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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/18/2026	.	
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The Appropriations Committee on Transportation, Tourism, and Economic Development (Rouson) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 132 - 357

and insert:

(f) "Comprehensive plan" has the same meaning as in s. 163.3164.

(g) "Development" has the same meaning as in s. 380.04(1) and includes the division of a parent parcel into two lots.

(h) "Development application" means an application for approval of any of the following:



470678

11 1. A lot split or subdivision.

12 2. A plat or replat.

13 3. A development bonus for additional height, density, or  
14 floor area ratio.

15 4. The demolition of an existing structure, if the  
16 demolition objectively complies with applicable regulations.

17 5. Any other development order or development permit as  
18 those terms are defined in s. 163.3164, except for building  
19 permits.

20 (i) "Eligible lot" means a lot that is:

21 1. Zoned for residential, commercial, industrial, or mixed  
22 use; or

23 2. Partly or wholly located within a flexibly zoned area  
24 where development is permitted for a use thereof.

25  
26 The term does not include a lot that is located within an area  
27 of critical state concern designated pursuant to s. 380.05 or a  
28 lot that contains a structure or building that is individually  
29 listed in the National Register of Historic Places or that is a  
30 contributing structure or building within a historic district  
31 which was listed in the National Register of Historic Places  
32 before January 1, 2000.

33 (j) "Impose" means request or adopt, enact, establish,  
34 maintain, enforce, mandate, compel, force, or otherwise require.

35 (k) "Land development regulation" has the same meaning as  
36 in s. 163.3164.

37 (l) "Local government" means a county, municipality, or  
38 special district.

39 (m) "Lot" means a parcel, tract, tier, block, site, unit,



470678

40 or any other division of land.

41 (n) "Objectively" means in a way that involves no personal  
42 or subjective judgment by a public official and that is  
43 uniformly verifiable by reference to an external and uniform  
44 benchmark or criterion available and knowable by both the local  
45 government and the development applicant, development proponent,  
46 or property owner, as applicable.

47 (o) "Parent parcel" means the original lot from which  
48 subsequent lots are created.

49 (p) "Permanent public transit stop" means a stop or station  
50 for passenger use of a bus rapid transit service, a commuter  
51 rail service as defined in s. 341.301, an intercity rail  
52 transportation system as defined in s. 341.301, a fixed-guideway  
53 transportation system as defined in s. 341.031(2), or a  
54 streetcar system. The term does not include any of the  
55 following:

56 1. A stop or station for a people-mover system in a public-  
57 use airport as defined in s. 332.004.

58 2. A stop or station that is used exclusively for a freight  
59 rail service as defined in s. 343.545(1).

60 3. A stop or station in a rural community as defined in s.  
61 288.0656(2) for an intercity rail transportation system.

62 (q) "Regulation" means any of the following:

63 1. A comprehensive plan, development order, land  
64 development regulation, development agreement, or land  
65 development code. For purposes of this subparagraph, the term  
66 "development order" has the same meaning as in s. 163.3164.

67 2. An ordinance, a resolution, a policy, an action, a  
68 procedure, or a condition that governs development or land use.



69 For purposes of this subparagraph, the term "land use" has the  
70 same meaning as in s. 163.3164.

71 (r) "Tier 1 TOD zone" means the area of all eligible lots  
72 partly or wholly within a one-quarter mile radius of a permanent  
73 public transit stop.

74 (s) "Tier 2 TOD zone" means the area of all eligible lots  
75 partly or wholly within a one-quarter mile to one-half mile  
76 radius of a permanent public transit stop, excluding any  
77 eligible lot within a Tier 1 TOD zone.

78 (t) "Transit-oriented development" or "TOD" has the same  
79 meaning as in s. 163.3164.

80 (4) (a) 1. By December 1, 2026, the governing body of each  
81 county or municipality shall adopt an ordinance, and the  
82 governing body of each special district shall adopt a  
83 resolution, establishing Tier 1 TOD zones and Tier 2 TOD zones  
84 for each permanent public transit stop that was open for public  
85 use within the local government's jurisdiction during at least  
86 one day between January 1, 2026, and July 1, 2026, or that  
87 received a notice to proceed for construction within the local  
88 government's jurisdiction before July 1, 2026. By December 1,  
89 2026, the local government shall incorporate TOD zones into its  
90 comprehensive plan, notwithstanding s. 163.3184, land  
91 development regulations, and any other applicable regulations.

92 2. After December 1, 2026, the governing body of each  
93 county or municipality shall adopt an ordinance, and the  
94 governing body of each special district shall adopt a  
95 resolution, establishing Tier 1 TOD zones and Tier 2 TOD zones  
96 for each permanent public transit stop that opens for public use  
97 within the local government's jurisdiction after July 1, 2026,



470678

98 or that receives a notice to proceed for construction within the  
99 local government's jurisdiction after July 1, 2026. The local  
100 government shall establish such TOD zones within 6 months after  
101 the permanent public transit stop opens for public use or  
102 receives a notice to proceed for construction, whichever occurs  
103 first.

104 (b)1. In addition to other existing and lawful uses, the  
105 local government shall zone all eligible lots located within a  
106 Tier 1 TOD zone or a Tier 2 TOD zone for mixed use. For purposes  
107 of this subparagraph, the term "mixed use" means that single-  
108 family and multifamily residential use, commercial use, and a  
109 combination thereof are allowable uses by right, and the term  
110 "commercial use" means activities associated with the sale,  
111 rental, or distribution of products or the performance of  
112 services related thereto, including, but not limited to, retail  
113 sales and services; wholesale sales; rentals of equipment,  
114 goods, or products; offices; restaurants; hotels as described in  
115 s. 509.242(1) (a); food service vendors; sports arenas; theaters;  
116 tourist attractions; and other for-profit business activities.  
117 The term "commercial use" does not include:

118 a. Home-based businesses or cottage food operations  
119 undertaken on residential property, vacation rentals as  
120 described in s. 509.242(1) (c), or uses that are accessory,  
121 ancillary, incidental to the allowable uses, or allowed only on  
122 a temporary basis; or

123 b. Farms or farm operations as those terms are defined in  
124 s. 823.14(3) or uses associated therewith, including the  
125 packaging and sale of products raised on the premises.

126 2. In Tier 1 TOD zones, a local government may not impose



470678

127 regulations that require any of the following:  
128 a. A maximum building height of less than 8 stories or 85  
129 feet, or less than 4 stories or 45 feet for eligible lots  
130 adjacent to a single-family home.  
131 b. A maximum floor area ratio for residential use of less  
132 than 6.0, or less than 3.0 for eligible lots adjacent to a  
133 single-family home.  
134 c. A maximum floor area ratio for commercial use of less  
135 than 3.0, or less than 2.0 for eligible lots adjacent to a  
136 single-family home.  
137 d. Any minimum setback requirement for the side, front, and  
138 rear property lines.  
139 e. A requirement that greater than 10 percent of the lot  
140 area be reserved for open space or permeable surface.  
141 f. A required minimum number of parking spaces.  
142  
143 The maximum building heights and floor area ratios specified in  
144 this subparagraph are doubled for any eligible lot located  
145 partly or wholly within a county with a population that exceeds  
146 800,000, calculated according to the most recent decennial  
147 United States Census, or partly or wholly within a municipality  
148 that is in such a county.  
149 3. In Tier 2 TOD zones, a local government may not impose  
150 regulations that require any of the following:  
151 a. A maximum building height of less than 4 stories or 45  
152 feet, or less than 3 stories or 35 feet for eligible lots  
153 adjacent to a single-family home.  
154 b. A maximum floor area ratio for residential use of less  
155 than 3.0, or less than 2.0 for eligible lots adjacent to a



- 156 single-family home.
- 157 c. A maximum floor area ratio for commercial use of less
- 158 than 3.0, or less than 2.0 for eligible lots adjacent to a
- 159 single-family home.
- 160 d. Any minimum setback requirement for the side, front, or
- 161 rear property lines.
- 162 e. A requirement that greater than 20 percent of the lot
- 163 area be reserved for open space or permeable surface.
- 164 f. A required minimum number of parking spaces.
- 165

166 The maximum building heights and floor area ratios specified in  
167 this subparagraph are doubled for any eligible lot located  
168 partly or wholly within a county with a population that exceeds  
169 800,000, calculated according to the most recent decennial  
170 United States Census, or partly or wholly within a municipality  
171 that is in such a county.

172 4. For an eligible lot within a Tier 1 TOD zone or Tier 2  
173 TOD zone, a local government may not impose any of the  
174 following:

- 175 a. Any limitation, restriction, or prohibition on single-
- 176 family or multifamily dwellings.
- 177 b. A maximum density, including, but not limited to, a
- 178 maximum number of dwelling units per lot or per acre.
- 179 c. A minimum size for dwellings or dwelling units greater
- 180 than that required by the Florida Building Code.

181 (c) A TOD zone established pursuant to this subsection may  
182 not be reduced or eliminated thereafter, including for the  
183 closure of a permanent public transit stop after the TOD zone is  
184 established.



185       (5) A public transit provider as defined in s. 341.031(1)  
186 is encouraged to develop land within Tier 1 and Tier 2 TOD zones  
187 in accordance with this section. Any net proceeds from such  
188 development shall be kept in the public transit agency's fund  
189 for operations, maintenance, and capital improvements. Public  
190 agencies, such as the Department of Transportation and local  
191 governments, are also encouraged to develop the land within Tier  
192 1 and Tier 2 TOD zones in accordance with this section and to  
193 transfer a portion of the net proceeds to the public transit  
194 agency's fund for operations, maintenance, and capital  
195 improvements.

196       (6) Except as otherwise provided in this section,  
197 residential or commercial development authorized within a TOD  
198 zone under this section must comply with all applicable state  
199 and local laws and regulations. This section does not preempt or  
200 replace any protection currently existing for a property located  
201 within the boundaries of any of the following areas:

202       (a) The Wekiva Study Area, as described in s. 369.316.

203       (b) The Everglades Protection Area, as defined in s.  
204 373.4592(2).

205       (c) The Florida wildlife corridor, as defined in s.  
206 259.1055(4).

207       (d) A military installation or range identified in s.  
208 163.3175(2).

209       (e) An area with environmentally sensitive lands designated  
210 in the local government's comprehensive plan.

211       (7) If any provision of this section or its application to

212  
213 ===== T I T L E   A M E N D M E N T =====



470678

214 And the title is amended as follows:

215 Delete lines 27 - 39

216 and insert:

217 establishment; encouraging public transit providers  
218 and public agencies to develop land within specified  
219 TOD zones; requiring that net proceeds from such  
220 development be kept in a specified fund for certain  
221 purposes; requiring that certain residential or  
222 commercial development comply with certain laws and  
223 regulations; providing construction;