

SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA



Meeting Agenda - Final

Wednesday, September 4, 2024

6:00 PM

BCC Chambers

Room 1028

Planning and Zoning Commission

CALL TO ORDER**Opening Statement****Staff Present****Accept Proof of Publication****Approval of Minutes****NEW BUSINESS****Public Hearing Items:**

1. Expedited Building Permits (SB 812) - Consideration of an ordinance creating a process for expediting the issuance of building permits for residential subdivisions before a final plat is recorded to obtain compliance with Senate Bill 812. [2024-1131](#)

Attachments: [Ordinance](#)
[Expedited Building Permits Senate Bill 812: Chapter 2024-210](#)

CLOSING BUSINESS**Planning and Development Manager's Report**

2. Planning & Zoning Commission Training Workshop - This workshop will provide Planning & Zoning Commissioners with the fundamentals of planning and zoning, an overview of county review processes and the nuances of legal issues. [2024-1198](#)

Attachments: [Workshop agenda 09.04.2024](#)

ADJOURNMENT

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES, ADA COORDINATOR 48 HOURS IN ADVANCE OF THE MEETING AT 407-665-7940.

PERSONS ARE ADVISED THAT, IF THEY DECIDE TO APPEAL ANY DECISION ON ANY MATTER CONSIDERED BY THIS BOARD AT THESE MEETINGS, THEY WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, PER SECTION 286.0105, FLORIDA STATUTES.

FOR ADDITIONAL INFORMATION REGARDING THIS AGENDA, PLEASE CONTACT THE PLANNING & ZONING COMMISSION CLERK AT (407) 665-7397.



SEMINOLE COUNTY, FLORIDA

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

Agenda Memorandum

File Number: 2024-1131

Title:

Expedited Building Permits (SB 812) - Consideration of an ordinance creating a process for expediting the issuance of building permits for residential subdivisions before a final plat is recorded to obtain compliance with Senate Bill 812.

Department/Division:

Development Services - Planning and Development

Authorized By:

Rebecca Hammock

Contact/Phone Number:

Dale Hall/407-665-7375

Background:

During the 2024 legislative session, the Florida Legislature passed Senate Bill 812 which requires that Counties with more than 75,000 residents establish a process to expedite the issuance of building permits for residential subdivisions prior to the recording of a final plat.

As Seminole County exceeds the population threshold, this Ordinance creates a program to expedite the issuance of building permits for residential subdivisions before a final plat is recorded in accordance with Florida Building Code and is intended to ensure that the County is in compliance with the requirements of Senate Bill 812.

Requested Action:

Request the Board of County Commissioner approve the Ordinance amending Part 2 (procedures for securing approval of plats) of Chapter 35 (subdivision regulations) of section 35.6 (home construction prior to plat recording) of the Land Development Code of Seminole County to establish an expedited residential subdivision building permit issuance process pursuant to Section 173.073, Florida Statutes and Section 35.44 of the Land Development Code (required submittals for final plat) to require as-built engineering plans for expedited building permits; providing for conflicts; providing for

codification in the Land Development Code of Seminole County; providing for severability; and providing an effective date.

ORDINANCE NO. 2024-____

SEMINOLE COUNTY, FLORIDA

2 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
3 **SEMINOLE COUNTY, AMENDING PART 2 (PROCEDURES FOR**
4 **SECURING APPROVAL OF PLATS), CHAPTER 35 (SUBDIVISION**
5 **REGULATIONS), SECTION 35.6 (HOME CONSTRUCTION PRIOR TO**
6 **PLAT RECORDING) OF THE LAND DEVELOPMENT CODE OF**
7 **SEMINOLE COUNTY TO ESTABLISH AN EXPEDITED BUILDING**
8 **PERMIT ISSUANCE PROCESS FOR RESIDENTIAL SUBDIVISION**
9 **PLATS PURSUANT TO SECTION 173.073, FLORIDA STATUTES AND**
10 **AMENDING SECTION 35.44 (REQUIRED SUBMITTALS FOR FINAL**
11 **PLAT) TO REQUIRE AS-BUILT ENGINEERING PLANS FOR**
12 **EXPEDITED RESIDENTIAL BUILDING PERMITS; PROVIDING FOR**
13 **CONFLICTS; PROVIDING FOR CODIFICATION IN THE LAND**
14 **DEVELOPMENT CODE OF SEMINOLE COUNTY; PROVIDING FOR**
15 **SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

16 **WHEREAS**, the Florida Legislature passed Senate Bill 812 during the 2024 legislative
17 session which requires that local governments establish a process to expedite the issuance of
18 building permits for residential subdivisions prior to recording a final plat; and

19 **WHEREAS**, Senate Bill 812 established Section 177.073, Florida Statutes, which
20 provides that by October 1, 2024, the governing body of a county with 75,000 or more residents
21 must create a program to expedite the issuance of building permits for residential subdivisions in
22 accordance with Florida Building Code and this statute before a final plat is recorded; and

23 **WHEREAS**, this Ordinance is intended to ensure that the County is in compliance with
24 the requirements of Senate Bill 812 and that the mandated expedited process is established; and

25 **WHEREAS**, the Seminole County Local Planning Agency held a public hearing, with all
26 required public notice on September 4, 2024, for the purpose of providing recommendations to the
27 Board of County Commissioners with regard to this Ordinance and recommended that the Board
28 of County Commissioners adopt the Ordinance amending the Land Development Code to establish

a process for issuance of building permits for residential subdivisions prior to recording the final
30 plat.

WHEREAS, the passage of this Ordinance will ensure the County is in compliance Section
32 177.073, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
34 **COMMISSIONERS OF SEMINOLE COUNTY, FLORIDA:**

Section 1. Incorporation of Recitals. The above recitals are incorporated herein by
36 reference and form an integral part of the Ordinance.

Section 2. Short Title. This Ordinance shall be known and referred to as the Expedited
38 Residential Subdivision Building Permit Process Land Development Code Amendment.

Section 3. Intent and Purpose. The intent and purpose of this Ordinance is to amend the
40 Seminole County Land Development Code to establish a process for issuance of building permits
for residential subdivisions prior to recording the final plat.

Section 4. Part 2 (Procedures for Securing Approval of Plats) of Chapter 35 (Subdivision
42 Regulations) of the Land Development Code of Seminole County is hereby amended to read as
44 follows:

Chapter 35 - SUBDIVISION REGULATIONS

46 * * *

PART 2. PROCEDURES FOR SECURING APPROVAL OF PLATS

48 * * *

Sec. 35.16. Home construction prior to plat recording.

50 (a) Model Homes. Notwithstanding any provision of this part to the contrary,
building permits for homes may be issued for the construction of model homes within a

52 subdivision prior to plat recording if an estoppel letter, in a form acceptable to the County
Attorney, is ~~provided to~~ submitted and the ~~Development Review Manager and the Development~~
54 ~~Review Manager~~ Services Director or designee determines that the model homes are to be
located at appropriate locations with appropriate and adequate safeguards to the public health,
56 safety and welfare. The estoppel letter shall be in recordable form and contain a covenant that
no conveyance of the lots or parcels upon which the model homes are located shall occur until
58 after the plat for the subdivision is approved and recorded.

(b) *Expedited Residential Subdivision Building Permits.*

60 (1) *Purpose.* The purpose of this section is to establish a process, pursuant to
Section 177.073, Florida Statutes, as amended, to expedite issuance of building permits for
62 residential subdivisions prior to final plat recording if certain requirements are met, as set forth
herein.

64 (2) *Submittal Requirements.* Submittals for the expedited residential
subdivision building permit process are required to include the following:

66 (A) *An Expedited Residential Subdivision Building Permit Application.*
The application must include identification of the percentage of planned homes or the number of
68 building permits, not to exceed the thresholds set forth in Section 177.031, Florida Statutes, to be
issued prior to recording of the final plat for the residential subdivision.

70 (B) *Application Fee.* As per adopted Fee Schedule.

(C) *Ownership Disclosure Form and supporting documents.*

72 (D) *Owner Authorization Form.* Required if the applicant is not the
property owner.

74 (E) Plot Plan. For the purposes of this section, “plot plan” means a
scaled plan showing the existing and proposed improvements within the boundary of a lot,
76 including, but not limited to, structures, infrastructure, utilities, and boundary lines of the lot in
relation to each other. A separate plot plan is required for each individual lot requesting an
78 expedited building permit.

 (F) An emergency access and water supply plan. The plan is required
80 to show adequate fire department access to the subdivision and sufficient water supply to those
lots seeking expedited building permits and must be approved by the Fire Marshall. The emergency
82 access and supply plan must be complied with throughout construction in accordance with NFPA
1.

84 (4) Bonds. The applicant is required to submit a valid performance bond to
guarantee the installation of necessary improvements, as per Section 177.031(9), Florida Statutes,
86 in the amount of one hundred thirty (130) percent of the construction costs. Cost for construction
shall be: (1) estimated by the applicant’s engineer, or (2) a copy of the contract between the
88 applicant/developer and the contractor. The amount of the performance bond must be approved as
adequate by the County Engineer, the Utilities Department, if applicable or their designees. This
90 bonding requirement may also be met by escrow deposit, cashier’s check, certified check, or an
alternative document as approved by the Board of County Commissioners, which may include an
92 irrevocable letter of credit or developer agreement.

 (5) Addressing. Those lots requesting Expedited Residential Subdivision
94 Building Permits must be pre-addressed after the approval of the Preliminary Plan by the Planning
and Zoning Commission and prior to submission of an Expedited Residential Subdivision Building
96 Permit Application. This can be accomplished by making a request to the Addressing Supervisor,

or designee, with the approved Preliminary Plan at least ten (10) working days prior to the
98 submission of an Expedited Residential Subdivision Building Permit Application. Plans required
by Addressing must include the approved street names, adjacent road names, entrance locations,
100 lot numbers, all possible lot division lines, and north arrow. Assigned addresses are subject to
change until the plat has been recorded. The Addressing Supervisor or designee shall have the
102 authority to deviate from these standards as necessary to ensure the safety of the general public.

(6) Criteria for approval. The following criteria are required to be met for
104 approval and issuance of expedited residential subdivision building permits:

(A) The Preliminary Plan (also referred to as and used interchangeably
106 with “Preliminary Subdivision Plan” and “Preliminary site plan” as per the Land Development
Code and “Preliminary Plat” as per Section 177.073, Florida Statutes), Site Plan, and Final
108 Engineering Plan must be approved and in compliance with this Land Development Code, the
Florida Building Code, the Fire Code and Section 177.031, Florida Statutes.

(B) Proof that the applicant provided the Preliminary Plan, the Site Plan
110 and the Final Engineering Plan to the applicable electric, gas, water, and wastewater utilities
112 servicing the property; and

(C) All proposed structures seeking an expedited building permit must
114 meet the requirements for an approved master building permit or the most recently adopted Florida
Building Code requirements.

(D) The emergency access and water supply plan must be approved by
116 the Fire Marshall in accordance with NFPA 1.

118 (E) Adequate addressing and installation of street signs in accordance
with the requirements outlined in this Chapter and Chapter 40 of the Code of Ordinances must be
120 completed.

 (F) Proof that the applicant holds a valid performance bond, approved
122 by the County, for 130 percent of the uncompleted necessary improvements, as defined above; and

 (G) Execution of an indemnification and hold harmless agreement in
124 favor of the County, pursuant to Section 177.031(10), Florida Statutes.

 (7) Restrictions. Applicants may not:

126 (A) Transfer ownership of lots until the final plat is approved and
recorded in the Public Records of Seminole County, Florida.

128 (B) Obtain a temporary or final certificate of occupancy until the final
plat has been recorded.

130 (C) Occupy or allow occupation of any structure prior to issuance of a
certificate of occupancy.

132 * * *

PART 4. REQUIRED SUBMITTALS

134 * * *

Sec. 35.44. - Required submittals for final plat. The required submittals, meeting the
136 legal requirements of platting, of the final plan shall consist of a fully executed correct plat map,
meeting all state and County standards, final engineering drawings and auxiliary submittals, to
138 include a boundary survey signed and sealed by a professional surveyor and mapper registered in
Florida, and all required legal instruments.

140 * * *

142 (e) As-Built Engineering Plans. Submittal of an As-Built Engineering Plan, herein
144 defined as a post-construction survey signed and sealed by a Registered Land Surveyor in the
State of Florida identifying all property lines and the locations of all utilities, easements, and
construction improvements, shall be required for each lot within a residential subdivision that was
developed utilizing the Expedited Residential Subdivision Building Permit process.

146 (f) *Additional Required Legal Submittals.* The approval of the Final Plat shall be made
only pursuant to certification of adequacy of the following list of required submittals by the County
148 Engineer, the Environmental Services Department Director, Development Services Director
and/or County Attorney as appropriate.

150 (1) *Bonds.*

(A) The approval of any plat shall be subject to the subdivider
152 guaranteeing the installation of storm drainage facilities, bulkheads, streets, and water and sewer
lines by filing a performance bond or bonds in the amount of one hundred ten (110) percent of the
154 construction costs, including landfill. Cost for construction shall be 1) estimated by the subdivider's
engineer or 2) a copy of the contract provided. The amount of the performance bond must be
156 approved as adequate by the County Engineer, the Environmental Services Department Director.
In lieu of performance bonding, improvements may be installed following Final Plat approval and
158 preceding Final Plat recording subject to the approval of the County Engineer, the Utilities
Engineering Manager or his or her designee. In cases where improvements are installed prior to
160 recording, a maintenance bond must be submitted to the County Engineer, the Environmental
Services Department Director. The Plat cannot be recorded until the maintenance bond is approved
162 by the County Engineer, the Environmental Services Department Director, and/or their designee.
Said maintenance bond shall only be required when the responsibility for maintenance of said

164 improvements is to be transferred to the County or homeowners association. Where the
improvements will neither be owned or maintained by the County or a homeowners association
166 and ownership is retained by the developer a maintenance bond will not be required.

(B) Bonding requirements may also be met by the following, but not
168 limited to:

- (i) Escrow Deposit
- 170 (ii) Cashier's Check
- (iii) Certified Check
- 172 (iv) Others, as approved by the Board of County Commissioners,
which may include Developer-Lender-County Agreement for providing public improvements,
174 assignment of Interest-Bearing Certificate of Deposit, Irrevocable Letters of Credit, or Developer's
Agreement.

176 (v) All financial institutions or other sureties executing
documents on behalf of the developer for compliance with the conditions hereunder must be
178 acceptable to County.

(2) *Covenants.* Any protective deed covenants to be placed on the property
180 shall be notarized and in a form suitable for recording.

(3) *Title Opinion.* A certificate of ownership, signed by a licensed attorney at
182 law or an abstract company, in form approved by the County Engineer, and showing:

- (A) Parties executing plat are owners of the land embraced by the plat.
- 184 (B) All mortgages, liens, or other encumbrances.
- (C) Payment of Taxes. Prior to authorizing the recording of any plat the
186 Planning and Development Division shall be provided proof that all delinquent ad valorem taxes

and all taxes that are due and payable which relate to the real property which is being platted have
188 been paid.

(D) Description of plat is correct.

190 (E) No conflicting rights-of-way, easements, or plats exist.

(4) *Public Disclosure.* In accordance with Section 286.23, Florida Statutes, or
192 its successor, any person or entity holding real property in any form of representative capacity
including, but not limited to a partnership, a limited partnership, a corporation or a trust, shall,
194 prior to conveying real property to the County, make all disclosures required by Section 286.23,
Florida Statutes, or its successor; provided, however, that if a person or entity claims to be exempt
196 from such disclosure pursuant to State law, an affidavit attesting to said exemption shall be filed
by the said person or entity.

198 (5) *Documents, Deeds, Certificates and Bond Forms.* All documents, deeds,
certificates and bond forms required pursuant to this Section shall be submitted in a form as
200 developed and approved by the County Attorney. Copies of standard forms shall be appended
hereto for informational purposes.

202 ~~(f)~~(g) *Other Required Submittals.*

(1) *Arbor Information.* The location of all trees within road rights-of-way and
204 easements to be cleared will be submitted to the Arbor Section, Current Planning Office, if
different information than shown on the Preliminary Plat. The Arbor Inspector shall recommend
206 any necessary tree replacement at this stage.

(2) *Addresses.* Addresses shall be indicated in parentheses on each lot on one
208 (1) separate copy of the Final Plat. Addresses will be obtained by the developer from the Land
Development Division in accordance with the established addressing system.

210 (3) Letters will be submitted by all appropriate utility companies stating that all
easements are adequate.

212 (4) Copies of all required Florida Department of Environmental Protection
Water and Wastewater Permits.

214 (5) Copy of any required St. Johns River Water Management District Permit.

* * *

216 **Section 5. Conflicts.** This Ordinance shall control over any County ordinances or parts
of ordinances in conflict herewith.

218 **Section 6. Codification.** It is the intention of the Board of County Commissioners that
the provisions of this Ordinance will become and be made a part of the Land Development Code
220 of Seminole County, and that the word “ordinance” may be changed to “section”, “article”, or
other appropriate word or phrase and the sections of this Ordinance may be renumbered or re-
222 lettered to accomplish such intention; providing, however, that Sections 5, 6, 7 and 8 of this
Ordinance shall not be codified.

224 **Section 7. Severability.** If any provision of this Ordinance or the application thereof to
any person or circumstance is held invalid, it is the intent of the Board of County Commissioners
226 that such invalidity will not affect other provisions or applications of this Ordinance which can be
given effect without the invalid provision or application and, to this end, the provisions of this
228 Ordinance are declared severable.

Section 8. Effective date. This Ordinance will take effect upon filing a copy of this
230 Ordinance with the Department of State by the Clerk to the Board of County Commissioners.

BE IT ORDAINED by the Board of County Commissioners of Seminole County, this

232 _____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
SEMINOLE COUNTY, FLORIDA

GRANT MALOY
Clerk to the Board of
County Commissioners of
Seminole County, Florida

JAY ZEMBOWER, Chairman

NJB/sjs
8/14/24
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CHAPTER 2024-210

Committee Substitute for Committee Substitute for Committee Substitute for Senate Bill No. 812

An act relating to expedited approval of residential building permits; creating s. 177.073, F.S.; providing definitions; requiring certain governing bodies, by a date certain, to each create a program to expedite the process for issuing residential building permits before a final plat is recorded; requiring the expedited process to include a certain application; prohibiting the application or local government final approval from altering or restricting the number of building permits requested under certain circumstances; requiring certain governing bodies to update their program in a specified manner; providing applicability; requiring a governing body to create certain processes for purposes of the program; authorizing applicants to use a private provider to expedite the process for certain building permits; requiring a governing body to establish a registry of qualified contractors for a specified purpose; prohibiting such qualified contractors hired to review an application from having a conflict of interest with the applicant; defining the term “conflict of interest”; authorizing a governing body to issue addresses and temporary parcel identification numbers for specified purposes; requiring a governing body to issue a specified number or percentage of building permits requested in an application when certain conditions are met; setting forth certain conditions for applicants who apply to the program; providing that an applicant has a vested right in an approved preliminary plat when certain conditions are met; prohibiting a governing body from making substantive changes to a preliminary plat without written consent; requiring an applicant to indemnify and hold harmless certain entities and persons; providing an exception; providing an effective date.

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

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

177.073 Expedited approval of residential building permits before a final plat is recorded.—

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

(a) “Applicant” means a homebuilder or developer who files an application with the local governing body to identify the percentage of planned homes, or the number of building permits, that the local governing body must issue for a residential subdivision or planned community.

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

(c) “Local building official” has the same meaning as in s. 553.791(1).

(d) “Plans” means any building plans, construction plans, engineering plans, or site plans, or their functional equivalent, submitted by an applicant for a building permit.

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

(f) “Qualified contractor” includes, but is not limited to, an engineer or engineering firm licensed under chapter 471; a surveyor or mapper or a surveyor’s or mapper’s firm licensed under chapter 472; an architect or architecture firm licensed under part I of chapter 481; a landscape architect or landscape architecture firm registered under part II of chapter 481; or any other qualified professional who is certified in urban planning or environmental management.

(2)(a) By October 1, 2024, the governing body of a county that has 75,000 residents or more and any governing body of a municipality that has 10,000 residents or more and 25 acres or more of contiguous land that the local government has designated in the local government’s comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes shall create a program to expedite the process for issuing building permits for residential subdivisions or planned communities in accordance with the Florida Building Code and this section before a final plat is recorded with the clerk of the circuit court. The expedited process must include an application for an applicant to identify the percentage of planned homes, not to exceed 50 percent of the residential subdivision or planned community, or the number of building permits that the governing body must issue for the residential subdivision or planned community. The application or the local government’s final approval may not alter or restrict the applicant from receiving the number of building permits requested, so long as the request does not exceed 50 percent of the planned homes of the residential subdivision or planned community or the number of building permits. This paragraph does not:

1. Restrict the governing body from issuing more than 50 percent of the building permits for the residential subdivision or planned community.

2. Apply to a county subject to s. 380.0552.

(b) A governing body that had a program in place before July 1, 2023, to expedite the building permit process, need only update their program to approve an applicant’s written application to issue up to 50 percent of the building permits for the residential subdivision or planned community in order to comply with this section. This paragraph does not restrict a

governing body from issuing more than 50 percent of the building permits for the residential subdivision or planned community.

(c) By December 31, 2027, the governing body of a county that has 75,000 residents or more and any governing body of a municipality that has 10,000 residents or more and 25 acres or more of contiguous land that the local government has designated in the local government's comprehensive plan and future land use map as land that is agricultural or to be developed for residential purposes shall update their programs to expedite the process for issuing building permits for residential subdivisions or planned communities in accordance with the Florida Building Code and this section before a final plat is recorded with the clerk of the circuit court. The expedited process must include an application for an applicant to identify the percentage of planned homes, not to exceed 75 percent of the residential subdivision or planned community, or the number of building permits that the governing body must issue for the residential subdivision or planned community. This paragraph does not:

1. Restrict the governing body from issuing more than 75 percent of the building permits for the residential subdivision or planned community.

2. Apply to a county subject to s. 380.0552.

(3) A governing body shall create:

(a) 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 under this section. The application must allow an applicant to identify the percentage of planned homes or the number of building permits that the governing body must issue for the residential subdivision or planned community.

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

(4)(a) An applicant may use a private provider pursuant to s. 553.791 to expedite the application process for building permits after a preliminary plat is approved under this section.

(b) A governing body shall establish a registry of at least three qualified contractors whom the governing body may use to supplement staff resources in ways 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. A qualified contractor on the registry who is hired pursuant to this section 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. For purposes of this paragraph, the term “conflict of interest” has the same meaning as in s. 112.312.

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

(6) The governing body must issue the number or percentage of building permits requested by an applicant in accordance with the Florida Building Code and this section, provided the residential buildings or structures are unoccupied and all of the following conditions are met:

(a) The governing body has approved a preliminary plat for each residential subdivision or planned community.

(b) 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.

(c) The applicant holds a valid performance bond for up to 130 percent of the necessary improvements, as defined in s. 177.031(9), that have not been completed upon submission of the application under this section. For purposes of a master planned community as defined in s. 163.3202(5)(b), a valid performance bond is required on a phase-by-phase basis.

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

(b) An applicant may not obtain a temporary or final certificate of occupancy for each residential structure or building for which a building permit is issued until the final plat is approved by the governing body and recorded in the public records by the clerk of the circuit court.

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

(a) The applicant relies in good faith on the approved preliminary plat or any amendments thereto.

(b) 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.

(9) Upon the establishment of an applicant’s vested rights in accordance with subsection (8), a governing body may not make substantive changes to the preliminary plat without the applicant’s written consent.

(10) An applicant must indemnify and hold harmless the local government, its governing body, its employees, and its agents from liability or damages resulting from the issuance of a building permit or the construction, reconstruction, or improvement or repair of a residential building or structure, including any associated utilities, located in the residential subdivision or planned community. Additionally, an applicant must indemnify and hold harmless the local government, its governing body, its employees, and its agents from liability or disputes resulting from the issuance of a certificate of occupancy for a residential building or structure that is constructed, reconstructed, improved, or repaired before the approval and recordation of the final plat of the qualified project. This indemnification includes, but is not limited to, any liability and damage resulting from wind, fire, flood, construction defects, bodily injury, and any actions, issues, or disputes arising out of a contract or other agreement between the developer and a utility operating in the residential subdivision or planned community. However, this indemnification does not extend to governmental actions that infringe on the applicant's vested rights.

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

Approved by the Governor May 29, 2024.

Filed in Office Secretary of State May 29, 2024.



SEMINOLE COUNTY, FLORIDA

Agenda Memorandum

COUNTY SERVICES
BUILDING
1101 EAST FIRST STREET
SANFORD, FLORIDA
32771-1468

File Number: 2024-1198

Title:

Planning & Zoning Commission Training Workshop - This workshop will provide Planning & Zoning Commissioners with the fundamentals of planning and zoning, an overview of county review processes and the nuances of legal issues.

**LAND PLANNING AGENCY/
PLANNING & ZONING COMMISSION**

BOARD MEMBER WORKSHOP

**COUNTY SERVICES BUILDING
BCC BOARD CHAMBERS, RM #1028
WEDNESDAY, SEPTEMBER 4, 2024
6:00 P.M.**

WORKSHOP AGENDA

- ❖ **Opening Comments**Joy Giles, Principal Planner (Current Planning)
- ❖ **Planning 101**Joy Giles, Principal Planner (Current Planning)
 - Comprehensive Plan
 - Zoning
 - Codes and Ordinances
 - Special Exceptions
 - Variances
- ❖ **Board Responsibilities**Joy Giles, Principal Planner (Current Planning)
- ❖ **County Review Processes**Joy Giles, Principal Planner (Current Planning)
- ❖ **Break (15 minutes)**
- ❖ **Sunshine Law** Neysa Borkert, Deputy County Attorney
- ❖ **Public Records** Neysa Borkert, Deputy County Attorney
- ❖ **Ethics** Neysa Borkert, Deputy County Attorney
- ❖ **Questions/Discussion**