

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: CS/CS/CS/HB 927	COMPANION BILL: CS/SB 1138 (Massullo)
TITLE: Local Land Planning and Development	LINKED BILLS: None
SPONSOR(S): Sapp	RELATED BILLS: None
FINAL HOUSE FLOOR ACTION: 110 Y's 0 N's	GOVERNOR'S ACTION: Approved

SUMMARY

Effect of the Bill:

The bill requires certain counties and municipalities to create a registry of qualified contractors to conduct pre-application reviews of plans, permits, or plats submitted as part of compliance with a local government's land development regulations. After completing a pre-application review on work in their respective field, a qualified contractor completes an affidavit that the work is in compliance with the local government's requirements, which is then reviewed by the local government.

The bill also revises the process for the expedited approval of residential building permits prior to plat approval by expanding its applicability to one or more phases of a community or subdivision and establishing procedures for when a local government has failed to establish an expedited permitting process.

Fiscal or Economic Impact:

The bill may have an indeterminate fiscal impact on local governments and a positive economic impact on developers.

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ANALYSIS

EFFECT OF THE BILL:

Qualified Contractors in Local Planning

The bill requires counties with populations of 75,000 or more and municipalities with populations of 10,000 or more to establish a qualified contractor registry by January 1, 2027. The registry must contain at least four qualified contractors or two qualified contractor firms to supplement local government resources to:

- Provide preapplication consulting services for development orders and permits.
- Review applications for the expedited approval of residential building permits before a final plat is recorded.
- Review applications for a plat or replat. (Section [2](#))

Persons or firms who may be contracted by a local government to serve as qualified contractors in their respective field of expertise include engineers, surveyors or mappers, architects, landscape architects, certified planners, or employees of other local governments. (Section [2](#))

A qualified contractor or qualified contractor firm is prohibited from having a conflict of interest, which the bill defines as a situation in which regard for a private interest tends to lead to disregard of a public duty or interest,¹ including any conflict of interest recognized under the licensing or certification standards applicable to the qualified contractor's field of expertise. If a qualified contractor or qualified contractor firm is determined to have a conflict of interest, the applicant may utilize another qualified contractor. (Section [2](#))

The bill provides that if a local government does not establish or maintain its registry, an applicant can choose to use any qualified contractor who does not have a conflict of interest. The bill prohibits local government from

¹ See [s. 112.312\(8\), F.S.](#)

conditioning, delaying, or denying an applicant's use of a qualified contractor or qualified contractor firm. Applicants are responsible for all fees and costs associated with the use of a qualified contractor. The bill requires local governments to provide access to public records and other information reasonably necessary for the qualified contractor to provide his or her services. (Section [2](#))

These provisions do not apply to an application for a permit for a property that is:

- Individually listed on the National Register of Historic Places.
- A contributing property within a National Register-listed historic district.
- Designated as a local historic landmark, a historic resource, or part of a locally designated historic district.
- Subject to binding historic preservation review or approval under federal, state, or local law, including review by a local historic preservation board or commission. (Section [2](#))

If such properties are included as part of the application that covers multiple parcels or improvements, the above limitation does not prohibit the use of a qualified contractor to review portions of the application that do not relate to the historic property. (Section [2](#))

Preapplication Consulting Services Program

The bill requires each county with a population of 75,000 or more and each municipality with a population of 10,000 or more to create a program to provide preapplication consulting services to applicants for development permits and orders at the applicant's request. The bill provides that this service may be provided using a qualified contractor or qualified contractor firm. (Sections [1](#) and [3](#))

The bill provides that the program must state what information must be submitted in a permit application and allow for the review and precertification for completeness of the application and all related documents, including site engineering plans or site plans, or their functional equivalent, or plats, and their compliance with all relevant existing land development regulations. (Sections [1](#) and [3](#))

If the applicant chooses to use the development preapplication consultation service, the local government must confirm receipt of the application, verify completeness, and issue a written notification to the applicant indicating that all required information is submitted or specify in writing with particularity any areas that are deficient within five business days. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information. If the local government fails to issue the written notification within five business days, the application is deemed complete without conditions and the local government is required to process the application. (Sections [1](#) and [3](#))

The bill requires the local government to take final action to approve, approve with conditions, or deny the application within 45 days of receiving a completed application. If the local government fails to take final action within the 45-day period, the applicant may notify the local government in writing. If the local government does not respond to the applicant within 10 days, the application is deemed approved without conditions and the applicant may proceed with the proposed activity or development as though the local government had granted unconditional approval, provided that the deemed approval does not relieve the applicant of his or her obligation to comply with other applicable laws, regulations, and ordinances. (Sections [1](#) and [3](#))

The bill provides that an applicant may receive a refund of 50 percent of his or her application fee if the local government does not respond within 30 days of the 45-day period or the entire application fee if the local government does not respond until 31 days or more after the deadline. (Sections [1](#) and [3](#))

Platting Approval

The bill requires local governments to use qualified contractors to supplement staff resources in ways determined by the local government's governing body for processing and expediting plat and replat approvals, if requested by the applicant. Local governments are prohibited from creating or establishing any additional local procedure or condition that a platting applicant must meet for the approval of a plat or replat. For local governments requiring infrastructure financial assurances in connection with a final plat approval, the designated administrative

authority must receive and act upon the proposed surety. The bill requires local governments to accept commonly used forms of financial assurance, including performance bonds, letters of credit, and escrow agreements, provided that the assurance is in a form reasonably acceptable to the local government and issued by a financially responsible issuer meeting objective, uniformly applied standards. If an assurance is deficient, the local government must provide written notice of such deficiencies within 10 business days. (Section 4)

Expedited Approval of Residential Building Permits Prior to Plat Approval

The bill expands the expedited [building permit](#) process for residential subdivisions or planned communities to include one or more phases in a multi-phased community or subdivision. (Section 5)

The bill also provides that if a county or municipality that was required to adopt a program for expedited building permit processing fails to do so by the applicable statutory deadline, the following requirements apply:

- The applicant must have an unconditional right to use a qualified contractor of the applicant's choosing to obtain up to 75 percent of the building permits for development before the final plat is recorded.
- The local government may not condition, delay, limit, restrict, obstruct, or deny the applicant's use of a qualified contractor other than for reasons expressly provided by state law and the Florida Building Code (FBC).
- The qualified contractor may perform all services within the scope of his or her licensure and qualifications that are necessary or incidental to obtaining building permits. The local government is required to accept all documents from the qualified contractor in place of review by local government staff if the submission is properly prepared and sealed.
- The local government may not unreasonably require the applicant or the qualified contractor to use a local government registry, rotation, shortlist, or other vetting process. (Section 5)

The above provisions apply until the local government adopts a program that meets the bill's requirements. Local governments, however, still have full authority to enforce the FBC, Fire Prevention Code, and other generally applicable state laws. (Section 5)

The bill requires the preliminary plat submitted under the two-step application process to include stabilized access roads for emergency vehicles. (Section 5)

The bill allows an applicant to use a qualified contractor to expedite the process for reviewing any plans necessary to support the approval of the site plan or plat. (Section 5)

The bill prohibits a local government from conditioning its issuance of building permits under the expedited approval process on the actual or substantial completion of infrastructure or improvements identified in the preliminary plat; on the submission and approval of any certification of completion, record drawings, pressure or compaction test results, utility acceptance letters, or similar confirmation of finished construction or readiness for service; or on compliance with an environmental condition that is not required by its land development regulations, a local government comprehensive plan, a regulatory covenant or similarly recorded instrument, a decision or an order of a local zoning board or quasi-judicial board, or by state law or federal law. This prohibition applies notwithstanding local ordinance, policy, permit condition, concurrency or proportionate-share agreement, interlocal agreement, utility policy, or any other local requirement. (Section 5)

The bill authorizes local governments to waive the requirement for the applicant to hold a performance bond for 130 percent of the necessary improvements that have not been completed upon submission of the application on a case-by-case or programmatic basis. (Section 5)

The bill provides that an applicant has a vested right in a preliminary plat under the program for five years, regardless of whether the applicant has taken action and incurred expenses in reliance on the preliminary plat. (Section 5)

Effective Date

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The bill was approved by the Governor on May 6, 2026, ch. 2026-64, L.O.F., and will become effective on July 1, 2026. (Section [6](#))

FISCAL OR ECONOMIC IMPACT:

LOCAL GOVERNMENT:

Local governments may see an indeterminate negative fiscal impact in creating the required registry program within six months of the effective date of the bill, maintaining the registry, and amending processes to incorporate registered qualified contractors for certain functions, but may see long-term benefits from some amount of workload reduction due to the use of private contractors. A request for a formal analysis was submitted to the Department of Commerce on January 12, 2026, which has not been received.

As of April 2025, 27 Florida counties had populations of less than 75,000.² Accordingly, those counties will not need to establish a registry of qualified contractors, as required by the bill.³

PRIVATE SECTOR:

Developers may benefit economically from greater efficiency and private options for various stages of development approval.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Comprehensive Planning

The Community Planning Act⁴ provides counties and municipalities with the power to plan for future development by adopting comprehensive plans.⁵ Each county and municipality must maintain a comprehensive plan to guide future development and growth.⁶

All development, both public and private, and all development orders approved by local governments must be consistent with the local government's comprehensive plan.⁷ A comprehensive plan is intended to provide for the future use of land, which contemplates a gradual and ordered growth, and establishes a long-range maximum limit on the possible intensity of land use.⁸

A locality's comprehensive plan lays out the locations for future public facilities, including roads, water and sewer facilities, neighborhoods, parks, schools, and commercial and industrial developments.⁹ A comprehensive plan is made up of 10 required elements, each laying out regulations for a different facet of development.¹⁰ Local governments may also include optional elements in their comprehensive plan.¹¹ The 10 required elements are:

- Capital improvements.
- Future land use plan.
- Transportation.
- General sanitary sewer, solid waste, drainage, potable water and natural groundwater aquifer recharge.
- Conservation.

² Fla. Office of Economic and Demographic Research, [The Florida Legislature Econographic News \(2025 Vol. I\)](#) (last visited Feb. 13, 2026).

³ *Id.*

⁴ [Ch. 163, Part II, F.S.](#)

⁵ [S. 163.3167\(1\), F.S.](#)

⁶ [S. 163.3167\(2\), F.S.](#)

⁷ [S. 163.3194\(1\)\(a\), F.S.](#)

⁸ See, e.g., [Sarasota County, Fla. Comprehensive Plan, Future Land Use Element, FLU Policy 1.1.1](#) (last visited Feb. 2, 2026).

⁹ [S. 163.3177\(1\), F.S.](#)

¹⁰ [S. 163.3177\(6\), F.S.](#)

¹¹ [S. 163.3177\(1\)\(a\), F.S.](#)

- Recreation and open space.
- Housing.
- Coastal management.
- Intergovernmental coordination.
- Property rights.¹²

Comprehensive plans must include at least two planning periods, one covering the first 10-year period occurring after the plan's adoption and one covering a period of at least 20 years.¹³ Additional planning periods are permissible and accepted as part of the planning process.

Land Development Regulations

Comprehensive plans are implemented via land development regulations. Land development regulations are ordinances enacted by governing bodies for the regulation of any aspect of development and includes any local government zoning, rezoning, subdivision, building construction, sign regulations, or any other regulations controlling the development of land.¹⁴

Each county and municipality must adopt and enforce land development regulations consistent with and that implement its adopted comprehensive plan.¹⁵ Local governments are encouraged to use innovative land development regulations¹⁶ and may adopt measures for the purpose of increasing affordable housing using land use mechanisms.¹⁷

Development Permits and Orders

Florida law requires local governments to specify in writing the minimum information that must be submitted in an application for a zoning approval, rezoning approval, subdivision approval, certification, special exception, or variance.¹⁸ Local governments must make the minimum information available for inspection and copying at the location where the local government receives applications for development permits and orders, provide the minimum information to an applicant at a pre-application meeting, or post the minimum information on the local government's website.¹⁹

Within five business days of receiving an application for a development permit or order, local governments must confirm receipt of the application using contact information provided by the applicant.²⁰ Within 30 days of receiving an application for a development permit or order, the local government must review the application for completeness and issue a written notification to the applicant indicating that all required information is submitted or specify in writing (with particularity) any areas that are deficient.²¹ If an application is deemed deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.²²

For applications for development permits or orders that do not require final action through a quasi-judicial hearing or public hearing, local governments must approve, approve with conditions, or deny such an application within 120 days of the local government's deeming the application complete.²³ For applications that require final action

¹² [S. 163.3177\(3\), \(6\)\(a\)-\(i\), F.S.](#)

¹³ [S. 163.3177\(5\)\(a\), F.S.](#)

¹⁴ [S. 163.3164\(26\), F.S.](#)

¹⁵ [S. 163.3202\(1\), F.S.](#)

¹⁶ [S. 163.3202\(3\), F.S.](#)

¹⁷ [Ss. 125.01055 and 166.04151, F.S.](#)

¹⁸ [Ss. 125.022\(1\) and 166.033\(1\), F.S.](#)

¹⁹ *Id.*

²⁰ [Ss. 125.022\(2\) and 166.033\(2\), F.S.](#)

²¹ *Id.*

²² *Id.*

²³ *Id.*

through a quasi-judicial hearing or a public hearing, local governments must approve, approve with conditions, or deny such an application within 180 days of the local government’s deeming the application complete.²⁴

Florida Building Code

Chapter 553, part IV, F.S., is known as the “Florida Building Codes Act.” The purpose and intent of the Act is to provide a mechanism for the uniform adoption, updating, interpretation, and enforcement of a single, unified state building code. The Building Code must be applied, administered, and enforced uniformly and consistently from jurisdiction to jurisdiction.²⁵

The Florida Building Commission (Commission) implements the Building Code. The Commission, which is housed within the Department of Business and Professional Regulation (DBPR), is a 19-member technical body made up of design professionals, contractors, and government experts in various disciplines covered by the Building Code. The Commission updates and adopts a new edition of the Building Code every three years.²⁶ The current edition of the Building Code is the eighth edition, which is referred to as the 2023 Building Code.²⁷

It is the intent of the Legislature that local governments have the power to inspect all buildings, structures, and facilities within their jurisdiction in protection of the public’s health, safety, and welfare.²⁸

Building Code Administrators, Inspectors, and Plans Examiners

Building officials, inspectors, and plans examiners are regulated by the Building Code Administrators and Inspectors Board within the DBPR.²⁹ A building code administrator, otherwise known as a building official, is a local government employee, or a person contracted by a local government, who supervises building code activities, including plans review, enforcement, and inspection.³⁰ A building code inspector (inspector) is a local or state government employee, or a person contracted by a local government, who inspects construction that requires permits to determine compliance with building codes and state accessibility laws.³¹

Building Permit

Every local government must enforce the Building Code and issue building permits.³² A building permit is an official document or certificate issued by the local building official that authorizes performance of a specific activity.³³ It is unlawful for a person to construct, erect, alter, repair, secure, or demolish any building without first obtaining a building permit.³⁴

To obtain a permit, an applicant must complete an application for the proposed work on the form furnished by the government entity.³⁵ A local enforcement agency³⁶ must allow applicants to submit permit applications electronically to the local enforcement agency, which must provide accepted methods of electronic submission. Accepted methods of electronic submission include, but are not limited to, email, fill-in forms available online, or third-party submission software.³⁷

²⁴ *Id.*

²⁵ [S. 553.72\(1\), F.S.](#)

²⁶ [Ss. 553.73\(7\)](#) and [553.74, F.S.](#)

²⁷ ICC Digital Codes, [2023 Florida Building Code, Building, Eighth Edition](#) (last visited Feb. 2, 2026).

²⁸ [S. 553.72, F.S.](#)

²⁹ [S. 468.605, F.S.](#)

³⁰ [S. 468.603\(2\), F.S.](#)

³¹ [S. 468.603\(4\), F.S.](#)

³² [Ss. 125.01\(1\)\(bb\), 125.56\(1\), and 553.80\(1\), F.S.](#)

³³ See [s. 468.603\(2\), F.S.](#) and [Florida Building Code \(Building\), Eighth Edition, s. 202.](#)

³⁴ [S. 553.79\(1\)\(a\), F.S.](#)

³⁵ [S. 553.79\(1\)\(b\), F.S.](#)

³⁶ A “local enforcement agency” is an agency of local government, a local school board, a community college board of trustees, or a university board of trustees in the State University System with jurisdiction to make inspections of buildings and to enforce the building code. [S. 553.71\(5\), F.S.](#)

³⁷ [Ss. 125.56\(4\)\(b\) and 553.79\(1\)\(b\), F.S.](#)

If a building official or plans reviewer denies a permit application or revokes a building permit, the building official or plans reviewer must give the permit applicant a reason for denying or revoking the permit.³⁸ The reason must be based on compliance with the building code or a local ordinance. Failing to provide a reason for denying or revoking a building permit, which is based on compliance with the building code or a local ordinance, is grounds for discipline against the building official or plans reviewer's license.³⁹

Platting

A "plat" is a map or detailed representation of the subdivision of lands, providing a complete and precise depiction of the subdivision, along with other information that complies with all applicable state requirements and local ordinances.⁴⁰ Platting ensures that when subdividing property into lots, all streets, alleys, easements, rights-of-way, public areas, utilities, and sewer and stormwater improvements are identified.⁴¹

While state laws provide minimum requirements for the platting of lands, local governments may adopt additional requirements.⁴² Prior to approval by the appropriate governing body, the plat must be reviewed for conformity with state and local laws and be sealed by a professional surveyor and mapper who is either employed by or under contract to the local governing body.⁴³

Plats must be administratively approved by a county or municipality if the plat meets the requirements for recording.⁴⁴ Each local government is responsible for designating an administrative authority to receive, review, and process plat submittals, including an official responsible for approving, approving with conditions, or denying a proposed plat. When a proposal for a plat is submitted, the administrative authority must provide written notice of receipt to the applicant within seven business days and identify any missing documents or information that would be necessary to process the application.⁴⁵ The written notice must include the local government's timeframe for reviewing, approving, and otherwise processing plat applications. Unless the applicant requires an extension of time, the administrative authority must approve, approve with conditions, or deny the plat submittal with a written notice.⁴⁶ If the application is denied, the written notice must identify all areas of noncompliance and include specific citations to each requirement the application fails to meet.

If the application is approved, the approval must be placed on the plat before it is offered to the clerk of the circuit court for recording.⁴⁷

The authority for plat approval is designated as follows:

- When the plat to be submitted for approval is located wholly within the boundaries of a municipality, the municipality has exclusive jurisdiction to approve the plat.
- When a plat lies wholly within the unincorporated areas of a county, the county has exclusive jurisdiction to approve the plat.
- When a plat lies within the boundaries of more than one governing body, two plats must be prepared and each county or municipality has exclusive jurisdiction to approve the plat within its boundaries, unless each county or municipality agrees that one plat is mutually acceptable.⁴⁸

³⁸ [S. 553.79\(1\)\(a\), F.S.](#)

³⁹ *Id.*

⁴⁰ [S. 177.031\(14\), F.S.](#)

⁴¹ [S. 177.091, F.S.](#); Clark, Campbell, Lancaster, Workman, and Airth, P.A., *The Basics of Platting Property* (May 28, 2020) (last visited Feb. 2, 2026).

⁴² [S. 177.011, F.S.](#)

⁴³ [S. 177.081\(1\), F.S.](#)

⁴⁴ [S. 177.071\(1\), F.S.](#)

⁴⁵ [S. 177.071\(2\), F.S.](#)

⁴⁶ [S. 177.071\(3\), F.S.](#)

⁴⁷ [S. 177.071\(4\), F.S.](#)

⁴⁸ *Id.*

Every plat of a subdivision offered for recording must contain certain information, including:

- The name of the plat in bold legible letters, and the name of the subdivision, professional surveyor and mapper or legal entity, and street and mailing address on each sheet.
- The section, township, and range immediately under the name of the plat on each sheet included, along with the name of the city, town, village, county, and state in which the land being platted is situated.
- The dedications and approvals by the surveyor and mapper and local governing body, and the circuit court clerk's certificate and the professional surveyor and mapper's seal and statement.
- All section lines and quarter section lines occurring within the subdivision. If the description is by metes and bounds, all information called for, such as the point of commencement, course bearings and distances, and the point of beginning. If the platted lands are in a land grant or are not included in the subdivision of government surveys, then the boundaries are to be defined by metes and bounds and courses.
- Location, width, and names of all streets, waterways, or other rights-of-way.
- Location and width of proposed easements and existing easements identified in the title opinion or property information report must be shown on the plat or in the notes or legend, and their intended use.
- All lots numbered either by progressive numbers or, if in blocks, progressively numbered in each block, and the blocks progressively numbered or lettered, except that blocks in numbered additions bearing the same name may be numbered consecutively throughout the several additions.
- Sufficient survey data to positively describe the bounds of every lot, block, street easement, and all other areas shown on the plat.
- Designated park and recreation parcels.
- All interior excepted parcels clearly indicated and labeled "Not a part of this plat."
- The purpose of all areas dedicated clearly indicated or stated on the plat.
- All platted utility easements, which must provide that such easements are also easements for the construction, installation, maintenance, and operation of cable television services; provided, however, no such construction, installation, maintenance, and operation of cable television services interferes with the facilities and services of an electric, telephone, gas, or other public utility.⁴⁹

Many local governments have a process to approve a *preliminary plat* before approving a final plat, and once a preliminary plat is approved, a developer may be allowed to commence construction before the final plat is approved. Generally, a preliminary plat is a technical, graphic representation of a proposed development, including plans for streets, utilities, drainage, easements, and lot lines, for a proposed subdivision. If a preliminary plat is required, it is generally a prerequisite for a final plat approval and the submission of any property improvement plans or permit applications.⁵⁰ For example, the City of Jacksonville, the Village of Royal Palm Beach, and the City of Tallahassee allow for a preliminary plat approval process.⁵¹

The fee to have a plat approved differs between local governments. For instance:

- The City of Orlando charges either \$1,200 or \$3,000, depending on the type of plat being submitted.⁵²
- Madison County charges either \$1500, \$1700, or \$2000, depending on whether it is a preliminary or final plat and whether improvements are required; additionally, Madison County charges a \$50 fee per lot, along with consultant fees.⁵³

Once a final plat is approved, it is submitted to the clerk of the circuit court for recording.⁵⁴

⁴⁹ [S. 177.091, F.S.](#)

⁵⁰ See e.g., [City of Zephyrhills Code of Ordinances Art. XI, Part 11.03.00, s. 11.03.02.01.](#)

⁵¹ [City of Jacksonville Code of Ordinances s. 654-109, Village of Royal Palm Beach Code of Ordinances s. 22-22, City of Tallahassee Code of Ordinances s. 9-92.](#)

⁵² City of Orlando, [Fees—Commercial Development](#) (last visited Feb. 2, 2026).

⁵³ Madison County, [Planning & Zoning Fees, Madison County Resolution No. 2016-09-14A.](#) (last visited Feb. 2, 2026).

⁵⁴ See [s. 177.073\(1\)\(b\), F.S.](#)

In 2025,⁵⁵ the Legislature revised the plat review process by requiring local governments to:

- Administratively approve plat or replat submissions, with no further action by the local government, if the submittal complies with statutory requirements;
- Designate an administrative authority to receive, process, and review the plat or replat submittal; and
- Within seven business days of receiving a submission, provide written notice to the applicant acknowledging receipt of the submittal, identifying any deficiencies, and providing timeframes for reviewing, approving, and otherwise processing the plat or replat submittal.⁵⁶

[Expedited Approval of Residential Building Permits Prior to Plat Approval](#)

Counties and municipalities that meet certain population thresholds that have at least 25 acres of contiguous land that is designated in its comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes are required to develop a program for the expedited issuance of building permits for residential subdivisions or planned communities before a final plat is recorded with the clerk of the circuit court.⁵⁷

As part of this process, each county and municipality subject to the requirements must create:

- A two-step application process for the adoption of a preliminary plat, inclusive of any plans, in order to expedite the issuance of building permits related to such plats.
- A master building permit process consistent with existing master building permit application requirements for applicants seeking multiple building permits for residential subdivisions or planned communities, with the master building permits issued being valid for the earlier of three consecutive years after issuance or until the adopting of a new Building Code.⁵⁸

The expedited process must include an application for an applicant to identify up to 50 percent of planned homes, or the number of building permits, that the governing body must issue for the residential subdivision or planned community, increasing to 75 percent on December 31, 2027.⁵⁹ The local government is required to issue these building permits to the applicant, provided that the residential buildings or structures are unoccupied and all of the following conditions are met:

- The governing body has approved a preliminary plat for each residential subdivision or planned community.
- The applicant provides proof to the governing body that the applicant has provided a copy of the approved preliminary plat, along with the approved plans, to the relevant electric, gas, water, and wastewater utilities.
- The applicant holds a valid performance bond for up to 130 percent of the necessary improvements that have not been completed upon submission of the application. For purposes of a master planned community, a valid performance bond is required on a phase-by-phase basis.⁶⁰

Applicants are allowed to use a private provider to expedite the application process and each local government required to create a program must establish a registry of at least three qualified contractors who the governing body may use to supplement staff resources, as determined by the governing body, for processing and expediting the review of an application for a preliminary plat or any plans related to such application.⁶¹ A qualified contractor on the registry who is hired to review an application, or any part thereof, for a preliminary plat, or any part thereof, may not have a conflict of interest with the applicant.

⁵⁵ See ch. 2025-164.

⁵⁶ [S. 177.01, F.S.](#)

⁵⁷ [S. 177.073\(2\)\(a\), F.S.](#) This requirement applies to counties with at least 75,000 residents and municipalities with at least 10,000 residents, excluding Monroe County and municipalities therein.

⁵⁸ [S. 177.073\(3\), F.S.](#)

⁵⁹ [S. 177.073\(2\)\(a\), \(c\), F.S.](#)

⁶⁰ [S. 177.073\(6\), F.S.](#)

⁶¹ [S. 177.073\(4\), F.S.](#)

Applicants are prohibited from transferring ownership of a residential structure or building constructed pursuant to this process and from receiving a temporary or final certificate of occupancy, until the final plat has been approved by the governing body and recorded in the public records by the clerk of the circuit court.⁶²

Applicants gain a vested right in a preliminary plat that has been approved by a governing body if all of the following conditions are met:

- The applicant relies in good faith on the approved preliminary plat or any amendments thereto.
- The applicant incurs obligations and expenses, commences construction of the residential subdivision or planned community, and is continuing in good faith with the development of the property.⁶³

Once the applicant's vested rights are established, a governing body of a county or municipality may not make substantive changes to the preliminary plat without the applicant's written consent.⁶⁴

⁶² [S. 177.074\(7\)\(a\), F.S.](#)

⁶³ [S. 177.073\(8\), F.S.](#) See also *Monroe Cnty. v. Ambrose*, 866 So.2d 707, 710 (Fla. 3rd DCA 2003).

⁶⁴ [S. 177.073\(9\), F.S.](#)