

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Overdorf offered the following:

2
3 **Amendment (with title amendment)**

4 Between lines 31 and 32, insert:

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

8 163.3202 Land development regulations.—

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

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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);

23 5. The dwelling is located within the jurisdiction of a
24 local government that has a design review board or architectural
25 review board and the dwelling was reviewed by such board on or
26 before July 1, 2021;

27 6. The dwelling is located in a planned unit development
28 or master planned community created pursuant to a local
29 ordinance; or

30 7. The regulations are adopted to ensure the protection of
31 coastal wildlife in compliance with ss. 161.052(12),
32 161.053(2)(b)1.d., 161.053(4)(c), 161.053(12), 161.0531,
33 161.085, 161.163, and 379.2431(1) and chapter 373.

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

35 1. "Building design elements" means the external building
36 color; the type or style of exterior cladding material; the
37 style or material of roof structures or porches; the exterior
38 nonstructural architectural ornamentation; the location or

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39 architectural styling of windows or doors; the location or
 40 orientation of the garage; the number and type of rooms; and the
 41 interior layout of rooms. The term does not include the height,
 42 bulk, orientation, or location of a dwelling on a zoning lot; or
 43 the use of buffering or screening to minimize potential adverse
 44 physical or visual impacts or to protect the privacy of
 45 neighbors.

46 2. "Planned unit development" or "master planned
 47 community" means an area of land that is planned and developed
 48 as a single entity or in approved stages with uses and
 49 structures substantially related to the character of the entire
 50 development, or a self-contained development in which the
 51 subdivision and zoning controls are applied to the project as a
 52 whole rather than to individual lots.

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

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58 **T I T L E A M E N D M E N T**

59 Remove line 3 and insert:

60 s. 163.3202, F.S.; prohibiting certain regulations
 61 relating to building design elements from being
 62 applied to certain dwellings; providing exceptions;
 63 providing definitions; providing construction;

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64 | amending s. 553.73, F.S.; authorizing a substantially
65 | affected

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