

By Senator Sharief

35-00820-25

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1                   A bill to be entitled  
2       An act relating to restrictions on redevelopment;  
3       amending s. 553.8991, F.S.; authorizing property  
4       located on a barrier island which allows for  
5       residential development on or after a specified date  
6       to be developed or redeveloped for residential use at  
7       the highest density allowed on or after that specified  
8       date, regardless of any land use, zoning, or policies  
9       to the contrary; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13       Section 1. Subsection (5) of section 553.8991, Florida  
14 Statutes, is amended to read:

15       553.8991 Resiliency and Safe Structures Act.—

16       (5) RESTRICTIONS ON REDEVELOPMENT PROHIBITED.—A local  
17 government shall authorize replacement structures for qualifying  
18 buildings identified in paragraph (3)(a) to be developed to the  
19 maximum height and overall building size authorized by local  
20 development regulations for a similarly situated parcel within  
21 the same zoning district. A property located on a barrier island  
22 which has a land use or zoning designation allowing residential  
23 development, or which had such land use or zoning designation as  
24 of January 1, 2000, or any time thereafter, is authorized to be  
25 developed or redeveloped for residential use at the highest  
26 density allowed on the property as of January 1, 2000, or any  
27 time thereafter, regardless of its current land use, zoning  
28 designation, or comprehensive plan policies to the contrary. A  
29 local government may not do any of the following:

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30 (a) Limit, for any reason, the development potential of  
31 replacement structures below the maximum development potential  
32 allowed by local development regulations for a similarly  
33 situated parcel within the same zoning district.

34 (b) Require replication of a demolished structure.

35 (c) Require the preservation of any elements of a  
36 demolished structure.

37 (d) Impose additional regulatory or building requirements  
38 on replacement structures which would not otherwise be  
39 applicable to a similarly situated vacant parcel located in the  
40 same zoning district.

41 (e) Impose additional public hearings or administrative  
42 processes that would not otherwise be applicable to a similarly  
43 situated vacant parcel within the same zoning district.

44 Section 2. This act shall take effect July 1, 2025.