

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 837 (2026)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u> (Y/N)
ADOPTED AS AMENDED	<u> </u> (Y/N)
ADOPTED W/O OBJECTION	<u> </u> (Y/N)
FAILED TO ADOPT	<u> </u> (Y/N)
WITHDRAWN	<u> </u> (Y/N)
OTHER	<u> </u>

1 Committee/Subcommittee hearing bill: Commerce Committee
2 Representative Busatta offered the following:

3

4 **Amendment (with directory and title amendments)**

5 Remove lines 75-136 and insert:

6 (o) This subsection does not apply to:

7 1. Airport-impacted areas as provided in s. 333.03.
8 2. Property defined as recreational and commercial working
9 waterfront in s. 342.201(2) (b) in any area zoned as industrial.
10 3. The Wekiva Study Area, as described in s. 369.316.
11 4. The Everglades Protection Area, as defined in s.
12 373.4592(2).

13 5. Areas subject to land development regulations as
14 defined in s. 163.3164(26) that are in existence before July 1,
15 2026, which are intended to retain the open character of land,
16 including, but not limited to, open space districts, open space

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17 recreation districts, open use estate districts, open use rural
18 districts, and park and open space districts.

19 6. Any area of critical state concern, as designated in
20 ss. 380.055, 380.0551, 380.0552, 380.0553, and 380.0555.

21 7. The Florida wildlife corridor, as defined in s.
22 259.1055(4).

23 **Section 2. Paragraphs (n) and (o) of subsection (7) of**
24 **section 166.04151, Florida Statutes, are amended to read:**

25 166.04151 Affordable housing.—

26 (7)

27 (n) As used in this subsection, the term:

28 1. "Commercial use" means activities associated with the
29 sale, rental, or distribution of products or the performance of
30 services related thereto. The term includes, but is not limited
31 to, such uses or activities as retail sales; wholesale sales;
32 rentals of equipment, goods, or products; offices; restaurants;
33 public lodging establishments as described in s. 509.242(1)(a);
34 food service vendors; sports arenas; theaters; tourist
35 attractions; and other for-profit business activities. A parcel
36 zoned to permit such uses by right without the requirement to
37 obtain a variance or waiver is considered commercial use for the
38 purposes of this section, irrespective of the local land
39 development regulation's listed category or title. The term does
40 not include home-based businesses or cottage food operations
41 undertaken on residential property; ~~or~~ public lodging

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establishments as described in s. 509.242(1) (c); farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises; or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not commercial use, irrespective of how they are operated.

2. "Industrial use" means activities associated with the manufacture, assembly, processing, or storage of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as automobile manufacturing or repair, boat manufacturing or repair, junk yards, ~~meat packing facilities, citrus processing and packing facilities, produce processing and packing facilities,~~ electrical generating plants, water treatment plants, sewage treatment plants, and solid waste disposal sites. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered industrial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory,

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ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not industrial use, irrespective of how they are operated.

3. "Mixed use" means any use that combines multiple types of approved land uses from at least two of the residential use, commercial use, and industrial use categories. The term does not include farms or farm operations as defined in s. 823.14(3) or uses associated therewith, including the packaging and sale of products raised on the premises, or uses that are accessory, ancillary, incidental to the allowable uses, or allowed only on a temporary basis. Recreational uses, such as golf courses, tennis courts, swimming pools, and clubhouses, within an area designated for residential use are not mixed use, irrespective of how they are operated.

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

(o) This subsection does not apply to:

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

3. The Wekiva Study Area, as described in s. 369.316.

4. The Everglades Protection Area, as defined in s. 373.4592(2).

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92 5. Areas subject to land development regulations as
93 defined in s. 163.3164(26) that are in existence before July 1,
94 2026, which are intended to retain the open character of land,
95 including, but not limited to, open space districts, open space
96 recreation districts, open use estate districts, open use rural
97 districts, and park and open space districts.

98 6. Any area of critical state concern, as designated in
99 ss. 380.055, 380.0551, 380.0552, 380.0553, and 380.0555.

100 7. The Florida wildlife corridor, as defined in s.
101 259.1055(4).

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104 **D I R E C T O R Y A M E N D M E N T**

105 Remove lines 13-14 and insert:

106 **Section 1. Paragraphs (n) and (o) of subsection (7) of**
107 **section 125.01055, Florida Statutes, are amended to read:**

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110 **T I T L E A M E N D M E N T**

111 Between lines 8 and 9, insert:

112 providing exceptions;