

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: Local Administration,
 2 Federal Affairs & Special Districts Subcommittee
 3 Representative Roach offered the following:

Amendment

6 Remove lines 65-112 and insert:

7 (c) "Coastal High Hazard Area" means zones V, VE, AE, and
 8 AO as identified in a Flood Insurance Rate Map issued by the
 9 Federal Emergency Management Agency.

10 (3) QUALIFYING STRUCTURES AND BUILDINGS.—This section
 11 applies to all of the following structures, unless the structure
 12 is individually listed in the National Register of Historic
 13 Places or is a single-family home:

14 (a) Nonconforming structures in coastal high-hazard areas
 15 which fail to meet FEMA standards for new construction.

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16 (b) Any structure determined to be unsafe by a local
17 building official.

18 (c) Any structure ordered to be demolished by a local
19 government that has proper jurisdiction.

20 (4) RESTRICTIONS ON DEMOLITION PROHIBITED.—A local
21 government may not prohibit, restrict, or prevent the demolition
22 of any structure identified in subsection (3) for any reason,
23 other than public safety.

24 (5) RESTRICTIONS ON REDEVELOPMENT PROHIBITED.—A
25 replacement structure must be permitted to be developed in
26 accordance with all applicable zoning codes and ordinances,
27 provided that the zoning codes and ordinances do not in any way
28 penalize or restrict development rights due or related to the
29 demolition of any structure in accordance with this section,
30 including a requirement for replication of the demolished
31 structure, a limitation on the size or height of the replacement
32 structure, or the maintenance of any of the elements of the
33 demolished structure. Owners or developers of replacement
34 structures are permitted to develop in accordance with all land
35 use, zoning, and other land development rights, whether
36 established by law, ordinance, rule, regulation, policy,
37 development order, or any other act, without regard to any local
38 government restrictions or penalties resulting from the
39 demolition of any structure identified in subsection (3) that
40 may restrict development of a replacement structure as a result

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41 of a local government order, a designation, a code enforcement
42 proceeding, or an ordinance.

43 (6) APPLICATION.— This section applies prospectively and
44 retroactively to any law adopted contrary to this section and
45 its intent, provided however, nothing in this section applies to
46 s. 553.79(25).

47 (7) PREEMPTION.—A municipality, county, special district,
48 or political subdivision may not adopt or apply a law, an
49 ordinance, a rule, a regulation, a policy, a resolution, or any
50 other act that in any way limits the demolition of any
51 structures and buildings identified in subsection (3) or limits
52 the development of any replacement structure in a way that would
53 divest property owners or developers of land use, zoning, or
54 other land development rights for the demolition of any
55 structure in accordance with this section. This preemption is
56 limited to local government regulations regarding the demolition
57 of structures identified in subsection (3) and any penalties or
58 restrictions imposed upon replacement structures resulting from
59 a demolition conducted pursuant to this section. All replacement
60 structures must be developed in accordance with local zoning
61 codes and regulations as if they were a vacant site without any
62 regard to any laws, rules, regulations, policies, or other
63 actions may limit the overall size and height of a replacement
64 structure. All laws, ordinances, rules, regulations, policies,

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65 | resolutions, and other acts of a municipality, county, special
66 | district, or political subdivision to the contrary are void.
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