

HB 979

2026

A bill to be entitled  
An act relating to infill redevelopment; creating s. 163.2525, F.S.; providing a short title; providing legislative findings; defining terms; providing applicability; requiring a local government to permit the development of certain qualifying parcels up to a certain density and intensity; requiring a local government to permit the development of a qualifying parcel with single-family homes or townhouses under certain circumstances; prohibiting a local government from imposing certain restrictions or requirements on the development of certain qualifying parcels; requiring a local government to approve an application for the subdivision of a qualifying parcel under certain circumstances; prohibiting a local government from using the subdivision process to restrict development in a certain manner; requiring developers of qualifying parcels to establish that certain recreational facilities and areas reserved for recreational use have not been in operation or use for a certain timeframe, to pay double the parks and recreational facilities impact fees for a certain purpose, and to provide certain written notice to certain property owners; requiring property owners who receive such written notice to exercise an option to

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26 purchase certain parcels or portions thereof within a  
27 specified timeframe or forfeit the option; limiting  
28 the price at which such parcels or portions of parcels  
29 may be offered to the property owners for purchase;  
30 requiring the administrative approval of certain  
31 proposed developments; requiring each local government  
32 to maintain a certain policy on its website; providing  
33 applicability; providing construction; prohibiting a  
34 local government from adopting or enforcing certain  
35 local laws, ordinances, or regulations; providing an  
36 effective date.

37  
38 Be It Enacted by the Legislature of the State of Florida:

39  
40 **Section 1. Section 163.2525, Florida Statutes, is created**  
41 **to read:**

42 163.2525 Infill Redevelopment Act.—

43 (1) SHORT TITLE.—This section may be cited as the "Infill  
44 Redevelopment Act."

45 (2) LEGISLATIVE FINDINGS.—The Legislature finds that this  
46 state's urban areas lack sufficient land for the development of  
47 additional residential uses, which has led to a shortage of  
48 supply; that parcels of land within or near urban areas are  
49 difficult to develop or redevelop because of environmental  
50 issues and local regulations; and that facilitating the

51 expedited permitting of such parcels, particularly in areas in  
52 which multiple local governments have jurisdiction over  
53 significant areas, serves important public interests in  
54 remediating environmentally challenged land and increasing the  
55 supply of housing.

56 (3) DEFINITIONS.—As used in this section, the term:

57 (a) "Adjacent to" means located next to another parcel of  
58 land or portion thereof, including where the parcels are  
59 separated only by a roadway, railroad, or other public or  
60 private right-of-way or easement.

61 (b) "Density" has the same meaning as in s. 163.3164.

62 (c) "Designated agricultural land" means a parcel of land  
63 within a zoning district that allows for agricultural uses such  
64 as farming, raising livestock, or aquaculture as the main  
65 permitted uses and which land is classified as agricultural land  
66 under s. 193.461. The term does not include a property within an  
67 interim or default zoning district.

68 (d) "Environmentally impacted land" means one or more  
69 parcels of land any portion of which:

70 1. Contains a recognized environmental condition or a  
71 controlled recognized environmental condition based on an  
72 environmental site assessment report prepared:

73 a. By a qualified environmental professional in accordance  
74 with:

75 (I) ASTM E1527-21 Standard Practice for Environmental Site

76     Assessments: Phase I Environmental Site Assessment Process; or

77         (II) ASTM E2247-23 Standard Practice for Environmental

78     Site Assessments: Phase I Environmental Site Assessment Process

79     for Forestland or Rural Property; or

80         b. For compliance with the bona fide prospective

81     purchaser, contiguous property owner, or other applicable

82     defenses set forth in the Comprehensive Environmental Response,

83     Compensation, and Liability Act, 42 U.S.C. ss. 9601 et seq., as

84     amended;

85         2. Is the subject of environmental assessment,

86     investigation, cleanup, or site rehabilitation requirements

87     pursuant to chapter 376, chapter 403, or local environmental

88     ordinances or regulations, including, but not limited to, state

89     brownfield, petroleum, or drycleaner site cleanup laws and

90     programs under chapter 376 or chapter 403; or

91         3. Is located in a brownfield area designated pursuant to

92     s. 376.80.

93         (e) "Intensity" has the same meaning as in s. 163.3164 and

94     includes, but is not limited to, measurements pertaining to lot

95     area, lot coverage, lot size, setbacks, height, and floor area

96     ratio.

97         (f) "Local government" means a county, municipality,

98     special district, or political subdivision of the state.

99         (g) "Parcel of land" has the same meaning as in s.

100     163.3164.

101        (h) "Qualifying parcel" means a parcel of land to which  
102    this section applies under subsection (4).

103        (i) "Recreational facilities" means one or more parcels of  
104    land any portion of which was previously used as a golf course,  
105    tennis court, swimming pool, or clubhouse, or another similar  
106    use.

107        (j) "Townhouse" means a single-family dwelling unit that  
108    is constructed in a series or group of attached units with  
109    property lines separating such units.

110        (k) "Urban growth boundary" means a boundary established  
111    by a comprehensive plan or land development regulation beyond  
112    which the provision of urban services or facilities is limited.  
113    The term includes, but is not limited to, urban development  
114    boundaries and urban service boundaries.

115        (4) QUALIFYING PARCELS.—

116        (a) Except as provided in paragraph (b), this section  
117    applies to environmentally impacted land consisting of at least  
118    5 acres which is within a county that meets both of the  
119    following requirements:

120        1. The county has a population of more than 1.475 million  
121    people according to the most recent decennial census.

122        2. There are at least 10 municipalities within the county.

123        (b) This section does not apply to any of the following:

124        1. Designated agricultural land.

125        2. Land owned or operated by a local government for public

126 park purposes.

127 3. Land outside an urban growth boundary.

128 4. Land within one-quarter mile of a military installation  
identified in s. 163.3175(2).

129 (5) DEVELOPMENT REGULATIONS.—Notwithstanding any local  
law, ordinance, or regulation to the contrary:

130 (a) A local government shall permit a qualifying parcel to  
be developed up to the highest density and intensity allowed in  
any adjacent zoning district within the same jurisdiction which  
permits residential uses as of right.

131 (b) If a qualifying parcel is not adjacent to a zoning  
district that permits residential uses as of right, the local  
government must permit the development of the qualifying parcel  
with single-family homes or townhouses. For such a qualifying  
parcel, the local government may not do any of the following:

132 1. Restrict density to less than 30 units per acre.

133 2. Restrict height to below 40 feet.

134 3. Require lot sizes larger than 1,250 square feet.

135 4. Require front and rear setbacks of more than 10 feet.

136 5. Require any side setbacks.

137 6. Require more than one parking space per dwelling.

138 (6) SUBDIVISION APPROVAL.—A local government must approve  
an application for the subdivision of a qualifying parcel if the  
application satisfies the requirements of chapter 177. A local  
government may not use the subdivision process to restrict

151 development below the density and intensity authorized under  
152 subsection (5).

153 (7) RECREATIONAL FACILITIES.-

154 (a) If a qualifying parcel includes recreational  
155 facilities or areas reserved for recreational use and such  
156 recreational facilities or areas are adjacent to single-family  
157 homes on all sides, the developer must do all of the following:

158 1. Establish that such facilities or areas, or portions  
159 thereof, located on the qualifying parcel have not been in  
160 operation or in use for a period of at least 12 consecutive  
161 months.

162 2. Pay double the applicable parks or recreational  
163 facilities impact fee that would otherwise apply to the proposed  
164 development, to compensate for the loss of open or recreational  
165 space.

166 3. Provide written notice delivered by certified mail to  
167 all owners of property adjacent to the recreational facilities  
168 or areas, which notice includes all of the following  
169 information:

170 a. That the developer intends to develop the parcel in  
171 accordance with this section.

172 b. That the adjacent property owners may elect to purchase  
173 the parcel or portion thereof containing recreational facilities  
174 or areas for the purpose of maintaining the parcel, or portions  
175 thereof, as recreational areas or open space within 90 days

176 after the date the notice is mailed.

177 c. The price at which the adjacent property owners may  
178 purchase the property.

179 (b) Property owners who receive the notice required under  
180 subparagraph (a)3. and wish to exercise the option to purchase  
181 the parcel or portion thereof containing the recreational  
182 facilities or areas must exercise the option and close on the  
183 property, subject to a recorded deed restriction or restrictive  
184 covenant that requires the property to be maintained as a  
185 recreational area or open space for at least 30 years, within 90  
186 days after the notice is mailed or forfeit the option. The  
187 parcel or portion thereof must be offered to such property  
188 owners for purchase at a price that may not exceed the greater  
189 of:

190 1. An amount equal to the price paid by the property owner  
191 plus 10 percent; or

192 2. An amount equal to a bona fide offer to purchase the  
193 property received by the property owner within the last 12  
194 months plus 10 percent.

195 (8) DEVELOPMENT APPLICATIONS.—The proposed development of  
196 a qualifying parcel which complies with the requirements of  
197 subsection (5) must be administratively approved, and no further  
198 action by the governing body of a local government is required.  
199 Each local government shall maintain on its website a policy  
200 containing procedures and expectations for administrative

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201 approval under this subsection.

202 (9) APPLICATION AND CONSTRUCTION.—This section applies  
203 retroactively to any local law, ordinance, or regulation that is  
204 contrary to this section or its intent and must be liberally  
205 construed to effectuate its intent.

206 (10) PREEMPTION.—A local government may not adopt or  
207 enforce a local law, an ordinance, or a regulation that applies  
208 or has the effect of applying a more restrictive or burdensome  
209 requirement or procedure to the development of a qualifying  
210 parcel which is administratively approved pursuant to this  
211 section. Any such law, ordinance, or regulation contrary to this  
212 section is void.

213 **Section 2.** This act shall take effect upon becoming a law.