

1                                   A bill to be entitled  
2           An act relating to expedited approval of residential  
3           building permits; creating s. 177.073, F.S.; providing  
4           definitions; requiring certain governing bodies, by a  
5           date certain, to create a program to expedite the  
6           process for issuing residential building permits  
7           before a final plat is recorded; providing  
8           requirements for such program; providing an exception  
9           and construction; requiring certain governing bodies,  
10          by a date certain, to update their programs to conform  
11          to the Florida Building Code; providing construction;  
12          requiring a governing body to create certain processes  
13          for purposes of the program; specifying the length of  
14          time a master building permit is valid; authorizing  
15          applicants to use a private provider for certain  
16          reviews; authorizing a governing body to issue  
17          addresses and temporary parcel identification numbers  
18          for specified purposes; requiring a governing body to  
19          issue a specified number or percentage of building  
20          permits requested in an application when certain  
21          conditions are met; setting forth certain conditions  
22          for applicants who apply to the program; providing  
23          that an applicant has a vested right in an approved  
24          preliminary plat when certain conditions are met;  
25          requiring a local building official and a local

26 governing body to mail a signed, certified letter with  
 27 specified information to the Department of Business  
 28 and Professional Regulation and the Department of  
 29 Commerce, respectively, after the governing body  
 30 creates the program; providing an effective date.  
 31

32 Be It Enacted by the Legislature of the State of Florida:  
 33

34 Section 1. Section 177.073, Florida Statutes, is created  
 35 to read:

36 177.073 Expedited approval of residential building permits  
 37 before a final plat is recorded.-

38 (1) As used in this section, the term:

39 (a) "Applicant" means a homebuilder or developer that  
 40 files an application with the local governing body to identify  
 41 the percentage of planned homes that the local governing body  
 42 must issue for the residential subdivision or planned community.

43 (b) "Final plat" means the final tracing, map, or site  
 44 plan presented by the subdivider to a governing body for final  
 45 approval, and, upon approval by the appropriate governing body,  
 46 is submitted to the clerk of the circuit court for recording.

47 (c) "Local building official" has the same meaning as in  
 48 s. 553.791(1).

49 (d) "Plans" means any building plans, construction plans,  
 50 engineering plans, or site plans, or their functional

51 equivalent, submitted by an applicant for a building permit.

52 (e) "Preliminary plat" means a map or delineated  
53 representation of the subdivision of lands that is a complete  
54 and exact representation of the residential subdivision or  
55 planned community and contains any additional information needed  
56 to be in compliance with the requirements of this chapter.

57 (2)(a) By August 15, 2024, the governing body of a county  
58 that has 75,000 residents or more and the governing body of a  
59 municipality that has 30,000 residents or more shall create a  
60 program to expedite the process for issuing building permits for  
61 residential subdivisions or planned communities in accordance  
62 with the Florida Building Code and this section before a final  
63 plat is recorded with the clerk of the circuit court. The  
64 expedited process must include an application for an applicant  
65 to identify the percentage of planned homes that the governing  
66 body must issue for the residential subdivision or planned  
67 community, not to exceed 50 percent of the residential  
68 subdivision or planned community. This subsection does not  
69 restrict a local government from issuing building permits that  
70 exceed 50 percent of the residential subdivision or planned  
71 community.

72 (b) A governing body that had a program in place before  
73 July 1, 2023, to expedite the building permit process, need only  
74 update their program to approve an applicant's written  
75 application to issue up to 50 percent of the building permits

76 for the residential subdivision or planned community in order to  
77 comply with this section. This paragraph does not prohibit a  
78 governing body from issuing more than 50 percent of the building  
79 permits for a residential subdivision or planned community. This  
80 subsection does not restrict a local government from issuing  
81 building permits that exceed 50 percent of the residential  
82 subdivision or planned community.

83 (c) By December 31, 2028, the governing body of a county  
84 that has 75,000 residents or more and the governing body of a  
85 municipality that has 30,000 residents or more shall update its  
86 program to expedite the process for issuing building permits for  
87 residential subdivisions or planned communities in accordance  
88 with the Florida Building Code and this section before a final  
89 plat is recorded with the clerk of the circuit court. The  
90 expedited process must contain an application for an applicant  
91 to identify the percentage, up to 75 percent, of planned homes  
92 that the local governing body must issue for the residential  
93 subdivision or planned community. This subsection does not  
94 restrict a local government from issuing building permits that  
95 exceed 75 percent of the residential subdivision or planned  
96 community.

97 (3) A governing body shall create:

98 (a) A two-step application process that includes the  
99 adoption of a preliminary plat and a final plat in order to  
100 expedite the issuance of building permits under this section.

101 The application must allow an applicant to identify the  
102 percentage of planned homes that the governing body must issue  
103 for the residential subdivision or planned community. The  
104 governing body shall maximize its administrative processes to  
105 expedite the review and approval of applications, plats, and  
106 plans submitted under this section.

107 (b) A master building permit process consistent with s.  
108 553.794(3) for applicants seeking multiple building permits for  
109 residential subdivisions or planned communities. For purposes of  
110 this paragraph, a master building permit is valid for 3  
111 consecutive years after its issuance or until the adoption of a  
112 new Florida Building Code, whichever is later. After a new  
113 Florida Building Code is adopted, the applicant may apply for a  
114 new master building permit, which, upon approval, is valid for 3  
115 consecutive years.

116 (4) An applicant may use a private provider consistent  
117 with s. 553.791 to review a preliminary plat and building permit  
118 for each residential building or structure.

119 (5) A governing body may work with appropriate local  
120 government agencies to issue an address and a temporary parcel  
121 identification number for lot lines and lot sizes based on the  
122 metes and bounds of the plat contained in the application.

123 (6) If an applicant requests a certain number or  
124 percentage of building permits in his or her application, the  
125 governing body must issue the number or percentage requested in

126 accordance with the Florida Building Code, provided the  
127 residential buildings or structures are unoccupied and all of  
128 the following conditions are met:

129 (a) The governing body has approved a preliminary plat for  
130 each residential building or structure.

131 (b) The applicant provides proof to the governing body  
132 that the applicant has provided a copy of the approved  
133 preliminary plat, along with the approved plans, to the relevant  
134 electric, water, and wastewater utilities.

135 (c) The applicant holds a valid performance bond for up to  
136 130 percent of the necessary utilities, roads, and stormwater  
137 improvements that have not been completed upon submission of the  
138 application under this section. For purposes of master planned  
139 communities, as defined in s. 163.3202(5)(b), a valid  
140 performance bond is required on a phase-by-phase basis.

141 (7)(a) An applicant may contract to sell, but may not  
142 transfer ownership of, a residential structure or building  
143 located in the residential subdivision or planned community  
144 until the final plat is approved by the governing body and  
145 recorded in the public records by the clerk of the circuit  
146 court.

147 (b) An applicant may not obtain a final certificate of  
148 occupancy with respect to each residential structure or building  
149 for which a building permit is issued until the final plat is  
150 approved by the governing body and recorded in the public

151 records by the clerk of the circuit court.

152 (c) An applicant must indemnify and hold harmless the  
153 governing body and its agents and employees from damages  
154 accruing and directly related to the issuance of a building  
155 permit for a residential building or structure located in the  
156 residential subdivision or planned community before the approval  
157 and recording of the final plat by the governing body. This  
158 includes damage resulting from fire, flood, construction  
159 defects, and bodily injury.

160 (8) For purposes of this section, an applicant has a  
161 vested right in a preliminary plat that has been approved by a  
162 governing body if all of the following conditions are met:

163 (a) The applicant relies in good faith on the approved  
164 preliminary plat.

165 (b) The applicant substantially changes his or her  
166 position, including making improvements pursuant to s.  
167 177.301(9), or incurs other obligations and expenses.

168 (c) Any change by the governing body and its agents and  
169 employees from a cause of action directly related to the  
170 issuance of a building permit would constitute an inequitable  
171 interference in the approved preliminary plat.

172 (9) After a governing body creates the program required  
173 under this section, the local building official shall send by  
174 certified mail, return receipt requested, to the Department of  
175 Business and Professional Regulation a signed, certified letter

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176 | indicating that the program has been established. The letter  
177 | must contain a brief explanation of the program, including how  
178 | the program expedites the process of issuing building permits  
179 | for residential subdivisions or planned communities before the  
180 | final plat is recorded.

181 | (10) After a governing body creates the program required  
182 | under this section, the local governing body shall send by  
183 | certified mail, return receipt requested, to the Department of  
184 | Commerce a signed, certified letter indicating that the program  
185 | has been established. The letter must contain a brief  
186 | explanation of the program, including how the program expedites  
187 | the process of issuing building permits for residential  
188 | subdivisions or planned communities before the final plat is  
189 | recorded.

190 | Section 2. This act shall take effect upon becoming a law.