

26 | the appeal within a specified time; authorizing the
 27 | board of county commissions to approve or reject the
 28 | final order decision; providing that orders or
 29 | decisions on appeal are final; providing construction;
 30 | providing definitions; amending s. 125.01, F.S.;
 31 | revising the powers and duties of county commissions;
 32 | amending ss. 212.055, and 479.01, F.S.; conforming
 33 | cross-references; providing severability; providing an
 34 | effective date.

35 |

36 | Be It Enacted by the Legislature of the State of Florida:

37 |

38 | Section 1. Section 83.8085, Florida Statutes, is created
 39 | to read:

40 | 83.8085 Self-storage facility expansion.-For purposes of
 41 | any minimum distance requirements imposed by local ordinances or
 42 | regulations, the expansion of a self-storage facility that is
 43 | adjacent to and abutting an existing self-storage facility, and
 44 | that is owned and managed by the same person or entity, may not
 45 | be considered or deemed a new self-storage facility. The
 46 | proposed expansion facility shall be deemed an integral part of
 47 | the existing facility for the purposes of satisfying any minimum
 48 | distance requirements established by a local authority. Any
 49 | expansion of such facilities is subject to the provisions of
 50 | general law related to the satisfaction of an owner's lien,

51 notice requirements, and publication requirements, as applicable
 52 to existing self-service storage facilities.

53 Section 2. Subsections (22) through (52) of section
 54 163.3164, Florida Statutes, are renumbered as subsections (23)
 55 through (53), respectively, subsection (12) and present
 56 subsections (22), (51), and (52) of that section are amended,
 57 and a new subsection (22) is added to that section, to read:

58 163.3164 Community Planning Act; definitions.—As used in
 59 this act:

60 (12) "Density" means an objective measurement of the
 61 number of people or residential units allowed per unit of land,
 62 such as dwelling units ~~residents or employees~~ per acre.

63 (22) "Infill residential development" means the expansion
 64 of an existing residential development on a contiguous vacant
 65 parcel of no more than 20 acres in size within a residential
 66 future land use category and a residential zoning district that
 67 is contiguous on the majority of all sides by residential
 68 development. The term "contiguous" means touching, bordering, or
 69 adjoining along a boundary. Properties that would be contiguous
 70 if not separated by a roadway, railroad, canal, or other public
 71 easement are considered contiguous.

72 (23)~~(22)~~ "Intensity" means an objective measurement of the
 73 extent to which land may be developed or used, expressed in
 74 square feet per unit of land ~~including the consumption or use of~~
 75 ~~the space above, on, or below ground; the measurement of the use~~

76 ~~of or demand on natural resources; and the measurement of the~~
77 ~~use of or demand on facilities and services.~~

78 ~~(52)-(51)~~ "Urban service area" means areas ~~identified in~~
79 ~~the comprehensive plan~~ where public facilities and services,
80 including, but not limited to, central water and sewer capacity
81 and roads, are already in place or may be expanded through
82 investment by the ~~or are identified in the capital improvements~~
83 ~~element. The term includes any areas identified in the~~
84 ~~comprehensive plan as urban service areas, regardless of local~~
85 ~~government~~ or the private sector as evidenced by an executed
86 agreement with the local government to provide urban services
87 within the local government's 20-year planning period
88 ~~limitation.~~

89 ~~(53)-(52)~~ "Urban sprawl" means an unplanned or uncontrolled
90 ~~a development pattern characterized by low density, automobile-~~
91 ~~dependent development with either a single use or multiple uses~~
92 ~~that are not functionally related, requiring the extension of~~
93 ~~public facilities and services in an inefficient manner, and~~
94 ~~failing to provide a clear separation between urban and rural~~
95 ~~uses.~~

96 Section 3. Paragraph (f) of subsection (1), subsection
97 (2), and paragraph (a) of subsection (6) of section 163.3177,
98 Florida Statutes, are amended to read:

99 163.3177 Required and optional elements of comprehensive
100 plan; studies and surveys.-

101 (1) The comprehensive plan shall provide the principles,
102 guidelines, standards, and strategies for the orderly and
103 balanced future economic, social, physical, environmental, and
104 fiscal development of the area that reflects community
105 commitments to implement the plan and its elements. These
106 principles and strategies shall guide future decisions in a
107 consistent manner and shall contain programs and activities to
108 ensure comprehensive plans are implemented. The sections of the
109 comprehensive plan containing the principles and strategies,
110 generally provided as goals, objectives, and policies, shall
111 describe how the local government's programs, activities, and
112 land development regulations will be initiated, modified, or
113 continued to implement the comprehensive plan in a consistent
114 manner. It is not the intent of this part to require the
115 inclusion of implementing regulations in the comprehensive plan
116 but rather to require identification of those programs,
117 activities, and land development regulations that will be part
118 of the strategy for implementing the comprehensive plan and the
119 principles that describe how the programs, activities, and land
120 development regulations will be carried out. The plan shall
121 establish meaningful and predictable standards for the use and
122 development of land and provide meaningful guidelines for the
123 content of more detailed land development and use regulations.

124 (f) All required ~~mandatory~~ and optional elements of the
125 comprehensive plan and plan amendments must ~~shall~~ be based upon

126 relevant ~~and appropriate~~ data and an analysis by the local
127 government that may include, but not be limited to, surveys,
128 studies, ~~community goals and vision~~, and other data available at
129 the time of adoption of the comprehensive plan or plan
130 amendment. To be based on data means to react to it ~~in an~~
131 ~~appropriate way and~~ to the extent necessary indicated by the
132 data available on that particular subject at the time of
133 adoption of the plan or plan amendment at issue.

134 1. Surveys, studies, and data utilized in the preparation
135 of the comprehensive plan may not be deemed a part of the
136 comprehensive plan unless adopted as a part of it. Copies of
137 such studies, surveys, data, and supporting documents for
138 proposed plans and plan amendments must ~~shall~~ be made available
139 for public inspection, and copies of such plans must ~~shall~~ be
140 made available to the public upon payment of reasonable charges
141 for reproduction. Support data or summaries shall be ~~are not~~
142 subject to the compliance review process, ~~but~~ The comprehensive
143 plan, the support data, and the summaries must be clearly based
144 on current ~~appropriate~~ data and analysis, which is relevant to
145 and correlates with the proposed amendment. Support data or
146 summaries may be used to aid in the determination of compliance
147 and consistency.

148 2. Data must be taken from professionally accepted
149 sources. The application of a methodology utilized in data
150 collection and analysis or whether a particular methodology is

151 professionally accepted may be evaluated. However, a local
 152 government may not mandate a particular professionally accepted
 153 methodology or reject a professionally accepted methodology
 154 utilized in support of a comprehensive plan amendment ~~However,~~
 155 ~~the evaluation may not include whether one accepted methodology~~
 156 ~~is better than another. Original data collection by local~~
 157 ~~governments is not required. However, local governments may use~~
 158 ~~original data so long as methodologies are professionally~~
 159 ~~accepted.~~

160 3. The comprehensive plan must ~~shall~~ be based upon
 161 permanent and seasonal population estimates and projections,
 162 which must ~~shall~~ either be ~~those~~ published by the Office of
 163 Economic and Demographic Research or generated by the local
 164 government based upon a professionally acceptable methodology,
 165 whichever is greater. The plan must be based on at least the
 166 minimum amount of land required to accommodate the medium
 167 projections as published by the Office of Economic and
 168 Demographic Research for at least a 10-year planning period
 169 unless otherwise limited under s. 380.05, including related
 170 rules of the Administration Commission. Absent physical
 171 limitations on population growth, population projections for
 172 each municipality, and the unincorporated area within a county
 173 must, at a minimum, be reflective of each area's proportional
 174 share of the total county population and the total county
 175 population growth.

176 (2) Coordination of the required and optional ~~several~~
177 elements of the local comprehensive plan must ~~shall~~ be a major
178 objective of the planning process. The required and optional
179 ~~several~~ elements of the comprehensive plan must ~~shall~~ be
180 consistent. Optional elements of the comprehensive plan may not
181 contain policies that restrict the density or intensity
182 established in the future land use element. Where data is
183 relevant to required and optional ~~several~~ elements, consistent
184 data must ~~shall~~ be used, including population estimates and
185 projections ~~unless alternative data can be justified for a plan~~
186 ~~amendment through new supporting data and analysis.~~ Each map
187 depicting future conditions must reflect the principles,
188 guidelines, and standards within all elements, and each such map
189 must be contained within the comprehensive plan.

190 (6) In addition to the requirements of subsections (1)-
191 (5), the comprehensive plan shall include the following
192 elements:

193 (a) A future land use plan element designating proposed
194 future general distribution, location, and extent of the uses of
195 land for residential uses, commercial uses, industry,
196 agriculture, recreation, conservation, education, public
197 facilities, and other categories of the public and private uses
198 of land. The approximate acreage and the general range of
199 density or intensity of use must ~~shall~~ be provided for the gross
200 land area included in each existing land use category. The

201 element must ~~shall~~ establish the long-term end toward which land
 202 use programs and activities are ultimately directed.

203 1. Each future land use category must be defined in terms
 204 of uses included, and must include standards to be followed in
 205 the control and distribution of population densities and
 206 building and structure intensities. The proposed distribution,
 207 location, and extent of the various categories of land use must
 208 ~~shall~~ be shown on a land use map or map series which is ~~shall be~~
 209 supplemented by goals, policies, and measurable objectives.

210 2. The future land use plan and plan amendments must ~~shall~~
 211 be based upon surveys, studies, and data regarding the area, as
 212 applicable, including:

213 a. The amount of land required to accommodate anticipated
 214 growth, including the amount of land necessary to accommodate
 215 single-family, two-family, and fee simple townhome development.

216 b. The projected permanent and seasonal population of the
 217 area.

218 c. The character of undeveloped land.

219 d. The availability of water supplies, public facilities,
 220 and services.

221 e. The amount of land located outside the urban service
 222 area, excluding lands designated for conservation, preservation,
 223 or other public use.

224 ~~f.e.~~ The need for redevelopment, including the renewal of
 225 blighted areas and the elimination of nonconforming uses which

226 are inconsistent with the character of the community.

227 ~~g.f.~~ The compatibility of uses on lands adjacent to or
228 closely proximate to military installations.

229 ~~h.g.~~ The compatibility of uses on lands adjacent to an
230 airport as defined in s. 330.35 and consistent with s. 333.02.

231 ~~i.h.~~ The discouragement of urban sprawl.

232 ~~j.i.~~ The need for job creation, capital investment, and
233 economic development that will strengthen and diversify the
234 community's economy.

235 ~~k.j.~~ The need to modify land uses and development patterns
236 within antiquated subdivisions.

237 3. The future land use plan element must ~~shall~~ include
238 criteria to be used to:

239 a. Achieve the compatibility of lands adjacent or closely
240 proximate to military installations, considering factors
241 identified in s. 163.3175(5).

242 b. Achieve the compatibility of lands adjacent to an
243 airport as defined in s. 330.35 and consistent with s. 333.02.

244 c. Encourage preservation of recreational and commercial
245 working waterfronts for water-dependent uses in coastal
246 communities.

247 d. Encourage the location of schools proximate to urban
248 service residential areas to the extent possible and encourage
249 the location of schools in all areas if necessary to provide
250 adequate school capacity to serve residential development.

251 e. Coordinate future land uses with the topography and
 252 soil conditions, and the availability of facilities and
 253 services.

254 f. Ensure the protection of natural and historic
 255 resources.

256 g. Provide for the compatibility of adjacent land uses.

257 h. Provide guidelines for the implementation of mixed-use
 258 development including the types of uses allowed, the percentage
 259 distribution among the mix of uses, or other standards, and the
 260 density and intensity of each use.

261 4. The amount of land designated for future planned uses
 262 must ~~shall~~ provide a balance of uses that foster vibrant, viable
 263 communities and economic development opportunities and address
 264 outdated development patterns, such as antiquated subdivisions.
 265 The amount of land designated for future land uses should allow
 266 the operation of real estate markets to provide adequate choices
 267 for permanent and seasonal residents and business and may not be
 268 limited solely by the projected population. The element must
 269 ~~shall~~ accommodate at least the minimum amount of land required
 270 to accommodate the medium projections as published by the Office
 271 of Economic and Demographic Research for at least a 10-year
 272 planning period unless otherwise limited under s. 380.05,
 273 including related rules of the Administration Commission.

274 5. The future land use plan of a county may designate
 275 areas for possible future municipal incorporation.

276 6. The land use maps or map series must ~~shall~~ generally
277 identify and depict historic district boundaries and must ~~shall~~
278 designate historically significant properties meriting
279 protection.

280 7. The future land use element must clearly identify the
281 land use categories in which public schools are an allowable
282 use. When delineating the land use categories in which public
283 schools are an allowable use, a local government shall include
284 in the categories sufficient land proximate to residential
285 development to meet the projected needs for schools in
286 coordination with public school boards and may establish
287 differing criteria for schools of different type or size. Each
288 local government shall include lands contiguous to existing
289 school sites, to the maximum extent possible, within the land
290 use categories in which public schools are an allowable use.

291 8. Future land use map amendments must ~~shall~~ be based upon
292 the following analyses:

293 a. An analysis of the availability of facilities and
294 services.

295 b. An analysis of the suitability of the plan amendment
296 for its proposed use considering the character of the
297 undeveloped land, soils, topography, natural resources, and
298 historic resources on site.

299 c. An analysis of the minimum amount of land needed to
300 achieve the goals and requirements of this section.

301 9. The future land use element must ~~and any amendment to~~
 302 ~~the future land use element shall~~ discourage the proliferation
 303 of urban sprawl by planning for future development as provided
 304 in this section.

305 a. The primary indicators that a plan or plan amendment
 306 does not discourage the proliferation of urban sprawl are listed
 307 below. The evaluation of the presence of these indicators shall
 308 consist of an analysis of the plan or plan amendment within the
 309 context of features and characteristics unique to each locality
 310 in order to determine whether the plan or plan amendment:

311 (I) Promotes, allows, or designates for development
 312 substantial areas of the jurisdiction to develop as low-
 313 intensity, low-density, or single-use development or uses.

314 (II) Promotes, allows, or designates significant amounts
 315 of urban development to occur in rural areas at substantial
 316 distances from existing urban areas while not using undeveloped
 317 lands that are available and suitable for development.

318 (III) Promotes, allows, or designates urban development in
 319 radial, strip, isolated, or ribbon patterns generally emanating
 320 from existing urban developments.

321 (IV) Fails to adequately protect and conserve natural
 322 resources, such as wetlands, floodplains, native vegetation,
 323 environmentally sensitive areas, natural groundwater aquifer
 324 recharge areas, lakes, rivers, shorelines, beaches, bays,
 325 estuarine systems, and other significant natural systems.

326 (V) Fails to adequately protect adjacent agricultural
327 areas and activities, including silviculture, active
328 agricultural and silvicultural activities, passive agricultural
329 activities, and dormant, unique, and prime farmlands and soils.

330 (VI) Fails to maximize use of existing public facilities
331 and services.

332 (VII) Fails to maximize use of future public facilities
333 and services.

334 (VIII) Allows for land use patterns or timing which
335 disproportionately increase the cost in time, money, and energy
336 of providing and maintaining facilities and services, including
337 roads, potable water, sanitary sewer, stormwater management, law
338 enforcement, education, health care, fire and emergency
339 response, and general government.

340 (IX) Fails to provide a clear separation between rural and
341 urban uses.

342 (X) Discourages or inhibits infill development or the
343 redevelopment of existing neighborhoods and communities.

344 (XI) Fails to encourage a functional mix of uses.

345 (XII) Results in poor accessibility among linked or
346 related land uses.

347 (XIII) Results in the loss of significant amounts of
348 functional open space.

349 b. The future land use element or plan amendment shall be
350 determined to discourage the proliferation of urban sprawl if it

351 incorporates a development pattern or urban form that achieves
 352 four or more of the following:

353 (I) Directs or locates economic growth and associated land
 354 development to geographic areas of the community in a manner
 355 that does not have an adverse impact on and protects natural
 356 resources and ecosystems.

357 (II) Promotes the efficient and cost-effective provision
 358 or extension of public infrastructure and services.

359 (III) Promotes walkable and connected communities and
 360 provides for compact development and a mix of uses at densities
 361 and intensities that will support a range of housing choices and
 362 a multimodal transportation system, including pedestrian,
 363 bicycle, and transit, if available.

364 (IV) Promotes conservation of water and energy.

365 (V) Preserves agricultural areas and activities, including
 366 silviculture, and dormant, unique, and prime farmlands and
 367 soils.

368 (VI) Preserves open space and natural lands and provides
 369 for public open space and recreation needs.

370 (VII) Creates a balance of land uses based upon demands of
 371 the residential population for the nonresidential needs of an
 372 area.

373 (VIII) Provides uses, densities, and intensities of use
 374 and urban form that would remediate an existing or planned
 375 development pattern in the vicinity that constitutes sprawl or

376 | if it provides for an innovative development pattern such as
 377 | transit-oriented developments or new towns as defined in s.
 378 | 163.3164.

379 | 10. The future land use element must ~~shall~~ include a
 380 | future land use map or map series.

381 | a. The proposed distribution, extent, and location of the
 382 | following uses must ~~shall~~ be shown on the future land use map or
 383 | map series:

- 384 | (I) Residential.
- 385 | (II) Commercial.
- 386 | (III) Industrial.
- 387 | (IV) Agricultural.
- 388 | (V) Recreational.
- 389 | (VI) Conservation.
- 390 | (VII) Educational.
- 391 | (VIII) Public.

392 | b. The following areas must ~~shall~~ also be shown on the
 393 | future land use map or map series, if applicable:

- 394 | (I) Historic district boundaries and designated
 395 | historically significant properties.
- 396 | (II) Transportation concurrency management area boundaries
 397 | or transportation concurrency exception area boundaries.
- 398 | (III) Multimodal transportation district boundaries.
- 399 | (IV) Mixed-use categories.

400 | c. The following natural resources or conditions must

401 ~~shall~~ be shown on the future land use map or map series, if
 402 applicable:

403 (I) Existing and planned public potable waterwells, cones
 404 of influence, and wellhead protection areas.

405 (II) Beaches and shores, including estuarine systems.

406 (III) Rivers, bays, lakes, floodplains, and harbors.

407 (IV) Wetlands.

408 (V) Minerals and soils.

409 (VI) Coastal high hazard areas.

410 Section 4. Paragraph (a) of subsection (1) of section
 411 163.3187, Florida Statutes, is amended to read:

412 163.3187 Process for adoption of small scale comprehensive
 413 plan amendment.—

414 (1) A small scale development amendment may be adopted
 415 under the following conditions:

416 (a) The proposed amendment involves a use of 150 ~~50~~ acres
 417 or fewer. ~~and:~~

418 Section 5. Subsection (2) of section 163.3202, Florida
 419 Statutes, is amended, and subsection (8) is added to that
 420 section, to read:

421 163.3202 Land development regulations.—

422 (2) Local land development regulations shall contain
 423 specific and detailed provisions necessary or desirable to
 424 implement the adopted comprehensive plan and shall at a minimum:

425 (a) Regulate the subdivision of land.

426 (b) Establish minimum lot sizes within single-family, two-
427 family, and fee simple, single-family townhouse zoning districts
428 to accommodate the maximum density authorized in the
429 comprehensive plan, net of the land area required to be set
430 aside for subdivision roads, sidewalks, stormwater ponds, open
431 space, landscape buffers, and any other mandatory land
432 development regulations that require land to be set aside that
433 could otherwise be used for the development of single-family
434 homes, two-family homes, and fee simple, single-family
435 townhouses.

436 (c)~~(b)~~ Regulate the use of land and water for those land
437 use categories included in the land use element and ensure the
438 compatibility of adjacent uses and provide for open space.

439 (d)~~(e)~~ Provide for protection of potable water wellfields.

440 (e)~~(d)~~ Regulate areas subject to seasonal and periodic
441 flooding and provide for drainage and stormwater management.

442 (f)~~(e)~~ Ensure the protection of environmentally sensitive
443 lands designated in the comprehensive plan.

444 (g)~~(f)~~ Regulate signage.

445 (h)~~(g)~~ Provide that public facilities and services meet or
446 exceed the standards established in the capital improvements
447 element required by s. 163.3177 and are available when needed
448 for the development, or that development orders and permits are
449 conditioned on the availability of these public facilities and
450 services necessary to serve the proposed development. A local

451 government may not issue a development order or permit that
 452 results in a reduction in the level of services for the affected
 453 public facilities below the level of services provided in the
 454 local government's comprehensive plan.

455 ~~(i)-(h)~~ Ensure safe and convenient onsite traffic flow,
 456 considering needed vehicle parking.

457 ~~(j)-(i)~~ Maintain the existing density of residential
 458 properties or recreational vehicle parks if the properties are
 459 intended for residential use and are located in the
 460 unincorporated areas that have sufficient infrastructure, as
 461 determined by a local governing authority, and are not located
 462 within a coastal high-hazard area under s. 163.3178.

463 ~~(k)-(j)~~ Incorporate preexisting development orders
 464 identified pursuant to s. 163.3167(3).

465 (8) Notwithstanding any ordinance existing on July 1,
 466 2024, to the contrary, an application for infill development
 467 shall be administratively approved and no comprehensive plan
 468 amendment, rezoning, or variance shall be required if the
 469 proposed infill development has the same or less gross density
 470 as the existing development and is generally consistent with the
 471 development standards, including lot size and setbacks, of the
 472 existing development. A development order issued for development
 473 authorized pursuant to this subsection is deemed consistent with
 474 all applicable local government comprehensive plans and land
 475 development regulations.

476 Section 6. Section 166.04152, Florida Statutes, is created
 477 to read:

478 166.04152 Final orders or decisions of locally established
 479 historic preservation boards or commissions.-

480 (1) Notwithstanding any local charter, ordinance, or
 481 regulation to the contrary, a final order or decision regarding
 482 historically significant property made by a locally established
 483 historic preservation board or commission, established pursuant
 484 to municipal charter or ordinance, may be appealed to the board
 485 of county commissioners of the county in which the municipality
 486 is located.

487 (2) The board of county commissioners shall hold a public
 488 hearing on the appeal within 30 days after receipt of notice of
 489 the appeal.

490 (3) The board of county commissioners, after the public
 491 hearing, may approve or reject the final order or decision. The
 492 determination of the board of county commissions is final.

493 (4) This section is supplemental to all other remedies
 494 available under general law.

495 (5) As used in this section, the term:

496 (a) "Historically significant property" means property
 497 that is listed on the National Register of Historic Places
 498 pursuant to the National Historic Preservation Act of 1966, or
 499 is within and contributes to a registered historic district
 500 pursuant to 26 U.S.C. s. 48 (g) (3) (B), or has been found to meet

501 the criteria of historical significance of the Division of
 502 Historical Resources of the Department of State, as certified by
 503 the division or by a locally established historic preservation
 504 board or commission, or like body, which has been granted
 505 authority to designate the property by the jurisdiction within
 506 which the property is located.

507 (b) "Historic preservation" has the same meaning as in s.
 508 267.021(8).

509 Section 7. Paragraph (dd) is added to subsection (1) of
 510 section 125.01, Florida Statutes, to read:

511 125.01 Powers and duties.—

512 (1) The legislative and governing body of a county shall
 513 have the power to carry on county government. To the extent not
 514 inconsistent with general or special law, this power includes,
 515 but is not restricted to, the power to:

516 (dd) Hear appeals of final orders or decisions of locally
 517 established historic preservation boards or commissions as
 518 provided in s. 166.04152.

519 Section 8. Paragraph (d) of subsection (2) of section
 520 212.055, Florida Statutes, is amended to read:

521 212.055 Discretionary sales surtaxes; legislative intent;
 522 authorization and use of proceeds.—It is the legislative intent
 523 that any authorization for imposition of a discretionary sales
 524 surtax shall be published in the Florida Statutes as a
 525 subsection of this section, irrespective of the duration of the

526 | levy. Each enactment shall specify the types of counties
 527 | authorized to levy; the rate or rates which may be imposed; the
 528 | maximum length of time the surtax may be imposed, if any; the
 529 | procedure which must be followed to secure voter approval, if
 530 | required; the purpose for which the proceeds may be expended;
 531 | and such other requirements as the Legislature may provide.
 532 | Taxable transactions and administrative procedures shall be as
 533 | provided in s. 212.054.

534 | (2) LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.—

535 | (d) The proceeds of the surtax authorized by this
 536 | subsection and any accrued interest shall be expended by the
 537 | school district, within the county and municipalities within the
 538 | county, or, in the case of a negotiated joint county agreement,
 539 | within another county, to finance, plan, and construct
 540 | infrastructure; to acquire any interest in land for public
 541 | recreation, conservation, or protection of natural resources or
 542 | to prevent or satisfy private property rights claims resulting
 543 | from limitations imposed by the designation of an area of
 544 | critical state concern; to provide loans, grants, or rebates to
 545 | residential or commercial property owners who make energy
 546 | efficiency improvements to their residential or commercial
 547 | property, if a local government ordinance authorizing such use
 548 | is approved by referendum; or to finance the closure of county-
 549 | owned or municipally owned solid waste landfills that have been
 550 | closed or are required to be closed by order of the Department

551 of Environmental Protection. Any use of the proceeds or interest
 552 for purposes of landfill closure before July 1, 1993, is
 553 ratified. The proceeds and any interest may not be used for the
 554 operational expenses of infrastructure, except that a county
 555 that has a population of fewer than 75,000 and that is required
 556 to close a landfill may use the proceeds or interest for long-
 557 term maintenance costs associated with landfill closure.
 558 Counties, as defined in s. 125.011, and charter counties may, in
 559 addition, use the proceeds or interest to retire or service
 560 indebtedness incurred for bonds issued before July 1, 1987, for
 561 infrastructure purposes, and for bonds subsequently issued to
 562 refund such bonds. Any use of the proceeds or interest for
 563 purposes of retiring or servicing indebtedness incurred for
 564 refunding bonds before July 1, 1999, is ratified.

565 1. For the purposes of this paragraph, the term
 566 "infrastructure" means:

567 a. Any fixed capital expenditure or fixed capital outlay
 568 associated with the construction, reconstruction, or improvement
 569 of public facilities that have a life expectancy of 5 or more
 570 years, any related land acquisition, land improvement, design,
 571 and engineering costs, and all other professional and related
 572 costs required to bring the public facilities into service. For
 573 purposes of this sub-subparagraph, the term "public facilities"
 574 means facilities as defined in s. 163.3164(40) ~~163.3164(39)~~, s.
 575 163.3221(13), or s. 189.012(5), and includes facilities that are

576 necessary to carry out governmental purposes, including, but not
577 limited to, fire stations, general governmental office
578 buildings, and animal shelters, regardless of whether the
579 facilities are owned by the local taxing authority or another
580 governmental entity.

581 b. A fire department vehicle, an emergency medical service
582 vehicle, a sheriff's office vehicle, a police department
583 vehicle, or any other vehicle, and the equipment necessary to
584 outfit the vehicle for its official use or equipment that has a
585 life expectancy of at least 5 years.

586 c. Any expenditure for the construction, lease, or
587 maintenance of, or provision of utilities or security for,
588 facilities, as defined in s. 29.008.

589 d. Any fixed capital expenditure or fixed capital outlay
590 associated with the improvement of private facilities that have
591 a life expectancy of 5 or more years and that the owner agrees
592 to make available for use on a temporary basis as needed by a
593 local government as a public emergency shelter or a staging area
594 for emergency response equipment during an emergency officially
595 declared by the state or by the local government under s.
596 252.38. Such improvements are limited to those necessary to
597 comply with current standards for public emergency evacuation
598 shelters. The owner must enter into a written contract with the
599 local government providing the improvement funding to make the
600 private facility available to the public for purposes of

601 emergency shelter at no cost to the local government for a
 602 minimum of 10 years after completion of the improvement, with
 603 the provision that the obligation will transfer to any
 604 subsequent owner until the end of the minimum period.

605 e. Any land acquisition expenditure for a residential
 606 housing project in which at least 30 percent of the units are
 607 affordable to individuals or families whose total annual
 608 household income does not exceed 120 percent of the area median
 609 income adjusted for household size, if the land is owned by a
 610 local government or by a special district that enters into a
 611 written agreement with the local government to provide such
 612 housing. The local government or special district may enter into
 613 a ground lease with a public or private person or entity for
 614 nominal or other consideration for the construction of the
 615 residential housing project on land acquired pursuant to this
 616 sub-subparagraph.

617 f. Instructional technology used solely in a school
 618 district's classrooms. As used in this sub-subparagraph, the
 619 term "instructional technology" means an interactive device that
 620 assists a teacher in instructing a class or a group of students
 621 and includes the necessary hardware and software to operate the
 622 interactive device. The term also includes support systems in
 623 which an interactive device may mount and is not required to be
 624 affixed to the facilities.

625 2. For the purposes of this paragraph, the term "energy

626 efficiency improvement" means any energy conservation and
627 efficiency improvement that reduces consumption through
628 conservation or a more efficient use of electricity, natural
629 gas, propane, or other forms of energy on the property,
630 including, but not limited to, air sealing; installation of
631 insulation; installation of energy-efficient heating, cooling,
632 or ventilation systems; installation of solar panels; building
633 modifications to increase the use of daylight or shade;
634 replacement of windows; installation of energy controls or
635 energy recovery systems; installation of electric vehicle
636 charging equipment; installation of systems for natural gas fuel
637 as defined in s. 206.9951; and installation of efficient
638 lighting equipment.

639 3. Notwithstanding any other provision of this subsection,
640 a local government infrastructure surtax imposed or extended
641 after July 1, 1998, may allocate up to 15 percent of the surtax
642 proceeds for deposit into a trust fund within the county's
643 accounts created for the purpose of funding economic development
644 projects having a general public purpose of improving local
645 economies, including the funding of operational costs and
646 incentives related to economic development. The ballot statement
647 must indicate the intention to make an allocation under the
648 authority of this subparagraph.

649 Section 9. Subsection (29) of section 479.01, Florida
650 Statutes, is amended to read:

651 479.01 Definitions.—As used in this chapter, the term:
652 (29) "Zoning category" means the designation under the
653 land development regulations or other similar ordinance enacted
654 to regulate the use of land as provided in s. 163.3202(2) ~~s.~~
655 ~~163.3202(2)(b)~~, which designation sets forth the allowable uses,
656 restrictions, and limitations on use applicable to properties
657 within the category.

658 Section 10. If any provision of this act is held invalid
659 with respect to any person or circumstance, the invalidity does
660 not affect other provisions or applications of the act which can
661 be given effect without the invalid provision or application,
662 and to this end the provisions of this act are severable.

663 Section 11. This act shall take effect July 1, 2024.