



353158

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/16/2021	.	
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	.	

The Committee on Community Affairs (Perry) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Present subsection (5) of section 163.3202,
Florida Statutes, is redesignated as subsection (6), and a new
subsection (5) is added to that section, to read:

163.3202 Land development regulations.—

(5) (a) Land development regulations relating to building
design elements may not be applied to a single-family or two-



353158

11 family dwelling unless:

12 1. The dwelling is listed in the National Register of
13 Historic Places, as defined in s. 267.021(5); is located in a
14 National Register Historic District; or is designated as a
15 historic property or located in a historic district, under the
16 terms of a local preservation ordinance;

17 2. The regulations are adopted in order to implement the
18 National Flood Insurance Program;

19 3. The regulations are adopted pursuant to and in
20 compliance with chapter 553;

21 4. The dwelling is located in a community redevelopment
22 area, as defined in s. 163.340(10); or

23 5. The dwelling is located in a planned unit development or
24 master planned community created pursuant to a local ordinance
25 enacted on or before July 1, 2021.

26 (b) For purposes of this subsection, the term:

27 1. "Building design elements" means the external building
28 color; the type or style of exterior cladding material; the
29 style or material of roof structures or porches; the exterior
30 nonstructural architectural ornamentation; the location or
31 architectural styling of windows or doors; the location or
32 orientation of the garage; the number and type of rooms; and the
33 interior layout of rooms. The term does not include the height,
34 bulk, orientation, or location of a dwelling on a zoning lot; or
35 the use of buffering or screening to minimize potential adverse
36 physical or visual impacts or to protect the privacy of
37 neighbors.

38 2. "Planned unit development" or "master planned community"
39 means an area of land that is planned and developed as a single



40 entity or in approved stages with uses and structures
41 substantially related to the character of the entire
42 development, or a self-contained development in which the
43 subdivision and zoning controls are applied to the project as a
44 whole rather than to individual lots.

45 (c) This subsection does not affect the validity or
46 enforceability of private covenants or other contractual
47 agreements relating to building design elements.

48 Section 2. This act shall take effect July 1, 2021.

49
50 ===== T I T L E A M E N D M E N T =====

51 And the title is amended as follows:

52 Delete everything before the enacting clause
53 and insert:

54 A bill to be entitled
55 An act relating to building design; amending s.
56 163.3202, F.S.; prohibiting certain regulations
57 relating to building design elements from being
58 applied to certain dwellings; providing exceptions;
59 defining terms; providing construction; providing an
60 effective date.