



720816

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
01/31/2024	.	
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The Committee on Fiscal Policy (Calatayud) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 80 - 505  
and insert:  
residential as allowable uses in any area zoned for commercial,  
industrial, or mixed use if at least 40 percent of the  
residential units in a proposed multifamily ~~rental~~ development  
are rental units that, for a period of at least 30 years, are  
affordable as defined in s. 420.0004. Notwithstanding any other  
law, local ordinance, or regulation to the contrary, a county



11 may not require a proposed multifamily development to obtain a  
12 zoning or land use change, special exception, conditional use  
13 approval, variance, or comprehensive plan amendment for the  
14 building height, zoning, and densities authorized under this  
15 subsection. For mixed-use residential projects, at least 65  
16 percent of the total square footage must be used for residential  
17 purposes.

18 (b) A county may not restrict the density of a proposed  
19 development authorized under this subsection below the highest  
20 currently allowed density on any unincorporated land in the  
21 county where residential development is allowed under the  
22 county's land development regulations. The currently allowed  
23 density does not include the density of any development that  
24 meets the requirements of this subsection or any bonus,  
25 variance, or other special exception for density provided in the  
26 county's land development regulations as an incentive for  
27 development.

28 (c) A county may not restrict the floor area ratio of a  
29 proposed development authorized under this subsection below the  
30 highest currently allowed floor area ratio on any unincorporated  
31 land in the county where development is allowed under the  
32 county's land development regulations. The currently allowed  
33 floor area ratio does not include the floor area ratio of any  
34 development that meets the requirements of this subsection or  
35 any bonus, variance, or other special exception for floor area  
36 ratio provided in the county's land development regulations as  
37 an incentive for development. For purposes of this subsection,  
38 the term floor area ratio includes floor lot ratio.

39 (d)1. ~~(e)~~ A county may not restrict the height of a proposed



40 development authorized under this subsection below the highest  
41 currently allowed height for a commercial or residential  
42 building development located in its jurisdiction within 1 mile  
43 of the proposed development or 3 stories, whichever is higher.  
44 The currently allowed height does not include the height of any  
45 development that meets the requirements of this subsection or  
46 any bonus, variance, or other special exception for height  
47 provided in the county's land development regulations as an  
48 incentive for development.

49 2. If the proposed development is adjacent to, on two or  
50 more sides, a parcel zoned for single-family residential use  
51 that is within a single-family residential development with at  
52 least 25 contiguous single-family homes, the county may restrict  
53 the height of the proposed development to 150 percent of the  
54 tallest building on property within one-quarter mile of the  
55 proposed development or 3 stories, whichever is higher.

56 (e)-(d) A proposed development authorized under this  
57 subsection must be administratively approved and no further  
58 action by the board of county commissioners is required if the  
59 development satisfies the county's land development regulations  
60 for multifamily developments in areas zoned for such use and is  
61 otherwise consistent with the comprehensive plan, with the  
62 exception of provisions establishing allowable densities,  
63 height, and land use. Such land development regulations include,  
64 but are not limited to, regulations relating to setbacks and  
65 parking requirements. A proposed development located within one-  
66 quarter mile of a military installation identified in s.  
67 163.3175(2) may not be administratively approved. Each county  
68 shall maintain on its website a policy containing procedures and



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69 expectations for administrative approval pursuant to this  
70 subsection.

71 (f)1.(e) A county must consider reducing parking  
72 requirements for a proposed development authorized under this  
73 subsection if the development is located within one-quarter ~~one-~~  
74 ~~half~~ mile of a ~~major~~ transit stop, as defined in the county's  
75 land development code, and the ~~major~~ transit stop is accessible  
76 from the development.

77 2. A county must reduce parking requirements by 20 percent  
78 for a proposed development authorized under this subsection if  
79 the development:

80 a. Is located within one-half mile of a major  
81 transportation hub that is accessible from the proposed  
82 development by safe, pedestrian-friendly means, such as  
83 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
84 other multimodal design features; and

85 b. Has available parking within 600 feet of the proposed  
86 development which may consist of options such as on-street  
87 parking, parking lots, or parking garages available for use by  
88 residents of the proposed development.

89 3. A county must eliminate parking requirements for a  
90 proposed mixed-use residential development authorized under this  
91 subsection within an area recognized by the county as a transit-  
92 oriented development or area, as provided in paragraph (h).

93 4. For purposes of this paragraph, the term "major  
94 transportation hub" means any transit station, whether bus,  
95 train, or light rail, which is served by public transit with a  
96 mix of other transportation options.

97 (g)(f) For proposed multifamily developments in an



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98 unincorporated area zoned for commercial or industrial use which  
99 is within the boundaries of a multicounty independent special  
100 district that was created to provide municipal services and is  
101 not authorized to levy ad valorem taxes, and less than 20  
102 percent of the land area within such district is designated for  
103 commercial or industrial use, a county must authorize, as  
104 provided in this subsection, such development only if the  
105 development is mixed-use residential.

106 (h) A proposed development authorized under this subsection  
107 which is located within a transit-oriented development or area,  
108 as recognized by the county, must be mixed-use residential and  
109 otherwise comply with requirements of the county's regulations  
110 applicable to the transit-oriented development or area except  
111 for use, height, density, and floor area ratio as provided in  
112 this subsection or as otherwise agreed to by the county and the  
113 applicant for the development.

114 (i) ~~(g)~~ Except as otherwise provided in this subsection, a  
115 development authorized under this subsection must comply with  
116 all applicable state and local laws and regulations. Nothing in  
117 this subsection precludes a county from granting a bonus,  
118 variance, conditional use, or other special exception for  
119 height, density, or floor area ratio in addition to the height,  
120 density, and floor area ratio requirements in this subsection.

121 (j) ~~(h)~~ This subsection does not apply to:

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

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

125 (k) ~~(i)~~ This subsection expires October 1, 2033.

126 (8) Any development authorized under paragraph (7)(a) must



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127 be treated as a conforming use even after the expiration of  
128 subsection (7) and the development's affordability period as  
129 provided in paragraph (7) (a), notwithstanding the county's  
130 comprehensive plan, future land use designation, or zoning. If  
131 at any point during the development's affordability period the  
132 development violates the affordability period requirement  
133 provided in paragraph (7) (a), the development must be allowed a  
134 reasonable time to cure such violation. If the violation is not  
135 cured within a reasonable time, the development must be treated  
136 as a nonconforming use.

137 Section 2. Subsection (7) of section 166.04151, Florida  
138 Statutes, is amended, and subsection (8) is added to that  
139 section, to read:

140 166.04151 Affordable housing.—

141 (7) (a) A municipality must authorize multifamily and mixed-  
142 use residential as allowable uses in any area zoned for  
143 commercial, industrial, or mixed use if at least 40 percent of  
144 the residential units in a proposed multifamily ~~rental~~  
145 development are rental units that, for a period of at least 30  
146 years, are affordable as defined in s. 420.0004. Notwithstanding  
147 any other law, local ordinance, or regulation to the contrary, a  
148 municipality may not require a proposed multifamily development  
149 to obtain a zoning or land use change, special exception,  
150 conditional use approval, variance, or comprehensive plan  
151 amendment for the building height, zoning, and densities  
152 authorized under this subsection. For mixed-use residential  
153 projects, at least 65 percent of the total square footage must  
154 be used for residential purposes.

155 (b) A municipality may not restrict the density of a



156 proposed development authorized under this subsection below the  
157 highest currently allowed density on any land in the  
158 municipality where residential development is allowed under the  
159 municipality's land development regulations. The currently  
160 allowed density does not include the density of any development  
161 that meets the requirements of this subsection or any bonus,  
162 variance, or other special exception for density provided in the  
163 municipality's land development regulations as an incentive for  
164 development.

165 (c) A municipality may not restrict the floor area ratio of  
166 a proposed development authorized under this subsection below  
167 the highest currently allowed floor area ratio on any land in  
168 the municipality where development is allowed under the  
169 municipality's land development regulations. The currently  
170 allowed floor area ratio does not include the floor area ratio  
171 of any development that meets the requirements of this  
172 subsection or any bonus, variance, or other special exception  
173 for floor area ratio provided in the municipality's land  
174 development regulations as an incentive for development. For  
175 purposes of this subsection, the term floor area ratio includes  
176 floor lot ratio.

177 (d)1.(e) A municipality may not restrict the height of a  
178 proposed development authorized under this subsection below the  
179 highest currently allowed height for a commercial or residential  
180 building development located in its jurisdiction within 1 mile  
181 of the proposed development or 3 stories, whichever is higher.  
182 The currently allowed height does not include the height of any  
183 development that meets the requirements of this subsection or  
184 any bonus, variance, or other special exception for height



185 provided in the municipality's land development regulations as  
186 an incentive for development.

187 2. If the proposed development is adjacent to, on two or  
188 more sides, a parcel zoned for single-family residential use  
189 that is within a single-family residential development with at  
190 least 25 contiguous single-family homes, the municipality may  
191 restrict the height of the proposed development to 150 percent  
192 of the tallest building on property within one-quarter mile of  
193 the proposed development or 3 stories, whichever is higher.

194 (e)~~(d)~~ A proposed development authorized under this  
195 subsection must be administratively approved and no further  
196 action by the governing body of the municipality is required if  
197 the development satisfies the municipality's land development  
198 regulations for multifamily developments in areas zoned for such  
199 use and is otherwise consistent with the comprehensive plan,  
200 with the exception of provisions establishing allowable  
201 densities, height, and land use. Such land development  
202 regulations include, but are not limited to, regulations  
203 relating to setbacks and parking requirements. A proposed  
204 development located within one-quarter mile of a military  
205 installation identified in s. 163.3175(2) may not be  
206 administratively approved. Each municipality shall maintain on  
207 its website a policy containing procedures and expectations for  
208 administrative approval pursuant to this subsection.

209 (f)1.~~(e)~~ A municipality must consider reducing parking  
210 requirements for a proposed development authorized under this  
211 subsection if the development is located within one-quarter ~~one-~~  
212 half mile of a ~~major~~ transit stop, as defined in the  
213 municipality's land development code, and the ~~major~~ transit stop





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214 is accessible from the development.

215 2. A municipality must reduce parking requirements by 20  
216 percent for a proposed development authorized under this  
217 subsection if the development:

218 a. Is located within one-half mile of a major  
219 transportation hub that is accessible from the proposed  
220 development by safe, pedestrian-friendly means, such as  
221 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
222 other multimodal design features.

223 b. Has available parking within 600 feet of the proposed  
224 development which may consist of options such as on-street  
225 parking, parking lots, or parking garages available for use by  
226 residents of the proposed development.

227 3. A municipality must eliminate parking requirements for a  
228 proposed mixed-use residential development authorized under this  
229 subsection within an area recognized by the municipality as a  
230 transit-oriented development or area, as provided in paragraph  
231 (h).

232 4. For purposes of this paragraph, the term "major  
233 transportation hub" means any transit station, whether bus,  
234 train, or light rail, which is served by public transit with a  
235 mix of other transportation options.

236 (g) ~~(f)~~ A municipality that designates less than 20 percent  
237 of the land area within its jurisdiction for commercial or  
238 industrial use must authorize a proposed multifamily development  
239 as provided in this subsection in areas zoned for commercial or  
240 industrial use only if the proposed multifamily development is  
241 mixed-use residential.

242 (h) A proposed development authorized under this subsection



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243 which is located within a transit-oriented development or area,  
244 as recognized by the municipality, must be mixed-use residential  
245 and otherwise comply with requirements of the municipality's  
246 regulations applicable to the transit-oriented development or  
247 area except for use, height, density, and floor area ratio as  
248 provided in this subsection or as otherwise agreed to by the  
249 municipality and the applicant for the development.

250 (i) ~~(g)~~ Except as otherwise provided in this subsection, a  
251 development authorized under this subsection must comply with  
252 all applicable state and local laws and regulations. Nothing in  
253 this subsection precludes a municipality from granting a bonus,  
254 variance, conditional use, or other special exception to height,  
255 density, or floor area ratio in addition to the height, density,  
256 and floor area ratio requirements in this subsection.

257 (j) ~~(h)~~ This subsection does not apply to:

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

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

261 (k) ~~(i)~~ This subsection expires October 1, 2033.

262 (8) Any development authorized under paragraph (7)(a) must  
263 be treated as a conforming use even after the expiration of  
264 subsection (7) and the development's affordability period as  
265 provided in paragraph (7)(a), notwithstanding the municipality's  
266 comprehensive plan, future land use designation, or zoning. If  
267 at any point during the development's affordability period the  
268 development violates the affordability period requirement  
269 provided in paragraph (7)(a), the development must be allowed a  
270 reasonable time to cure such violation. If the violation is not  
271 cured within a reasonable time, the development must be treated



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272 as a nonconforming use.

273       Section 3. Amendments made in this act to ss. 125.01055 and  
274 166.04151, Florida Statutes, are prospective in application. A  
275 proposed development that meets the present requirements of ss.  
276 125.01055(7) and 166.04151(7), Florida Statutes, for which an  
277 application, written request, or notice of intent to utilize  
278 such provisions was submitted to and accepted by the county or  
279 municipality, as applicable, prior to the effective date of this  
280 act shall be processed under the provisions of ss. 125.01055(7)  
281 and 166.04151(7), Florida Statutes, as they existed at the time  
282 of submittal.

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

285       196.1978 Affordable housing property exemption.-

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

287       1. "Corporation" means the Florida Housing Finance  
288 Corporation.

289       2. "Newly constructed" means an improvement to real  
290 property which was substantially completed within 5 years before  
291 the date of an applicant's first submission of a request for a  
292 certification notice ~~or an application for an exemption~~ pursuant  
293 to this subsection ~~section, whichever is earlier.~~

294       3. "Substantially completed" has the same meaning as in s.  
295 192.042(1).

296       (b) Notwithstanding ss. 196.195 and 196.196, portions of  
297 property in a multifamily project are considered property used  
298 for a charitable purpose and are eligible to receive an ad  
299 valorem property tax exemption if such portions meet all of the  
300 following conditions:



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301           1. Provide affordable housing to natural persons or  
302 families meeting the income limitations provided in paragraph  
303 (d).~~†~~

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

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

313           3. Are rented for an amount that does not exceed the amount  
314 as specified by the most recent multifamily rental programs  
315 income and rent limit chart posted by the corporation and  
316 derived from the Multifamily Tax Subsidy Projects Income Limits  
317 published by the United States Department of Housing and Urban  
318 Development or 90 percent of the fair market value rent as  
319 determined by a rental market study meeting the requirements of  
320 paragraph (1) ~~(m)~~, whichever is less.

321           (c) If a unit that in the previous year received ~~qualified~~  
322 ~~for~~ the exemption under this subsection and was occupied by a  
323 tenant is vacant on January 1, the vacant unit is eligible for  
324 the exemption if the use of the unit is restricted to providing  
325 affordable housing that would otherwise meet the requirements of  
326 this subsection and a reasonable effort is made to lease the  
327 unit to eligible persons or families.

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

329           a. Seventy-five percent of the assessed value of the units



330 in multifamily projects that meet the requirements of this  
331 subsection and are ~~Qualified property~~ used to house natural  
332 persons or families whose annual household income is greater  
333 than 80 percent but not more than 120 percent of the median  
334 annual adjusted gross income for households within the  
335 metropolitan statistical area or, if not within a metropolitan  
336 statistical area, within the county in which the person or  
337 family resides; and, ~~must receive an ad valorem property tax~~  
338 ~~exemption of 75 percent of the assessed value.~~

339 b.2. From ad valorem property taxes the units in  
340 multifamily projects that meet the requirements of this  
341 subsection and are ~~Qualified property~~ used to house natural  
342 persons or families whose annual household income does not  
343 exceed 80 percent of the median annual adjusted gross income for  
344 households within the metropolitan statistical area or, if not  
345 within a metropolitan statistical area, within the county in  
346 which the person or family resides, ~~is exempt from ad valorem~~  
347 ~~property taxes.~~

348 2. When determining the value of a unit for purposes of  
349 applying an exemption pursuant to this paragraph, the property  
350 appraiser must include in such valuation the proportionate share  
351 of the residential common areas, including the land, fairly  
352 attributable to such unit.

353 (e) To be eligible to receive an exemption under this  
354 subsection, a property owner must submit an application on a  
355 form prescribed by the department by March 1 for the exemption,  
356 accompanied by a certification notice from the corporation to  
357 the property appraiser. The property appraiser shall review the  
358 application and determine whether the applicant meets all of the



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359 requirements of this subsection and is entitled to an exemption.  
360 A property appraiser may request and review additional  
361 information necessary to make such determination. A property  
362 appraiser may grant an exemption only for a property for which  
363 the corporation has issued a certification notice and which the  
364 property appraiser determines is entitled to an exemption.

365 (f) To receive a certification notice, a property owner  
366 must submit a request to the corporation ~~for certification~~ on a  
367 form provided by the corporation which includes all of the  
368 following:

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

371 2. A list of the units for which the property owner seeks  
372 an exemption.

373 3. The rent amount received by the property owner for each  
374 unit for which the property owner seeks an exemption. If a unit  
375 is vacant and qualifies for an exemption under paragraph (c),  
376 the property owner must provide evidence of the published rent  
377 amount for each vacant unit.

378 4. A sworn statement, under penalty of perjury, from the  
379 applicant restricting the property for a period of not less than  
380 3 years to housing persons or families who meet the income  
381 limitations under this subsection.

382 (g) The corporation shall review the request for a  
383 certification notice and certify whether a property ~~that~~ meets  
384 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~  
385 ~~subsection~~. A determination by the corporation regarding a  
386 request for a certification notice does not constitute a grant  
387 of an exemption pursuant to this subsection or final agency



388 action pursuant to chapter 120.

389 1. If the corporation determines that the property meets  
390 the ~~eligibility~~ criteria ~~for an exemption under this subsection,~~  
391 the corporation must send a certification notice to the property  
392 owner and the property appraiser.

393 2. If the corporation determines that the property does not  
394 meet the ~~eligibility~~ criteria, the corporation must notify the  
395 property owner and include the reasons for such determination.

396 (h) The corporation shall post on its website the deadline  
397 to submit a request for a certification notice. The deadline  
398 must allow adequate time for a property owner to submit a timely  
399 application for exemption to the property appraiser.

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

404 ~~(j)~~ If the property appraiser determines that for any year  
405 during the immediately previous 10 years a person who was not  
406 entitled to an exemption under this subsection was granted such  
407 an exemption, the property appraiser must serve upon the owner a  
408 notice of intent to record in the public records of the county a  
409 notice of tax lien against any property owned by that person in  
410 the county, and that property must be identified in the notice  
411 of tax lien. Any property owned by the taxpayer and situated in  
412 this state is subject to the taxes exempted by the improper  
413 exemption, plus a penalty of 50 percent of the unpaid taxes for  
414 each year and interest at a rate of 15 percent per annum. If an  
415 exemption is improperly granted as a result of a clerical  
416 mistake or an omission by the property appraiser, the property



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417 owner improperly receiving the exemption may not be assessed a  
418 penalty or interest.

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

425 (k)~~(l)~~ Property receiving an exemption pursuant to s.  
426 196.1979 is not eligible for this exemption.

427 (l)~~(m)~~ A rental market study submitted as required by  
428 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market  
429 value rent of each unit for which a property owner seeks an  
430 exemption. Only a certified general appraiser as defined in s.  
431 475.611 may issue a rental market study. The certified general  
432 appraiser must be independent of the property owner who requests  
433 the rental market study. In preparing the rental market study, a  
434 certified general appraiser shall comply with the standards of  
435 professional practice pursuant to part II of chapter 475 and use  
436 comparable property within the same geographic area and of the  
437 same type as the property for which the exemption is sought. A  
438 rental market study must have been completed within 3 years  
439 before submission of the application.

440 (m)~~(n)~~ The corporation may adopt rules to implement this  
441 section.

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

444 Section 5. Paragraph (b) of subsection (1), subsection (2),  
445 paragraphs (d), (f), and (l) of subsection (3), and subsection





446 (5) of section 196.1979, Florida Statutes, are amended, present  
447 subsections (6) and (7) are redesignated as subsections (8) and  
448 (9), respectively, and new subsections (6) and (7) are added to  
449 that section, to read:

450 196.1979 County and municipal affordable housing property  
451 exemption.—

452 (1)

453 (b) Qualified property may receive an ad valorem property  
454 tax exemption of:

455 1. Up to 75 percent of the assessed value of each  
456 residential unit used to provide affordable housing if fewer  
457 than 100 percent of the multifamily project's residential units  
458 are used to provide affordable housing meeting the requirements  
459 of this section.

460 2. Up to 100 percent of the assessed value of each  
461 residential unit used to provide affordable housing if 100  
462 percent of the multifamily project's residential units are used  
463 to provide affordable housing meeting the requirements of this  
464 section.

465 (2) If a residential unit that in the previous year  
466 received ~~qualified for~~ the exemption under this section and was  
467 occupied by a tenant is vacant on January 1, the vacant unit may  
468 qualify for the exemption under this section if the use of the  
469 unit is restricted to providing affordable housing that would  
470 otherwise meet the requirements of this section and a reasonable  
471 effort is made to lease the unit to eligible persons or  
472 families.

473 (3) An ordinance granting the exemption authorized by this  
474 section must:



475 (d) Require the local entity to verify and certify property  
476 that meets the requirements of the ordinance as qualified  
477 property and forward the certification to the property owner and  
478 the property appraiser. If the local entity denies the  
479 application for certification exemption, it must notify the  
480 applicant and include reasons for the denial.

481 (f) Require the property owner to submit an application for  
482 exemption, on a form prescribed by the department, accompanied  
483 by the certification of qualified property, to the property  
484 appraiser no later than the deadline specified in s. 196.011  
485 March 1.

486 (1) Require the county or municipality to post on its  
487 website a list of ~~certified~~ properties receiving the exemption  
488 for the purpose of facilitating access to affordable housing.

489 (5) An ordinance adopted under this section must expire  
490 before the fourth January 1 after adoption; however, the board  
491 of county commissioners or the governing body of the  
492 municipality may adopt a new ordinance to renew the exemption.  
493 The board of county commissioners or the governing body of the  
494 municipality shall deliver a copy of an ordinance adopted under  
495 this section to the department and the property appraiser within  
496 10 days after its adoption, but no later than January 1 of the  
497 year such exemption will take effect. If the ordinance expires  
498 or is repealed, the board of county commissioners or the  
499 governing body of the municipality must notify the department  
500 and the property appraiser within 10 days after its expiration  
501 or repeal, but no later than January 1 of the year the repeal or  
502 expiration of such exemption will take effect.

503 (6) The property appraiser shall review each application



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504 for exemption and determine whether the applicant meets all of  
505 the requirements of this section and is entitled to an  
506 exemption. A property appraiser may request and review  
507 additional information necessary to make such determination. A  
508 property appraiser may grant an exemption only for a property  
509 for which the local entity has certified as qualified property  
510 and which the property appraiser determines is entitled to an  
511 exemption.

512 (7) When determining the value of a unit for purposes of  
513 applying an exemption pursuant to this section, the property  
514 appraiser must include in such valuation the proportionate share  
515 of the residential common areas, including the land, fairly  
516 attributable to such unit.

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

520 Section 7. Present subsection (5) of section 333.03,  
521 Florida Statutes, is redesignated as subsection (6), and a new  
522 subsection (5) is added to that section, to read:

523 333.03 Requirement to adopt airport zoning regulations.—

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

526 (a) A proposed development near a runway within one-quarter  
527 of a mile laterally from the runway edge and within an area that  
528 is the width of one-quarter of a mile extending at right angles  
529 from the end of the runway for a distance of 10,000 feet of any  
530 existing airport runway or planned airport runway identified in  
531 the local government's airport master plan.

532 (b) A proposed development within any airport noise zone



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533 identified in the federal land use compatibility table or in a  
534 land-use zoning or airport noise regulation adopted by the local  
535 government.

536

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

538 And the title is amended as follows:

539 Delete lines 3 - 61

540 and insert:

541 125.01055 and 166.04151, F.S.; clarifying application;  
542 prohibiting counties and municipalities, respectively,  
543 from restricting the floor area ratio of certain  
544 proposed developments under certain circumstances;  
545 providing that the density, floor area ratio, or  
546 height of certain developments, bonuses, variances, or  
547 other special exceptions are not included in the  
548 calculation of the currently allowed density, floor  
549 area ratio, or height by counties and municipalities,  
550 respectively; authorizing counties and municipalities,  
551 respectively, to restrict the height of proposed  
552 developments under certain circumstances; prohibiting  
553 the administrative approval by counties and  
554 municipalities, respectively, of a proposed  
555 development within a specified proximity to a military  
556 installation; requiring counties and municipalities,  
557 respectively, to maintain a certain policy on their  
558 websites; requiring counties and municipalities,  
559 respectively, to consider reducing parking  
560 requirements under certain circumstances; requiring  
561 counties and municipalities, respectively, to reduce



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562 or eliminate parking requirements for certain proposed  
563 mixed-use developments that meet certain requirements;  
564 defining the term "major transportation hub";  
565 providing certain requirements for developments  
566 located within a transit-oriented development or area;  
567 making technical changes; providing requirements for  
568 developments authorized as a transit-oriented  
569 development or area; clarifying that a county or  
570 municipality, respectively, is not precluded from  
571 granting additional exceptions; revising  
572 applicability; authorizing specified developments to  
573 be treated as a conforming use; amending s. 196.1978,  
574 F.S.; revising the definition of the term "newly  
575 constructed"; revising conditions for when multifamily  
576 projects are considered property used for a charitable  
577 purpose and are eligible to receive an ad valorem  
578 property tax exemption; making technical changes;  
579 requiring property appraisers to make certain  
580 exemptions from ad valorem property taxes; providing  
581 the method for determining the value of a unit for  
582 certain purposes; requiring property appraisers to  
583 review certain applications and make certain  
584 determinations; authorizing property appraisers to  
585 request and review additional information; authorizing  
586 property appraisers to grant exemptions only under  
587 certain conditions; revising requirements for property  
588 owners seeking a certification notice from the Florida  
589 Housing Finance Corporation; providing that a certain  
590 determination by the corporation does not constitute



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591 an exemption; conforming provisions to changes made by  
592 the act; amending s. 196.1979, F.S.; revising the  
593 value to which a certain ad valorem property tax  
594 exemption applies; revising a condition of eligibility  
595 for vacant residential units to qualify for a certain  
596 ad valorem property tax exemption; making technical  
597 changes; revising the deadline for an application for  
598 exemption; revising deadlines by which boards and  
599 governing bodies must deliver or notify the Department  
600 of Revenue of the adoption, repeal, or expiration, of  
601 certain ordinances; requiring property appraisers to  
602 review certain applications and make certain  
603 determinations; authorizing property appraisers to  
604 request and review additional information; authorizing  
605 property appraisers to grant exemptions only under  
606 certain conditions; providing the method for  
607 determining the value of a unit for certain purposes;  
608 providing for retroactive application;