



122426

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2023	.	
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The Committee on Rules (Avila) recommended the following:

Senate Amendment (with title amendment)

Delete lines 74 - 112
and insert:
of the coastline which are also within zones V, VE, AO, or AE,
as identified on the Flood Insurance Rate Map issued by the
Federal Emergency Management Agency.

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

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



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12 (4) RESTRICTIONS ON DEMOLITION PROHIBITED.—A local
13 government may not prohibit, restrict, or prevent the demolition
14 of any structure identified in subsection (3) for any reason
15 other than public safety. A local government may review an
16 application for a demolition permit sought pursuant to this
17 section only administratively for compliance with the Florida
18 Building Code, the Florida Fire Prevention Code, and the Life
19 Safety Code, or local amendments thereto, and any regulation
20 applicable to a similarly situated parcel. The local government
21 may not subject an application to additional local land
22 development regulations or public hearings.

23 (5) RESTRICTIONS ON REDEVELOPMENT PROHIBITED.—A local
24 government shall authorize replacement structures to be
25 developed to the maximum height and overall building size
26 authorized by local development regulations. A local government
27 may not do any of the following:

28 (a) Limit, for any reason, the development potential of
29 replacement structures below the maximum allowed by local
30 development regulations.

31 (b) Require replication of a demolished structure.

32 (c) Require the preservation of any element of a demolished
33 structure.

34 (d) Impose additional regulatory or building requirements
35 on a replacement structure which would not otherwise be
36 applicable to a similarly situated vacant parcel.

37 (6) APPLICATION AND CONSTRUCTION.—This section applies
38 prospectively and retroactively to any law adopted contrary to
39 this section or its intent and must be liberally construed to
40 effectuate its intent. This section does not apply to or affect



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41 s. 553.79(25).

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43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete lines 24 - 43

46 and insert:

47 WHEREAS, nonconforming structures that are within one half-
48 mile of the coast and that are also within a coastal special
49 flood hazard area and structures that are ordered to be
50 demolished or that are deemed unsafe by local building officials
51 pose an increased risk of collapse, may affect the integrity or
52 stability of neighboring buildings or structures, and may cause
53 injury to persons or property, and

54 WHEREAS, local governmental laws, procedures, and policies
55 that prohibit or limit the demolition of nonconforming or unsafe
56 structures or limit the construction of new, resilient
57 structures pose a threat to life and public safety, and

58 WHEREAS, nonconforming structures that are within one half-
59 mile of the coast and that are also within a coastal special
60 flood hazard area, regardless of whether the structures are
61 deemed unsafe by a local building official or are subject to a
62 demolition order, must be permitted to be demolished and to have
63 replacement structures authorized, allowing owners or developers
64 to enjoy all land use and development rights that would apply to
65 the property without regard to any local restrictions that may
66 restrict future development as a result of the demolition, and