House

Florida Senate - 2025 Bill No. CS for CS for SB 1730



LEGISLATIVE ACTION

Senate

Floor: 1/AD/2R 04/16/2025 02:55 PM

Senator Calatayud moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

(k) This subsection does not apply to:

and insert:

(7)

Section 1. Effective upon becoming a law, paragraph (k) of subsection (7) of section 125.01055, Florida Statutes, is amended to read:

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

125.01055 Affordable housing.-

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12 2. Property defined as recreational and commercial working 13 waterfront in s. 342.201(2)(b) in any area zoned as industrial. 14 3. The Wekiva Study Area, as described in s. 369.316. 15 4. The Everglades Protection Area, as defined in s. 16 373.4592(2). 17 Section 2. Present paragraphs (k) and (l) of subsection (7) of section 125.01055, Florida Statutes, as amended by this act, 18 19 are redesignated as paragraphs (1) and (p), respectively, 20 present subsection (8) of that section is redesignated as 21 subsection (9), a new paragraph (k) and paragraphs (m), (n), and 22 (o) are added to subsection (7) of that section, a new 23 subsection (8) and subsection (10) are added to that section, 24 and paragraphs (a) through (f) of subsection (7) of that section 25 are amended, to read: 26 125.01055 Affordable housing.-27 (7) (a) A county must authorize multifamily and mixed-use 28 residential as allowable uses in any area zoned for commercial, 29 industrial, or mixed use, and in portions of any flexibly zoned 30 area such as a planned unit development permitted for commercial, industrial, or mixed use, if at least 40 percent of 31 32 the residential units in a proposed multifamily development are 33 rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other 34 35 law, local ordinance, or regulation to the contrary, a county 36 may not require a proposed multifamily development to obtain a 37 zoning or land use change, special exception, conditional use 38 approval, variance, transfer of density or development units, 39 amendment to a development of regional impact, or comprehensive 40 plan amendment for the building height, zoning, and densities

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41 authorized under this subsection. For mixed-use residential 42 projects, at least 65 percent of the total square footage must 43 be used for residential purposes. <u>The county may not require</u> 44 <u>that more than 10 percent of the total square footage of such</u> 45 <u>mixed-use residential projects be used for nonresidential</u> 46 purposes.

47 (b) A county may not restrict the density of a proposed development authorized under this subsection below the highest 48 49 currently allowed, or allowed on July 1, 2023, density on any 50 unincorporated land in the county where residential development 51 is allowed under the county's land development regulations. For 52 purposes of this paragraph, the term "highest currently allowed 53 density" does not include the density of any building that met 54 the requirements of this subsection or the density of any building that has received any bonus, variance, or other special 55 56 exception for density provided in the county's land development 57 regulations as an incentive for development.

58 (c) A county may not restrict the floor area ratio of a 59 proposed development authorized under this subsection below 150 percent of the highest currently allowed, or allowed on July 1, 60 2023, floor area ratio on any unincorporated land in the county 61 62 where development is allowed under the county's land development 63 regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor 64 65 area ratio of any building that met the requirements of this 66 subsection or the floor area ratio of any building that has 67 received any bonus, variance, or other special exception for 68 floor area ratio provided in the county's land development 69 regulations as an incentive for development. For purposes of

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70 this subsection, the term "floor area ratio" includes floor lot 71 ratio.

(d)1. A county may not restrict the height of a proposed 72 73 development authorized under this subsection below the highest 74 currently allowed, or allowed on July 1, 2023, height for a 75 commercial or residential building located in its jurisdiction 76 within 1 mile of the proposed development or 3 stories, 77 whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the height 78 79 of any building that met the requirements of this subsection or 80 the height of any building that has received any bonus, 81 variance, or other special exception for height provided in the 82 county's land development regulations as an incentive for 83 development.

2. If the proposed development is adjacent to, on two or 84 85 more sides, a parcel zoned for single-family residential use 86 which is within a single-family residential development with at 87 least 25 contiguous single-family homes, the county may restrict 88 the height of the proposed development to 150 percent of the 89 tallest building on any property adjacent to the proposed 90 development, the highest currently allowed, or allowed on July 1, 2023, height for the property provided in the county's land 91 development regulations, or 3 stories, whichever is higher, but 92 93 not to exceed 10 stories. For the purposes of this paragraph, 94 the term "adjacent to" means those properties sharing more than 95 one point of a property line, but does not include properties 96 separated by a public road.

97 (e) A proposed development authorized under this subsection
98 must be administratively approved <u>without</u> and no further action

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99 by the board of county commissioners or any quasi-judicial or 100 administrative board or reviewing body is required if the 101 development satisfies the county's land development regulations 102 for multifamily developments in areas zoned for such use and is 103 otherwise consistent with the comprehensive plan, with the 104 exception of provisions establishing allowable densities, floor 105 area ratios, height, and land use. Such land development 106 regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed 107 108 development located within one-quarter mile of a military 109 installation identified in s. 163.3175(2) may not be 110 administratively approved. Each county shall maintain on its 111 website a policy containing procedures and expectations for 112 administrative approval pursuant to this subsection. For the 113 purposes of this paragraph, the term "allowable density" means 114 the density prescribed for the property without additional 115 requirements to procure and transfer density units or 116 development units from other properties.

(f)1. A county must, upon request of an applicant, reduce consider reducing parking requirements by 10 percent for a proposed development authorized under this subsection if the development:

121 <u>a.</u> Is located within one-quarter mile of a transit stop, as 122 defined in the county's land development code, and the transit 123 stop is accessible from the development;-

2.— A county must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:

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b.a. Is located within one-half mile of a major

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128 transportation hub that is accessible from the proposed 129 development by safe, pedestrian-friendly means, such as 130 sidewalks, crosswalks, elevated pedestrian or bike paths, or 131 other multimodal design features; or and

<u>c.b.</u> Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a county may not require that the available parking compensate for the reduction in parking requirements.

2.3. A county must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the county as a transitoriented development or area, as provided in paragraph (h).

<u>3.4.</u> For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(k) Notwithstanding any other law or local ordinance or regulation to the contrary, a county may allow an adjacent parcel of land to be included within a proposed multifamily development authorized under this subsection.

(m) The court shall give any civil action filed against a county for a violation of this subsection priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

(n) If a civil action is filed against a county for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An

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157 award of reasonable attorney fees or costs pursuant to this 158 subsection may not exceed \$200,000. In addition, a prevailing 159 party may not recover any attorney fees or costs directly 160 incurred by or associated with litigation to determine an award 161 of reasonable attorney fees or costs. 162 (o) As used in this subsection, the term: 163 1. "Commercial use" means activities associated with the 164 sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited 165 166 to, such uses or activities as retail sales; wholesale sales; 167 rentals of equipment, goods, or products; offices; restaurants; 168 public lodging establishments as described in s. 509.242(1)(a); 169 food service vendors; sports arenas; theaters; tourist 170 attractions; and other for-profit business activities. A parcel 171 zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the 172 purposes of this section, irrespective of the local land 173 174 development regulation's listed category or title. The term does 175 not include home-based businesses or cottage food operations 176 undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), or uses that 177 178 are accessory, ancillary, incidental to the allowable uses, or 179 allowed only on a temporary basis. 2. "Industrial use" means activities associated with the 180 181 manufacture, assembly, processing, or storage of products or the 182 performance of services related thereto. The term includes, but 183 is not limited to, such uses or activities as automobile 184 manufacturing or repair, boat manufacturing or repair, junk yards, meat packing facilities, citrus processing and packing 185

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186 facilities, produce processing and packing facilities, 187 electrical generating plants, water treatment plants, sewage 188 treatment plants, and solid waste disposal sites. A parcel zoned 189 to permit such uses by right without the requirement to obtain a 190 variance or waiver is considered industrial use for the purposes 191 of this section, irrespective of the local land development 192 regulation's listed category or title. The term does not include uses that are accessory, ancillary, incidental to the allowable 193 194 uses, or allowed only on a temporary basis. 3. "Mixed use" means any use that combines multiple types 195 196 of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not 197 198 include uses that are accessory, ancillary, incidental to the 199 allowable uses, or allowed only on a temporary basis. 200 4. "Planned unit development" has the same meaning as 201 provided in s. 163.3202(5)(b). 202 (8) (a) A proposed development on a parcel of land primarily 203 developed and maintained as a golf course, a tennis court, or a swimming pool, regardless of the zoning category assigned to 204 205 such parcel, may use the approval process provided in subsection 206 (7). 207 (b) If the proposed development is on a parcel that is 208 adjacent to, on two or more sides, a parcel zoned for single-209 family residential use, the county may restrict the height of 210 the proposed development to 150 percent of the tallest 211 residential building on any property adjacent to the proposed 212 development, the highest currently allowed, or allowed on July 213 1, 2023, height for the property provided in the county's land 214 development regulations, or 3 stories, whichever is higher. For

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215	the purposes of this paragraph, the term "adjacent to" means
216	those properties sharing more than one point of a property line,
217	but does not include properties separated by a public road or
218	body of water, including manmade lakes or ponds.
219	(10)(a) Except as provided in paragraphs (b) and (d), a
220	county may not enforce a building moratorium that has the effect
221	of delaying the permitting or construction of a multifamily
222	residential or mixed-use residential development authorized
223	under subsection (7).
224	(b) A county may, by ordinance, impose or enforce such a
225	building moratorium for no more than 90 days in any 3-year
226	period. Before adoption of such a building moratorium, the
227	county shall prepare or cause to be prepared an assessment of
228	the county's need for affordable housing at the extremely-low-
229	income, very-low-income, low-income, or moderate-income limits
230	specified in s. 420.0004, including projections of such need for
231	the next 5 years. This assessment must be posted on the county's
232	website by the date the notice of proposed enactment is
233	published, and presented at the same public meeting at which the
234	proposed ordinance imposing the building moratorium is adopted
235	by the board of county commissioners. This assessment must be
236	included in the business impact estimate for the ordinance
237	imposing such a moratorium required by s. 125.66(3).
238	(c) If a civil action is filed against a county for a
239	violation of this subsection, the court must assess and award
240	reasonable attorney fees and costs to the prevailing party. An
241	award of reasonable attorney fees or costs pursuant to this
242	subsection may not exceed \$200,000. In addition, a prevailing
243	party may not recover any attorney fees or costs directly

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244	incurred by or associated with litigation to determine an award
245	of reasonable attorney fees or costs.
246	(d) This subsection does not apply to moratoria imposed or
247	enforced to address stormwater or flood water management, to
248	address the supply of potable water, or due to the necessary
249	repair of sanitary sewer systems, if such moratoria apply
250	equally to all types of multifamily or mixed-use residential
251	development.
252	Section 3. Effective upon becoming a law, paragraph (k) of
253	subsection (7) of section 166.04151, Florida Statutes, is
254	amended to read:
255	166.04151 Affordable housing
256	(7)
257	(k) 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	3. The Wekiva Study Area, as described in s. 369.316.
262	4. The Everglades Protection Area, as defined in s.
263	373.4592(2).
264	Section 4. Present paragraphs (k) and (l) of subsection (7)
265	of section 166.04151, Florida Statutes, as amended by this act,
266	are redesignated as paragraphs (1) and (p), respectively,
267	present subsection (8) of that section is redesignated as
268	subsection (9), a new paragraph (k) and paragraphs (m), (n), and
269	(o) are added to subsection (7) of that section, a new
270	subsection (8) and subsection (10) are added to that section,
271	and paragraphs (a) through (f) of subsection (7) of that section
272	are amended, to read:

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166.04151 Affordable housing.-

(7) (a) A municipality must authorize multifamily and mixeduse residential as allowable uses in any area zoned for commercial, industrial, or mixed use, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, if at least 40 percent of the residential units in a proposed multifamily 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 municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The municipality may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.

(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed, or allowed on July 1, 2023, density on any land in the municipality where residential development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed density" does not include the density of any building that met the requirements of this subsection or the density of

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302 any building that has received any bonus, variance, or other 303 special exception for density provided in the municipality's 304 land development regulations as an incentive for development.

305 (c) A municipality may not restrict the floor area ratio of 306 a proposed development authorized under this subsection below 307 150 percent of the highest currently allowed, or allowed on July 308 1, 2023, floor area ratio on any land in the municipality where 309 development is allowed under the municipality's land development 310 regulations. For purposes of this paragraph, the term "highest 311 currently allowed floor area ratio" does not include the floor 312 area ratio of any building that met the requirements of this 313 subsection or the floor area ratio of any building that has 314 received any bonus, variance, or other special exception for 315 floor area ratio provided in the municipality's land development 316 regulations as an incentive for development. For purposes of 317 this subsection, the term "floor area ratio" includes floor lot 318 ratio.

319 (d)1. A municipality may not restrict the height of a 320 proposed development authorized under this subsection below the 321 highest currently allowed, or allowed on July 1, 2023, height 322 for a commercial or residential building located in its 323 jurisdiction within 1 mile of the proposed development or 3 324 stories, whichever is higher. For purposes of this paragraph, the term "highest currently allowed height" does not include the 325 326 height of any building that met the requirements of this 327 subsection or the height of any building that has received any 328 bonus, variance, or other special exception for height provided 329 in the municipality's land development regulations as an 330 incentive for development.

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331 2. If the proposed development is adjacent to, on two or 332 more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at 333 334 least 25 contiguous single-family homes, the municipality may 335 restrict the height of the proposed development to 150 percent 336 of the tallest building on any property adjacent to the proposed development, the highest currently allowed, or allowed on July 337 1, 2023, height for the property provided in the municipality's 338 land development regulations, or 3 stories, whichever is higher, 339 340 not to exceed 10 stories. For the purposes of this paragraph, 341 the term "adjacent to" means those properties sharing more than 342 one point of a property line, but does not include properties 343 separated by a public road or body of water, including manmade 344 lakes or ponds. For a proposed development located within a 345 municipality within an area of critical state concern as designated by s. 380.0552 or chapter 28-36, Florida 346 Administrative Code, the term "story" includes only the 347 348 habitable space above the base flood elevation as designated by 349 the Federal Emergency Management Agency in the most current 350 Flood Insurance Rate Map. A story may not exceed 10 feet in 351 height measured from finished floor to finished floor, including 352 space for mechanical equipment. The highest story may not exceed 353 10 feet from finished floor to the top plate.

(e) A proposed development authorized under this subsection
must be administratively approved <u>without</u> and no further action
by the governing body of the municipality <u>or any quasi-judicial</u>
<u>or administrative board or reviewing body</u> is required if the
development satisfies the municipality's land development
regulations for multifamily developments in areas zoned for such

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360 use and is otherwise consistent with the comprehensive plan, 361 with the exception of provisions establishing allowable 362 densities, floor area ratios, height, and land use. Such land 363 development regulations include, but are not limited to, 364 regulations relating to setbacks and parking requirements. A 365 proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be 366 367 administratively approved. Each municipality shall maintain on its website a policy containing procedures and expectations for 368 369 administrative approval pursuant to this subsection. For the 370 purposes of this paragraph, the term "allowable density" means 371 the density prescribed for the property without additional 372 requirements to procure and transfer density units or 373 development units from other properties.

(f)1. A municipality must, upon request of an applicant, reduce consider reducing parking requirements for a proposed development authorized under this subsection by 10 percent if the development:

<u>a.</u> Is located within one-quarter mile of a transit stop, as defined in the municipality's land development code, and the transit stop is accessible from the development;—

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

384 <u>b.a.</u> Is located within one-half mile of a major 385 transportation hub that is accessible from the proposed 386 development by safe, pedestrian-friendly means, such as 387 sidewalks, crosswalks, elevated pedestrian or bike paths, or 388 other multimodal design features; or.

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389 <u>c.b.</u> Has available parking within 600 feet of the proposed 390 development which may consist of options such as on-street 391 parking, parking lots, or parking garages available for use by 392 residents of the proposed development. However, a municipality 393 may not require that the available parking compensate for the 394 reduction in parking requirements.

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

<u>3.4.</u> For purposes of this paragraph, the term "major transportation hub" means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

(k) Notwithstanding any other law or local ordinance or regulation to the contrary, a municipality may allow an adjacent parcel of land to be included within a proposed multifamily development authorized under this subsection.

(m) The court shall give any civil action filed against a municipality for a violation of this subsection priority over other pending cases and render a preliminary or final decision as expeditiously as possible.

(n) If a civil action is filed against a municipality for a violation of this subsection, the court must assess and award reasonable attorney fees and costs to the prevailing party. An award of reasonable attorney fees or costs pursuant to this subsection may not exceed \$200,000. In addition, a prevailing party may not recover any attorney fees or costs directly

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8 incurred by or associated with litigation to determine an away	d
of reasonable attorney fees or costs.	
(o) As used in this subsection, the term:	
1. "Commercial use" means activities associated with the	
sale, rental, or distribution of products or the performance of	f
services related thereto. The term includes, but is not limite	d
to, such uses or activities as retail sales; wholesale sales;	
rentals of equipment, goods, or products; offices; restaurants	;
public lodging establishments as described in s. 509.242(1)(a)	;
food service vendors; sports arenas; theaters; tourist	
attractions; and other for-profit business activities. A parce	<u>1</u>
zoned to permit such uses by right without the requirement to	
obtain a variance or waiver is considered commercial use for t	he
purposes of this section, irrespective of the local land	
development regulation's listed category or title. The term do	es
not include home-based businesses or cottage food operations	
undertaken on residential property, public lodging	
establishments as described in s. 509.242(1)(c), or uses that	
are accessory, ancillary, incidental to the allowable uses, or	
allowed only on a temporary basis.	
2. "Industrial use" means activities associated with the	
manufacture, assembly, processing, or storage of products or t	he
performance of services related thereto. The term includes, bu	ıt
is not limited to, such uses or activities as automobile	
manufacturing or repair, boat manufacturing or repair, junk	
yards, meat packing facilities, citrus processing and packing	
facilities, produce processing and packing facilities,	
electrical generating plants, water treatment plants, sewage	
treatment plants, and solid waste disposal sites. A parcel zon	ed

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447 to permit such uses by right without the requirement to obtain a 448 variance or waiver is considered industrial use for the purposes 449 of this section, irrespective of the local land development 450 regulation's listed category or title. The term does not include 451 uses that are accessory, ancillary, incidental to the allowable 452 uses, or allowed only on a temporary basis.

3. "Mixed-use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis.

4. "Planned unit development" has the same meaning as provided in s. 163.3202(5)(b).

(8) (a) A proposed development on a parcel of land primarily developed and maintained as a golf course, a tennis court, or a swimming pool, regardless of the zoning category assigned to such parcel, may use the approval process provided in subsection (7).

465 (b) If the proposed development is on a parcel that is 466 adjacent to, on two or more sides, a parcel zoned for singlefamily residential use, the municipality may restrict the height 467 468 of the proposed development to 150 percent of the tallest 469 residential building on any property adjacent to the proposed 470 development, the highest currently allowed, or allowed on July 471 1, 2023, height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher. 472 473 For the purposes of this paragraph, the term "adjacent to" means 474 those properties sharing more than one point of a property line, 475 but does not include properties separated by a public road or

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476 body of water, including manmade lakes or ponds. 477 (10) (a) Except as provided in paragraphs (b) and (d), a 478 municipality may not enforce a building moratorium that has the 479 effect of delaying the permitting or construction of a multifamily residential or mixed-use residential development 480 481 authorized under subsection (7). (b) A municipality may, by ordinance, impose or enforce 482 483 such a building moratorium for no more than 90 days in any 3-484 year period. Before adoption of such a building moratorium, the 485 municipality shall prepare or cause to be prepared an assessment 486 of the municipality's need for affordable housing at the 487 extremely-low-income, very-low-income, low-income, or moderate-488 income limits specified in s. 420.0004, including projections of 489 such need for the next 5 years. This assessment must be posted 490 on the municipality's website by the date the notice of proposed 491 enactment is published and must be presented at the same public 492 meeting at which the proposed ordinance imposing the building 493 moratorium is adopted by the governing body of the municipality. 494 This assessment must be included in the business impact estimate 495 for the ordinance imposing such a moratorium required by s. 496 166.041(4). 497 (c) If a civil action is filed against a municipality for a 498 violation of this subsection, the court must assess and award 499 reasonable attorney fees and costs to the prevailing party. An 500 award of reasonable attorney fees or costs pursuant to this 501 subsection may not exceed \$200,000. In addition, a prevailing 502 party may not recover any attorney fees or costs directly 503 incurred by or associated with litigation to determine an award 504 of reasonable attorney fees or costs.

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505	(d) This subsection does not apply to moratoria imposed or
506	enforced to address stormwater or flood water management, to
507	address the supply of potable water, or due to the necessary
508	repair of sanitary sewer systems, if such moratoria apply
509	equally to all types of multifamily or mixed-use residential
510	development.
511	Section 5. An applicant for a proposed development
512	authorized under s. 125.01055(7), Florida Statutes, or s.
513	166.04151(7), Florida Statutes, who submitted an application, a
514	written request, or a notice of intent to use such provisions to
515	the county or municipality and which application, written
516	request, or notice of intent has been received by the county or
517	municipality, as applicable, before July 1, 2025, may notify the
518	county or municipality by July 1, 2025, of its intent to proceed
519	under the provisions of s. 125.01055(7), Florida Statutes, or s.
520	166.04151(7), Florida Statutes, as they existed at the time of
521	submittal. A county or municipality, as applicable, shall allow
522	an applicant who submitted such application, written request, or
523	notice of intent before July 1, 2025, the opportunity to submit
524	a revised application, written request, or notice of intent to
525	account for the changes made by this act.
526	Section 6. Paragraph (a) of subsection (9) of section
527	380.0552, Florida Statutes, is amended to read:
528	380.0552 Florida Keys Area; protection and designation as
529	area of critical state concern
530	(9) MODIFICATION TO PLANS AND REGULATIONS
531	(a) Any land development regulation or element of a local
532	comprehensive plan in the Florida Keys Area may be enacted,
533	amended, or rescinded by a local government, but the enactment,

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534 amendment, or rescission becomes effective only upon approval by 535 the state land planning agency. The state land planning agency 536 shall review the proposed change to determine if it is in compliance with the principles for guiding development specified 537 538 in chapter 27F-8, Florida Administrative Code, as amended 539 effective August 23, 1984, and must approve or reject the 540 requested changes within 60 days after receipt. Amendments to 541 local comprehensive plans in the Florida Keys Area must also be 542 reviewed for compliance with the following:

543 1. Construction schedules and detailed capital financing 544 plans for wastewater management improvements in the annually 545 adopted capital improvements element, and standards for the 546 construction of wastewater treatment and disposal facilities or 547 collection systems that meet or exceed the criteria in s. 548 403.086(11) for wastewater treatment and disposal facilities or 549 s. 381.0065(4)(1) for onsite sewage treatment and disposal 550 systems.

551 2. Goals, objectives, and policies to protect public safety 552 and welfare in the event of a natural disaster by maintaining a 553 hurricane evacuation clearance time for permanent residents of 554 no more than 26 24 hours. The hurricane evacuation clearance time shall be determined by a hurricane evacuation study 555 556 conducted in accordance with a professionally accepted 557 methodology and approved by the state land planning agency. For 558 purposes of hurricane evacuation clearance time:

a. Mobile home residents are not considered permanentresidents.

561 b. The City of Key West Area of Critical State Concern562 established by chapter 28-36, Florida Administrative Code, shall

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564the evacuation requirements of this subsection.565Section 7. It is the intent of the Legislature that the566amendment made by this act to s. 380.0552, Florida Statutes,567will accommodate the building of additional developments within568the Florida Keys to ameliorate the acute affordable housing and569building permit allocation shortage. The Legislature also570intends that local governments subject to the hurricane571evacuation clearance time restrictions on residential buildings572manage growth with a heightened focus on long-term stability and373affordable housing for the local workforce.574Section 8. Section 420.5098, Florida Statutes, is created575to read:576420.5098 Public sector and hospital employer-sponsored577housing policy578(1) The Legislature finds that it is in the best interests579of the state and the state's economy to provide affordable580housing to state residents employed by hospitals, health care581facilities, and governmental entities in order to attract and582maintain the highest quality labor by incentivizing such58442(g) (9) (B) of the Internal Revenue Code provides that a585qualified low-income housing project does not fail to meet the586of a specified group under a state program or policy that587supports housing for such specified group. Therefore, it is the588of a specified group under a state program or policy that599th	563	be included in the hurricane evacuation study and is subject to
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591 the development of affordable workforce housing for employees of	590	intent of the Legislature to establish a policy that supports
	591	the development of affordable workforce housing for employees of

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592	hospitals, health care facilities, and governmental entities.
593	(2) For purposes of this section, the term:
594	(a) "Governmental entity" means any state, regional,
595	county, local, or municipal governmental entity of this state,
596	whether executive, judicial, or legislative; any department,
597	division, bureau, commission, authority, or political
598	subdivision of the state; any public school, state university,
599	or Florida College System institution; or any special district
600	as defined in s. 189.012.
601	(b) "Health care facility" has the same meaning as provided
602	in s. 159.27(16).
603	(c) "Hospital" means a hospital under chapter 155, a
604	hospital district created pursuant to chapter 189, or a hospital
605	licensed pursuant to chapter 395, including corporations not for
606	profit that are qualified as charitable under s. 501(c)(3) of
607	the Internal Revenue Code and for-profit entities.
608	(3) It is the policy of the state to support housing for
609	employees of hospitals, health care facilities, and governmental
610	entities and to allow developers in receipt of federal low-
611	income housing tax credits allocated pursuant to s. 420.5099,
612	local or state funds, or other sources of funding available to
613	finance the development of affordable housing to create a
614	preference for housing for such employees. Such preference must
615	conform to the requirements of s. 42(g)(9) of the Internal
616	Revenue Code.
617	Section 9. Section 760.26, Florida Statutes, is amended to
618	read:
619	760.26 Prohibited discrimination in land use decisions and
620	in permitting of developmentIt is unlawful to discriminate in

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621	land use decisions or in the permitting of development based on
622	race, color, national origin, sex, disability, familial status,
623	religion, or, except as otherwise provided by law, the source of
624	financing of a development or proposed development or the nature
625	of a development or proposed development as affordable housing.
626	Section 10. Except as otherwise expressly provided in this
627	act and except for this section, which shall take effect upon
628	becoming a law, this act shall take effect July 1, 2025.
629	
630	=========== T I T L E A M E N D M E N T ============
631	And the title is amended as follows:
632	Delete everything before the enacting clause
633	and insert:
634	A bill to be entitled
635	An act relating to affordable housing; amending ss.
636	125.01055 and 166.04151, F.S.; revising applicability;
637	requiring counties and municipalities, respectively,
638	to authorize multifamily and mixed-use residential as
639	allowable uses in portions of flexibly zoned areas
640	under certain circumstances; prohibiting counties and
641	municipalities from imposing certain requirements on
642	proposed multifamily developments; prohibiting
643	counties and municipalities from requiring that more
644	than a specified percentage of a mixed-use residential
645	project be used for certain purposes; revising the
646	density, floor area ratio, or height below which
647	counties and municipalities may not restrict certain
648	developments; defining the term "story" for a proposed
649	development located within a municipality within a

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650 certain area of critical state concern; requiring the 651 administrative approval of certain proposed 652 developments without further action by a quasi-653 judicial or administrative board or reviewing body 654 under certain circumstances; requiring counties and 655 municipalities to reduce parking requirements by a 656 specified percentage for certain proposed developments 657 under certain circumstances; requiring counties and 658 municipalities to allow adjacent parcels of land to be 659 included within certain proposed developments; 660 requiring a court to give priority to and render 661 expeditious decisions in certain civil actions; 662 requiring a court to award reasonable attorney fees 663 and costs to a prevailing party in certain civil 664 actions; providing that such attorney fees or costs 665 may not exceed a specified dollar amount; prohibiting 666 the prevailing party from recovering certain other 667 fees or costs; defining terms; authorizing the use of 668 a specified approval process for a proposed 669 development on a parcel of land primarily developed 670 and maintained for specified facilities; authorizing 671 counties and municipalities to restrict the height of 672 such proposed developments under certain 673 circumstances; prohibiting counties and municipalities 674 from imposing certain building moratoriums; providing 675 an exception, subject to certain requirements; 676 providing applicability; authorizing applicants for 677 certain proposed developments to notify the county or municipality, as applicable, by a specified date of 678

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679 its intent to proceed under certain provisions; 680 requiring counties and municipalities to allow certain applicants to submit revised applications, written 681 682 requests, and notices of intent to account for changes 683 made by the act; amending s. 380.0552, F.S.; revising 684 the maximum hurricane evacuation clearance time for permanent residents, which time is an element for 685 686 which amendments to local comprehensive plans in the 687 Florida Keys Area must be reviewed for compliance; 688 providing legislative intent; creating s. 420.5098, 689 F.S.; providing legislative findings and intent; 690 defining terms; providing that it is the policy of the 691 state to support housing for certain employees and to 692 permit developers in receipt of certain tax credits 693 and funds to create a specified preference for housing 694 certain employees; requiring that such preference 695 conform to certain requirements; amending s. 760.26, 696 F.S.; providing that it is unlawful to discriminate in 697 land use decisions or in the permitting of development 698 based on the specified nature of a development or 699 proposed development; providing effective dates.