

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Appropriations Committee
 2 Representative Lopez, V. offered the following:

Amendment (with title amendment)

Remove lines 96-698 and insert:

6 Section 1. Subsection (7) of section 125.01055, Florida
 7 Statutes, is amended, and subsection (8) is added to that
 8 section, to read:

9 125.01055 Affordable housing.—

10 (7)(a) A county must authorize multifamily and mixed-use
 11 residential as allowable uses on any site owned by a county and
 12 in any area zoned for commercial, industrial, or mixed use if at
 13 least 40 percent of the residential units in a proposed
 14 multifamily ~~rental~~ development are rental units that, for a
 15 period of at least 30 years, are affordable as defined in s.
 16 420.0004. Notwithstanding any other law, local ordinance, or

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17 regulation to the contrary, a county may not require a proposed
18 multifamily development to obtain a zoning or land use change,
19 special exception, conditional use approval, variance, or
20 comprehensive plan amendment for the building height, zoning,
21 and densities authorized under this subsection. For mixed-use
22 residential projects, at least 65 percent of the total square
23 footage must be used for residential purposes.

24 (b) A county may not restrict the density of a proposed
25 development authorized under this subsection below the highest
26 currently allowed density on any unincorporated land in the
27 county where residential development is allowed under the
28 county's land development regulations. For purposes of this
29 paragraph, the term "highest currently allowed density" does not
30 include the density of any building that met the requirements of
31 this subsection or the density of any building that has received
32 any bonus, variance, or other special exception for density
33 provided in the county's land development regulations as an
34 incentive for development.

35 (c) A county may not restrict the floor area ratio of a
36 proposed development authorized under this subsection below 150
37 percent of the highest currently allowed floor area ratio on any
38 unincorporated land in the county where development is allowed
39 under the county's land development regulations. For purposes of
40 this paragraph, the term "highest currently allowed floor area
41 ratio" does not include the floor area ratio of any building

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42 that met the requirements of this subsection or the floor area
43 ratio of any building that has received any bonus, variance, or
44 other special exception for floor area ratio provided in the
45 county's land development regulations as an incentive for
46 development. For purposes of this subsection, the term "floor
47 area ratio" includes floor lot ratio.

48 (d)1.(e) A county may not restrict the height of a
49 proposed development authorized under this subsection below the
50 highest currently allowed height for a commercial or residential
51 building development located in its jurisdiction within 1 mile
52 of the proposed development or 3 stories, whichever is higher.
53 For purposes of this paragraph, the term "highest currently
54 allowed height" does not include the height of any building that
55 met the requirements of this subsection or the height of any
56 building that has received any bonus, variance, or other special
57 exception for height provided in the county's land development
58 regulations as an incentive for development.

59 2. If the proposed development is adjacent to, on two or
60 more sides, a parcel zoned for single-family residential use
61 which is within a single-family residential development with at
62 least 25 contiguous single-family homes, the county may restrict
63 the height of the proposed development to 150 percent of the
64 tallest building on any property adjacent to the proposed
65 development, the highest currently allowed height for the
66 property provided in the county's land development regulations,

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67 or 3 stories, whichever is higher. For the purposes of this
68 paragraph, the term "adjacent to" means those properties sharing
69 more than one point of a property line, but does not include
70 properties separated by a public road.

71 (e)1.-(d) A proposed development authorized under this
72 subsection must be administratively approved and no public
73 hearings or any further action by the board of county
74 commissioners or any other quasi-judicial board or reviewing
75 body is required if the development satisfies the county's land
76 development regulations for multifamily developments in areas
77 zoned for such use and is otherwise consistent with the
78 comprehensive plan, with the exception of provisions
79 establishing allowable densities, floor area ratios, height, and
80 land use. Such land development regulations include, but are not
81 limited to, regulations relating to setbacks and parking
82 requirements.

83 2. A county may not restrict the maximum lot size of a
84 proposed development authorized under this paragraph below the
85 highest currently allowed maximum lot size on any unincorporated
86 land in the county where multifamily or mixed-use residential
87 development is allowed under the county's land development
88 regulations.

89 3. A proposed development located within one-quarter mile
90 of a military installation identified in s. 163.3175(2) may not
91 be administratively approved. Each county shall maintain on its

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92 website a policy containing procedures and expectations for
93 administrative approval pursuant to this subsection.

94 (f)1.-(e) A county must reduce ~~consider reducing~~ parking
95 requirements by at least 20 percent for a proposed development
96 authorized under this subsection if the development:

97 a. Is located within one-quarter ~~one-half~~ mile of a ~~major~~
98 transit stop, as defined in the county's land development code,
99 and the ~~major~~ transit stop is accessible from the development.

100 b. Is located within one-half mile of a major
101 transportation hub that is accessible from the proposed
102 development by safe, pedestrian-friendly means, such as
103 sidewalks, crosswalks, elevated pedestrian or bike paths, or
104 other multimodal design features.

105 c. Has available parking within 600 feet of the proposed
106 development which may consist of options such as on-street
107 parking, parking lots, or parking garages available for use by
108 residents of the proposed development. However, a county may not
109 require that the available parking compensate for the reduction
110 in parking requirements.

111 2. A county must eliminate parking requirements for a
112 proposed mixed-use residential development authorized under this
113 subsection within an area recognized by the county as a transit-
114 oriented development or area, as provided in paragraph (h).

115 3. For purposes of this paragraph, the term "major
116 transportation hub" means any transit station, whether bus,

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117 train, or light rail, which is served by public transit with a
118 mix of other transportation options.

119 (g)-(f) For proposed multifamily developments in an
120 unincorporated area zoned for commercial or industrial use which
121 is within the boundaries of a multicounty independent special
122 district that was created to provide municipal services and is
123 not authorized to levy ad valorem taxes, and less than 20
124 percent of the land area within such district is designated for
125 commercial or industrial use, a county must authorize, as
126 provided in this subsection, such development only if the
127 development is mixed-use residential.

128 (h) A proposed development authorized under this
129 subsection which is located within a transit-oriented
130 development or area, as recognized by the county, must be mixed-
131 use residential and otherwise comply with requirements of the
132 county's regulations applicable to the transit-oriented
133 development or area except for use, height, density, floor area
134 ratio, and parking as provided in this subsection or as
135 otherwise agreed to by the county and the applicant for the
136 development.

137 (i)-(g) Except as otherwise provided in this subsection, a
138 development authorized under this subsection must comply with
139 all applicable state and local laws and regulations.

140 (j)1. Nothing in this subsection precludes a county from
141 granting a bonus, variance, conditional use, or other special

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142 exception for height, density, or floor area ratio in addition
143 to the height, density, and floor area ratio requirements in
144 this subsection.

145 2. Nothing in this subsection precludes a proposed
146 development authorized under this subsection from receiving a
147 bonus for density, height, or floor area ratio pursuant to an
148 ordinance or regulation of the jurisdiction where the proposed
149 development is located if the proposed development satisfies the
150 conditions to receive the bonus except for any condition which
151 conflicts with this subsection. If a proposed development
152 qualifies for such bonus, the bonus must be administratively
153 approved by the county and no further action by the board of
154 county commissioners is required.

155 (k) As used in this subsection, the term "commercial use"
156 means activities associated with the sale, rental, or
157 distribution of products or the sale or performance of services.
158 The term includes, but is not limited to, retail, office,
159 entertainment, and other for-profit business activities.

160 (1) ~~(h)~~ This subsection does not apply to:

161 1. Airport-impacted areas as provided in s. 333.03.

162 2. Property defined as recreational and commercial working
163 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

164 (m) ~~(i)~~ This subsection expires October 1, 2033.

165 (8) Any development authorized under paragraph (7) (a) must
166 be treated as a conforming use even after the expiration of

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167 subsection (7) and the development's affordability period as
168 provided in paragraph (7) (a), notwithstanding the county's
169 comprehensive plan, future land use designation, or zoning. If
170 at any point during the development's affordability period the
171 development violates the affordability period requirement
172 provided in paragraph (7) (a), the development must be allowed a
173 reasonable time to cure such violation. If the violation is not
174 cured within a reasonable time, the development must be treated
175 as a nonconforming use.

176 Section 2. Subsection (7) of section 166.04151, Florida
177 Statutes, is amended, and subsection (8) is added to that
178 section, to read:

179 166.04151 Affordable housing.—

180 (7) (a) A municipality must authorize multifamily and
181 mixed-use residential as allowable uses on any site owned by a
182 municipality and in any area zoned for commercial, industrial,
183 or mixed use if at least 40 percent of the residential units in
184 a proposed multifamily ~~rental~~-development are rental units that,
185 for a period of at least 30 years, are affordable as defined in
186 s. 420.0004. Notwithstanding any other law, local ordinance, or
187 regulation to the contrary, a municipality may not require a
188 proposed multifamily development to obtain a zoning or land use
189 change, special exception, conditional use approval, variance,
190 or comprehensive plan amendment for the building height, zoning,
191 and densities authorized under this subsection. For mixed-use

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192 residential projects, at least 65 percent of the total square
193 footage must be used for residential purposes.

194 (b) A municipality may not restrict the density of a
195 proposed development authorized under this subsection below the
196 highest currently allowed density on any land in the
197 municipality where residential development is allowed under the
198 municipality's land development regulations. For purposes of
199 this paragraph, the term "highest currently allowed density"
200 does not include the density of any building that met the
201 requirements of this subsection or the density of any building
202 that has received any bonus, variance, or other special
203 exception for density provided in the municipality's land
204 development regulations as an incentive for development.

205 (c) A municipality may not restrict the floor area ratio
206 of a proposed development authorized under this subsection below
207 150 percent of the highest currently allowed floor area ratio on
208 any land in the municipality where development is allowed under
209 the municipality's land development regulations. For purposes of
210 this paragraph, the term "highest currently allowed floor area
211 ratio" does not include the floor area ratio of any building
212 that met the requirements of this subsection or the floor area
213 ratio of any building that has received any bonus, variance, or
214 other special exception for floor area ratio provided in the
215 municipality's land development regulations as an incentive for
216 development. For purposes of this subsection, the term "floor

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217 area ratio" includes floor lot ratio.

218 (d)1.-(e) A municipality may not restrict the height of a
219 proposed development authorized under this subsection below the
220 highest currently allowed height for a commercial or residential
221 building development located in its jurisdiction within 1 mile
222 of the proposed development or 3 stories, whichever is higher.
223 For purposes of this paragraph, the term "highest currently
224 allowed height" does not include the height of any building that
225 met the requirements of this subsection or the height of any
226 building that has received any bonus, variance, or other special
227 exception for height provided in the municipality's land
228 development regulations as an incentive for development.

229 2. If the proposed development is adjacent to, on two or
230 more sides, a parcel zoned for single-family residential use
231 that is within a single-family residential development with at
232 least 25 contiguous single-family homes, the municipality may
233 restrict the height of the proposed development to 150 percent
234 of the tallest building on any property adjacent to the proposed
235 development, the highest currently allowed height for the
236 property provided in the municipality's land development
237 regulations, or 3 stories, whichever is higher. For the purposes
238 of this paragraph, the term "adjacent to" means those properties
239 sharing more than one point of a property line, but does not
240 include properties separated by a public road.

241 (e)1.-(d) A proposed development authorized under this

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242 subsection must be administratively approved and no public
243 hearings or any further action by the governing body of the
244 municipality or any other quasi-judicial board or reviewing body
245 is required if the development satisfies the municipality's land
246 development regulations for multifamily developments in areas
247 zoned for such use and is otherwise consistent with the
248 comprehensive plan, with the exception of provisions
249 establishing allowable densities, floor area ratios, height, and
250 land use. Such land development regulations include, but are not
251 limited to, regulations relating to setbacks and parking
252 requirements.

253 2. A municipality may not restrict the maximum lot size of
254 a proposed development authorized under this paragraph below the
255 highest currently allowed maximum lot size on any unincorporated
256 land in the municipality where multifamily or mixed-use
257 residential development is allowed under the municipality's land
258 development regulations.

259 3. A proposed development located within one-quarter mile
260 of a military installation identified in s. 163.3175(2) may not
261 be administratively approved. Each municipality shall maintain
262 on its website a policy containing procedures and expectations
263 for administrative approval pursuant to this subsection.

264 (f)1. ~~(e)~~ A municipality must reduce ~~consider reducing~~
265 parking requirements by at least 20 percent for a proposed
266 development authorized under this subsection if the development:

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267 a. Is located within one-quarter ~~one-half~~ mile of a ~~major~~
268 transit stop, as defined in the municipality's land development
269 code, and the ~~major~~ transit stop is accessible from the
270 development.

271 b. Is located within one-half mile of a major
272 transportation hub that is accessible from the proposed
273 development by safe, pedestrian-friendly means, such as
274 sidewalks, crosswalks, elevated pedestrian or bike paths, or
275 other multimodal design features.

276 c. Has available parking within 600 feet of the proposed
277 development which may consist of options such as on-street
278 parking, parking lots, or parking garages available for use by
279 residents of the proposed development. However, a municipality
280 may not require that the available parking compensate for the
281 reduction in parking requirements.

282 2. A municipality must eliminate parking requirements for
283 a proposed mixed-use residential development authorized under
284 this subsection within an area recognized by the municipality as
285 a transit-oriented development or area, as provided in paragraph
286 (h).

287 3. For purposes of this paragraph, the term "major
288 transportation hub" means any transit station, whether bus,
289 train, or light rail, which is served by public transit with a
290 mix of other transportation options.

291 (g)-(f) A municipality that designates less than 20 percent

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292 of the land area within its jurisdiction for commercial or
293 industrial use must authorize a proposed multifamily development
294 as provided in this subsection in areas zoned for commercial or
295 industrial use only if the proposed multifamily development is
296 mixed-use residential.

297 (h) A proposed development authorized under this
298 subsection which is located within a transit-oriented
299 development or area, as recognized by the municipality, must be
300 mixed-use residential and otherwise comply with requirements of
301 the municipality's regulations applicable to the transit-
302 oriented development or area except for use, height, density,
303 floor area ratio, and parking as provided in this subsection or
304 as otherwise agreed to by the municipality and the applicant for
305 the development.

306 (i)-(g) Except as otherwise provided in this subsection, a
307 development authorized under this subsection must comply with
308 all applicable state and local laws and regulations.

309 (j)1. Nothing in this subsection precludes a municipality
310 from granting a bonus, variance, conditional use, or other
311 special exception to height, density, or floor area ratio in
312 addition to the height, density, and floor area ratio
313 requirements in this subsection.

314 2. Nothing in this subsection precludes a proposed
315 development authorized under this subsection from receiving a
316 bonus for density, height, or floor area ratio pursuant to an

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317 ordinance or regulation of the jurisdiction where the proposed
318 development is located if the proposed development satisfies the
319 conditions to receive the bonus except for any condition which
320 conflicts with this subsection. If a proposed development
321 qualifies for such bonus, the bonus must be administratively
322 approved by the municipality and no further action by the
323 governing body of the municipality is required.

324 (k) As used in this subsection, the term "commercial use"
325 means activities associated with the sale, rental, or
326 distribution of products or the sale or performance of services.
327 The term includes, but is not limited to, retail, office,
328 entertainment, and other for-profit business activities.

329 (1)~~(h)~~ This subsection does not apply to:

330 1. Airport-impacted areas as provided in s. 333.03.

331 2. Property defined as recreational and commercial working
332 waterfront in s. 342.201(2) (b) in any area zoned as industrial.

333 (m)~~(i)~~ This subsection expires October 1, 2033.

334 (8) Any development authorized under paragraph (7) (a) must
335 be treated as a conforming use even after the expiration of
336 subsection (7) and the development's affordability period as
337 provided in paragraph (7) (a), notwithstanding the municipality's
338 comprehensive plan, future land use designation, or zoning. If
339 at any point during the development's affordability period the
340 development violates the affordability period requirement
341 provided in paragraph (7) (a), the development must be allowed a

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342 reasonable time to cure such violation. If the violation is not
343 cured within a reasonable time, the development must be treated
344 as a nonconforming use.

345 Section 3. An applicant for a proposed development
346 authorized under s. 125.01055(7) or s. 166.04151(7), Florida
347 Statutes, who submitted an application, written request, or
348 notice of intent to utilize such provisions to the county or
349 municipality and which has been received by the county or
350 municipality, as applicable, before the effective date of this
351 act may notify the county or municipality by July 1, 2024, of
352 its intent to proceed under the provisions of ss. 125.01055(7)
353 or 166.04151(7), Florida Statutes, as they existed at the time
354 of submittal. A county or municipality shall allow an applicant
355 who submitted such application, written request, or notice of
356 intent before the effective date of this act the opportunity to
357 submit a revised application, written request, or notice of
358 intent to account for the changes made by this act.

359 Section 4. Subsection (3) of section 196.1978, Florida
360 Statutes, is amended to read:

361 196.1978 Affordable housing property exemption.—

362 (3)(a) As used in this subsection, the term:

363 1. "Corporation" means the Florida Housing Finance
364 Corporation.

365 2. "Newly constructed" means an improvement to real
366 property which was substantially completed within 5 years before

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367 the date of an applicant's first submission of a request for a
368 certification notice ~~or an application for an exemption~~ pursuant
369 to this subsection ~~section, whichever is earlier.~~

370 3. "Substantially completed" has the same meaning as in s.
371 192.042(1).

372 (b) Notwithstanding ss. 196.195 and 196.196, portions of
373 property in a multifamily project are considered property used
374 for a charitable purpose and are eligible to receive an ad
375 valorem property tax exemption if such portions meet all of the
376 following conditions:

377 1. Provide affordable housing to natural persons or
378 families meeting the income limitations provided in paragraph
379 (d).~~†~~

380 2.a. Are within a newly constructed multifamily project
381 that contains more than 70 units dedicated to housing natural
382 persons or families meeting the income limitations provided in
383 paragraph (d); or

384 b. Are within a newly constructed multifamily project in
385 an area of critical state concern, as designated by s. 380.0552
386 or chapter 28-36, Florida Administrative Code, which contains
387 more than 10 units dedicated to housing natural persons or
388 families meeting the income limitations provided in paragraph
389 (d). ~~and~~

390 3. Are rented for an amount that does not exceed the
391 amount as specified by the most recent multifamily rental

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392 programs income and rent limit chart posted by the corporation
393 and derived from the Multifamily Tax Subsidy Projects Income
394 Limits published by the United States Department of Housing and
395 Urban Development or 90 percent of the fair market value rent as
396 determined by a rental market study meeting the requirements of
397 paragraph (l) ~~(m)~~, whichever is less.

398 (c) If a unit that in the previous year received ~~qualified~~
399 ~~for~~ the exemption under this subsection and was occupied by a
400 tenant is vacant on January 1, the vacant unit is eligible for
401 the exemption if the use of the unit is restricted to providing
402 affordable housing that would otherwise meet the requirements of
403 this subsection and a reasonable effort is made to lease the
404 unit to eligible persons or families.

405 (d)1. The property appraiser shall exempt:

406 a. Seventy-five percent of the assessed value of the units
407 in multifamily projects that meet the requirements of this
408 subsection and are ~~Qualified property~~ used to house natural
409 persons or families whose annual household income is greater
410 than 80 percent but not more than 120 percent of the median
411 annual adjusted gross income for households within the
412 metropolitan statistical area or, if not within a metropolitan
413 statistical area, within the county in which the person or
414 family resides; ~~and, must receive an ad valorem property tax~~
415 ~~exemption of 75 percent of the assessed value.~~

416 b.2. From ad valorem property taxes the units in

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417 multifamily projects that meet the requirements of this
418 subsection and are ~~Qualified property~~ used to house natural
419 persons or families whose annual household income does not
420 exceed 80 percent of the median annual adjusted gross income for
421 households within the metropolitan statistical area or, if not
422 within a metropolitan statistical area, within the county in
423 which the person or family resides, ~~is exempt from ad valorem~~
424 ~~property taxes.~~

425 2. When determining the value of a unit for purposes of
426 applying an exemption pursuant to this paragraph, the property
427 appraiser must include in such valuation the proportionate share
428 of the residential common areas, including the land, fairly
429 attributable to such unit.

430 (e) To be eligible to receive an exemption under this
431 subsection, a property owner must submit an application on a
432 form prescribed by the department by March 1 for the exemption,
433 accompanied by a certification notice from the corporation to
434 the property appraiser. The property appraiser shall review the
435 application and determine whether the applicant meets all of the
436 requirements of this subsection and is entitled to an exemption.
437 A property appraiser may request and review additional
438 information necessary to make such determination. A property
439 appraiser may grant an exemption only for a property for which
440 the corporation has issued a certification notice and which the
441 property appraiser determines is entitled to an exemption.

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442 (f) To receive a certification notice, a property owner
443 must submit a request to the corporation ~~for certification~~ on a
444 form provided by the corporation which includes all of the
445 following:

446 1. The most recently completed rental market study meeting
447 the requirements of paragraph (1) ~~(m)~~.

448 2. A list of the units for which the property owner seeks
449 an exemption.

450 3. The rent amount received by the property owner for each
451 unit for which the property owner seeks an exemption. If a unit
452 is vacant and qualifies for an exemption under paragraph (c),
453 the property owner must provide evidence of the published rent
454 amount for each vacant unit.

455 4. A sworn statement, under penalty of perjury, from the
456 applicant restricting the property for a period of not less than
457 3 years to housing persons or families who meet the income
458 limitations under this subsection.

459 (g) The corporation shall review the request for a
460 certification notice and certify whether a property ~~that~~ meets
461 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
462 ~~subsection~~. A determination by the corporation regarding a
463 request for a certification notice does not constitute a grant
464 of an exemption pursuant to this subsection or final agency
465 action pursuant to chapter 120.

466 1. If the corporation determines that the property meets

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467 the ~~eligibility~~ criteria ~~for an exemption under this subsection,~~
468 the corporation must send a certification notice to the property
469 owner and the property appraiser.

470 2. If the corporation determines that the property does
471 not meet the ~~eligibility~~ criteria, the corporation must notify
472 the property owner and include the reasons for such
473 determination.

474 (h) The corporation shall post on its website the deadline
475 to submit a request for a certification notice. The deadline
476 must allow adequate time for a property owner to submit a timely
477 application for exemption to the property appraiser.

478 ~~(i) The property appraiser shall review the application~~
479 ~~and determine if the applicant is entitled to an exemption. A~~
480 ~~property appraiser may grant an exemption only for a property~~
481 ~~for which the corporation has issued a certification notice.~~

482 ~~(j)~~ If the property appraiser determines that for any year
483 during the immediately previous 10 years a person who was not
484 entitled to an exemption under this subsection was granted such
485 an exemption, the property appraiser must serve upon the owner a
486 notice of intent to record in the public records of the county a
487 notice of tax lien against any property owned by that person in
488 the county, and that property must be identified in the notice
489 of tax lien. Any property owned by the taxpayer and situated in
490 this state is subject to the taxes exempted by the improper
491 exemption, plus a penalty of 50 percent of the unpaid taxes for

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492 each year and interest at a rate of 15 percent per annum. If an
493 exemption is improperly granted as a result of a clerical
494 mistake or an omission by the property appraiser, the property
495 owner improperly receiving the exemption may not be assessed a
496 penalty or interest.

497 (j)~~(k)~~ Units subject to an agreement with the corporation
498 pursuant to chapter 420 recorded in the official records of the
499 county in which the property is located to provide housing to
500 natural persons or families meeting the extremely-low-income,
501 very-low-income, or low-income limits specified in s. 420.0004
502 are not eligible for this exemption.

503 (k)~~(l)~~ Property receiving an exemption pursuant to s.
504 196.1979 is not eligible for this exemption.

505 (l)~~(m)~~ A rental market study submitted as required by
506 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market
507 value rent of each unit for which a property owner seeks an
508 exemption. Only a certified general appraiser as defined in s.
509 475.611 may issue a rental market study. The certified general
510 appraiser must be independent of the property owner who requests
511 the rental market study. In preparing the rental market study, a
512 certified general appraiser shall comply with the standards of
513 professional practice pursuant to part II of chapter 475 and use
514 comparable property within the same geographic area and of the
515 same type as the property for which the exemption is sought. A
516 rental market study must have been completed within 3 years

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517 before submission of the application.

518 ~~(m)-(n)~~ The corporation may adopt rules to implement this
519 section.

520 ~~(n)-(o)~~ This subsection first applies to the 2024 tax roll
521 and is repealed December 31, 2059.

522 Section 5. Subsections (6) and (7) of section 196.1979,
523 Florida Statutes, are renumbered as subsections (8) and (9),
524 respectively, paragraph (b) of subsection (1), subsection (2),
525 paragraphs (d), (f), and (l) of subsection (3), and subsection
526 (5) are amended, and new subsections (6) and (7) are added to
527 that section, to read:

528 196.1979 County and municipal affordable housing property
529 exemption.—

530 (1)

531 (b) Qualified property may receive an ad valorem property
532 tax exemption of:

533 1. Up to 75 percent of the assessed value of each
534 residential unit used to provide affordable housing if fewer
535 than 100 percent of the multifamily project's residential units
536 are used to provide affordable housing meeting the requirements
537 of this section.

538 2. Up to 100 percent of the assessed value of each
539 residential unit used to provide affordable housing if 100
540 percent of the multifamily project's residential units are used
541 to provide affordable housing meeting the requirements of this

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542 section.

543 (2) If a residential unit that in the previous year
544 received ~~qualified for~~ the exemption under this section and was
545 occupied by a tenant is vacant on January 1, the vacant unit may
546 qualify for the exemption under this section if the use of the
547 unit is restricted to providing affordable housing that would
548 otherwise meet the requirements of this section and a reasonable
549 effort is made to lease the unit to eligible persons or
550 families.

551 (3) An ordinance granting the exemption authorized by this
552 section must:

553 (d) Require the local entity to verify and certify
554 property that meets the requirements of the ordinance as
555 qualified property and forward the certification to the property
556 owner and the property appraiser. If the local entity denies the
557 application for certification ~~exemption~~, it must notify the
558 applicant and include reasons for the denial.

559 (f) Require the property owner to submit an application
560 for exemption, on a form prescribed by the department,
561 accompanied by the certification of qualified property, to the
562 property appraiser no later than the deadline specified in s.
563 196.011 ~~March 1~~.

564 (l) Require the county or municipality to post on its
565 website a list of ~~certified~~ properties receiving the exemption
566 for the purpose of facilitating access to affordable housing.

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567 (5) An ordinance adopted under this section must expire
568 before the fourth January 1 after adoption; however, the board
569 of county commissioners or the governing body of the
570 municipality may adopt a new ordinance to renew the exemption.
571 The board of county commissioners or the governing body of the
572 municipality shall deliver a copy of an ordinance adopted under
573 this section to the department and the property appraiser within
574 10 days after its adoption, but no later than January 1 of the
575 year such exemption will take effect. If the ordinance expires
576 or is repealed, the board of county commissioners or the
577 governing body of the municipality must notify the department
578 and the property appraiser within 10 days after its expiration
579 or repeal, but no later than January 1 of the year the repeal or
580 expiration of such exemption will take effect.

581 (6) The property appraiser shall review each application
582 for exemption and determine whether the applicant meets all of
583 the requirements of this section and is entitled to an
584 exemption. A property appraiser may request and review
585 additional information necessary to make such determination. A
586 property appraiser may grant an exemption only for a property
587 for which the local entity has certified as qualified property
588 and which the property appraiser determines is entitled to an
589 exemption.

590 (7) When determining the value of a unit for purposes of
591 applying an exemption pursuant to this section, the property

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592 appraiser must include in such valuation the proportionate share
593 of the residential common areas, including the land, fairly
594 attributable to such unit.

595 Section 6. The amendments made by this act to ss. 196.1978
596 and 196.1979, Florida Statutes, are intended to be remedial and
597 clarifying in nature and apply retroactively to January 1, 2024.

598 Section 7. Subsection (5) of section 333.03, Florida
599 Statutes, is renumbered as subsection (6), and a new subsection
600 (5) is added to that section, to read:

601 333.03 Requirement to adopt airport zoning regulations.-

602 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
603 any of the following:

604 (a) A proposed development near a commercial service
605 airport, as defined in s. 332.0075(1), runway within one-quarter
606 of a mile laterally from the runway edge and within an area that
607 is the width of one-quarter of a mile extending at right angles
608 from the end of the runway for a distance of 10,000 feet of any
609 existing runway or planned runway identified in the local
610 government's airport master plan.

611 (b) A proposed development within any airport noise zone
612 identified in the federal land use compatibility table or
613 currently in a land-use zoning or airport noise regulation
614 adopted by the local government.

615 (c) A proposed development that exceeds maximum height
616 restrictions identified in the political subdivision's airport

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617 zoning regulation adopted pursuant to this section.

618 Section 8. Subsection (35) of section 420.507, Florida
619 Statutes, is amended to read:

620 420.507 Powers of the corporation.—The corporation shall
621 have all the powers necessary or convenient to carry out and
622 effectuate the purposes and provisions of this part, including
623 the following powers which are in addition to all other powers
624 granted by other provisions of this part:

625 (35) To preclude any applicant, sponsor, or affiliate of
626 an applicant or sponsor from further participation in any of the
627 corporation's programs as provided in s. 420.518, ~~any applicant~~
628 ~~or affiliate of an applicant which has made a material~~
629 ~~misrepresentation or engaged in fraudulent actions in connection~~
630 ~~with any application for a corporation program.~~

631 Section 9. Paragraph (b) of subsection (1) of section
632 420.50871, Florida Statutes, is amended, and subsection (6) is
633 added to that section, to read:

634 420.50871 Allocation of increased revenues derived from
635 amendments to s. 201.15 made by ch. 2023-17.—Funds that result
636 from increased revenues to the State Housing Trust Fund derived
637 from amendments made to s. 201.15 made by chapter 2023-17, Laws
638 of Florida, must be used annually for projects under the State
639 Apartment Incentive Loan Program under s. 420.5087 as set forth
640 in this section, notwithstanding ss. 420.507(48) and (50) and
641 420.5087(1) and (3). The Legislature intends for these funds to

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642 provide for innovative projects that provide affordable and
643 attainable housing for persons and families working, going to
644 school, or living in this state. Projects approved under this
645 section are intended to provide housing that is affordable as
646 defined in s. 420.0004, notwithstanding the income limitations
647 in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and
648 annually for 10 years thereafter:

649 (1) The corporation shall allocate 70 percent of the funds
650 provided by this section to issue competitive requests for
651 application for the affordable housing project purposes
652 specified in this subsection. The corporation shall finance
653 projects that:

654 (b)1. Address urban infill, including conversions of
655 vacant, dilapidated, or functionally obsolete buildings or the
656 use of underused commercial property.

657 2. As used in this paragraph, the term "urban infill" has
658 the same meaning as in s. 163.3164. The term includes the
659 development or redevelopment of mobile home parks and
660 manufactured home communities that meet the urban infill
661 criteria, in addition to the criteria of redevelopment of
662 affordable housing development as provided under paragraph
663 (1)(a).

664 (6) A project financed under this section may not require
665 that low-income housing tax credits under s. 42 of the Internal

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666 Revenue Code or tax-exempt bond financing be a part of the
667 financing structure for the project.

668 Section 10. Subsection (2) of section 420.50872, Florida
669 Statutes, is amended to read:

670 420.50872 Live Local Program.—

671 (2) RESPONSIBILITIES OF THE CORPORATION; PROHIBITIONS.—

672 (a) The corporation shall:

673 1.~~(a)~~ Expend 100 percent of eligible contributions
674 received under this section for the State Apartment Incentive
675 Loan Program under s. 420.5087. However, the corporation may use
676 up to \$25 million of eligible contributions to provide loans for
677 the construction of large-scale projects of significant regional
678 impact. Such projects must include a substantial civic,
679 educational, or health care use and may include a commercial
680 use, any of which must be incorporated within or contiguous to
681 the project property. Such a loan must be made, except as
682 otherwise provided in this subsection, in accordance with the
683 practices and policies of the State Apartment Incentive Loan
684 Program. Such a loan is subject to the competitive application
685 process and may not exceed 25 percent of the total project cost.
686 The corporation must find that the loan provides a unique
687 opportunity for investment alongside local government
688 participation that would enable creation of a significant amount
689 of affordable housing. Projects approved under this section are
690 intended to provide housing that is affordable as defined in s.

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691 420.0004, notwithstanding the income limitations in s.
692 420.5087(2).

693 ~~2.(b)~~ Upon receipt of an eligible contribution, provide
694 the taxpayer that made the contribution with a certificate of
695 contribution. A certificate of contribution must include the
696 taxpayer's name; its federal employer identification number, if
697 available; the amount contributed; and the date of contribution.

698 ~~3.(e)~~ Within 10 days after issuing a certificate of
699 contribution, provide a copy to the Department of Revenue.

700 (b) A project financed under this section may not require
701 that low-income housing tax credits under s. 42 of the Internal
702 Revenue Code or tax-exempt bond financing be a part of the
703 financing structure for the project.

704
705 -----

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

707 Remove lines 14-86 and insert:
708 developments under certain circumstances; prohibiting
709 counties and municipalities, respectively, from using
710 public hearings or any other quasi-judicial board or
711 reviewing body to approve a proposed development in
712 certain circumstances; prohibiting counties and
713 municipalities, respectively, from restricting the
714 maximum lot size of a proposed development below a
715 specified size allowed under land development

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716 regulations; prohibiting the administrative approval
717 by counties and municipalities, respectively, of a
718 proposed development within a specified proximity to a
719 military installation; requiring counties and
720 municipalities, respectively, to maintain a certain
721 policy on their websites; requiring counties and
722 municipalities, respectively, to reduce parking
723 requirements by a specified percentage under certain
724 circumstances; requiring counties and municipalities,
725 respectively, to reduce or eliminate parking
726 requirements for certain proposed mixed-use
727 developments that meet certain requirements; providing
728 certain requirements for developments located within a
729 transit-oriented development or area; defining the
730 term "major transportation hub"; providing
731 requirements for developments authorized located
732 within a transit-oriented development or area;
733 clarifying that a county or municipality,
734 respectively, is not precluded from granting
735 additional exceptions; clarifying that a proposed
736 development is not precluded from receiving a bonus
737 for density, height, or floor area ratio if specified
738 conditions are satisfied; requiring that such bonuses
739 be administratively approved by counties and
740 municipalities, respectively; defining the term

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741 "commercial use"; revising applicability; authorizing
742 that specified developments be treated as a conforming
743 use under certain circumstances; authorizing that
744 specified developments be treated as a nonconforming
745 use under certain circumstances; authorizing an
746 applicant for certain proposed development to notify a
747 county or municipality, as applicable, of its intent
748 to proceed under certain provisions; requiring
749 counties and municipalities to allow certain
750 applicants to submit a revised application, written
751 request, or notice of intent; amending s. 196.1978,
752 F.S.; revising the definition of the term "newly
753 constructed"; revising conditions for when multifamily
754 projects are considered property used for a charitable
755 purpose and are eligible to receive an ad valorem
756 property tax exemption; requiring property appraisers
757 to make certain exemptions from ad valorem property
758 taxes; providing the method for determining the value
759 of a unit for certain purposes; requiring property
760 appraisers to review certain applications and make
761 certain determinations; authorizing property
762 appraisers to request and review additional
763 information; authorizing property appraisers to grant
764 exemptions only under certain conditions; revising
765 requirements for property owners seeking a

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766 certification notice from the Florida Housing Finance
767 Corporation; providing that a certain determination by
768 the corporation does not constitute an exemption;
769 conforming provisions to changes made by the act;
770 amending s. 196.1979, F.S.; revising the value to
771 which a certain ad valorem property tax exemption
772 applies; revising a condition of eligibility for
773 vacant residential units to qualify for a certain ad
774 valorem property tax exemption; revising the deadline
775 for an application for exemption; revising deadlines
776 by which boards and governing bodies must deliver to
777 or notify the Department of Revenue of the adoption,
778 repeal, or expiration of certain ordinances; requiring
779 property appraisers to review certain applications and
780 make certain determinations; authorizing property
781 appraisers to request and review additional
782 information; authorizing property appraisers to grant
783 exemptions only under certain conditions; providing
784 the method for determining the value of a unit for
785 certain purposes; providing for retroactive
786 application; amending s. 333.03, F.S.; excluding
787 certain proposed developments from specified airport
788 zoning provisions; amending s. 420.507, F.S.; revising
789 the enumerated powers of the corporation; amending s.
790 420.50871, F.S.; defining the term "urban infill";

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1239 (2024)

Amendment No. 1

791 prohibiting certain projects from requiring certain
792 tax credits or bond financing; amending s. 420.50872,
793 F.S.; prohibiting certain projects from requiring
794 certain tax credits or bond financing;