

Bill No. CS/CS/SB 1730, 1st Eng. (2025)

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Lopez, V. offered the following:

**Substitute Amendment for Amendment (030879) (with title amendment)**

Remove everything after the enacting clause and insert:

**Section 1. Subsection (6) and paragraphs (a) through (f), (k), and (l) of subsection (7) of section 125.01055, Florida Statutes, are amended, new paragraphs (k) through (n) are added to subsection (7), and subsections (9) and (10) are added to that section, to read:**

125.01055 Affordable housing.—

(6) Notwithstanding any other law or local ordinance or regulation to the contrary, the board of county commissioners

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14 may approve the development of housing that is affordable, as  
15 defined in s. 420.0004, including, but not limited to, a mixed-  
16 use residential development, on any parcel zoned for commercial  
17 or industrial use, or on any parcel, including any contiguous  
18 parcel connected thereto, which is owned by a religious  
19 institution as defined in s. 170.201(2) which contains a house  
20 of public worship, regardless of underlying zoning, so long as  
21 at least 10 percent of the units included in the project are for  
22 housing that is affordable. The provisions of this subsection  
23 are self-executing and do not require the board of county  
24 commissioners to adopt an ordinance or a regulation before using  
25 the approval process in this subsection.

26 (7)(a) A county must authorize multifamily and mixed-use  
27 residential as allowable uses in any area zoned for commercial,  
28 industrial, or mixed use, and in portions of any flexibly zoned  
29 area such as a planned unit development permitted for  
30 commercial, industrial, or mixed use, if at least 40 percent of  
31 the residential units in a proposed multifamily development are  
32 rental units that, for a period of at least 30 years, are  
33 affordable as defined in s. 420.0004. Notwithstanding any other  
34 law, local ordinance, or regulation to the contrary, a county  
35 may not require a proposed multifamily development to obtain a  
36 zoning or land use change, special exception, conditional use  
37 approval, variance, transfer of density or development units,  
38 amendment to a development of regional impact, or comprehensive

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39 plan amendment for the building height, zoning, and densities  
40 authorized under this subsection. For mixed-use residential  
41 projects, at least 65 percent of the total square footage must  
42 be used for residential purposes. The county may not require  
43 that more than 10 percent of the total square footage of such  
44 mixed-use residential projects be used for nonresidential  
45 purposes.

46 (b) A county may not restrict the density of a proposed  
47 development authorized under this subsection below the highest  
48 currently allowed, or allowed on July 1, 2023, density on any  
49 unincorporated land in the county where residential development  
50 is allowed under the county's land development regulations. For  
51 purposes of this paragraph, the term "highest currently allowed  
52 density" does not include the density of any building that met  
53 the requirements of this subsection or the density of any  
54 building that has received any bonus, variance, or other special  
55 exception for density provided in the county's land development  
56 regulations as an incentive for development. For purposes of  
57 this paragraph, "highest currently allowed, or allowed on July  
58 1, 2023," means whichever is least restrictive at the time of  
59 development.

60 (c) A county may not restrict the floor area ratio of a  
61 proposed development authorized under this subsection below 150  
62 percent of the highest currently allowed, or allowed on July 1,  
63 2023, floor area ratio on any unincorporated land in the county

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64 where development is allowed under the county's land development  
65 regulations. For purposes of this paragraph, the term "highest  
66 currently allowed floor area ratio" does not include the floor  
67 area ratio of any building that met the requirements of this  
68 subsection or the floor area ratio of any building that has  
69 received any bonus, variance, or other special exception for  
70 floor area ratio provided in the county's land development  
71 regulations as an incentive for development. For purposes of  
72 this subsection, the term "floor area ratio" includes floor lot  
73 ratio and lot coverage.

74 (d)1. A county may not restrict the height of a proposed  
75 development authorized under this subsection below the highest  
76 currently allowed, or allowed on July 1, 2023, height for a  
77 commercial or residential building located in its jurisdiction  
78 within 1 mile of the proposed development or 3 stories,  
79 whichever is higher. For purposes of this paragraph, the term  
80 "highest currently allowed height" does not include the height  
81 of any building that met the requirements of this subsection or  
82 the height of any building that has received any bonus,  
83 variance, or other special exception for height provided in the  
84 county's land development regulations as an incentive for  
85 development.

86 2. If the proposed development is adjacent to, on two or  
87 more sides, a parcel zoned for single-family residential use  
88 which is within a single-family residential development with at

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89 least 25 contiguous single-family homes, the county may restrict  
90 the height of the proposed development to 150 percent of the  
91 tallest building on any property adjacent to the proposed  
92 development, the highest currently allowed, or allowed on July  
93 1, 2023, height for the property provided in the county's land  
94 development regulations, or 3 stories, whichever is higher, not  
95 to exceed 10 stories. For the purposes of this paragraph, the  
96 term "adjacent to" means those properties sharing more than one  
97 point of a property line, but does not include properties  
98 separated by a public road.

99 3. If the proposed development is on a parcel with a  
100 structure or building individually listed in the National  
101 Register of Historic Places, the county may restrict the height  
102 of the proposed development to the highest currently allowed, or  
103 allowed on July 1, 2023, height for a commercial or residential  
104 building located in its jurisdiction within three-fourths of a  
105 mile of the proposed development or 3 stories, whichever is  
106 higher. The term "highest currently allowed" in this paragraph  
107 includes the maximum height allowed for any building in a zoning  
108 district irrespective of any conditions.

109 (e) A proposed development authorized under this  
110 subsection must be administratively approved without ~~and no~~  
111 further action by the board of county commissioners or any  
112 quasi-judicial or administrative board or reviewing body ~~is~~  
113 ~~required~~ if the development satisfies the county's land

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development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may not be administratively approved. Each county shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. The county must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the board of county commissioners or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations. For purposes of this paragraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.

(f)1. A county must, upon request of an applicant, reduce  
~~consider reducing~~ parking requirements by 15 percent for a proposed development authorized under this subsection if the development:

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139        a. Is located within one-quarter mile of a transit stop,  
140 as defined in the county's land development code, and the  
141 transit stop is accessible from the development;~~;~~

142        ~~2. A county must reduce parking requirements by at least~~  
143 ~~20 percent for a proposed development authorized under this~~  
144 ~~subsection if the development:~~

145        ~~b.a.~~ Is located within one-half mile of a major  
146 transportation hub that is accessible from the proposed  
147 development by safe, pedestrian-friendly means, such as  
148 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
149 other multimodal design features; or ~~and~~

150        ~~c.b.~~ Has available parking within 600 feet of the proposed  
151 development which may consist of options such as on-street  
152 parking, parking lots, or parking garages available for use by  
153 residents of the proposed development. However, a county may not  
154 require that the available parking compensate for the reduction  
155 in parking requirements.

156        ~~2.3.~~ A county must eliminate parking requirements for a  
157 proposed mixed-use residential development authorized under this  
158 subsection within an area recognized by the county as a transit-  
159 oriented development or area, as provided in paragraph (h).

160        ~~3.4.~~ For purposes of this paragraph, the term "major  
161 transportation hub" means any transit station, whether bus,  
162 train, or light rail, which is served by public transit with a  
163 mix of other transportation options.

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164       (k) Notwithstanding any other law or local ordinance or  
165 regulation to the contrary, a county may allow an adjacent  
166 parcel of land to be included within a proposed multifamily  
167 development authorized under this subsection.

168       (l) The court shall give any civil action filed against a  
169 county for a violation of this subsection priority over other  
170 pending cases and render a preliminary or final decision as  
171 expeditiously as possible.

172       (m) If a civil action is filed against a county for a  
173 violation of this subsection, the court must assess and award  
174 reasonable attorney fees and costs to the prevailing party. An  
175 award of reasonable attorney fees or costs pursuant to this  
176 subsection may not exceed \$250,000. In addition, a prevailing  
177 party may not recover any attorney fees or costs directly  
178 incurred by or associated with litigation to determine an award  
179 of reasonable attorney fees or costs.

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

181       1. "Commercial use" means activities associated with the  
182 sale, rental, or distribution of products or the performance of  
183 services related thereto. The term includes, but is not limited  
184 to, such uses or activities as retail sales; wholesale sales;  
185 rentals of equipment, goods, or products; offices; restaurants;  
186 public lodging establishments as described in s. 509.242(1)(a);  
187 food service vendors; sports arenas; theaters; tourist  
188 attractions; and other for-profit business activities. A parcel

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189 zoned to permit such uses by right without the requirement to  
190 obtain a variance or waiver is considered commercial use for the  
191 purposes of this section, irrespective of the local land  
192 development regulation's listed category or title. The term does  
193 not include home-based businesses or cottage food operations  
194 undertaken on residential property, public lodging  
195 establishments as described in s. 509.242(1)(c), or uses that  
196 are accessory, ancillary, incidental to the allowable uses, or  
197 allowed only on a temporary basis. Recreational uses, such as  
198 golf courses, tennis courts, swimming pools, and clubhouses,  
199 within an area designated for residential use are not commercial  
200 use, irrespective of how they are operated.

201 2. "Industrial use" means activities associated with the  
202 manufacture, assembly, processing, or storage of products or the  
203 performance of services related thereto. The term includes, but  
204 is not limited to, such uses or activities as automobile  
205 manufacturing or repair, boat manufacturing or repair, junk  
206 yards, meat packing facilities, citrus processing and packing  
207 facilities, produce processing and packing facilities,  
208 electrical generating plants, water treatment plants, sewage  
209 treatment plants, and solid waste disposal sites. A parcel zoned  
210 to permit such uses by right without the requirement to obtain a  
211 variance or waiver is considered industrial use for the purposes  
212 of this section, irrespective of the local land development  
213 regulation's listed category or title. The term does not include

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

219 3. "Mixed use" means any use that combines multiple types  
220 of approved land uses from at least two of the residential use,  
221 commercial use, and industrial use categories. The term does not  
222 include uses that are accessory, ancillary, incidental to the  
223 allowable uses, or allowed only on a temporary basis.

224 Recreational uses, such as golf courses, tennis courts, swimming  
225 pools, and clubhouses, within an area designated for residential  
226 use are not mixed use, irrespective of how they are operated.

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

229 (o) ~~(k)~~ This subsection does not apply to:

230 1. Airport-impacted areas as provided in s. 333.03.

231 2. Property defined as recreational and commercial working  
232 waterfront in s. 342.201(2)(b) in any area zoned as industrial.

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

234 4. The Everglades Protection Area, as defined in s.  
235 373.4592(2).

236 (p) ~~(l)~~ This subsection expires October 1, 2033.

237 (9)(a) Except as provided in paragraphs (b) and (d), a  
238 county may not enforce a building moratorium that has the effect

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239 of delaying the permitting or construction of a multifamily  
240 residential or mixed-use residential development authorized  
241 under subsection (7).

242 (b) A county may, by ordinance, impose or enforce such a  
243 building moratorium for no more than 90 days in any 3-year  
244 period. Before adoption of such a building moratorium, the  
245 county shall prepare or cause to be prepared an assessment of  
246 the county's need for affordable housing at the extremely-low-  
247 income, very-low-income, low-income, or moderate-income limits  
248 specified in s. 420.0004, including projections of such need for  
249 the next 5 years. This assessment must be posted on the county's  
250 website by the date the notice of proposed enactment is  
251 published, and presented at the same public meeting at which the  
252 proposed ordinance imposing the building moratorium is adopted  
253 by the board of county commissioners. This assessment must be  
254 included in the business impact estimate for the ordinance  
255 imposing such a moratorium required by s. 125.66(3).

256 (c) If a civil action is filed against a county for a  
257 violation of this subsection, the court must assess and award  
258 reasonable attorney fees and costs to the prevailing party. An  
259 award of reasonable attorney fees or costs pursuant to this  
260 subsection may not exceed \$250,000. In addition, a prevailing  
261 party may not recover any attorney fees or costs directly  
262 incurred by or associated with litigation to determine an award  
263 of reasonable attorney fees or costs.

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(d) This subsection does not apply to moratoria imposed or enforced to address stormwater or flood water management, to address the supply of potable water, or due to the necessary repair of sanitary sewer systems, if such moratoria apply equally to all types of multifamily or mixed-use residential development.

(10)(a) Beginning November 1, 2026, each county must provide an annual report to the state land planning agency which includes:

1. A summary of litigation relating to subsection (7) that was initiated, remains pending, or was resolved during the previous fiscal year.

2. A list of all projects proposed or approved under subsection (7) during the previous fiscal year. For each project, the report must include, at a minimum, the project's size, density, and intensity and the total number of units proposed, including the number of affordable units and associated targeted household incomes.

(b) The state land planning agency shall compile the information received under this subsection and submit the information to the Governor, the President of the Senate, and the Speaker of the House of Representatives annually by February 1.

**Section 2. Subsection (6) and paragraphs (a) through (f), (k), and (l) of subsection (7) of section 166.04151, Florida**

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289 **Statutes, are amended, new paragraphs (k) through (n) are added**  
290 **to subsection (7), and subsections (9) and (10) are added to**  
291 **that section, to read:**

292 166.04151 Affordable housing.—

293 (6) Notwithstanding any other law or local ordinance or  
294 regulation to the contrary, the governing body of a municipality  
295 may approve the development of housing that is affordable, as  
296 defined in s. 420.0004, including, but not limited to, a mixed-  
297 use residential development, on any parcel zoned for commercial  
298 or industrial use, or on any parcel, including any contiguous  
299 parcel connected thereto, which is owned by a religious  
300 institution as defined in s. 170.201(2) which contains a house  
301 of public worship, regardless of underlying zoning, so long as  
302 at least 10 percent of the units included in the project are for  
303 housing that is affordable. The provisions of this subsection  
304 are self-executing and do not require the governing body to  
305 adopt an ordinance or a regulation before using the approval  
306 process in this subsection.

307 (7)(a) A municipality must authorize multifamily and  
308 mixed-use residential as allowable uses in any area zoned for  
309 commercial, industrial, or mixed use, and in portions of any  
310 flexibly zoned area such as a planned unit development permitted  
311 for commercial, industrial, or mixed use, if at least 40 percent  
312 of the residential units in a proposed multifamily development  
313 are rental units that, for a period of at least 30 years, are

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314 affordable as defined in s. 420.0004. Notwithstanding any other  
315 law, local ordinance, or regulation to the contrary, a  
316 municipality may not require a proposed multifamily development  
317 to obtain a zoning or land use change, special exception,  
318 conditional use approval, variance, transfer of density or  
319 development units, amendment to a development of regional  
320 impact, amendment to a municipal charter, or comprehensive plan  
321 amendment for the building height, zoning, and densities  
322 authorized under this subsection. For mixed-use residential  
323 projects, at least 65 percent of the total square footage must  
324 be used for residential purposes. The municipality may not  
325 require that more than 10 percent of the total square footage of  
326 such mixed-use residential projects be used for nonresidential  
327 purposes.

328 (b) A municipality may not restrict the density of a  
329 proposed development authorized under this subsection below the  
330 highest currently allowed, or allowed on July 1, 2023, density  
331 on any land in the municipality where residential development is  
332 allowed under the municipality's land development regulations.  
333 For purposes of this paragraph, the term "highest currently  
334 allowed density" does not include the density of any building  
335 that met the requirements of this subsection or the density of  
336 any building that has received any bonus, variance, or other  
337 special exception for density provided in the municipality's  
338 land development regulations as an incentive for development.

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339 For purposes of this paragraph, "highest currently allowed, or  
340 allowed on July 1, 2023," means whichever is least restrictive  
341 at the time of development.

342 (c) A municipality may not restrict the floor area ratio  
343 of a proposed development authorized under this subsection below  
344 150 percent of the highest currently allowed, or allowed on July  
345 1, 2023, floor area ratio on any land in the municipality where  
346 development is allowed under the municipality's land development  
347 regulations. For purposes of this paragraph, the term "highest  
348 currently allowed floor area ratio" does not include the floor  
349 area ratio of any building that met the requirements of this  
350 subsection or the floor area ratio of any building that has  
351 received any bonus, variance, or other special exception for  
352 floor area ratio provided in the municipality's land development  
353 regulations as an incentive for development. For purposes of  
354 this subsection, the term "floor area ratio" includes floor lot  
355 ratio and lot coverage.

356 (d)1. A municipality may not restrict the height of a  
357 proposed development authorized under this subsection below the  
358 highest currently allowed, or allowed on July 1, 2023, height  
359 for a commercial or residential building located in its  
360 jurisdiction within 1 mile of the proposed development or 3  
361 stories, whichever is higher. For purposes of this paragraph,  
362 the term "highest currently allowed height" does not include the  
363 height of any building that met the requirements of this

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subsection or the height of any building that has received any bonus, variance, or other special exception for height provided in the municipality's land development regulations as an incentive for development.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed, or allowed on July 1, 2023, height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher, not to exceed 10 stories. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road or body of water, including manmade lakes or ponds. For a proposed development located within a municipality within an area of critical state concern as designated by s. 380.0552 or chapter 28-36, Florida Administrative Code, the term "story" includes only the habitable space above the base flood elevation as designated by the Federal Emergency Management Agency in the most current Flood Insurance Rate Map. A story may not exceed 10 feet in height measured from finished floor to finished floor, including

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space for mechanical equipment. The highest story may not exceed 10 feet from finished floor to the top plate.

3. If the proposed development is on a parcel with a structure or building individually listed in the National Register of Historic Places, the municipality may restrict the height of the proposed development to the highest currently allowed, or allowed on July 1, 2023, height for a commercial or residential building located in its jurisdiction within three-fourths of a mile of the proposed development or 3 stories, whichever is higher. The term "highest currently allowed" in this paragraph includes the maximum height allowed for any building in a zoning district irrespective of any conditions.

(e) A proposed development authorized under this subsection must be administratively approved without ~~and no~~ further action by the governing body of the municipality or any ~~quasi-judicial or administrative board or reviewing body is~~ ~~required~~ if the development satisfies the municipality's land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, with the exception of provisions establishing allowable densities, floor area ratios, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements. A proposed development located within one-quarter mile of a military installation identified in s. 163.3175(2) may

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not be administratively approved. Each municipality shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this subsection. The municipality must administratively approve the demolition of an existing structure associated with a proposed development under this subsection, without further action by the governing body of the municipality or any quasi-judicial or administrative board or reviewing body, if the proposed demolition otherwise complies with all state and local regulations. For purposes of this paragraph, the term "allowable density" means the density prescribed for the property in accordance with this subsection without additional requirements to procure and transfer density units or development units from other properties.

(f)1. A municipality must, upon request of an applicant, reduce ~~consider reducing~~ parking requirements for a proposed development authorized under this subsection by 15 percent if the development:

a. Is located within one-quarter mile of a transit stop, as defined in the municipality's land development code, and the transit stop is accessible from the development;-

~~2. A municipality must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:~~

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438        ~~b.a.~~ Is located within one-half mile of a major  
439 transportation hub that is accessible from the proposed  
440 development by safe, pedestrian-friendly means, such as  
441 sidewalks, crosswalks, elevated pedestrian or bike paths, or  
442 other multimodal design features; ~~or.~~

443        ~~c.b.~~ Has available parking within 600 feet of the proposed  
444 development which may consist of options such as on-street  
445 parking, parking lots, or parking garages available for use by  
446 residents of the proposed development. However, a municipality  
447 may not require that the available parking compensate for the  
448 reduction in parking requirements.

449        ~~2.3.~~ A municipality must eliminate parking requirements  
450 for a proposed mixed-use residential development authorized  
451 under this subsection within an area recognized by the  
452 municipality as a transit-oriented development or area, as  
453 provided in paragraph (h).

454        ~~3.4.~~ For purposes of this paragraph, the term "major  
455 transportation hub" means any transit station, whether bus,  
456 train, or light rail, which is served by public transit with a  
457 mix of other transportation options.

458        (k) Notwithstanding any other law or local ordinance or  
459 regulation to the contrary, a municipality may allow an adjacent  
460 parcel of land to be included within a proposed multifamily  
461 development authorized under this subsection.

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462       (l) The court shall give any civil action filed against a  
463 municipality for a violation of this subsection priority over  
464 other pending cases and render a preliminary or final decision  
465 as expeditiously as possible.

466       (m) If a civil action is filed against a municipality for  
467 a violation of this subsection, the court must assess and award  
468 reasonable attorney fees and costs to the prevailing party. An  
469 award of reasonable attorney fees or costs pursuant to this  
470 subsection may not exceed \$250,000. In addition, a prevailing  
471 party may not recover any attorney fees or costs directly  
472 incurred by or associated with litigation to determine an award  
473 of reasonable attorney fees or costs.

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

475       1. "Commercial use" means activities associated with the  
476 sale, rental, or distribution of products or the performance of  
477 services related thereto. The term includes, but is not limited  
478 to, such uses or activities as retail sales; wholesale sales;  
479 rentals of equipment, goods, or products; offices; restaurants;  
480 public lodging establishments as described in s. 509.242(1)(a);  
481 food service vendors; sports arenas; theaters; tourist  
482 attractions; and other for-profit business activities. A parcel  
483 zoned to permit such uses by right without the requirement to  
484 obtain a variance or waiver is considered commercial use for the  
485 purposes of this section, irrespective of the local land  
486 development regulation's listed category or title. The term does

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not include home-based businesses or cottage food operations undertaken on residential property, public lodging establishments as described in s. 509.242(1)(c), 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 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

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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 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)(k)~~ 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).

~~(p)(l)~~ This subsection expires October 1, 2033.

(9)(a) Except as provided in paragraphs (b) and (d), a municipality may not enforce a building moratorium that has the effect of delaying the permitting or construction of a multifamily residential or mixed-use residential development authorized under subsection (7).

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536        (b) A municipality may, by ordinance, impose or enforce  
537 such a building moratorium for no more than 90 days in any 3-  
538 year period. Before adoption of such a building moratorium, the  
539 municipality shall prepare or cause to be prepared an assessment  
540 of the municipality's need for affordable housing at the  
541 extremely-low-income, very-low-income, low-income, or moderate-  
542 income limits specified in s. 420.0004, including projections of  
543 such need for the next 5 years. This assessment must be posted  
544 on the municipality's website by the date the notice of proposed  
545 enactment is published and must be presented at the same public  
546 meeting at which the proposed ordinance imposing the building  
547 moratorium is adopted by the governing body of the municipality.  
548 This assessment must be included in the business impact estimate  
549 for the ordinance imposing such a moratorium required by s.  
550 166.041(4).

551        (c) If a civil action is filed against a municipality for  
552 a violation of this subsection, the court must assess and award  
553 reasonable attorney fees and costs to the prevailing party. An  
554 award of reasonable attorney fees or costs pursuant to this  
555 subsection may not exceed \$250,000. In addition, a prevailing  
556 party may not recover any attorney fees or costs directly  
557 incurred by or associated with litigation to determine an award  
558 of reasonable attorney fees or costs.

559        (d) This subsection does not apply to moratoria imposed or  
560 enforced to address stormwater or flood water management, to

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561 address the supply of potable water, or due to the necessary  
562 repair of sanitary sewer systems, if such moratoria apply  
563 equally to all types of multifamily or mixed-use residential  
564 development.

565 (10) (a) Beginning November 1, 2026, each municipality must  
566 provide an annual report to the state land planning agency which  
567 includes:

568 1. A summary of litigation relating to subsection (7) that  
569 was initiated, remains pending, or was resolved during the  
570 previous fiscal year.

571 2. A list of all projects proposed or approved under  
572 subsection (7) during the previous fiscal year. For each  
573 project, the report must include, at a minimum, the project's  
574 size, density, and intensity and the total number of units  
575 proposed, including the number of affordable units and  
576 associated targeted household incomes.

577 (b) The state land planning agency shall compile the  
578 information received under this subsection and submit the  
579 information to the Governor, the President of the Senate, and  
580 the Speaker of the House of Representatives annually by February  
581 1.

582 **Section 3.** An applicant for a proposed development  
583 authorized under s. 125.01055(7), Florida Statutes, or s.  
584 166.04151(7), Florida Statutes, who submitted an application, a  
585 written request, or a notice of intent to use such provisions to

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the county or municipality and which application, written request, or notice of intent has been received by the county or municipality, as applicable, before July 1, 2025, may notify the county or municipality by July 1, 2025, of its intent to proceed under the provisions of s. 125.01055(7), Florida Statutes, or s. 166.04151(7), Florida Statutes, as they existed at the time of submittal. A county or municipality, as applicable, shall allow an applicant who submitted such application, written request, or notice of intent before July 1, 2025, the opportunity to submit a revised application, written request, or notice of intent to account for the changes made by this act.

**Section 4. Section 420.5098, Florida Statutes, is created to read:**

420.5098 Public sector and hospital employer-sponsored housing policy.—

(1) The Legislature finds that it is in the best interests of the state and the state's economy to provide affordable housing to state residents employed by hospitals, health care facilities, and governmental entities in order to attract and maintain the highest quality labor by incentivizing such employers to sponsor affordable housing opportunities. Section 42(g)(9)(B) of the Internal Revenue Code provides that a qualified low-income housing project does not fail to meet the general public use requirement solely because of occupancy restrictions or preferences that favor tenants who are members

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of a specified group under a state program or policy that supports housing for such specified group. Therefore, it is the intent of the Legislature to establish a policy that supports the development of affordable workforce housing for employees of hospitals, health care facilities, and governmental entities.

(2) For purposes of this section, the term:

(a) "Governmental entity" means any state, regional, county, local, or municipal governmental entity of this state, whether executive, judicial, or legislative; any department, division, bureau, commission, authority, or political subdivision of the state; any public school, state university, or Florida College System institution; or any special district as defined in s. 189.012.

(b) "Health care facility" has the same meaning as provided in s. 159.27(16).

(c) "Hospital" means a hospital under chapter 155, a hospital district created pursuant to chapter 189, or a hospital licensed pursuant to chapter 395, including corporations not for profit that are qualified as charitable under s. 501(c)(3) of the Internal Revenue Code and for-profit entities.

(3) It is the policy of the state to support housing for employees of hospitals, health care facilities, and governmental entities and to allow developers in receipt of federal low-income housing tax credits allocated pursuant to s. 420.5099, local or state funds, or other sources of funding available to

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finance the development of affordable housing to create a  
preference for housing for such employees. Such preference must  
conform to the requirements of s. 42(g)(9) of the Internal  
Revenue Code.

**Section 5.** This act shall take effect July 1, 2025.

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**T I T L E   A M E N D M E N T**

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to affordable housing; amending ss.  
125.01055 and 166.04151, F.S.; authorizing the board  
of county commissioners and the governing board of a  
municipality, respectively, to approve the development  
of housing that is affordable, including mixed-use  
residential, on any parcel owned by religious  
institutions; requiring counties and municipalities to  
authorize multifamily and mixed-use residential as  
allowable uses in portions of flexibly zoned areas  
under certain circumstances; prohibiting counties and  
municipalities from imposing certain requirements on  
proposed multifamily developments; prohibiting  
counties and municipalities from requiring that more  
than a specified percentage of a mixed-use residential  
project be used for certain purposes; revising the

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density, floor area ratio, or height below which counties and municipalities may not restrict certain developments; defining the term "highest currently allowed, or allowed on July 1, 2023"; revising the definition of the term "floor area ratio"; authorizing counties and municipalities to restrict the height of certain proposed developments listed in the National Register of Historic Places; requiring the administrative approval of certain proposed developments without further action by a quasi-judicial or administrative board or reviewing body under certain circumstances; requiring the administrative approval of the demolition of an existing structure associated with a proposed development in certain circumstances; providing applicability; providing construction; defining the term "allowable density"; requiring counties and municipalities to reduce parking requirements by a specified percentage for certain proposed developments under certain circumstances; authorizing counties and municipalities to allow adjacent parcels of land to be included within certain proposed developments; requiring a court to give priority to and render expeditious decisions in certain civil actions; requiring a court to award reasonable attorney fees

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and costs to a prevailing party in certain civil actions; providing that such attorney fees or costs may not exceed a specified dollar amount; prohibiting the prevailing party from recovering certain other fees or costs; defining terms; revising applicability; prohibiting counties and municipalities from enforcing certain building moratoriums; providing an exception, subject to certain requirements; requiring the court to assess and award reasonable attorney fees and costs to the prevailing party in certain civil actions; providing that such attorney fees or costs may not exceed a specified dollar amount; prohibiting the prevailing party from recovering certain other fees or costs; providing applicability; providing annual reporting requirements beginning on specified dates; authorizing applicants for certain proposed developments to notify the county or municipality, as applicable, by a specified date of its intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit revised applications, written requests, and notices of intent to account for changes made by the act; creating s. 420.5098, F.S.; providing legislative findings and intent; defining terms; providing that it is the policy of the state to support housing for

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711 certain employees and to allow developers in receipt  
712 of certain tax credits and funds to create a specified  
713 preference for housing certain employees; requiring  
714 that such preference conform to certain requirements;  
715 providing an effective date.

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