

1                   A bill to be entitled  
 2           An act relating to building design; amending s.  
 3           163.3202, F.S.; prohibiting certain regulations  
 4           relating to building design elements from being  
 5           applied to certain dwellings; providing exceptions;  
 6           defining the term "building design elements";  
 7           providing construction; providing an effective date.

8  
 9   Be It Enacted by the Legislature of the State of Florida:

10  
 11           Section 1. Subsection (5) of section 163.3202, Florida  
 12           Statutes, is renumbered as subsection (6), and a new subsection  
 13           (5) is added to that section to read:

14           163.3202 Land development regulations.—

15           (5) (a) Land development regulations relating to building  
 16           design elements may not be applied to a single-family or two-  
 17           family dwelling unless:

18           1. The dwelling is listed in the National Register of  
 19           Historic Places, as defined in s. 267.021(5); is located in a  
 20           National Register Historic District; or is designated as a  
 21           historic property or located in a historic district, under the  
 22           terms of a local preservation ordinance;

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

25           3. The regulations are adopted pursuant to and in

26 compliance with chapter 553; or

27 4. The dwelling is located in a community redevelopment  
28 area, as defined in s. 163.340(10).

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

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

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