

1                   A bill to be entitled  
2           An act relating to real property and land use and  
3           development; amending s. 125.01055, F.S.; prohibiting  
4           counties from adopting or enforcing specified laws,  
5           ordinances, rules, or other measures relating to  
6           affordable housing; authorizing the board of county  
7           commissioners to approve the development of housing  
8           that is affordable on any parcel that is owned by a  
9           specified religious institution; providing  
10          definitions; requiring counties to authorize  
11          multifamily and mixed-use residential as allowable  
12          uses on sites owned by specified entities and in  
13          planned unit developments for specified use, if  
14          certain conditions are met; requiring counties to  
15          include adjacent land as part of multifamily  
16          development, regardless of land use designation, if  
17          certain conditions are met; prohibiting counties from  
18          requiring a proposed multifamily development to  
19          acquire or transfer density, density units, or  
20          development units or obtain certain amendments or  
21          approval; prohibiting counties from requiring more  
22          than a certain percentage of total square footage to  
23          be used for specified purposes; requiring a specified  
24          definition of areas zoned for mixed use; providing  
25          that certain affordable or workforce units also

26 |       qualify as affordable housing; prohibiting counties  
27 |       from restricting or taking action that has the effect  
28 |       of restricting the density of a proposed multifamily  
29 |       or mixed-use residential development below the highest  
30 |       density allowed on or after a specified date;  
31 |       providing construction; prohibiting counties from  
32 |       restricting or taking action that has the effect of  
33 |       restricting the maximum lot size of a proposed  
34 |       multifamily or mixed-use residential development below  
35 |       the largest maximum lot size allowed on or after a  
36 |       specified date; prohibiting counties from restricting  
37 |       or taking action that has the effect of restricting  
38 |       the floor area ratio of a proposed multifamily or  
39 |       mixed-use residential development below a certain  
40 |       percentage allowed on or after a specified date;  
41 |       prohibiting counties from restricting or taking action  
42 |       that has the effect of restricting the height of a  
43 |       proposed multifamily or mixed-use residential  
44 |       development below the highest height allowed on or  
45 |       after a specified date; providing construction;  
46 |       revising the ability of counties to restrict the  
47 |       height of multifamily or mixed-use residential  
48 |       developments that are adjacent to specified parcels to  
49 |       the highest height allowed on or after a specified  
50 |       date; requiring administrative approval of proposed

51 multifamily or mixed-use residential developments with  
52 no further action or approval in certain instances;  
53 requiring such developments to be treated as a  
54 conforming use, notwithstanding certain land  
55 development regulations; prohibiting counties from  
56 initiating or enforcing zoning-in-progress or building  
57 moratoriums in certain instances; requiring each  
58 county to maintain on its website a specified policy;  
59 requiring counties to reduce certain parking  
60 requirements by a specified percentage; requiring  
61 counties to approve, within a specified timeframe,  
62 building permit plan reviews for proposed  
63 developments; providing for the awarding of attorney  
64 fees and costs under certain conditions; providing  
65 that if a county adopts an ordinance or resolution, or  
66 makes any other decision, after a specified date  
67 having certain effects, the ordinance, resolution, or  
68 decision is deemed preempted; providing that the  
69 administrative review process of a site plan filed  
70 with a county must be based on land development  
71 regulations in effect as of the date of filing the  
72 application; preempting the regulation of affordable  
73 housing to the state; requiring courts to expedite  
74 proceedings and render an order within a specified  
75 timeframe if an action is filed against a local

76 government based on preemption grounds; requiring  
77 notice of appeal to be filed and served within a  
78 specified timeframe from such judgment; requiring the  
79 Supreme Court to adopt rules by a specified date for  
80 such expedited proceedings; prohibiting counties from  
81 conditioning review or approval of applications for  
82 development permits or orders on the waiver,  
83 forbearance, acquisition, transfer, or abandonment of  
84 any development right, or the procurement or transfer  
85 of density units or development units; deeming such  
86 actions to be void; providing reporting requirements  
87 for counties and the state land planning agency;  
88 prohibiting the imposition of a building moratorium  
89 under certain circumstances; providing that the owner  
90 of an administratively approved proposed development  
91 has a vested right to proceed with development under  
92 certain circumstances; amending s. 163.31801, F.S.;  
93 requiring an exception or waiver for a specified  
94 percentage of the impact fees for certain  
95 developments; amending s. 166.041, F.S.; requiring  
96 that ordinances designating property as a historic  
97 landmark require a map to be readily available;  
98 requiring municipalities to submit such maps to the  
99 State Historic Preservation Officer by a specified  
100 date; requiring that resolutions designating certain

101 privately owned property as a historic landmark be  
102 based on a certain finding by the governing body for  
103 adoption of such resolutions; amending s. 166.04151,  
104 F.S.; prohibiting municipalities from adopting or  
105 enforcing specified laws, ordinances, rules, or other  
106 measures relating to affordable housing; authorizing  
107 municipalities to approve the development of housing  
108 that is affordable on any parcel that is owned by  
109 specified religious institutions; providing  
110 definitions; requiring municipalities to authorize  
111 multifamily and mixed-use residential as allowable  
112 uses on sites owned by specified entities and in  
113 planned unit developments for specified use, if  
114 certain conditions are met; requiring municipalities  
115 to include adjacent land as part of multifamily  
116 development, regardless of land use designation, if  
117 certain conditions are met; prohibiting municipalities  
118 from requiring a proposed multifamily development to  
119 acquire or transfer density, density units, or  
120 development units or obtain certain amendments or  
121 approval; prohibiting municipalities from requiring  
122 more than a certain percentage of total square footage  
123 to be used for specified purposes; requiring a  
124 specified definition of areas zoned for mixed use;  
125 providing that certain affordable or workforce units

126 | also qualify as affordable housing; prohibiting  
127 | municipalities from restricting or taking action that  
128 | has the effect of restricting the density of a  
129 | proposed multifamily or mixed-use residential  
130 | development below the highest density allowed on or  
131 | after a specified date; providing construction;  
132 | prohibiting municipalities from restricting or taking  
133 | action that has the effect of restricting the maximum  
134 | lot size of a proposed multifamily or mixed-use  
135 | residential development below the largest maximum lot  
136 | size allowed on or after a specified date; prohibiting  
137 | municipalities from restricting or taking action that  
138 | has the effect of restricting the floor area ratio of  
139 | a proposed multifamily or mixed-use residential  
140 | development below a certain percentage allowed on or  
141 | after a specified date; prohibiting municipalities  
142 | from restricting or taking action that has the effect  
143 | of restricting the height of a proposed multifamily or  
144 | mixed-use residential development below the highest  
145 | height allowed on or after a specified date; providing  
146 | construction; revising the ability of municipalities  
147 | to restrict the height of multifamily or mixed-use  
148 | residential developments that are adjacent to  
149 | specified parcels to the highest height allowed on or  
150 | after a specified date; requiring administrative

151 approval of proposed multifamily or mixed-use  
152 residential developments with no further action or  
153 approval in certain instances; requiring such  
154 developments to be treated as a conforming use,  
155 notwithstanding certain land development regulations;  
156 prohibiting municipalities from initiating or  
157 enforcing zoning-in-progress or building moratoriums  
158 in certain instances; requiring each municipality to  
159 maintain on its website a specified policy; requiring  
160 municipalities to reduce certain parking requirements  
161 by a specified percentage; requiring municipalities to  
162 approve, within a specified timeframe, building permit  
163 plan reviews for proposed developments; providing for  
164 the awarding of attorney fees and costs under certain  
165 conditions; providing that if a municipality adopts an  
166 ordinance or resolution, or makes any other decision,  
167 after a specified date having certain effects, the  
168 ordinance, resolution, or decision is deemed  
169 preempted; providing that the administrative review  
170 process of a site plan filed with a municipality must  
171 be based on land development regulations in effect as  
172 of the date of filing the application; preempting the  
173 regulation of affordable housing to the state;  
174 requiring courts to expedite proceedings and render an  
175 order within a specified timeframe if an action is

176 filed against a local government based on preemption  
177 grounds; requiring notice of appeal to be filed and  
178 served within a specified timeframe from such  
179 judgment; requiring the Supreme Court to adopt rules  
180 by a specified date for such expedited proceedings;  
181 prohibiting municipalities from conditioning review or  
182 approval of applications for development permits or  
183 orders on the waiver, forbearance, acquisition,  
184 transfer, or abandonment of any development right, or  
185 the procurement or transfer of density units or  
186 development units; deeming such actions to be void;  
187 providing reporting requirements for municipalities  
188 and the state land planning agency; prohibiting the  
189 imposition of a building moratorium under certain  
190 circumstances; providing that the owner of an  
191 administratively approved proposed development has a  
192 vested right to proceed with development under certain  
193 circumstances; amending s. 163.2517, F.S.; requiring  
194 that proposed urban infill developments be  
195 administratively approved, notwithstanding any  
196 ordinance to the contrary before a specified date;  
197 amending s. 163.3167, F.S.; revising the scope of the  
198 Community Planning Act; amending s. 163.31771, F.S.;  
199 revising the definition of the term "accessory  
200 dwelling unit"; defining the term "department";



201 requiring local governments to adopt ordinances as  
202 they relate to accessory dwelling units; prohibiting  
203 local governments from increasing costs of  
204 construction of accessory dwelling units; providing  
205 exceptions; requiring local governments to submit  
206 annual reports beginning on a specified date to the  
207 Department of Commerce and post such reports on the  
208 local governments' websites; providing requirements  
209 for the reports; authorizing the department to adopt  
210 rules; prohibiting an owner of property with an  
211 accessory dwelling unit from being denied a homestead  
212 exemption or homestead property assessment limitation  
213 solely on the basis of the property containing an  
214 accessory dwelling unit; establishing requirements for  
215 homestead purposes if an accessory dwelling unit is  
216 rented by the property owner; requiring an accessory  
217 dwelling unit that is not rented to be considered part  
218 of homestead property; amending s. 196.1979, F.S.;  
219 authorizing the board of county commissioners or the  
220 governing body of a municipality to exempt specified  
221 portions of property within multifamily projects and  
222 accessory dwelling units used to provide affordable  
223 housing; revising ad valorem property tax exemption  
224 provisions for accessory dwelling units; amending s.  
225 333.03, F.S.; revising applicability for certain

226 proposed developments; defining the term "commercial  
227 service airport"; amending s. 420.50871, F.S.;  
228 expanding the scope of financing of affordable housing  
229 projects to include certain housing; creating s.  
230 702.13, F.S.; providing definitions; authorizing the  
231 filing of motions to determine whether residential  
232 real property is abandoned real property; requiring  
233 certain documentation to be filed with such motions;  
234 requiring the trial court to set a hearing on such  
235 motions within a certain timeframe; providing notice  
236 requirements; requiring the court to render a  
237 declaratory judgment upon certain findings and  
238 immediately proceed to a foreclosure trial; requiring  
239 the court to enter a judgment of foreclosure and  
240 schedule a public sale of the abandoned real property  
241 upon certain findings; prohibiting the court from  
242 entering a declaratory judgment in certain instances;  
243 requiring the court to rescind its orders in certain  
244 instances; providing applicability; amending s.  
245 760.22, F.S.; revising the definition of the term  
246 "person"; amending s. 760.26, F.S.; prohibiting  
247 discrimination in land use decisions and in permitting  
248 of development based on a development or proposed  
249 development being affordable housing; providing  
250 applicability; amending s. 760.35, F.S.; revising

251 provisions relating to the issuance of a court order  
252 prohibiting a discriminatory housing practice;  
253 providing for waiver of sovereign immunity; amending  
254 s. 479.01, F.S.; conforming a cross-reference;  
255 amending s. 1001.43, F.S.; requiring district school  
256 boards to exercise specified supplemental powers and  
257 duties relating to affordable housing; providing an  
258 effective date.

259  
260 Be It Enacted by the Legislature of the State of Florida:

261  
262 **Section 1. Subsections (1), (6), (7), and (8) of section**  
263 **125.01055, Florida Statutes, are amended, and subsections (9)**  
264 **through (12) are added to that section, to read:**

265 125.01055 Affordable housing.—

266 (1) Notwithstanding any other provision of law, a county  
267 may adopt and maintain in effect any law, ordinance, rule, or  
268 other measure that is adopted for the purpose of increasing the  
269 supply of affordable housing using land use mechanisms such as  
270 inclusionary housing or linkage fee ordinances. A county may not  
271 adopt or enforce any law, ordinance, rule, or other measure that  
272 limits or prohibits affordable housing, including, but not  
273 limited to, any measure that is adopted for the purpose of  
274 limiting the maximum percentage of units within a certain  
275 geographic area or within a certain distance from another

276 affordable housing project, or that otherwise prohibits  
277 affordable housing in areas zoned for such use.

278 (6) Notwithstanding any other law or local ordinance or  
279 regulation to the contrary, the board of county commissioners  
280 may approve the development of housing that is affordable, as  
281 defined in s. 420.0004, including, but not limited to, a mixed-  
282 use residential development, on any parcel zoned for commercial  
283 or industrial use, or on any parcel, including any contiguous  
284 parcel connected thereto, that is owned by a religious  
285 institution, as defined in s. 170.201(2), that contains a house  
286 of public worship, regardless of the underlying zoning, so long  
287 as at least 10 percent of the units included in the project are  
288 for housing that is affordable. The provisions of this  
289 subsection are self-executing and do not require the board of  
290 county commissioners to adopt an ordinance or a regulation  
291 before using the approval process in this subsection.

292 (7)(a) As used in this subsection, regardless of  
293 terminology used in a county's land development regulations, the  
294 term:

295 1. "Allowable density" means the density prescribed for  
296 the property without additional requirements to procure and  
297 transfer density units or development units from other  
298 properties.

299 2. "Allowable use" means the intended uses identified in a  
300 county's land development regulations which are authorized

301 within a zoning category as a use by right, without the  
302 requirement to obtain a variance or waiver. The term does not  
303 include uses that are accessory, ancillary, or incidental to the  
304 allowable uses or allowed only on a temporary basis.

305 3. "Commercial use" means activities associated with the  
306 sale, rental, or distribution of products or the sale or  
307 performance of services. The term includes, but is not limited  
308 to, retail, office, entertainment, and other for-profit business  
309 activities.

310 4. "Industrial use" means activities associated with the  
311 manufacture, assembly, processing, or storage of products or the  
312 performance of related services.

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

315 (b)1.(a) Notwithstanding any other law, local ordinance,  
316 or regulation to the contrary, including any local moratorium  
317 established after March 29, 2023, a county must authorize  
318 multifamily and mixed-use residential as allowable uses on any  
319 site owned by the county, a district school board, or a  
320 religious institution as defined in s. 170.201(2), and in any  
321 area zoned for commercial, industrial, or mixed use; any planned  
322 unit development permitted for commercial, industrial, or mixed  
323 use; or any zoning district not zoned solely for use as a  
324 single-family home or duplex, if at least 40 percent of the  
325 residential units in a proposed multifamily or mixed-use

326 residential development are rental units that, for a period of  
327 at least 30 years, are affordable as defined in s. 420.0004. A  
328 county shall authorize the inclusion of an adjacent parcel of  
329 land as part of the multifamily development, regardless of the  
330 land use designation of the adjacent parcel, if the residential  
331 units to be built on the adjacent parcel comply with the  
332 requirements of this subsection.

333 2. Notwithstanding any other law, local ordinance, or  
334 regulation to the contrary, a county may not require a proposed  
335 multifamily or mixed-use residential development to acquire or  
336 transfer density, density units, or development units or obtain  
337 an amendment to a development of regional impact, amendment to a  
338 development agreement, or amendment to a restrictive covenant or  
339 a zoning or land use change, special exception, conditional use  
340 approval, variance, ~~or~~ comprehensive plan amendment, or any  
341 other approval for the building height, zoning, and densities  
342 authorized under this subsection.

343 3. For mixed-use residential projects, at least 65 percent  
344 of the total square footage must be used for residential  
345 purposes. A county may not require more than 10 percent of the  
346 total square footage to be used for nonresidential purposes.

347 4. Notwithstanding any local land development regulation  
348 categorization or title, areas zoned for mixed use shall be  
349 defined as areas that include both residential and  
350 nonresidential uses, regardless of whether the residential or

351 nonresidential uses are permitted as principal use, conditional  
352 use, ancillary use, special use, unusual use, accessory use,  
353 planned unit development, or planned development. Nonresidential  
354 use includes, but is not limited to, retail, office, hotel,  
355 lodging, civic, institutional, parking, utilities, or other  
356 commercial uses.

357 5. Affordable or workforce units that receive any  
358 incentive under subsection (4) also qualify as affordable under  
359 this subsection as long as the units satisfy the requirements of  
360 s. 420.0004 and the local regulations.

361 (c) ~~(b)~~ A county may not directly restrict or take action  
362 that has the effect of restricting the density of a proposed  
363 multifamily or mixed-use residential development authorized  
364 under this subsection below the highest ~~currently allowed~~  
365 density allowed on or after July 1, 2023, on any unincorporated  
366 land in the county where residential development is allowed  
367 under the county's land development regulations. For purposes of  
368 this paragraph, the term "highest ~~currently allowed~~ density"  
369 does not include the density of any building that met the  
370 requirements of this subsection or the density of any building  
371 that has received any bonus, variance, or other special  
372 exception for density provided in the county's land development  
373 regulations as an incentive for development. For purposes of  
374 this paragraph, to "directly restrict" or to "take action that  
375 has the effect of restricting" density includes requirements to

376 procure or transfer density units or development units from  
377 other properties.

378 (d) A county may not directly restrict or take action that  
379 has the effect of restricting the maximum lot size of a proposed  
380 multifamily or mixed-use residential development authorized  
381 under this paragraph below the largest maximum lot size allowed  
382 on or after July 1, 2023, on any unincorporated land in the  
383 county where multifamily or mixed-use residential development is  
384 allowed pursuant to the county's land development regulations. A  
385 county may not restrict the maximum lot coverage of a proposed  
386 multifamily or mixed-use residential development authorized  
387 under this paragraph below 70 percent.

388 (e)-(e) A county may not directly restrict or take action  
389 that has the effect of restricting the floor area ratio of a  
390 proposed multifamily or mixed-use residential development  
391 authorized under this subsection below 150 percent of the  
392 highest ~~currently allowed~~ floor area ratio allowed on or after  
393 July 1, 2023, on any unincorporated land in the county where  
394 development is allowed under the county's land development  
395 regulations. For purposes of this paragraph, the term "highest  
396 ~~currently allowed~~ floor area ratio" does not include the floor  
397 area ratio of any building that met the requirements of this  
398 subsection or the floor area ratio of any building that has  
399 received any bonus, variance, or other special exception for  
400 floor area ratio provided in the county's land development



401 regulations as an incentive for development. For purposes of  
402 this subsection, the term "floor area ratio" includes floor lot  
403 ratio.

404 (f)~~(d)~~1. A county may not directly restrict or take action  
405 that has the effect of restricting the height of a proposed  
406 multifamily or mixed-use residential development authorized  
407 under this subsection below the highest ~~currently allowed~~ height  
408 allowed on or after July 1, 2023, for a commercial or  
409 residential building located in its jurisdiction within 1 mile  
410 of the proposed development or 3 stories, whichever is higher.  
411 For purposes of this paragraph, the term "highest ~~currently~~  
412 ~~allowed~~ height" includes the height of the tallest existing  
413 building located in its jurisdiction within 1 mile of the  
414 proposed development if the existing building exceeds the  
415 highest height allowed on or after July 1, 2023. However, the  
416 term does not include the height of any building that met the  
417 requirements of this subsection or the height of any building  
418 that has received any bonus, variance, or other special  
419 exception for height provided in the county's land development  
420 regulations as an incentive for development.

421 2. If the proposed multifamily or mixed-use residential  
422 development is adjacent to, on two or more sides, a parcel zoned  
423 for single-family residential use which is within a single-  
424 family residential development with at least 25 contiguous  
425 single-family homes, the county may restrict the height of the

426 proposed development to 150 percent of the tallest building on  
427 any property adjacent to the proposed development, the highest  
428 ~~currently allowed~~ height allowed on or after July 1, 2023, for  
429 the property provided in the county's land development  
430 regulations, or 3 stories, whichever is higher. For the purposes  
431 of this paragraph, the term "adjacent to" means those properties  
432 sharing more than one point of a property line, but does not  
433 include properties separated by a public road.

434 (g)1.(e) A proposed multifamily or mixed-use residential  
435 development authorized under this subsection must be  
436 administratively approved and ~~no~~ further action by the board of  
437 county commissioners or any quasi-judicial board of the  
438 reviewing body is not authorized ~~required~~ if the development  
439 satisfies the county's land development regulations for  
440 multifamily or mixed-use residential developments in areas zoned  
441 for such use, density, intensity, and height, and is otherwise  
442 consistent with the comprehensive plan, with the exception of  
443 provisions establishing ~~allowable~~ densities, floor area ratios,  
444 height, and land use, including mixed-use and minimum  
445 nonresidential or commercial floor area requirements. The  
446 removal or demolition of an existing structure to be performed  
447 as part of the proposed development must also be  
448 administratively approved. A proposed development authorized  
449 under this subsection must be treated as a conforming use,  
450 notwithstanding the county's comprehensive plan, future land use

451 ~~designation, or zoning. Such land development regulations~~  
452 ~~include, but are not limited to, regulations relating to~~  
453 ~~setbacks and parking requirements.~~

454 2. A county may not initiate or enforce zoning-in-progress  
455 or a building moratorium on a proposed development that is  
456 subject to this subsection and for which the county has approved  
457 the development's preliminary site plan.

458 3. A proposed development located within one-quarter mile  
459 of a military installation identified in s. 163.3175(2) may not  
460 be administratively approved.

461 4. Each county shall maintain on its website a policy  
462 containing the zoning map and zoning regulations in effect on  
463 July 1, 2023, and the procedures and expectations for  
464 administrative approval pursuant to this subsection.

465 (h)(f)1. A county must reduce consider reducing parking  
466 requirements by at least 20 percent for a proposed development  
467 authorized under this subsection, or by 100 percent for  
468 structures that are 20,000 square feet or less if the  
469 development is located within one-quarter mile of a transit  
470 stop, as defined in the county's land development code, and the  
471 transit stop is accessible from the development.

472 2. A county must reduce parking requirements by at least  
473 20 percent for a proposed development authorized under this  
474 subsection if the development:

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

476 transportation hub that is accessible from the proposed  
 477 development by safe, pedestrian-friendly means, such as  
 478 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
 479 other multimodal design features; or ~~and~~

480         b. Has available parking within 600 feet of the proposed  
 481 development which may consist of options such as on-street  
 482 parking, parking lots, or parking garages available for use by  
 483 residents of the proposed development. However, a county may not  
 484 require that the available parking compensate for the reduction  
 485 in parking requirements.

486         3. A county must eliminate parking requirements for a  
 487 proposed mixed-use residential development authorized under this  
 488 subsection within an area recognized by the county as a transit-  
 489 oriented development or area, as provided in paragraph (j) ~~(h)~~.

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

494         (i) ~~(g)~~ For proposed multifamily developments in an  
 495 unincorporated area zoned for commercial or industrial use which  
 496 is within the boundaries of a multicounty independent special  
 497 district that was created to provide municipal services and is  
 498 not authorized to levy ad valorem taxes, and less than 20  
 499 percent of the land area within such district is designated for  
 500 commercial or industrial use, a county must authorize, as

501 provided in this subsection, such development only if the  
502 development is mixed-use residential.

503 (j)~~(h)~~ A proposed development authorized under this  
504 subsection which is located within a transit-oriented  
505 development or area, as recognized by the county, must be mixed-  
506 use residential and otherwise comply with requirements of the  
507 county's regulations applicable to the transit-oriented  
508 development or area except for use, height, density, floor area  
509 ratio, and parking as provided in this subsection or as  
510 otherwise agreed to by the county and the applicant for the  
511 development.

512 ~~(i) Except as otherwise provided in this subsection, a~~  
513 ~~development authorized under this subsection must comply with~~  
514 ~~all applicable state and local laws and regulations.~~

515 (k)~~(j)~~1. Nothing in this subsection precludes a county  
516 from granting a bonus, variance, conditional use, or other  
517 special exception for height, density, or floor area ratio in  
518 addition to the height, density, and floor area ratio  
519 requirements in this subsection.

520 2. Nothing in this subsection precludes a proposed  
521 development authorized under this subsection from receiving a  
522 bonus for density, height, or floor area ratio pursuant to an  
523 ordinance or regulation of the jurisdiction where the proposed  
524 development is located if the proposed development satisfies the  
525 conditions to receive the bonus except for any condition which

526 conflicts with this subsection. If a proposed development  
527 qualifies for such bonus, the bonus must be administratively  
528 approved by the county and no further action by the board of  
529 county commissioners is required.

530 (1) A county shall approve a building permit plan review  
531 for a proposed development within 60 days as authorized under  
532 this subsection, and prioritize a building permit plan review  
533 for projects authorized under this subsection over other  
534 development projects.

535 (m) Notwithstanding s. 57.112(6), the prevailing party in  
536 a challenge under this subsection is entitled to recover  
537 attorney fees and costs, including reasonable appellate attorney  
538 fees and costs.

539 (n)~~(k)~~ This subsection does not apply to:

- 540 1. Airport-impacted areas as provided in s. 333.03.
- 541 2. Property defined as recreational and commercial working  
542 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

543 (o) After July 1, 2023, if a county adopts an ordinance or  
544 resolution, or makes any other decision, and such ordinance,  
545 resolution, or decision has the effect, either directly or  
546 indirectly, of:

547 1. Limiting the height, floor area ratio, or density of a  
548 project under this section;

549 2. Unreasonably delaying the development or construction  
550 of a project under this section, including, but not limited to,

551 imposing a moratorium;

552 3. Restricting the manner in which affordable units are  
553 developed or accessed within a project or regulating the types  
554 of units in the project; or

555 4. Restricting or limiting a project under this section in  
556 any other way,

557  
558 then such ordinance, resolution, or decision shall be deemed  
559 preempted. If a property owner files a site plan application  
560 under this section with a county, the administrative review  
561 process must be based only on the land development regulations  
562 in effect as of the date of filing the application.

563 (p) The regulation of affordable housing under this  
564 subsection is expressly preempted to the state. This subsection  
565 supersedes any local government ordinances, resolutions, or any  
566 other local regulations, including local moratoriums, on matters  
567 covered under this subsection.

568 (q) If an action is filed against a local government to  
569 challenge the adoption or enforcement of a local ordinance,  
570 resolution, or other local regulation on the grounds that it is  
571 expressly preempted by general law under this subsection, the  
572 court shall expedite the proceeding and render a decision within  
573 30 days after service of process. Notice of appeal shall be  
574 filed and served within 30 days after the rendition of the  
575 judgment appealed from. The Supreme Court shall adopt rules by

576 October 1, 2025, to ensure the proceedings are handled  
577 expeditiously and in a manner consistent with this subsection.

578 (r)-(1) This subsection expires October 1, 2033.

579 (8) Any development authorized under paragraph (7) (b)  
580 ~~(7)(a)~~ must be treated as a conforming use even after the  
581 expiration of subsection (7) and the development's affordability  
582 period as provided in paragraph (7) (b) ~~(7)(a)~~, notwithstanding  
583 the county's comprehensive plan, future land use designation, or  
584 zoning. If at any point during the development's affordability  
585 period the development violates the affordability period  
586 requirement provided in paragraph (7) (b) ~~(7)(a)~~, the development  
587 must be allowed a reasonable time to cure such violation. If the  
588 violation is not cured within a reasonable time, the development  
589 must be treated as a nonconforming use.

590 (9) A county's review or approval of an application for a  
591 development permit or development order may not be conditioned  
592 on the:

593 (a) Waiver, forbearance, acquisition, transfer, or  
594 abandonment of any development right authorized by this section;  
595 or

596 (b) Procurement or transfer of density units or  
597 development units.

598  
599 Any such waiver, forbearance, acquisition, transfer,  
600 procurement, or abandonment is void.



601 (10) (a) Beginning June 30, 2026, each county must provide  
602 an annual report to the state land planning agency that  
603 includes:

604 1. All litigation initiated under subsection (9), the  
605 status of the case, and, if applicable, the final disposition.

606 2. All actions the county has taken on any proposed  
607 project under this section, including, at minimum, the project  
608 size, density, and intensity, and the number of units and the  
609 number of affordable units for such proposed project.

610 3. For any proposed development that is denied or not  
611 accepted, all actions the county has taken on such proposed  
612 development and an explanation for why such actions were taken.

613 (b) The state land planning agency shall provide an annual  
614 report to the Governor, the President of the Senate, and the  
615 Speaker of the House of Representatives regarding county  
616 compliance with this section.

617 (11) A county may not impose a building moratorium that  
618 has the effect of delaying the permitting of construction of a  
619 multifamily project that would otherwise qualify for:

620 (a) An affordable housing ad valorem tax exemption under  
621 s. 196.1978 or s. 196.1979.

622 (b) Any grant loan or other incentive provided for the  
623 development of affordable housing under chapter 420.

624 (c) Any abatement of development restrictions under  
625 subsection (7).

626       (12) If the owner of an administratively approved proposed  
 627 development has acted in reliance on that approval, the owner  
 628 has a vested right to proceed with development under the  
 629 relevant laws, regulations, and ordinances at the time such  
 630 rights vested, if the property continues to comply with the  
 631 requirements of this section.

632           **Section 2. Subsection (11) of section 163.31801, Florida**  
 633 **Statutes, is amended to read:**

634           163.31801 Impact fees; short title; intent; minimum  
 635 requirements; audits; challenges.—

636           (11)(a) A county, municipality, or special district may  
 637 provide an exception or waiver for an impact fee for the  
 638 development or construction of housing that is affordable, as  
 639 defined in s. 420.9071. If a county, municipality, or special  
 640 district provides such an exception or waiver, it is not  
 641 required to use any revenues to offset the impact.

642           (b) Qualified developments authorized pursuant to s.  
 643 125.01055 or s. 166.04151 shall receive an exception or waiver  
 644 for 20 percent of the impact fees for the development of, or  
 645 construction of the portion of the development that is,  
 646 affordable housing.

647           **Section 3. Subsection (2) of section 166.041, Florida**  
 648 **Statutes, is amended to read:**

649           166.041 Procedures for adoption of ordinances and  
 650 resolutions.—

651           (2) (a) Each ordinance or resolution shall be introduced in  
652 writing and shall embrace but one subject and matters properly  
653 connected therewith. The subject shall be clearly stated in the  
654 title. No ordinance shall be revised or amended by reference to  
655 its title only. Ordinances to revise or amend shall set out in  
656 full the revised or amended act or section or subsection or  
657 paragraph of a section or subsection.

658           (b) Any ordinance the subject of which designates property  
659 as a historic landmark shall require a printed or digital map of  
660 such property to be readily available. A municipality shall  
661 submit such map to the State Historic Preservation Officer no  
662 later than June 1, 2027.

663           (c) Any resolution the subject of which designates the  
664 character of privately owned property as a historic landmark  
665 without the consent of the property owner shall require a  
666 finding by the governing body, based on substantial competent  
667 evidence, that the historic significance of the subject property  
668 is commensurate, to an equal or greater degree, with property  
669 that is already designated as a historic landmark within the  
670 municipality.

671           **Section 4. Subsections (1), (6), (7), and (8) of section**  
672 **166.04151, Florida Statutes, are amended, and subsections (9)**  
673 **through (12) are added to that section, to read:**

674           166.04151 Affordable housing.—

675           (1) Notwithstanding any other provision of law, a

676 municipality may adopt and maintain in effect any law,  
677 ordinance, rule, or other measure that is adopted for the  
678 purpose of increasing the supply of affordable housing using  
679 land use mechanisms such as inclusionary housing or linkage fee  
680 ordinances. A municipality may not adopt or enforce any law,  
681 ordinance, rule, or other measure that limits or prohibits  
682 affordable housing, including, but not limited to, any measure  
683 that is adopted for the purpose of limiting the maximum  
684 percentage of units within a certain geographic area or within a  
685 certain distance from another affordable housing project, or  
686 that otherwise prohibits affordable housing in areas zoned for  
687 such use.

688 (6) Notwithstanding any other law or local ordinance or  
689 regulation to the contrary, the governing body of a municipality  
690 may approve the development of housing that is affordable, as  
691 defined in s. 420.0004, including, but not limited to, a mixed-  
692 use residential development, on any parcel zoned for commercial  
693 or industrial use, or on any parcel, including any contiguous  
694 parcel connected thereto, that is owned by a religious  
695 institution, as defined in s. 170.201(2), that contains a house  
696 of public worship, regardless of the underlying zoning, so long  
697 as at least 10 percent of the units included in the project are  
698 for housing that is affordable. The provisions of this  
699 subsection are self-executing and do not require the governing  
700 body to adopt an ordinance or a regulation before using the

701 approval process in this subsection.

702 (7) (a) As used in this subsection, regardless of  
703 terminology used in a municipality's land development  
704 regulations, the term:

705 1. "Allowable density" means the density prescribed for  
706 the property without additional requirements to procure and  
707 transfer density units or development units from other  
708 properties.

709 2. "Allowable use" means the intended uses identified in a  
710 municipality's land development regulations which are authorized  
711 within a zoning category as a use by right, without the  
712 requirement to obtain a variance or waiver. The term does not  
713 include uses that are accessory, ancillary, or incidental to the  
714 allowable uses or allowed only on a temporary basis.

715 3. "Commercial use" means activities associated with the  
716 sale, rental, or distribution of products or the sale or  
717 performance of services. The term includes, but is not limited  
718 to, retail, office, entertainment, and other for-profit business  
719 activities.

720 4. "Industrial use" means activities associated with the  
721 manufacture, assembly, processing, or storage of products or the  
722 performance of related services.

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

725 (b)1.(a) Notwithstanding any other law, local ordinance,

726 or regulation to the contrary, including any local moratorium  
727 established after March 29, 2023, a municipality must authorize  
728 multifamily and mixed-use residential as allowable uses on any  
729 site owned by the municipality, a district school board, or a  
730 religious institution as defined in s. 170.201(2), and in any  
731 area zoned for commercial, industrial, or mixed use; any planned  
732 unit development permitted for commercial, industrial, or mixed  
733 use; or any zoning district not zoned solely for use as a  
734 single-family home or duplex, if at least 40 percent of the  
735 residential units in a proposed multifamily or mixed-use  
736 residential development are rental units that, for a period of  
737 at least 30 years, are affordable as defined in s. 420.0004. A  
738 municipality shall authorize the inclusion of an adjacent parcel  
739 of land as part of the multifamily development, regardless of  
740 the land use designation of the adjacent parcel, if the  
741 residential units to be built on the adjacent parcel comply with  
742 the requirements of this subsection.

743 2. Notwithstanding any other law, local ordinance, or  
744 regulation to the contrary, a municipality may not require a  
745 proposed multifamily or mixed-use residential development to  
746 obtain an amendment to a development of regional impact,  
747 amendment to a development agreement, or amendment to a  
748 restrictive covenant or a zoning or land use change, special  
749 exception, conditional use approval, variance, ~~or~~ comprehensive  
750 plan amendment, or any other approval for the building height,

751 zoning, and densities authorized under this subsection.

752 3. For mixed-use residential projects, at least 65 percent  
753 of the total square footage must be used for residential  
754 purposes. A municipality may not require more than 10 percent of  
755 the total square footage to be used for nonresidential purposes.

756 4. Notwithstanding any local land development regulation  
757 categorization or title, areas zoned for mixed use shall be  
758 defined as areas that include both residential and  
759 nonresidential uses, regardless of whether the residential or  
760 nonresidential uses are permitted as principal use, conditional  
761 use, ancillary use, special use, unusual use, accessory use,  
762 planned unit development, or planned development. Nonresidential  
763 use includes, but is not limited to, retail, office, hotel,  
764 lodging, civic, institutional, parking, utilities, or other  
765 commercial uses.

766 5. Affordable or workforce units that receive any  
767 incentive under subsection (4) also qualify as affordable under  
768 this subsection as long as the units satisfy the requirements of  
769 s. 420.0004 and the local regulations.

770 (c) ~~(b)~~ A municipality may not directly restrict or take  
771 action that has the effect of restricting the density of a  
772 proposed multifamily or mixed-use residential development  
773 authorized under this subsection below the highest currently  
774 allowed density allowed on or after July 1, 2023, on any land in  
775 the municipality where residential development is allowed under

776 the municipality's land development regulations. For purposes of  
777 this paragraph, the term "highest ~~currently allowed~~ density"  
778 does not include the density of any building that met the  
779 requirements of this subsection or the density of any building  
780 that has received any bonus, variance, or other special  
781 exception for density provided in the municipality's land  
782 development regulations as an incentive for development. For  
783 purposes of this paragraph, to "directly restrict" or to "take  
784 action that has the effect of restricting" density includes  
785 requirements to procure or transfer density units or development  
786 units from other properties.

787 (d) A municipality may not directly restrict or take  
788 action that has the effect of restricting the maximum lot size  
789 of a proposed multifamily or mixed-use residential development  
790 authorized under this paragraph below the largest maximum lot  
791 size allowed on or after July 1, 2023, on any land in the  
792 municipality where multifamily or mixed-use residential  
793 development is allowed pursuant to the municipality's land  
794 development regulations. A municipality may not restrict the  
795 maximum lot coverage of a proposed multifamily or mixed-use  
796 residential development authorized under this paragraph below 70  
797 percent.

798 (e)-(e) A municipality may not directly restrict or take  
799 action that has the effect of restricting the floor area ratio  
800 of a proposed multifamily or mixed-use residential development



801 authorized under this subsection below 150 percent of the  
802 highest ~~currently allowed~~ floor area ratio allowed on or after  
803 July 1, 2023, on any land in the municipality where development  
804 is allowed under the municipality's land development  
805 regulations. For purposes of this paragraph, the term "highest  
806 ~~currently allowed~~ floor area ratio" does not include the floor  
807 area ratio of any building that met the requirements of this  
808 subsection or the floor area ratio of any building that has  
809 received any bonus, variance, or other special exception for  
810 floor area ratio provided in the municipality's land development  
811 regulations as an incentive for development. For purposes of  
812 this subsection, the term "floor area ratio" includes floor lot  
813 ratio.

814 (f)~~(d)~~1. A municipality may not directly restrict or take  
815 action that has the effect of restricting the height of a  
816 proposed multifamily or mixed-use residential development  
817 authorized under this subsection below the highest ~~currently~~  
818 ~~allowed~~ height allowed on or after July 1, 2023, for a  
819 commercial or residential building located in its jurisdiction  
820 within 1 mile of the proposed development or 3 stories,  
821 whichever is higher. For purposes of this paragraph, the term  
822 "highest ~~currently allowed~~ height" includes the height of the  
823 tallest existing building located in its jurisdiction within 1  
824 mile of the proposed development if the existing building  
825 exceeds the highest height allowed on or after July 1, 2023.

826 However, the term does not include the height of any building  
827 that met the requirements of this subsection or the height of  
828 any building that has received any bonus, variance, or other  
829 special exception for height provided in the municipality's land  
830 development regulations as an incentive for development.

831 2. If the proposed multifamily or mixed-use residential  
832 development is adjacent to, on two or more sides, a parcel zoned  
833 for single-family residential use that is within a single-family  
834 residential development with at least 25 contiguous single-  
835 family homes, the municipality may restrict the height of the  
836 proposed development to 150 percent of the tallest building on  
837 any property adjacent to the proposed development, the highest  
838 ~~currently allowed~~ height allowed on or after July 1, 2023, for  
839 the property provided in the municipality's land development  
840 regulations, or 3 stories, whichever is higher. For the purposes  
841 of this paragraph, the term "adjacent to" means those properties  
842 sharing more than one point of a property line, but does not  
843 include properties separated by a public road.

844 (g)1.(e) A proposed multifamily or mixed-use residential  
845 development authorized under this subsection must be  
846 administratively approved and ~~no~~ further action or approval by  
847 the governing body of the municipality or any quasi-judicial  
848 board of the reviewing body is not authorized ~~required~~ if the  
849 development satisfies the municipality's land development  
850 regulations for multifamily or mixed-use residential

851 developments as of July 1, 2023, in areas zoned for such use,  
852 density, intensity, and height, and is otherwise consistent with  
853 the comprehensive plan, with the exception of provisions  
854 establishing ~~allowable~~ densities, floor area ratios, height, and  
855 land use, including mixed-use and minimum nonresidential or  
856 commercial floor area requirements. The removal or demolition of  
857 an existing structure to be performed as part of the proposed  
858 development must also be administratively approved. A proposed  
859 development authorized under this subsection must be treated as  
860 a conforming use, notwithstanding the municipality's  
861 comprehensive plan, future land use designation, or zoning. ~~Such~~  
862 ~~land development regulations include, but are not limited to,~~  
863 ~~regulations relating to setbacks and parking requirements.~~

864 2. A municipality may not initiate or enforce zoning-in-  
865 progress or a building moratorium on a proposed development that  
866 is subject to this subsection and for which the municipality has  
867 approved the development's preliminary site plan.

868 3. A proposed development located within one-quarter mile  
869 of a military installation identified in s. 163.3175(2) may not  
870 be administratively approved.

871 4. Each municipality shall maintain on its website a  
872 policy containing the zoning map and zoning regulations in  
873 effect on July 1, 2023, and the procedures and expectations for  
874 administrative approval pursuant to this subsection.

875 (h) (+)1. A municipality must reduce ~~consider reducing~~

876 parking requirements by at least 20 percent for a proposed  
877 development authorized under this subsection, or by 100 percent  
878 for structures that are 20,000 square feet or less ~~if the~~  
879 ~~development is located within one-quarter mile of a transit~~  
880 ~~stop, as defined in the municipality's land development code,~~  
881 ~~and the transit stop is accessible from the development.~~

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

885 a. Is located within one-half mile of a major  
886 transportation hub that is accessible from the proposed  
887 development by safe, pedestrian-friendly means, such as  
888 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
889 other multimodal design features; or-

890 b. Has available parking within 600 feet of the proposed  
891 development which may consist of options such as on-street  
892 parking, parking lots, or parking garages available for use by  
893 residents of the proposed development. However, a municipality  
894 may not require that the available parking compensate for the  
895 reduction in parking requirements.

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

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

905           (i)~~(g)~~ A municipality that designates less than 20 percent  
 906 of the land area within its jurisdiction for commercial or  
 907 industrial use must authorize a proposed multifamily development  
 908 as provided in this subsection in areas zoned for commercial or  
 909 industrial use only if the proposed multifamily development is  
 910 mixed-use residential.

911           (j)~~(h)~~ A proposed development authorized under this  
 912 subsection which is located within a transit-oriented  
 913 development or area, as recognized by the municipality, must be  
 914 mixed-use residential and otherwise comply with requirements of  
 915 the municipality's regulations applicable to the transit-  
 916 oriented development or area except for use, height, density,  
 917 floor area ratio, and parking as provided in this subsection or  
 918 as otherwise agreed to by the municipality and the applicant for  
 919 the development.

920           ~~(i) Except as otherwise provided in this subsection, a~~  
 921 ~~development authorized under this subsection must comply with~~  
 922 ~~all applicable state and local laws and regulations.~~

923           (k)~~(j)~~1. Nothing in this subsection precludes a  
 924 municipality from granting a bonus, variance, conditional use,  
 925 or other special exception to height, density, or floor area

926 ratio in addition to the height, density, and floor area ratio  
927 requirements in this subsection.

928 2. Nothing in this subsection precludes a proposed  
929 development authorized under this subsection from receiving a  
930 bonus for density, height, or floor area ratio pursuant to an  
931 ordinance or regulation of the jurisdiction where the proposed  
932 development is located if the proposed development satisfies the  
933 conditions to receive the bonus except for any condition which  
934 conflicts with this subsection. If a proposed development  
935 qualifies for such bonus, the bonus must be administratively  
936 approved by the municipality and no further action by the  
937 governing body of the municipality is required.

938 (l) A municipality shall approve building permit plan  
939 review for a proposed development within 60 days authorized  
940 under this subsection, and prioritize building permit plan  
941 review for projects authorized under this subsection over other  
942 development projects.

943 (m) Notwithstanding s. 57.112(6), the prevailing party in  
944 a challenge under this subsection is entitled to recover  
945 attorney fees and costs, including reasonable appellate attorney  
946 fees and costs.

947 (n) ~~(k)~~ This subsection does not apply to:

- 948 1. Airport-impacted areas as provided in s. 333.03.  
949 2. Property defined as recreational and commercial working  
950 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

951 (o) After July 1, 2023, if a municipality adopts an  
952 ordinance or resolution, or makes any other decision, and such  
953 ordinance, resolution, or decision has the effect, either  
954 directly or indirectly, of:

955 1. Limiting the height, floor area ratio, or density of a  
956 project under this section;

957 2. Unreasonably delaying the development or construction  
958 of a project under this section, including, but not limited to,  
959 imposing a moratorium;

960 3. Restricting the manner in which affordable units are  
961 developed or accessed within a project or regulating the types  
962 of units in the project; or

963 4. Restricting or limiting a project under this section in  
964 any other way,

965  
966 then such ordinance, resolution, or decision shall be deemed  
967 preempted. If a property owner files a site plan application  
968 under this section with a municipality, the administrative  
969 review process must be based only on the land development  
970 regulations in effect as of the date of filing the application.

971 (p) The regulation of affordable housing under this  
972 subsection is expressly preempted to the state. This subsection  
973 supersedes any local government ordinances, resolutions, or any  
974 other local regulations, including local moratoriums, on matters  
975 covered under this subsection.

976 (q) If an action is filed against a local government to  
977 challenge the adoption or enforcement of a local ordinance,  
978 resolution, or other local regulation on the grounds that it is  
979 expressly preempted by general law under this subsection, the  
980 court shall expedite the proceeding and render a decision within  
981 30 days after service of process. Notice of appeal shall be  
982 filed and served within 30 days from the rendition of the  
983 judgment appealed from. The Supreme Court shall adopt rules by  
984 October 1, 2025, to ensure the proceedings are handled  
985 expeditiously and in a manner consistent with this subsection.

986 (r)~~(1)~~ This subsection expires October 1, 2033.

987 (8) Any development authorized under paragraph (7) (b)  
988 ~~(7) (a)~~ must be treated as a conforming use even after the  
989 expiration of subsection (7) and the development's affordability  
990 period as provided in paragraph (7) (b) ~~(7) (a)~~, notwithstanding  
991 the municipality's comprehensive plan, future land use  
992 designation, or zoning. If at any point during the development's  
993 affordability period the development violates the affordability  
994 period requirement provided in paragraph (7) (b) ~~(7) (a)~~, the  
995 development must be allowed a reasonable time to cure such  
996 violation. If the violation is not cured within a reasonable  
997 time, the development must be treated as a nonconforming use.

998 (9) A municipality's review or approval of an application  
999 for a development permit or development order may not be  
1000 conditioned on the:



1001        (a) Waiver, forbearance, acquisition, transfer, or  
1002 abandonment of any development right authorized by this section;  
1003 or

1004        (b) Procurement or transfer of density units or  
1005 development units.

1006  
1007 Any such waiver, forbearance, acquisition, transfer,  
1008 procurement, or abandonment is void.

1009        (10) (a) Beginning June 30, 2026, each municipality must  
1010 provide an annual report to the state land planning agency that  
1011 includes:

1012            1. All litigation initiated under subsection (9), the  
1013 status of the case, and, if applicable, the final disposition.

1014            2. All actions the municipality has taken on any proposed  
1015 project under this section, including, at minimum, the project  
1016 size, density, and intensity, and the number of units and the  
1017 number of affordable units for such proposed project.

1018            3. For any proposed development that is denied or not  
1019 accepted, all actions the municipality has taken relating to  
1020 such proposed development and an explanation for why such  
1021 actions were taken.

1022        (b) The state land planning agency shall provide an annual  
1023 report to the Governor, the President of the Senate, and the  
1024 Speaker of the House of Representatives regarding municipal  
1025 compliance with this section.

1026 (11) A municipality may not impose a building moratorium  
 1027 that has the effect of delaying the permitting of construction  
 1028 of a multifamily project that would otherwise qualify for:

1029 (a) An affordable housing ad valorem tax exemption under  
 1030 s. 196.1978 or s. 196.1979.

1031 (b) Any grant loan or other incentive provided for the  
 1032 development of affordable housing under chapter 420.

1033 (c) Any abatement of development restrictions under  
 1034 subsection (7).

1035 (12) If the owner of an administratively approved proposed  
 1036 development has acted in reliance on that approval, the owner  
 1037 has a vested right to proceed with development under the  
 1038 relevant laws, regulations, and ordinances at the time such  
 1039 rights vested, if the property continues to comply with the  
 1040 requirements of this section.

1041 **Section 5. Subsection (7) is added to section 163.2517,**  
 1042 **Florida Statutes, to read:**

1043 163.2517 Designation of urban infill and redevelopment  
 1044 area.—

1045 (7) Notwithstanding any ordinance to the contrary existing  
 1046 on July 1, 2025, a proposed urban infill development must be  
 1047 administratively approved, and a comprehensive plan amendment,  
 1048 rezoning, or variance is not required.

1049 **Section 6. Paragraph (e) of subsection (8) of section**  
 1050 **163.3167, Florida Statutes, is redesignated as paragraph (f),**

1051 **and paragraph (e) is added to that subsection, to read:**

1052 163.3167 Scope of act.—

1053 (8)

1054 (e) The approval of an increase in height or floor area  
1055 ratio in the land development regulations by a local government,  
1056 commission, council, or board shall be by ordinance with a  
1057 simple majority vote. For purposes of this paragraph, the term  
1058 "floor area ratio" includes floor lot area.

1059 **Section 7. Section 163.31771, Florida Statutes, is amended**  
1060 **to read:**

1061 163.31771 Accessory dwelling units.—

1062 (1) The Legislature finds that the median price of homes  
1063 in this state has increased steadily over the last decade and at  
1064 a greater rate of increase than the median income in many urban  
1065 areas. The Legislature finds that the cost of rental housing has  
1066 also increased steadily and the cost often exceeds an amount  
1067 that is affordable to extremely-low-income, very-low-income,  
1068 low-income, or moderate-income persons and has resulted in a  
1069 critical shortage of affordable rentals in many urban areas in  
1070 the state. This shortage of affordable rentals constitutes a  
1071 threat to the health, safety, and welfare of the residents of  
1072 the state. Therefore, the Legislature finds that it serves an  
1073 important public purpose to encourage the permitting of  
1074 accessory dwelling units in single-family residential areas in  
1075 order to increase the availability of affordable rentals for

1076 extremely-low-income, very-low-income, low-income, or moderate-  
 1077 income persons.

1078 (2) As used in this section, the term:

1079 (a) "Accessory dwelling unit" means an ancillary or  
 1080 secondary living unit, that has a separate kitchen, bathroom,  
 1081 and sleeping area, existing either within the same structure, or  
 1082 on the same lot, as the primary dwelling unit. The term includes  
 1083 a manufactured home constructed on or after January 1, 2025,  
 1084 which meets the National Manufactured Housing Construction and  
 1085 Safety Standards.

1086 (b) "Affordable rental" means that monthly rent and  
 1087 utilities do not exceed 30 percent of that amount which  
 1088 represents the percentage of the median adjusted gross annual  
 1089 income for extremely-low-income, very-low-income, low-income, or  
 1090 moderate-income persons.

1091 (c) "Department" means the Department of Commerce.

1092 (d)~~(g)~~ "Extremely-low-income persons" has the same meaning  
 1093 as in s. 420.0004(9).

1094 (e)~~(e)~~ "Local government" means a county or municipality.

1095 (f)~~(d)~~ "Low-income persons" has the same meaning as in s.  
 1096 420.0004(11).

1097 (g)~~(e)~~ "Moderate-income persons" has the same meaning as  
 1098 in s. 420.0004(12).

1099 (h)~~(f)~~ "Very-low-income persons" has the same meaning as  
 1100 in s. 420.0004(17).

1101 (3) A local government shall ~~may~~ adopt an ordinance to  
1102 allow accessory dwelling units in any area zoned for single-  
1103 family residential use. A local government may not directly,  
1104 unreasonably increase, or in effect unreasonably increase, the  
1105 cost to construct, in effect prohibit the construction of, or  
1106 extinguish the ability to otherwise construct an accessory  
1107 dwelling unit. Such regulation does not include:

1108 (a) Restrictions on the terms of rentals that do not apply  
1109 generally to other housing in the same district or zone.

1110 (b) Parking requirements and minimum lot size requirements  
1111 that do not apply general to other housing in the same district  
1112 or zone, other lot design regulations that unreasonably increase  
1113 the cost to construct or unreasonably extinguish the ability to  
1114 construct an accessory dwelling unit on a lot.

1115 (c) Discretionary conditional use permit procedures or  
1116 standards that do not apply generally to other housing in the  
1117 same district or zone.

1118 ~~(4) An application for a building permit to construct an~~  
1119 ~~accessory dwelling unit must include an affidavit from the~~  
1120 ~~applicant which attests that the unit will be rented at an~~  
1121 ~~affordable rate to an extremely-low-income, very-low-income,~~  
1122 ~~low-income, or moderate-income person or persons.~~

1123 ~~(4)(5)~~ Each accessory dwelling unit allowed by an  
1124 ordinance adopted under this section applies ~~shall apply~~ toward  
1125 satisfying the affordable housing component of the housing

1126 element in the local government's comprehensive plan under s.  
1127 163.3177(6) (f).

1128 (5) (a) Beginning October 1, 2025, and by October 1 every  
1129 year thereafter, the local government shall submit an annual  
1130 report to the department, in a form and manner prescribed by the  
1131 department, and post publicly on its website, the following  
1132 information for the previous fiscal year:

1133 1. The number of applications to construct new accessory  
1134 dwelling units, the number of new accessory dwelling units that  
1135 have been approved, and the number of new accessory dwelling  
1136 units that have been denied, and the reason for denial.

1137 2. The number of allowable accessory dwelling units  
1138 located in the jurisdiction, the number of accessory dwelling  
1139 units, attached or unattached, which are not allowed by an  
1140 ordinance, and the number of single-family homes in a zoning  
1141 district in which accessory dwelling units are allowed by an  
1142 ordinance.

1143 (b) The department may adopt rules to administer and  
1144 enforce this subsection.

1145 (6) (a) The owner of property with an accessory dwelling  
1146 unit may not be denied a homestead exemption or homestead  
1147 property assessment limitation solely on the basis of the  
1148 property containing an accessory dwelling unit which may be  
1149 rented.

1150 (b) If the accessory dwelling unit is rented by the

1151 property owner:

1152 1. The assessment of the accessory dwelling unit must be  
 1153 separated from the homestead property.

1154 2. It may not be construed as an abandonment of the  
 1155 dwelling previously claimed to be a homestead under s. 196.061,  
 1156 provided such dwelling is physically occupied by the owner.

1157 (c) If the accessory dwelling unit is not rented by the  
 1158 property owner, the assessment of the accessory dwelling unit  
 1159 must be considered part of the homestead property.

1160 **Section 8. Paragraphs (a) and (b) of subsection (1) of**  
 1161 **section 196.1979, Florida Statutes, are amended to read:**

1162 196.1979 County and municipal affordable housing property  
 1163 exemption.—

1164 (1) (a) Notwithstanding ss. 196.195 and 196.196, the board  
 1165 of county commissioners of a county or the governing body of a  
 1166 municipality may adopt an ordinance to exempt those portions of  
 1167 property used to provide affordable housing meeting the  
 1168 requirements of this section. Such property is considered  
 1169 property used for a charitable purpose. To be eligible for the  
 1170 exemption, the portions of property:

1171 1. Must be used to house natural persons or families whose  
 1172 annual household income:

1173 a. Is greater than 30 percent but not more than 60 percent  
 1174 of the median annual adjusted gross income for households within  
 1175 the metropolitan statistical area or, if not within a

1176 metropolitan statistical area, within the county where ~~in which~~  
 1177 the person or family resides; or

1178 b. Does not exceed 30 percent of the median annual  
 1179 adjusted gross income for households within the metropolitan  
 1180 statistical area or, if not within a metropolitan statistical  
 1181 area, within the county where ~~in which~~ the person or family  
 1182 resides.

1183 2.a. Must be within a multifamily project containing at  
 1184 least the minimum number of residential units as defined by the  
 1185 county or municipality that adopts an ordinance under this  
 1186 section; a county or municipality that adopts an ordinance under  
 1187 this section may set a minimum residential unit threshold that  
 1188 deems a property eligible for the exemption for properties that  
 1189 exceed 15,000 square feet, at a minimum of 5 units not to exceed  
 1190 a minimum of 50 residential units ~~50 or more residential units,~~  
 1191 ~~at least 20 percent of which are used to provide affordable~~  
 1192 ~~housing that meets the requirements of this section; or~~

1193 b. Must be an accessory dwelling unit as defined in s.  
 1194 163.31771(2).

1195 3. Must be rented for an amount no greater than the amount  
 1196 as specified by the most recent multifamily rental programs  
 1197 income and rent limit chart posted by the corporation and  
 1198 derived from the Multifamily Tax Subsidy Projects Income Limits  
 1199 published by the United States Department of Housing and Urban  
 1200 Development or 90 percent of the fair market value rent as



1201 determined by a rental market study meeting the requirements of  
 1202 subsection (4), whichever is less.‡

1203 4. May not have been cited for code violations on three or  
 1204 more occasions in the 24 months before the submission of a tax  
 1205 exemption application.‡

1206 5. May not have any cited code violations that have not  
 1207 been properly remedied by the property owner before the  
 1208 submission of a tax exemption application.‡~~and~~

1209 6. May not have any unpaid fines or charges relating to  
 1210 the cited code violations. Payment of unpaid fines or charges  
 1211 before a final determination on a property's qualification for  
 1212 an exemption under this section will not exclude such property  
 1213 from eligibility if the property otherwise complies with all  
 1214 other requirements for the exemption.

1215 (b) Qualified property may receive an ad valorem property  
 1216 tax exemption of:

1217 1. Up to 75 percent of the assessed value of each  
 1218 residential unit used to provide affordable housing if fewer  
 1219 than 100 percent of the multifamily project's residential units  
 1220 are used to provide affordable housing meeting the requirements  
 1221 of this section.

1222 2. Up to 100 percent of the assessed value of each  
 1223 residential unit used to provide affordable housing if 100  
 1224 percent of the multifamily project's residential units are used  
 1225 to provide affordable housing meeting the requirements of this

1226 section.

1227 3. Up to 100 percent of the assessed value of the  
 1228 accessory dwelling unit if the unit is used to provide  
 1229 affordable housing meeting the requirements of this section.

1230 **Section 9. Subsection (5) of section 333.03, Florida**  
 1231 **Statutes, is amended to read:**

1232 333.03 Requirement to adopt airport zoning regulations.—

1233 (5) Sections 125.01055(7) and 166.04151(7) do not apply to  
 1234 any of the following:

1235 (a) A proposed development ~~near a runway~~ within one-  
 1236 quarter of a mile laterally from the runway edge and within an  
 1237 area that is the width of one-quarter of a mile extending at  
 1238 right angles from the end of the runway for a distance of 10,000  
 1239 feet of any runway for an existing commercial service airport  
 1240 ~~runway~~ or planned commercial service airport runway identified  
 1241 in the local government's airport master plan. As used in this  
 1242 paragraph, the term "commercial service airport" has the same  
 1243 meaning as in s. 332.0075(1).

1244 (b) A proposed development within any airport noise zone  
 1245 identified in the federal land use compatibility table or in a  
 1246 land-use zoning or airport noise regulation adopted by the local  
 1247 government for a commercial service airport.

1248 (c) A proposed development that exceeds maximum height  
 1249 restrictions identified in the political subdivision's airport  
 1250 zoning regulation for a commercial service airport adopted

1251 pursuant to this section.

1252 **Section 10. Paragraph (d) of subsection (1) of section**  
1253 **420.50871, Florida Statutes, is amended, and paragraph (e) is**  
1254 **added to subsection (1) of that section, to read:**

1255 420.50871 Allocation of increased revenues derived from  
1256 amendments to s. 201.15 made by ch. 2023-17.—Funds that result  
1257 from increased revenues to the State Housing Trust Fund derived  
1258 from amendments made to s. 201.15 made by chapter 2023-17, Laws  
1259 of Florida, must be used annually for projects under the State  
1260 Apartment Incentive Loan Program under s. 420.5087 as set forth  
1261 in this section, notwithstanding ss. 420.507(48) and (50) and  
1262 420.5087(1) and (3). The Legislature intends for these funds to  
1263 provide for innovative projects that provide affordable and  
1264 attainable housing for persons and families working, going to  
1265 school, or living in this state. Projects approved under this  
1266 section are intended to provide housing that is affordable as  
1267 defined in s. 420.0004, notwithstanding the income limitations  
1268 in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and  
1269 annually for 10 years thereafter:

1270 (1) The corporation shall allocate 70 percent of the funds  
1271 provided by this section to issue competitive requests for  
1272 application for the affordable housing project purposes  
1273 specified in this subsection. The corporation shall finance  
1274 projects that:

1275 (d) Provide housing near military installations and United

1276 States Department of Veterans Affairs medical centers or  
 1277 outpatient clinics in this state, with preference given to  
 1278 projects that incorporate critical services for servicemembers,  
 1279 their families, and veterans, such as mental health treatment  
 1280 services, employment services, and assistance with transition  
 1281 from active-duty service to civilian life.

1282 (e) Provide housing in areas of critical housing shortage  
 1283 for essential service and high-demand career employees through a  
 1284 public-private housing partnership agreement with major public  
 1285 and private sector employers for whom housing shortages are  
 1286 affecting the recruitment and retention of workers. Public and  
 1287 private sector employers that partner with developers on these  
 1288 projects shall provide land and financial support for the  
 1289 housing projects. Housing may not be exclusive to any specific  
 1290 employee group.

1291 **Section 11. Section 702.13, Florida Statutes, is created**  
 1292 **to read:**

1293 702.13 Expedited foreclosure proceedings for abandoned  
 1294 real property.-

1295 (1) As used in this section, the term:

1296 (a) "Abandoned real property" means residential real  
 1297 property that a homeowner does not continue to occupancy or use,  
 1298 and at least three of the following indications of abandonment  
 1299 are met:

1300 1. Furnishings and personal items consistent with

- 1301 residential occupancy are not present on the property;
- 1302 2. Public utility services, such as gas, electric, or
- 1303 water utilities, are disconnected;
- 1304 3. Windows on the property are boarded up or closed off;
- 1305 smashed, broken, or unhinged; or window panes are broken and
- 1306 unrepaired;
- 1307 4. Statements are provided by neighbors, delivery agents,
- 1308 or government employees that the property is vacant;
- 1309 5. Doors on the property are substantially damaged,
- 1310 broken, unhinged, or conspicuously open;
- 1311 6. The property is stripped of copper or any other
- 1312 nonferrous metal, including, but not limited to, copper, copper
- 1313 alloy, brass, aluminum, bronze, lead, zinc, nickel, and alloys
- 1314 thereof, or any interior fixtures are removed;
- 1315 7. At least one report has been received by law
- 1316 enforcement officials of trespassing, vandalism, or other
- 1317 illegal activity on the property within the immediately
- 1318 preceding 6 months;
- 1319 8. The property has been declared unfit for occupancy and
- 1320 ordered to remain vacant and unoccupied under an order issued by
- 1321 a municipal authority or county authority, or by a court of
- 1322 competent jurisdiction;
- 1323 9. Construction has been initiated on the property but is
- 1324 discontinued before completion, leaving the property unsuitable
- 1325 for occupancy, and construction has not taken place for at least

1326 12 months;  
 1327 10. Newspapers, circulars, flyers, or mail has accumulated  
 1328 on the property or the United States Postal Service has  
 1329 discontinued delivery to the property;  
 1330 11. Rubbish, trash, debris, neglected vegetation, or  
 1331 natural overgrowth has accumulated on the property;  
 1332 12. Hazardous, noxious, or unhealthy substances or  
 1333 materials have accumulated on the property;  
 1334 13. The homeowner or a representative for the property  
 1335 cannot be reached after a credible attempt to communicate; or  
 1336 14. Other credible indications exist indicating that the  
 1337 homeowner has vacated and abandoned the property.  
 1338 (b) "Claimant" means a person or entity claiming a legal  
 1339 right to initiate a foreclosure action, including:  
 1340 1. A mortgagee as defined in s. 701.041.  
 1341 2. A tax lienholder or a tax certificate holder pursuant  
 1342 to chapter 197.  
 1343 3. A homeowners' association or a condominium association  
 1344 enforcing a lien pursuant to s. 718.116 or s. 720.3085.  
 1345 4. A county, municipality, or other governmental entity  
 1346 enforcing a lien for:  
 1347 a. Code violations pursuant to chapter 162.  
 1348 b. Utility services pursuant to chapter 159 or local  
 1349 ordinance.  
 1350 c. Environmental cleanup pursuant to chapters 376 and 403.

- 1351 d. Special assessments pursuant to chapters 170 and 197.
- 1352 5. A mechanic or laborer enforcing a lien under part II
- 1353 of chapter 713.
- 1354 6. A judgment lienholder pursuant to chapter 55.
- 1355 7. State tax authorities enforcing a lien pursuant to s.
- 1356 213.758 or s. 192.091, including a lien for unpaid taxes
- 1357 administered by the Florida Department of Revenue.
- 1358 8. Special districts, including, but not limited to,
- 1359 Community Development Districts, enforcing a lien pursuant to
- 1360 chapters 189 and 190.
- 1361 9. Other governmental or quasi-governmental entities,
- 1362 including water management districts and public hospital boards,
- 1363 enforcing a lien pursuant to s. 373.503 or s. 154.02.
- 1364 10. A lienholder authorized to request an order to show
- 1365 cause for the entry of final judgment in a foreclosure action
- 1366 pursuant to s. 702.10.
- 1367 11. Any other person or entity authorized by general law
- 1368 to initiate a foreclosure action or enforce a lien against real
- 1369 property.
- 1370 (c) "Delinquent party" means the person or entity against
- 1371 whom a foreclosure action has been initiated, including, but not
- 1372 limited to, a person or entity in arrears or default under the
- 1373 terms of a lien, a mortgage, or any other obligation.
- 1374 (d) "Mortgagor" has the same meaning as in s.
- 1375 701.041(1)(d).

1376 (e) "Real property" has the same meaning as in s. 475.801.

1377 (2) (a) In a foreclosure proceeding under this chapter  
1378 involving residential real property, the claimant may file a  
1379 motion with the trial court for a judicial determination that  
1380 the residential real property is abandoned real property. The  
1381 claimant must file a sworn affidavit with the trial court  
1382 attesting that the residential real property is "abandoned real  
1383 property," as defined in subsection (1), and any other relevant  
1384 documentation, including photographic documentation.

1385 (b) Upon filing of the motion, the trial court shall set  
1386 the date and time for a hearing on the motion, which must be  
1387 conducted at least 15 days but no more than 25 days after the  
1388 filing of the motion.

1389 (3) (a) The claimant shall give written notice to the  
1390 homeowner and to each known delinquent party. Notice shall be  
1391 promptly delivered or sent pursuant to s. 715.104(3) to the last  
1392 known mailing address of the homeowner and to each known  
1393 delinquent party. In addition, notice shall be sent to the last  
1394 known e-mail address of the homeowner and to each known  
1395 delinquent party, and shall be given by telephone communication  
1396 to the last known telephone number of the homeowner and each  
1397 known delinquent party. Notice under this paragraph must include  
1398 the following information:

1399 1. State that a motion has been filed with the trial court  
1400 to make a judicial determination as to whether the residential



1401 real property is abandoned real property and that a hearing  
1402 regarding the motion has been set.

1403 2. State the contact information of the trial court to  
1404 which the motion was filed and the date and location of the  
1405 hearing on the motion.

1406 3. State the definition of abandoned real property  
1407 pursuant to subsection (1).

1408 4. State the possible outcomes if the court makes a  
1409 judicial determination that the residential real property is  
1410 abandoned real property, including the possibility of an  
1411 expeditious foreclosure on the property.

1412 5. State that the homeowner or delinquent party has the  
1413 right to file an affidavit attesting to legal residence at the  
1414 property, or any other documentation of legal residence at the  
1415 property, at the time of the hearing and may appear personally  
1416 or by way of an attorney at the hearing.

1417 6. State that a mortgagor, lawful occupant, or adverse  
1418 possessor of the residential real property under s. 95.18 may  
1419 contact the trial court for information about the motion and  
1420 hearing or to object on the record to the motion.

1421 7. Provide copies of the motion and any documentation in  
1422 support of the motion, including photographic and other relevant  
1423 documentation.

1424 (b) The claimant shall conspicuously post on the  
1425 residential real property a notice printed in at least 12-point

1426 uppercase and boldfaced type. The notice must state the  
1427 information in paragraph (a)1.-6. The claimant shall file with  
1428 the trial court photographic documentation of compliance with  
1429 this paragraph after posting the notice on the residential real  
1430 property.

1431 (4) (a) At the hearing on the motion, if the trial court  
1432 finds by a preponderance of the evidence that the residential  
1433 real property is abandoned real property, the court shall render  
1434 a declaratory judgment in favor of the claimant and immediately  
1435 proceed to a trial of foreclosure pursuant to this chapter.

1436 (b) If the trial court finds at the foreclosure trial that  
1437 the abandoned real property meets all requirements necessary to  
1438 enter a judgement of foreclosure pursuant to s. 702.036, the  
1439 court must promptly order the clerk to schedule a public sale of  
1440 the abandoned real property pursuant to s. 45.031.

1441 (5) (a) If a mortgagor, a lawful occupant, or a person  
1442 claiming adverse possession pursuant to s. 95.18 objects to the  
1443 trial court's judicial determination under subsection(4) (a) and  
1444 submits the appropriate documentation with the court, the court  
1445 may not enter a declaratory judgment in favor of the claimant.

1446 (b) If, before the sale of the abandoned real property  
1447 pursuant to subsection (4) (b), a mortgagor, a lawful occupant,  
1448 or a person claiming adverse possession pursuant to s. 95.18  
1449 presents sufficient evidence to the court that the property is  
1450 not abandoned real property, the court shall rescind the orders

1451 it issued pursuant to subsection (4) (a) and (b).

1452 (6) (a) This section applies to residential real property  
 1453 that is abandoned. Residential real property is abandoned if:

1454 1. The homeowner or delinquent party delivers a written,  
 1455 signed statement declaring the residential real property to be  
 1456 abandoned; or

1457 2. The residential real property is considered "abandoned  
 1458 real property," as defined in subsection (1).

1459 (b) This section does not apply to residential real  
 1460 property that is:

1461 1. Subject to an action to quiet title pursuant to s.  
 1462 65.011, s. 65.021, s. 65.061, or s. 65.071.

1463 2. Subject to a probate action pursuant to chapter 733.

1464 3. The subject of any other litigation where the ownership  
 1465 of the property is actively disputed.

1466 4. An unoccupied dwelling or building undergoing  
 1467 construction, renovation, or any other manner of rehabilitation,  
 1468 which complies with all applicable state and local permitting  
 1469 requirements and regulations.

1470 **Section 12. Subsection (8) of section 760.22, Florida**  
 1471 **Statutes, is amended to read:**

1472 760.22 Definitions.—As used in ss. 760.20–760.37, the  
 1473 term:

1474 (8) "Person" includes one or more individuals,  
 1475 corporations, partnerships, associations, labor organizations,

1476 legal representatives, mutual companies, joint-stock companies,  
1477 trusts, unincorporated organizations, trustees, trustees in  
1478 bankruptcy, receivers, and fiduciaries, and any other legal or  
1479 commercial entity; the state; or any governmental entity or  
1480 agency.

1481 **Section 13. Section 760.26, Florida Statutes, is amended**  
1482 **to read:**

1483 760.26 Prohibited discrimination in land use decisions and  
1484 in permitting of development.—It is unlawful to discriminate in  
1485 land use decisions or in the permitting of development based on  
1486 race, color, national origin, sex, disability, familial status,  
1487 religion, or, except as otherwise provided by law, the source of  
1488 financing of a development or proposed development or based on  
1489 the development or proposed development being affordable housing  
1490 as defined under s. 420.0004(3).

1491 **Section 14. It is the intent of the Legislature that the**  
1492 **amendment to s. 760.26, Florida Statutes, is remedial and**  
1493 **clarifying in nature, and shall apply retroactively for any**  
1494 **causes of action filed on or before the effective date of the**  
1495 **passage of this act.**

1496 **Section 15. Subsection (4) of section 760.35, Florida**  
1497 **Statutes, is amended to read:**

1498 760.35 Civil actions and relief; administrative  
1499 procedures.—

1500 (4) If the court finds that a person has committed a

1501 discriminatory housing practice ~~has occurred~~, it shall issue an  
 1502 order prohibiting the practice and providing affirmative relief  
 1503 from the effects of the practice, including injunctive and other  
 1504 equitable relief, actual and punitive damages, and reasonable  
 1505 attorney fees and costs. In accordance with s. 13, Art. X of the  
 1506 State Constitution, the state, for itself and its agencies or  
 1507 political subdivisions, waives sovereign immunity for causes of  
 1508 action based on the application of this section.

1509 **Section 16. Subsection (29) of section 479.01, Florida**  
 1510 **Statutes, is amended to read:**

1511 479.01 Definitions.—As used in this chapter, the term:  
 1512 (29) "Zoning category" means the designation under the  
 1513 land development regulations or other similar ordinance enacted  
 1514 to regulate the use of land as provided in s. 163.3202(2)(c) ~~s.~~  
 1515 ~~163.3202(2)(b)~~, which designation sets forth the allowable uses,  
 1516 restrictions, and limitations on use applicable to properties  
 1517 within the category.

1518 **Section 17. Subsection (12) of section 1001.43, Florida**  
 1519 **Statutes, is amended to read:**

1520 1001.43 Supplemental powers and duties of district school  
 1521 board.—The district school board may exercise the following  
 1522 supplemental powers and duties as authorized by this code or  
 1523 State Board of Education rule.

1524 (12) AFFORDABLE HOUSING.—Notwithstanding any other  
 1525 provision of this section to the contrary, each a district

1526 school board shall:

1527 (a) ~~may~~ Use portions of school sites purchased within the  
1528 guidelines of the State Requirements for Educational Facilities,  
1529 land deemed not usable for educational purposes because of  
1530 location or other factors, or land declared as surplus by the  
1531 board ~~to provide sites for affordable housing for teachers and~~  
1532 ~~other district personnel and, in areas of critical state~~  
1533 ~~concern, for other essential services personnel as defined by~~  
1534 ~~local affordable housing eligibility requirements, independently~~  
1535 ~~or in conjunction with other agencies as described in subsection~~  
1536 ~~(5).~~

1537 (b) Adopt best practices for surplus land programs,  
1538 including, but not limited to:

1539 1. Establishing eligibility criteria for the receipt or  
1540 purchase of surplus land by developers.

1541 2. Making the process for requesting surplus lands  
1542 publicly available.

1543 3. Ensuring long-term affordability through ground leases  
1544 by retaining the right of first refusal to purchase property  
1545 that would be sold or offered at market rate and by requiring  
1546 reversion of property not used for affordable housing within a  
1547 certain timeframe.

1548  
1549 Each district school board's most recent and all future  
1550 educational plan surveys conducted pursuant to s. 235.15 shall

1551 | be updated to include an inventory list of such surplus lands.

1552 | **Section 18.** This act shall take effect July 1, 2025.