

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WITHDRAWN	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>	

Committee/Subcommittee hearing bill: Commerce Committee

Representative Busatta offered the following:

Amendment (with directory and title amendments)

Remove lines 75-136 and insert:

(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).

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

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

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

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

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

166.04151 Affordable housing.—

(7)

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

1. "Commercial use" means activities associated with the sale, rental, or distribution of products or the performance of services related thereto. The term includes, but is not limited to, such uses or activities as retail sales; wholesale sales; rentals of equipment, goods, or products; offices; restaurants; public lodging establishments as described in s. 509.242(1)(a); food service vendors; sports arenas; theaters; tourist attractions; and other for-profit business activities. A parcel zoned to permit such uses by right without the requirement to obtain a variance or waiver is considered commercial use for the purposes of this section, irrespective of the local land development regulation's listed category or title. The term does not include home-based businesses or cottage food operations undertaken on residential property;7 public lodging

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42 establishments as described in s. 509.242(1)(c); farms or farm
43 operations as defined in s. 823.14(3) or uses associated
44 therewith, including the packaging and sale of products raised
45 on the premises;⁷ or uses that are accessory, ancillary,
46 incidental to the allowable uses, or allowed only on a temporary
47 basis. Recreational uses, such as golf courses, tennis courts,
48 swimming pools, and clubhouses, within an area designated for
49 residential use are not commercial use, irrespective of how they
50 are operated.

51 2. "Industrial use" means activities associated with the
52 manufacture, assembly, processing, or storage of products or the
53 performance of services related thereto. The term includes, but
54 is not limited to, such uses or activities as automobile
55 manufacturing or repair, boat manufacturing or repair, junk
56 yards, ~~meat packing facilities, citrus processing and packing~~
57 ~~facilities, produce processing and packing facilities,~~
58 electrical generating plants, water treatment plants, sewage
59 treatment plants, and solid waste disposal sites. A parcel zoned
60 to permit such uses by right without the requirement to obtain a
61 variance or waiver is considered industrial use for the purposes
62 of this section, irrespective of the local land development
63 regulation's listed category or title. The term does not include
64 farms or farm operations as defined in s. 823.14(3) or uses
65 associated therewith, including the packaging and sale of
66 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).

102
103 -----
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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109 -----
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;