A local government must use any excess funds that it is 245 prohibited from carrying forward to rebate and reduce fees, to 246 upgrade technology hardware and software systems to enhance 247 service delivery, to pay for the construction of a building or 248 structure that houses a local government's building code 249 enforcement agency, or for training programs for building 250 officials, inspectors, or plans examiners associated with the 251 enforcement of the Florida Building Code. Excess funds used to 252 construct such a building or structure must be designated for 253 such purpose by the local government and may not be carried 254 forward for more than 4 consecutive years. An owner or builder 255 who has a valid building permit issued by a local government for 256 a fee, or an association of owners or builders located in the 257 state that has members with valid building permits issued by a 258 local government for a fee, may bring a civil action against the 259 local government that issued the permit for a fee to enforce 260 this subparagraph.

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3. The following activities may not be funded with fees

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262	adopted for enforcing the Florida Building Code:
263	a. Planning and zoning or other general government
264	activities not related to obtaining a building permit.
265	b. Inspections of public buildings for a reduced fee or no
266	fee.
267	c. Public information requests, community functions,
268	boards, and any program not directly related to enforcement of
269	the Florida Building Code.
270	d. Enforcement and implementation of any other local
271	ordinance, excluding validly adopted local amendments to the
272	Florida Building Code and excluding any local ordinance directly
273	related to enforcing the Florida Building Code as defined in
274	subparagraph 1.
275	4. A local government must use recognized management,
276	accounting, and oversight practices to ensure that fees, fines,
277	and investment earnings generated under this subsection are
278	maintained and allocated or used solely for the purposes
279	described in subparagraph 1.
280	5. The local enforcement agency, independent district, or
281	special district may not require at any time, including at the
282	time of application for a permit, the payment of any additional
283	fees, charges, or expenses associated with:
284	a. Providing proof of licensure under chapter 489;
285	b. Recording or filing a license issued under this chapter;
286	c. Providing, recording, or filing evidence of workers'
287	compensation insurance coverage as required by chapter 440; or
288	d. Charging surcharges or other similar fees not directly
289	related to enforcing the Florida Building Code.
290	Section 4. Effective January 1, 2026, paragraphs (g) and

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(h) of subsection (6) of section 163.31801, Florida Statutes,are amended to read:

293 163.31801 Impact fees; short title; intent; minimum 294 requirements; audits; challenges.-

(6) A local government, school district, or special
district may increase an impact fee only as provided in this
subsection.

(g)<u>1.</u> A local government, school district, or special district may increase an impact fee rate beyond the phase-in limitations established under paragraph (b), paragraph (c), paragraph (d), or paragraph (e) by establishing the need for such increase in full compliance with the requirements of subsection (4), provided the following criteria are met:

304 <u>a.1.</u> A demonstrated-need study justifying any increase in 305 excess of those authorized in paragraph (b), paragraph (c), 306 paragraph (d), or paragraph (e) has been completed within the 12 307 months before the adoption of the impact fee increase and 308 expressly demonstrates the extraordinary circumstances 309 necessitating the need to exceed the phase-in limitations.

310 <u>b.2</u>. The local government jurisdiction has held <u>at least</u> 311 not less than two publicly noticed workshops dedicated to the 312 extraordinary circumstances necessitating the need to exceed the 313 phase-in limitations set forth in paragraph (b), paragraph (c), 314 paragraph (d), or paragraph (e).

315 <u>c.3.</u> The impact fee increase ordinance is approved by at 316 least a <u>unanimous</u> <del>two-thirds</del> vote of the governing body.

317 <u>2. An impact fee increase approved under this paragraph</u> 318 <u>must be implemented in at least two but not more than four equal</u> 319 annual increments beginning with the date on which the impact

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320	fee increase ordinance is adopted.
321	3. A local government may not increase an impact fee rate
322	beyond the phase-in limitations under this paragraph if the
323	local government has not increased the impact fee within the
324	past 5 years. Any year in which the local government is
325	prohibited from increasing an impact fee because the
326	jurisdiction is in a hurricane disaster area is not included in
327	the 5-year period.
328	(h) This subsection operates retroactively to January 1,
329	<del>2021.</del>
330	Section 5. Paragraphs (b) and (c) of subsection (3) of
331	section 163.3184, Florida Statutes, are amended to read:
332	163.3184 Process for adoption of comprehensive plan or plan
333	amendment
334	(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF
335	COMPREHENSIVE PLAN AMENDMENTS
336	(b)1. If a plan amendment or amendments are adopted, the
337	local government, after the initial public hearing held pursuant
338	to subsection (11), shall transmit <u>,</u> within 10 working days <u>after</u>
339	the date of adoption, the amendment or amendments and
340	appropriate supporting data and analyses to the reviewing
341	agencies. The local governing body shall also transmit a copy of
342	the amendments and supporting data and analyses to any other
343	local government or governmental agency that has filed a written
344	request with the governing body.
345	2. The reviewing agencies and any other local government or
346	governmental agency specified in subparagraph 1. may provide
347	comments regarding the amendment or amendments to the local
348	government. State agencies shall only comment on important state
Į	

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349 resources and facilities that will be adversely impacted by the 350 amendment if adopted. Comments provided by state agencies shall 351 state with specificity how the plan amendment will adversely 352 impact an important state resource or facility and shall 353 identify measures the local government may take to eliminate, 354 reduce, or mitigate the adverse impacts. Such comments, if not 355 resolved, may result in a challenge by the state land planning 356 agency to the plan amendment. Agencies and local governments 357 must transmit their comments to the affected local government 358 such that they are received by the local government not later 359 than 30 days after the date on which the agency or government 360 received the amendment or amendments. Reviewing agencies shall 361 also send a copy of their comments to the state land planning 362 agency.

363 3. Comments to the local government from a regional 364 planning council, county, or municipality shall be limited as 365 follows:

366 a. The regional planning council review and comments shall 367 be limited to adverse effects on regional resources or 368 facilities identified in the strategic regional policy plan and 369 extrajurisdictional impacts that would be inconsistent with the 370 comprehensive plan of any affected local government within the 371 region. A regional planning council may not review and comment 372 on a proposed comprehensive plan amendment prepared by such 373 council unless the plan amendment has been changed by the local 374 government subsequent to the preparation of the plan amendment 375 by the regional planning council.

b. County comments shall be in the context of therelationship and effect of the proposed plan amendments on the

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378 county plan.

379 c. Municipal comments shall be in the context of the 380 relationship and effect of the proposed plan amendments on the 381 municipal plan.

382 d. Military installation comments shall be provided in383 accordance with s. 163.3175.

384 4. Comments to the local government from state agencies 385 shall be limited to the following subjects as they relate to 386 important state resources and facilities that will be adversely 387 impacted by the amendment if adopted:

a. The Department of Environmental Protection shall limit
its comments to the subjects of air and water pollution;
wetlands and other surface waters of the state; federal and
state-owned lands and interest in lands, including state parks,
greenways and trails, and conservation easements; solid waste;
water and wastewater treatment; and the Everglades ecosystem
restoration.

395 b. The Department of State shall limit its comments to the396 subjects of historic and archaeological resources.

397 c. The Department of Transportation shall limit its 398 comments to issues within the agency's jurisdiction as it 399 relates to transportation resources and facilities of state 400 importance.

d. The Fish and Wildlife Conservation Commission shall
limit its comments to subjects relating to fish and wildlife
habitat and listed species and their habitat.

404 e. The Department of Agriculture and Consumer Services
405 shall limit its comments to the subjects of agriculture,
406 forestry, and aquaculture issues.

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407

The Department of Education shall limit its comments to f. 408 the subject of public school facilities.

409 The appropriate water management district shall limit q. 410 its comments to flood protection and floodplain management, 411 wetlands and other surface waters, and regional water supply.

412 The state land planning agency shall limit its comments h. 413 to important state resources and facilities outside the 414 jurisdiction of other commenting state agencies and may include 415 comments on countervailing planning policies and objectives served by the plan amendment that should be balanced against 416 417 potential adverse impacts to important state resources and 418 facilities.

(c)1. The local government shall hold a second public 419 420 hearing, which shall be a hearing on whether to adopt one or more comprehensive plan amendments pursuant to subsection (11). 421 422 If the local government fails, within 180 days after receipt of 423 agency comments, to hold the second public hearing, and to adopt 424 the comprehensive plan amendments, the amendments are deemed 425 withdrawn unless extended by agreement with notice to the state 426 land planning agency and any affected person that provided 427 comments on the amendment. If the amendments are not adopted at 428 the second public hearing, the amendments shall be formally 429 adopted by the local government within 180 days after the second 430 public hearing is held or the amendments are deemed withdrawn 431 The 180-day limitation does not apply to amendments processed 432 pursuant to s. 380.06.

433 2. All comprehensive plan amendments adopted by the 434 governing body, along with the supporting data and analysis, shall be transmitted within 30 10 working days after the final 435

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436 adoption hearing to the state land planning agency and any other 437 agency or local government that provided timely comments under 438 subparagraph (b)2. If the local government fails to transmit the 439 comprehensive plan amendments within <u>30</u> <del>10</del> working days after 440 the final adoption hearing, the amendments are deemed withdrawn.

3. The state land planning agency shall notify the local government of any deficiencies within 5 working days after receipt of an amendment package. For purposes of completeness, an amendment shall be deemed complete if it contains a full, executed copy of:

446

a. The adoption ordinance or ordinances;

b. In the case of a text amendment, the amended language in
legislative format with new words inserted in the text
underlined, and words deleted stricken with hyphens;

c. In the case of a future land use map amendment, the
future land use map clearly depicting the parcel, its existing
future land use designation, and its adopted designation; and

453 d. Any data and analyses the local government deems454 appropriate.

455 4. An amendment adopted under this paragraph does not 456 become effective until 31 days after the state land planning 457 agency notifies the local government that the plan amendment 458 package is complete. If timely challenged, an amendment does not 459 become effective until the state land planning agency or the 460 Administration Commission enters a final order determining the 461 adopted amendment to be in compliance.

462 Section 6. Section 166.033, Florida Statutes, is amended to 463 read:

464 166.033 Development permits and orders.-

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465 (1) A municipality shall specify in writing the minimum information that must be submitted for an application for a 466 467 zoning approval, rezoning approval, subdivision approval, 468 certification, special exception, or variance. A municipality 469 shall make the minimum information available for inspection and 470 copying at the location where the municipality receives 471 applications for development permits and orders, provide the information to the applicant at a preapplication meeting, or 472 473 post the information on the municipality's website. 474 (2) Within 5 business days after receiving an application 475 for approval of a development permit or development order, a municipality shall confirm receipt of the application using 476 477 contact information provided by the applicant. Within 30 days 478 after receiving an application for approval of a development permit or development order, a municipality must review the 479 480 application for completeness and issue a written notification to 481 the applicant letter indicating that all required information is submitted or specify in writing specifying with particularity 482 any areas that are deficient. If the application is deficient, 483 484 the applicant has 30 days to address the deficiencies by 485 submitting the required additional information. For applications 486 that do not require final action through a quasi-judicial 487 hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a 488 489 development permit or development order within 120 days after 490 the municipality has deemed the application complete., or 180 491 days For applications that require final action through a quasi-492 judicial hearing or a public hearing, the municipality must approve, approve with conditions, or deny the application for a 493

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494 development permit or development order within 180 days after 495 the municipality has deemed the application complete. Both 496 parties may agree in writing or in a public meeting or hearing 497 to a reasonable request for an extension of time, particularly 498 in the event of a force majeure or other extraordinary 499 circumstance. An approval, approval with conditions, or denial 500 of the application for a development permit or development order 501 must include written findings supporting the municipality's 502 decision. The timeframes contained in this subsection do not 503 apply in an area of critical state concern, as designated in s. 504 380.0552 or chapter 28-36, Florida Administrative Code. The 505 timeframes contained in this subsection restart if an applicant 506 makes a substantive change to the application. As used in this 507 subsection, the term "substantive change" means an applicantinitiated change of 15 percent or more in the proposed density, 508 509 intensity, or square footage of a parcel.

510 <u>(3)(a)(2)(a)</u> When reviewing an application for a 511 development permit or development order that is certified by a 512 professional listed in s. 403.0877, a municipality may not 513 request additional information from the applicant more than 514 three times, unless the applicant waives the limitation in 515 writing.

(b) If a municipality makes a request for additional information and the applicant submits the required additional information within 30 days after receiving the request, the municipality must review the application for completeness and issue a letter indicating that all required information has been submitted or specify with particularity any areas that are deficient within 30 days after receiving the additional

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523 information.

524 (C) If a municipality makes a second request for additional 525 information and the applicant submits the required additional 526 information within 30 days after receiving the request, the 527 municipality must review the application for completeness and 528 issue a letter indicating that all required information has been 529 submitted or specify with particularity any areas that are 530 deficient within 10 days after receiving the additional 531 information.

532 (d) Before a third request for additional information, the 533 applicant must be offered a meeting to attempt to resolve 534 outstanding issues. If a municipality makes a third request for 535 additional information and the applicant submits the required 536 additional information within 30 days after receiving the 537 request, the municipality must deem the application complete 538 within 10 days after receiving the additional information or 539 proceed to process the application for approval or denial unless 540 the applicant waived the municipality's limitation in writing as 541 described in paragraph (a).

(e) Except as provided in subsection (7) (5), if the
applicant believes the request for additional information is not
authorized by ordinance, rule, statute, or other legal
authority, the municipality, at the applicant's request, shall
proceed to process the application for approval or denial.

547 <u>(4) A municipality must issue a refund to an applicant</u> 548 equal to:

549 <u>(a) Ten percent of the application fee if the municipality</u> 550 <u>fails to issue written notification of completeness or written</u> 551 <u>specification of areas of deficiency within 30 days after</u>

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552	receiving the application.
553	(b) Ten percent of the application fee if the municipality
554	fails to issue written notification of completeness or written
555	specification of areas of deficiency within 30 days after
556	receiving the additional information pursuant to paragraph
557	(3) (b) .
558	(c) Twenty percent of the application fee if the
559	municipality fails to issue written notification of completeness
560	or written specification of areas of deficiency within 10 days
561	after receiving the additional information pursuant to paragraph
562	<u>(3)(c).</u>
563	(d) Fifty percent of the application fee if the
564	municipality fails to approve, approves with conditions, or
565	denies the application within 30 days after conclusion of the
566	120-day or 180-day timeframe specified in subsection (2).
567	(e) One hundred percent of the application fee if the
568	municipality fails to approve, approves with conditions, or
569	denies an application 31 days or more after conclusion of the
570	120-day or 180-day timeframe specified in subsection (2).
571	
572	A municipality is not required to issue a refund if the
573	applicant and the municipality agree to an extension of time,
574	the delay is caused by the applicant, or the delay is
575	attributable to a force majeure or other extraordinary
576	circumstance.
577	(5)(3) When a municipality denies an application for a
578	development permit or development order, the municipality shall
579	give written notice to the applicant. The notice must include a
580	citation to the applicable portions of an ordinance, rule,

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581 statute, or other legal authority for the denial of the permit 582 or order.

583 <u>(6)(4)</u> As used in this section, the terms "development 584 permit" and "development order" have the same meaning as in s. 585 163.3164, but do not include building permits.

586 (7) (7) (5) For any development permit application filed with 587 the municipality after July 1, 2012, a municipality may not 588 require as a condition of processing or issuing a development 589 permit or development order that an applicant obtain a permit or 590 approval from any state or federal agency unless the agency has 591 issued a final agency action that denies the federal or state 592 permit before the municipal action on the local development 593 permit.

594 (8) (6) Issuance of a development permit or development 595 order by a municipality does not create any right on the part of an applicant to obtain a permit from a state or federal agency 596 597 and does not create any liability on the part of the 598 municipality for issuance of the permit if the applicant fails 599 to obtain requisite approvals or fulfill the obligations imposed 600 by a state or federal agency or undertakes actions that result 601 in a violation of state or federal law. A municipality shall 602 attach such a disclaimer to the issuance of development permits 603 and shall include a permit condition that all other applicable 604 state or federal permits be obtained before commencement of the 605 development.

606 <u>(9)</u>(7) This section does not prohibit a municipality from 607 providing information to an applicant regarding what other state 608 or federal permits may apply.

609

Section 7. Except as otherwise expressly provided in this

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610 act, this act shall take effect October 1, 2025.