

1 A bill to be entitled
2 An act relating to real property and land use and
3 development; amending ss. 125.01055 and 166.04151,
4 F.S.; requiring the board of county commissioners and
5 the governing body of a municipality, respectively, to
6 approve the development of affordable housing on a
7 parcel owned by a religious institution if certain
8 requirements are met; requiring the board of county
9 commissioners and the governing body of a
10 municipality, respectively, to approve the development
11 of housing that is affordable; providing definitions;
12 requiring counties and municipalities, respectively,
13 to authorize multifamily and mixed-use residential as
14 allowable uses on sites owned by specified entities
15 and in planned unit developments for specified use, if
16 certain conditions are met; requiring counties and
17 municipalities, respectively, to include adjacent land
18 as part of multifamily development, regardless of land
19 use designation, if certain conditions are met;
20 prohibiting counties and municipalities, respectively,
21 from requiring a proposed mixed-use residential
22 development to obtain certain amendments; prohibiting
23 counties and municipalities, respectively, from
24 requiring more than a certain percentage of total
25 square footage to be used for specified purposes;

26 requiring a specified definition of areas zoned for
27 mixed use; providing that certain affordable or
28 workforce units also qualify as affordable housing;
29 prohibiting counties and municipalities, respectively,
30 from restricting the density of a proposed multifamily
31 or mixed-use residential development below the highest
32 density on or after a specified date; prohibiting
33 counties and municipalities, respectively, from
34 restricting the maximum lot size of a proposed
35 multifamily or mixed-use residential development below
36 the highest maximum lot size on or after a specified
37 date; prohibiting counties and municipalities,
38 respectively, from restricting the floor area ratio of
39 a proposed multifamily or mixed-use residential
40 development below a certain percentage allowed on or
41 after a specified date; prohibiting counties and
42 municipalities, respectively, from restricting the
43 height of a proposed multifamily or mixed-use
44 residential development below the highest height on or
45 after a specified date; revising the ability of
46 counties and municipalities, respectively, to restrict
47 the height of multifamily or mixed-use residential
48 developments that are adjacent specified parcels to
49 the highest height allowed on or after a specified
50 date; requiring administrative approval of proposed

51 multifamily or mixed-use residential developments
52 without a public hearing in certain instances;
53 prohibiting counties and municipalities, respectively,
54 from initiating or enforcing zoning-in-progress or
55 building moratoriums in certain instances; requiring
56 counties and municipalities, respectively, to maintain
57 on its website a specified policy; requiring a county
58 and municipality, respectively, to reduce certain
59 parking requirements by a specified percentage;
60 requiring counties and municipalities, respectively,
61 to approve, within a specified time frame, building
62 permit plan review for proposed developments;
63 providing for the awarding of attorney fees and costs
64 under certain conditions; providing that if a county
65 or municipality, respectively, adopts an ordinance or
66 resolution, or makes any other decision, after a
67 specified date having certain listed effects, the
68 ordinance, resolution, or decision is deemed
69 preempted; preempting the regulation of affordable
70 housing to the state; providing that the
71 administrative review process of a site plan filed
72 with a county or municipality, respectively, must be
73 based on land development regulations in effect as of
74 the date of filing the application; requiring courts
75 to expedite proceedings and render an order within a

76 | specified timeframe if an action is filed against a
77 | local government based on preemption grounds;
78 | requiring notice of appeal to be filed and served
79 | within a specified timeframe from such judgment;
80 | requiring the Supreme Court to adopt rules by a
81 | specified date for such expedited proceedings;
82 | prohibiting counties and municipalities, respectively,
83 | from conditioning review or approval of applications
84 | for development permits or orders on the waiver,
85 | forbearance, or abandonment of any development right;
86 | deeming such actions to be void; providing certain
87 | reporting requirements beginning on a specified date;
88 | providing reporting requirements; prohibiting the
89 | imposition of a building moratorium under certain
90 | circumstances; providing that certain property owners
91 | have a cause of action; authorizing a court to provide
92 | specified relief, costs, and fees; providing a maximum
93 | award; providing that certain property owners have
94 | specified rights; amending s. 163.31801, F.S.;
95 | requiring an exception or waiver for a specified
96 | percentage of the impact fees for certain
97 | developments; amending s. 166.041, F.S.; revising
98 | procedures to require that resolutions with certain
99 | subjects be based on a certain finding by the
100 | governing body for adoption of such resolutions;

101 amending s. 163.2517, F.S.; requiring that proposed
102 urban infill developments be administratively
103 approved, notwithstanding any ordinance to the
104 contrary before a specified date; amending s.
105 163.3164, F.S.; revising the definition of the terms
106 "compatibility" and "urban service area"; amending s.
107 163.3177, F.S.; revising considerations when creating
108 a comprehensive plan; revising future land use
109 considerations for urban sprawl; amending s. 163.3167,
110 F.S.; revising the scope of the Community Planning
111 Act; amending s. 163.31771, F.S.; defining the term
112 "department"; requiring local governments to adopt
113 ordinances as they relate to accessory dwelling units;
114 prohibiting local governments from increasing costs of
115 construction of accessory dwelling units; providing
116 exceptions; requiring local governments to submit
117 annual reports beginning on a specified date to the
118 Department of Commerce and post such reports on the
119 local governments' website; requiring the department
120 to post a summary of the reports on its website;
121 providing requirements for the reports; authorizing
122 the department to adopt rules; prohibiting an owner of
123 property with an accessory dwelling unit from being
124 denied a homestead exemption or homestead property
125 assessment limitation solely on the basis of the

126 property containing an accessory dwelling unit;
127 establishing requirements for homestead purposes if an
128 accessory dwelling unit is rented by the property
129 owner; requiring an accessory dwelling unit that is
130 not rented to be considered part of homestead
131 property; amending s. 196.1979, F.S.; authorizing the
132 board of county commissioners or the governing body of
133 a municipality to exempt specified portions of
134 property within multifamily projects and accessory
135 dwelling units used to provide affordable housing;
136 revising ad valorem property tax exemption provisions
137 for accessory dwelling units; amending s. 333.03,
138 F.S.; revising applicability for certain proposed
139 developments; defining the term "commercial service
140 airport"; amending s. 420.50871, F.S.; expanding the
141 scope of financing of affordable housing projects to
142 include certain housing; creating s. 702.13, F.S.;
143 providing definitions; authorizing the filing of
144 motions to determine whether residential real property
145 is abandoned real property; requiring certain
146 documentation to be filed with such motions; requiring
147 the trial court to set a hearing on such motions
148 within a certain time frame; providing notice
149 requirements; requiring the court to render a
150 declaratory judgment upon certain findings and

151 immediately proceed to a foreclosure trial; requiring
152 the court to enter a judgment of foreclosure and
153 schedule a public sale of the abandoned real property
154 upon certain findings; prohibiting the court from
155 entering a declaratory judgment in certain instances;
156 requiring the court to rescind its orders in certain
157 instances; providing applicability; amending s.
158 760.26, F.S.; prohibiting discrimination in land use
159 decisions and in permitting of development based on a
160 development or proposed development being affordable
161 housing; providing for waiver of sovereign immunity;
162 limiting such waiver; providing a remedy; providing
163 applicability; amending s. 479.01, F.S.; conforming a
164 cross-reference; amending s. 1001.43, F.S.; requiring
165 district school boards to exercise specified
166 supplemental powers and duties as it related to
167 affordable housing; providing an effective date.

168
169 Be It Enacted by the Legislature of the State of Florida:

170
171 **Section 1. Subsections (6), (7), and (8) of section**
172 **125.01055, Florida Statutes, are amended, and subsections (9)**
173 **through (12) are added to that section, to read:**

174 125.01055 Affordable housing.—

175 (6) (a) Notwithstanding any other law or local ordinance or

176 regulation to the contrary, the board of county commissioners
177 may approve the development of housing that is affordable, as
178 defined in s. 420.0004, including, but not limited to, a mixed-
179 use residential development, on any parcel zoned for commercial
180 or industrial use ~~if, so long as~~ at least 10 percent of the
181 units included in the project are for housing that is
182 affordable.

183 (b) The board of county commissioners shall approve the
184 development of housing that is affordable if the following
185 requirements are met:

186 1. The owner of the parcel is a religious institution as
187 defined in s. 170.201(2).

188 2. At least 40 percent of the residential units included
189 in the development are for housing that is affordable and the
190 project has an affordability period of at least 30 years.

191 3. The parcel is not located within 500 feet of a military
192 installation, as identified in s. 163.3175(2), or within a
193 commercial service airport as defined in s. 332.0075(1).

194 4. State and local laws and regulations, other than land
195 use or zoning regulations, apply to the parcel.

196 (c) ~~The provisions of~~ This subsection is ~~are~~ self-
197 executing and does ~~do~~ not require the board of county
198 commissioners to adopt an ordinance or a regulation before using
199 the approval process in this subsection.

200 (7)(a) As used in this subsection, regardless of

201 terminology used in a county's land development regulations, the
202 term:

203 1. "Allowable use" means the intended uses identified in a
204 county's land development regulations which are authorized
205 within a zoning category as a use by right, without the
206 requirement to obtain a variance or waiver. The term does not
207 include uses that are accessory, ancillary, or incidental to the
208 allowable uses or allowed only on a temporary basis.

209 2. "Commercial use" means activities associated with the
210 sale, rental, or distribution of products or the sale or
211 performance of services. The term includes, but is not limited
212 to, retail, office, entertainment, and other for-profit business
213 activities.

214 3. "Industrial use" means activities associated with the
215 manufacture, assembly, processing, or storage of products or the
216 performance of related services.

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

219 (b)1.~~(a)~~ Notwithstanding any other law, local ordinance,
220 or regulation to the contrary, including any local moratorium
221 established after March 29, 2023, a county must authorize
222 multifamily and mixed-use residential as allowable uses on any
223 site owned by the county, a district school board, a religious
224 institution as defined in s. 170.201(2), and in any area zoned
225 for commercial, industrial, or mixed use, any planned unit

226 development permitted for commercial, industrial, or mixed use,
227 or any zoning district not zoned solely for use as a single-
228 family home or duplex, if at least 40 percent of the residential
229 units in a proposed multifamily or mixed-use residential
230 development are rental units that, for a period of at least 30
231 years, are affordable as defined in s. 420.0004(3) ~~s. 420.0004~~.
232 A county shall authorize the inclusion of an adjacent parcel of
233 land as part of the multifamily development, regardless of the
234 land use designation of the adjacent parcel, if the residential
235 units to be built on the adjacent parcel comply with the
236 requirements of this subsection.

237 2. Notwithstanding any other law, local ordinance, or
238 regulation to the contrary, a county may not require a proposed
239 multifamily or mixed-use residential development to obtain an
240 amendment to a development of regional impact, amendment to a
241 development agreement, or amendment to a restrictive covenant or
242 a zoning or land use change, special exception, conditional use
243 approval, variance, or comprehensive plan amendment for the
244 building height, zoning, and densities authorized under this
245 subsection.

246 3. For mixed-use residential projects, at least 65 percent
247 of the total square footage must be used for residential
248 purposes. A county may not require more than 10 percent of the
249 total square footage to be used for nonresidential purposes.

250 4. Notwithstanding any local land development regulation

251 categorization or title, areas zoned for mixed use shall be
252 defined as areas that include both residential and
253 nonresidential uses, regardless of whether the residential or
254 nonresidential uses are permitted as principal use, conditional
255 use, ancillary use, special use, unusual use, accessory use,
256 planned unit development, or planned development. Nonresidential
257 use includes, but is not limited to, retail, office, hotel,
258 lodging, civic, institutional, parking, utilities, or other
259 commercial uses.

260 5. Affordable or workforce units that receive any
261 incentive under subsection (4) also qualify as affordable under
262 this subsection as long as the units satisfy the requirements of
263 s. 420.0004 and the local regulations.

264 (c) ~~(b)~~ A county may not directly restrict or have the
265 effect of restricting the density of a proposed multifamily or
266 mixed-use residential development authorized under this
267 subsection below the highest ~~currently allowed~~ density allowed
268 on or after July 1, 2023, on any unincorporated land in the
269 county where residential development is allowed under the
270 county's land development regulations. For purposes of this
271 paragraph, the term "highest ~~currently allowed~~ density" does not
272 include the density of any building that met the requirements of
273 this subsection or the density of any building that has received
274 any bonus, variance, or other special exception for density
275 provided in the county's land development regulations as an

276 | incentive for development.

277 | (d) A county may not directly restrict or in effect
278 | restrict the maximum lot size of a proposed multifamily or
279 | mixed-use residential development authorized under this
280 | paragraph below the highest maximum lot size allowed on or after
281 | July 1, 2023, on any unincorporated land in the county where
282 | multifamily or mixed-use residential development is allowed
283 | pursuant to the county's land development regulations. A county
284 | may not restrict the maximum lot coverage of a proposed
285 | multifamily or mixed-use residential development authorized
286 | under this paragraph below 70 percent.

287 | (e)-(e) A county may not directly restrict or have the
288 | effect of restricting the floor area ratio of a proposed
289 | multifamily or mixed-use residential development authorized
290 | under this subsection below 150 percent of the highest ~~currently~~
291 | ~~allowed~~ floor area ratio allowed on or after July 1, 2023, on
292 | any unincorporated land in the county where development is
293 | allowed under the county's land development regulations. For
294 | purposes of this paragraph, the term "highest ~~currently allowed~~
295 | floor area ratio" does not include the floor area ratio of any
296 | building that met the requirements of this subsection or the
297 | floor area ratio of any building that has received any bonus,
298 | variance, or other special exception for floor area ratio
299 | provided in the county's land development regulations as an
300 | incentive for development. For purposes of this subsection, the

301 term "floor area ratio" includes floor lot ratio.

302 (f)~~(d)~~1. A county may not directly restrict or have the
303 effect of restricting the height of a proposed multifamily or
304 mixed-use residential development authorized under this
305 subsection below the highest ~~currently allowed~~ height allowed on
306 or after July 1, 2023, for a commercial or residential building
307 located in its jurisdiction within 1 mile of the proposed
308 development or 3 stories, whichever is higher. For purposes of
309 this paragraph, the term "highest ~~currently allowed~~ height" does
310 not include the height of any building that met the requirements
311 of this subsection or the height of any building that has
312 received any bonus, variance, or other special exception for
313 height provided in the county's land development regulations as
314 an incentive for development.

315 2. If the proposed multifamily or mixed-use residential
316 development is adjacent to, on two or more sides, a parcel zoned
317 for single-family residential use which is within a single-
318 family residential development with at least 25 contiguous
319 single-family homes, the county may restrict the height of the
320 proposed development to 150 percent of the tallest building on
321 any property adjacent to the proposed development, the highest
322 ~~currently allowed~~ height allowed on or after July 1, 2023, for
323 the property provided in the county's land development
324 regulations, or 3 stories, whichever is higher. For the purposes
325 of this paragraph, the term "adjacent to" means those properties

326 | sharing more than one point of a property line, but does not
327 | include properties separated by a public road.

328 | (g)1.(e) A proposed multifamily or mixed-use residential
329 | development authorized under this subsection must be
330 | administratively approved and ~~no~~ further action by the board of
331 | county commissioners or any quasi-judicial board of the
332 | reviewing body is not authorized ~~required~~ if the development
333 | satisfies the county's land development regulations for
334 | multifamily and mixed-use residential developments in areas
335 | zoned for such use, density, intensity, and height, and is
336 | otherwise consistent with the comprehensive plan, with the
337 | exception of provisions establishing allowable densities, floor
338 | area ratios, height, and land use, including mixed use and
339 | minimum nonresidential or commercial floor area requirements.
340 | The removal or demolition of an existing structure to be
341 | performed as part of the proposed development must also be
342 | administratively approved. Such land development regulations
343 | include, but are not limited to, regulations relating to
344 | setbacks and parking requirements.

345 | 2. A county may not initiate or enforce zoning-in-progress
346 | or a building moratorium on a proposed development that is
347 | subject to this subsection and for which the county has approved
348 | the development's preliminary site plan.

349 | 3. A proposed development located within one-quarter mile
350 | of a military installation identified in s. 163.3175(2) may not

351 be administratively approved.

352 4. Each county shall maintain on its website a policy
353 containing the zoning map and zoning regulations in effect on
354 July 1, 2023, and the procedures and expectations for
355 administrative approval pursuant to this subsection.

356 (h) (f) 1. A county must reduce ~~consider reducing~~ parking
357 requirements by at least 20 percent for a proposed development
358 authorized under this subsection, or by 100 percent for
359 structures that are 20,000 square feet or less ~~if the~~
360 ~~development is located within one-quarter mile of a transit~~
361 ~~stop, as defined in the county's land development code, and the~~
362 ~~transit stop is accessible from the development.~~

363 2. A county must reduce parking requirements by at least
364 20 percent for a proposed development authorized under this
365 subsection if the development:

366 a. Is located within one-half mile of a major
367 transportation hub that is accessible from the proposed
368 development by safe, pedestrian-friendly means, such as
369 sidewalks, crosswalks, elevated pedestrian or bike paths, or
370 other multimodal design features; or ~~and~~

371 b. Has available parking within 600 feet of the proposed
372 development which may consist of options such as on-street
373 parking, parking lots, or parking garages available for use by
374 residents of the proposed development. However, a county may not
375 require that the available parking compensate for the reduction

376 in parking requirements.

377 3. A county must eliminate parking requirements for a
378 proposed mixed-use residential development authorized under this
379 subsection within an area recognized by the county as a transit-
380 oriented development or area, as provided in paragraph (j) ~~(h)~~.

381 4. For purposes of this paragraph, the term "major
382 transportation hub" means any transit station, whether bus,
383 train, or light rail, which is served by public transit with a
384 mix of other transportation options.

385 (i) ~~(g)~~ For proposed multifamily developments in an
386 unincorporated area zoned for commercial or industrial use which
387 is within the boundaries of a multicounty independent special
388 district that was created to provide municipal services and is
389 not authorized to levy ad valorem taxes, and less than 20
390 percent of the land area within such district is designated for
391 commercial or industrial use, a county must authorize, as
392 provided in this subsection, such development only if the
393 development is mixed-use residential.

394 (j) ~~(h)~~ A proposed development authorized under this
395 subsection which is located within a transit-oriented
396 development or area, as recognized by the county, must be mixed-
397 use residential and otherwise comply with requirements of the
398 county's regulations applicable to the transit-oriented
399 development or area except for use, height, density, floor area
400 ratio, and parking as provided in this subsection or as

401 otherwise agreed to by the county and the applicant for the
402 development.

403 ~~(i) Except as otherwise provided in this subsection, a~~
404 ~~development authorized under this subsection must comply with~~
405 ~~all applicable state and local laws and regulations.~~

406 (k) ~~(j)~~1. Nothing in this subsection precludes a county
407 from granting a bonus, variance, conditional use, or other
408 special exception for height, density, or floor area ratio in
409 addition to the height, density, and floor area ratio
410 requirements in this subsection.

411 2. Nothing in this subsection precludes a proposed
412 development authorized under this subsection from receiving a
413 bonus for density, height, or floor area ratio pursuant to an
414 ordinance or regulation of the jurisdiction where the proposed
415 development is located if the proposed development satisfies the
416 conditions to receive the bonus except for any condition which
417 conflicts with this subsection. If a proposed development
418 qualifies for such bonus, the bonus must be administratively
419 approved by the county and no further action by the board of
420 county commissioners is required.

421 (l) A county shall approve a building permit plan review
422 for a proposed development within 60 days as authorized under
423 this subsection, and prioritize a building permit plan review
424 for projects authorized under this subsection over other
425 development projects.

426 (m) Notwithstanding s. 57.112(6), the prevailing party in
427 a challenge under this subsection is entitled to recover
428 attorney fees and costs, including reasonable appellate attorney
429 fees and costs.

430 (n) ~~(k)~~ This subsection does not apply to:

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

434 (o) If a county adopts an ordinance or resolution, or
435 makes any other decision, and such ordinance, resolution, or
436 decision has the effect, either directly or indirectly, of:

437 a. Limiting the height, floor area ratio, or density of a
438 project under this section;

439 b. Unreasonably delaying the development or construction
440 of a project under this section, including, but not limited to,
441 imposing a moratorium;

442 c. Restricting the manner in which affordable units are
443 developed or accessed within a project or regulating the types
444 of units in the project; or

445 d. Restricting or limiting a project under this section in
446 any other way,

447
448 then such ordinance, resolution, or decision shall be deemed
449 preempted. If a property owner files a site plan application
450 under this section with a county, the administrative review

451 process must be based only on the land development regulations
452 in effect as of the date of filing the application.

453 (p) The regulation of affordable housing under this
454 subsection is expressly preempted to the state. This subsection
455 supersedes any local government ordinances, resolutions, or any
456 other local regulations, including local moratoriums, on matters
457 covered under this subsection.

458 (q) If an action is filed against a local government to
459 challenge the adoption or enforcement of a local ordinance,
460 resolution, or other local regulation on the grounds that it is
461 expressly preempted by general law under this subsection, the
462 court shall expedite the proceeding and render a decision within
463 30 days after service of process. Notice of appeal shall be
464 filed and served within 30 days after the rendition of the
465 judgment appealed from. The Supreme Court shall adopt rules by
466 October 1, 2025, to ensure the proceedings are handled
467 expeditiously and in a manner consistent with this subsection.

468 (r)-(l) This subsection expires October 1, 2033.

469 (8) Any development authorized under paragraph (7) (b)
470 ~~(7) (a)~~ must be treated as a conforming use even after the
471 expiration of subsection (7) and the development's affordability
472 period as provided in paragraph (7) (b) ~~(7) (a)~~, notwithstanding
473 the county's comprehensive plan, future land use designation, or
474 zoning. If at any point during the development's affordability
475 period the development violates the affordability period

476 requirement provided in paragraph (7) (b) ~~(7) (a)~~, the development
477 must be allowed a reasonable time to cure such violation. If the
478 violation is not cured within a reasonable time, the development
479 must be treated as a nonconforming use.

480 (9) A county's review or approval of an application for a
481 development permit or development order may not be conditioned
482 on the waiver, forbearance, or abandonment of any development
483 right authorized by this section. Any such waiver, forbearance,
484 or abandonment is void.

485 (10) (a) Beginning June 30, 2026, each county must provide
486 an annual report to the state land planning agency that
487 includes:

488 1. All litigation initiated under subsection (9), the
489 status of the case, and, if applicable, the final disposition.

490 2. All actions the county has taken on any proposed
491 project under this section, including, at minimum, the project
492 size, density, and intensity, and the number of units and the
493 number of affordable units for such proposed project.

494 3. For any proposed development that is denied or not
495 accepted, all actions the county has taken on such proposed
496 development and an explanation for why such actions were taken.

497 (b) The state land planning agency shall provide an annual
498 report to the Governor, the President of the Senate, and the
499 Speaker of the House of Representatives regarding county
500 compliance with this section.

501 (11) (a) A county may not impose a building moratorium that
 502 has the effect of delaying the permitting of construction of a
 503 multifamily project that would otherwise qualify for:

504 1. An affordable housing ad valorem tax exemption under s.
 505 196.1978 or s. 196.1979.

506 2. Any grant loan or other incentive provided for the
 507 development of affordable housing under chapter 420.

508 3. Any abatement of development restrictions under
 509 subsection (7).

510 (b) The property owner of a multifamily project described
 511 in paragraph (a), which is adversely affected by a building
 512 moratorium imposed in violation of this subsection, has a cause
 513 of action against the county. If the court finds that a county
 514 has violated this subsection, it may provide injunctive relief,
 515 compensatory damages, and reasonable attorney fees and costs,
 516 not to exceed \$100,000, to a prevailing plaintiff. For purposes
 517 of this paragraph, the term "reasonable attorney fees and costs"
 518 means the reasonable and necessary attorney fees and costs
 519 incurred for all preparations, motions, hearings, trials, and
 520 appeals in a proceeding. The term does not include any attorney
 521 fees or costs directly incurred by or associated with litigation
 522 to determine an award of reasonable attorney fees or costs.

523 (12) If the owner of an administratively approved proposed
 524 development has acted in reliance on that approval, the owner
 525 has a vested right to proceed with development under the

526 relevant laws, regulations, and ordinances at the time such
527 rights vested, if the property continues to comply with the
528 requirements of this section.

529 **Section 2. Subsection (11) of section 163.31801, Florida**
530 **Statutes, is amended to read:**

531 163.31801 Impact fees; short title; intent; minimum
532 requirements; audits; challenges.—

533 (11) (a) A county, municipality, or special district may
534 provide an exception or waiver for an impact fee for the
535 development or construction of housing that is affordable, as
536 defined in s. 420.9071. If a county, municipality, or special
537 district provides such an exception or waiver, it is not
538 required to use any revenues to offset the impact.

539 (b) Qualified developments authorized pursuant to s.
540 125.01055 or s. 166.04151 shall receive an exception or waiver
541 for 20 percent of the impact fees for the development of, or
542 construction of the portion of the development that is,
543 affordable housing.

544 **Section 3. Subsection (2) of section 166.041, Florida**
545 **Statutes, is amended to read:**

546 166.041 Procedures for adoption of ordinances and
547 resolutions.—

548 (2) (a) Each ordinance or resolution shall be introduced in
549 writing and shall embrace but one subject and matters properly
550 connected therewith. The subject shall be clearly stated in the

551 title. No ordinance shall be revised or amended by reference to
552 its title only. Ordinances to revise or amend shall set out in
553 full the revised or amended act or section or subsection or
554 paragraph of a section or subsection.

555 (b) A resolution, the subject of which designates the
556 character of privately owned property as a historic landmark
557 without the consent of the property owner, shall require a
558 finding by the governing body, based on substantial competent
559 evidence, that the historic significance of the subject property
560 is commensurate, to an equal or greater degree, with property
561 that is already designated as a historic landmark within the
562 municipality.

563 **Section 4. Subsections (6), (7), and (8) of section**
564 **166.04151, Florida Statutes, are amended, and subsections (9)**
565 **through (12) are added to that section, to read:**

566 166.04151 Affordable housing.—

567 (6)(a) Notwithstanding any other law or local ordinance or
568 regulation to the contrary, the governing body of a municipality
569 may approve the development of housing that is affordable, as
570 defined in s. 420.0004, including, but not limited to, a mixed-
571 use residential development, on any parcel zoned for commercial
572 or industrial use ~~if, so long as~~ at least 10 percent of the
573 units included in the project are for housing that is
574 affordable.

575 (b) The governing body shall approve the development of

576 housing that is affordable if the following requirements are
577 met:

578 1. The owner of the parcel is a religious institution as
579 defined in s. 170.201(2).

580 2. At least 40 percent of the residential units included
581 in the development are for housing that is affordable and the
582 project has an affordability period of at least 30 years.

583 3. The parcel is not located within 500 feet of a military
584 installation, as identified in s. 163.3175(2), or within a
585 commercial service airport as defined in s. 332.0075(1).

586 4. State and local laws and regulations, other than land
587 use or zoning regulations, apply to the parcel.

588 (c) The provisions of This subsection is ~~are~~ self-
589 executing and does ~~do~~ not require the governing body to adopt an
590 ordinance or a regulation before using the approval process in
591 this subsection.

592 (7)(a) As used in this subsection, regardless of
593 terminology used in a municipality's land development
594 regulations, the term:

595 1. "Allowable use" means the intended uses identified in a
596 municipality's land development regulations which are authorized
597 within a zoning category as a use by right, without the
598 requirement to obtain a variance or waiver. The term does not
599 include uses that are accessory, ancillary, or incidental to the
600 allowable uses or allowed only on a temporary basis.

601 2. "Commercial use" means activities associated with the
602 sale, rental, or distribution of products or the sale or
603 performance of services. The term includes, but is not limited
604 to, retail, office, entertainment, and other for-profit business
605 activities.

606 3. "Industrial use" means activities associated with the
607 manufacture, assembly, processing, or storage of products or the
608 performance of related services.

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

611 (b)1.~~(a)~~ Notwithstanding any other law, local ordinance,
612 or regulation to the contrary, including any local moratorium
613 established after March 29, 2023, a municipality must authorize
614 multifamily and mixed-use residential as allowable uses on any
615 site owned by the municipality, a district school board, a
616 religious institution as defined in s. 170.201(2), and in any
617 area zoned for commercial, industrial, or mixed use, any planned
618 unit development permitted for commercial, industrial, or mixed
619 use, or in any zoning district not zoned solely for use as a
620 single-family home or duplex, if at least 40 percent of the
621 residential units in a proposed multifamily or mixed-use
622 residential development are rental units that, for a period of
623 at least 30 years, are affordable as defined in s. 420.0004(3)
624 s. 420.0004. A municipality shall authorize the inclusion of an
625 adjacent parcel of land as part of the multifamily development,

626 regardless of the land use designation of the adjacent parcel,
627 if the residential units to be built on the adjacent parcel
628 comply with the requirements of this subsection.

629 2. Notwithstanding any other law, local ordinance, or
630 regulation to the contrary, a municipality may not require a
631 proposed multifamily or mixed-use residential development to
632 obtain an amendment to a development of regional impact,
633 amendment to a development agreement, or amendment to a
634 restrictive covenant or a zoning or land use change, special
635 exception, conditional use approval, variance, or comprehensive
636 plan amendment for the building height, zoning, and densities
637 authorized under this subsection.

638 3. For mixed-use residential projects, at least 65 percent
639 of the total square footage must be used for residential
640 purposes. A municipality may not require more than 10 percent of
641 the total square footage to be used for nonresidential purposes.

642 4. Notwithstanding any local land development regulation
643 categorization or title, areas zoned for mixed use shall be
644 defined as areas that include both residential and
645 nonresidential uses, regardless of whether the residential or
646 nonresidential uses are permitted as principal use, conditional
647 use, ancillary use, special use, unusual use, accessory use,
648 planned unit development, or planned development. Nonresidential
649 use includes, but is not limited to, retail, office, hotel,
650 lodging, civic, institutional, parking, utilities, or other

651 commercial uses.

652 5. Affordable or workforce units that receive any
 653 incentive under subsection (4) also qualify as affordable under
 654 this subsection as long as the units satisfy the requirements of
 655 s. 420.0004 and the local regulations.

656 (c) ~~(b)~~ A municipality may not directly restrict or have
 657 the effect of restricting the density of a proposed multifamily
 658 or mixed-use residential development authorized under this
 659 subsection below the highest ~~currently allowed~~ density allowed
 660 on or after July 1, 2023, on any land in the municipality where
 661 residential development is allowed under the municipality's land
 662 development regulations. For purposes of this paragraph, the
 663 term "highest ~~currently allowed~~ density" does not include the
 664 density of any building that met the requirements of this
 665 subsection or the density of any building that has received any
 666 bonus, variance, or other special exception for density provided
 667 in the municipality's land development regulations as an
 668 incentive for development.

669 (d) A municipality may not directly restrict or have the
 670 effect of restricting the maximum lot size of a proposed
 671 multifamily or mixed-use residential development authorized
 672 under this paragraph below the highest maximum lot size allowed
 673 on or after July 1, 2023, on any unincorporated land in the
 674 municipality where multifamily or mixed-use residential
 675 development is allowed pursuant to the municipality's land

676 development regulations. A municipality may not restrict the
677 maximum lot coverage of a proposed multifamily or mixed-use
678 residential development authorized under this paragraph below 70
679 percent.

680 (e)~~(e)~~ A municipality may not directly restrict or have
681 the effect of restricting the floor area ratio of a proposed
682 multifamily or mixed-use residential development authorized
683 under this subsection below 150 percent of the highest ~~currently~~
684 ~~allowed~~ floor area ratio allowed on or after July 1, 2023, on
685 any land in the municipality where development is allowed under
686 the municipality's land development regulations. For purposes of
687 this paragraph, the term "highest ~~currently allowed~~ floor area
688 ratio" does not include the floor area ratio of any building
689 that met the requirements of this subsection or the floor area
690 ratio of any building that has received any bonus, variance, or
691 other special exception for floor area ratio provided in the
692 municipality's land development regulations as an incentive for
693 development. For purposes of this subsection, the term "floor
694 area ratio" includes floor lot ratio.

695 (f)~~(d)~~1. A municipality may not directly restrict or have
696 the effect of restricting the height of a proposed multifamily
697 or mixed-use residential development authorized under this
698 subsection below the highest ~~currently allowed~~ height allowed on
699 or after July 1, 2023, for a commercial or residential building
700 located in its jurisdiction within 1 mile of the proposed

701 development or 3 stories, whichever is higher. For purposes of
702 this paragraph, the term "highest ~~currently allowed~~ height" does
703 not include the height of any building that met the requirements
704 of this subsection or the height of any building that has
705 received any bonus, variance, or other special exception for
706 height provided in the municipality's land development
707 regulations as an incentive for development.

708 2. If the proposed multifamily or mixed-use residential
709 development is adjacent to, on two or more sides, a parcel zoned
710 for single-family residential use that is within a single-family
711 residential development with at least 25 contiguous single-
712 family homes, the municipality may restrict the height of the
713 proposed development to 150 percent of the tallest building on
714 any property adjacent to the proposed development, the highest
715 ~~currently allowed~~ height allowed on or after July 1, 2023, for
716 the property provided in the municipality's land development
717 regulations, or 3 stories, whichever is higher. For the purposes
718 of this paragraph, the term "adjacent to" means those properties
719 sharing more than one point of a property line, but does not
720 include properties separated by a public road.

721 (g)1.(e) A proposed multifamily or mixed-use residential
722 development authorized under this subsection must be
723 administratively approved and public hearings or ~~no~~ further
724 action by the governing body of the municipality or any quasi-
725 judicial board of the reviewing body is not authorized ~~required~~

726 if the development satisfies the municipality's land development
727 regulations for multifamily and mixed-use residential
728 developments in areas zoned for such use, density, intensity,
729 and height, and is otherwise consistent with the comprehensive
730 plan, with the exception of provisions establishing allowable
731 densities, floor area ratios, height, and land use, including
732 mixed use and minimum nonresidential or commercial floor area
733 requirements. The removal or demolition of an existing structure
734 to be performed as part of the proposed development must also be
735 administratively approved. Such land development regulations
736 include, but are not limited to, regulations relating to
737 setbacks and parking requirements.

738 2. A municipality may not initiate or enforce zoning-in-
739 progress or a building moratorium on a proposed development that
740 is subject to this subsection and for which the municipality has
741 approved the development's preliminary site plan.

742 3. A proposed development located within one-quarter mile
743 of a military installation identified in s. 163.3175(2) may not
744 be administratively approved.

745 4. Each municipality shall maintain on its website a
746 policy containing the zoning map and zoning regulations in
747 effect on July 1, 2023, and the procedures and expectations for
748 administrative approval pursuant to this subsection.

749 (h)-(f)1. A municipality must reduce ~~consider reducing~~
750 parking requirements by at least 20 percent for a proposed

751 development authorized under this subsection, or by 100 percent
752 for structures that are 20,000 square feet or less ~~if the~~
753 ~~development is located within one-quarter mile of a transit~~
754 ~~stop, as defined in the municipality's land development code,~~
755 ~~and the transit stop is accessible from the development.~~

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

759 a. Is located within one-half mile of a major
760 transportation hub that is accessible from the proposed
761 development by safe, pedestrian-friendly means, such as
762 sidewalks, crosswalks, elevated pedestrian or bike paths, or
763 other multimodal design features; or ~~or~~

764 b. Has available parking within 600 feet of the proposed
765 development which may consist of options such as on-street
766 parking, parking lots, or parking garages available for use by
767 residents of the proposed development. However, a municipality
768 may not require that the available parking compensate for the
769 reduction in parking requirements.

770 3. A municipality must eliminate parking requirements for
771 a proposed mixed-use residential development authorized under
772 this subsection within an area recognized by the municipality as
773 a transit-oriented development or area, as provided in paragraph
774 (j) ~~(h)~~.

775 4. For purposes of this paragraph, the term "major

776 transportation hub" means any transit station, whether bus,
777 train, or light rail, which is served by public transit with a
778 mix of other transportation options.

779 (i)~~(g)~~ A municipality that designates less than 20 percent
780 of the land area within its jurisdiction for commercial or
781 industrial use must authorize a proposed multifamily development
782 as provided in this subsection in areas zoned for commercial or
783 industrial use only if the proposed multifamily development is
784 mixed-use residential.

785 (j)~~(h)~~ A proposed development authorized under this
786 subsection which is located within a transit-oriented
787 development or area, as recognized by the municipality, must be
788 mixed-use residential and otherwise comply with requirements of
789 the municipality's regulations applicable to the transit-
790 oriented development or area except for use, height, density,
791 floor area ratio, and parking as provided in this subsection or
792 as otherwise agreed to by the municipality and the applicant for
793 the development.

794 ~~(i) Except as otherwise provided in this subsection, a~~
795 ~~development authorized under this subsection must comply with~~
796 ~~all applicable state and local laws and regulations.~~

797 (k)~~(j)~~1. Nothing in this subsection precludes a
798 municipality from granting a bonus, variance, conditional use,
799 or other special exception to height, density, or floor area
800 ratio in addition to the height, density, and floor area ratio

801 requirements in this subsection.

802 2. Nothing in this subsection precludes a proposed
803 development authorized under this subsection from receiving a
804 bonus for density, height, or floor area ratio pursuant to an
805 ordinance or regulation of the jurisdiction where the proposed
806 development is located if the proposed development satisfies the
807 conditions to receive the bonus except for any condition which
808 conflicts with this subsection. If a proposed development
809 qualifies for such bonus, the bonus must be administratively
810 approved by the municipality and no further action by the
811 governing body of the municipality is required.

812 (l) A municipality shall approve building permit plan
813 review for a proposed development within 60 days authorized
814 under this subsection, and prioritize building permit plan
815 review for projects authorized under this subsection over other
816 development projects.

817 (m) Notwithstanding s. 57.112(6), the prevailing party in
818 a challenge under this subsection is entitled to recover
819 attorney fees and costs, including reasonable appellate attorney
820 fees and costs.

821 (n)~~(k)~~ This subsection does not apply to:

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

825 (o) After July 1, 2023, if a municipality adopts an

826 ordinance or resolution, or makes any other decision, and such
827 ordinance, resolution, or decision has the effect, either
828 directly or indirectly, of:

829 a. Limiting the height, floor area ratio, or density of a
830 project under this section;

831 b. Unreasonably delaying the development or construction
832 of a project under this section, including, but not limited to,
833 imposing a moratorium;

834 c. Restricting the manner in which affordable units are
835 developed or accessed within a project or regulating the types
836 of units in the project; or

837 d. Restricting or limiting a project under this section in
838 any other way,

839
840 then such ordinance, resolution, or decision shall be deemed
841 preempted. If a property owner files a site plan application
842 under this section with a municipality, the administrative
843 review process must be based only on the land development
844 regulations in effect as of the date of filing the application.

845 (p) The regulation of affordable housing under this
846 subsection is expressly preempted to the state. This subsection
847 supersedes any local government ordinances, resolutions, or any
848 other local regulations, including local moratoriums, on matters
849 covered under this subsection.

850 (q) If an action is filed against a local government to

851 challenge the adoption or enforcement of a local ordinance,
852 resolution, or other local regulation on the grounds that it is
853 expressly preempted by general law under this subsection, the
854 court shall expedite the proceeding and render a decision within
855 30 days after service of process. Notice of appeal shall be
856 filed and served within 30 days from the rendition of the
857 judgment appealed from. The Supreme Court shall adopt rules by
858 October 1, 2025, to ensure the proceedings are handled
859 expeditiously and in a manner consistent with this subsection.

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

861 (8) Any development authorized under paragraph (7) (b)
862 ~~(7) (a)~~ must be treated as a conforming use even after the
863 expiration of subsection (7) and the development's affordability
864 period as provided in paragraph (7) (b) ~~(7) (a)~~, notwithstanding
865 the municipality's comprehensive plan, future land use
866 designation, or zoning. If at any point during the development's
867 affordability period the development violates the affordability
868 period requirement provided in paragraph (7) (b) ~~(7) (a)~~, the
869 development must be allowed a reasonable time to cure such
870 violation. If the violation is not cured within a reasonable
871 time, the development must be treated as a nonconforming use.

872 (9) A municipality's review or approval of an application
873 for a development permit or development order may not be
874 conditioned on the waiver, forbearance, or abandonment of any
875 development right authorized by this section. Any such waiver,

876 forbearance, or abandonment is void.

877 (10) (a) Beginning June 30, 2026, each municipality must
878 provide an annual report to the state land planning agency that
879 includes:

880 1. All litigation initiated under subsection (9), the
881 status of the case, and, if applicable, the final disposition.

882 2. All actions the municipality has taken on any proposed
883 project under this section, including, at minimum, the project
884 size, density, and intensity, and the number of units and the
885 number of affordable units for such proposed project.

886 3. For any proposed development that is denied or not
887 accepted, all actions the municipality has taken relating to
888 such proposed development and an explanation for why such
889 actions were taken.

890 (b) The state land planning agency shall provide an annual
891 report to the Governor, the President of the Senate, and the
892 Speaker of the House of Representatives regarding municipal
893 compliance with this section.

894 (11) (a) A municipality may not impose a building
895 moratorium that has the effect of delaying the permitting of
896 construction of a multifamily project that would otherwise
897 qualify for:

898 1. An affordable housing ad valorem tax exemption under s.
899 196.1978 or s. 196.1979.

900 2. Any grant loan or other incentive provided for the

901 development of affordable housing under chapter 420.

902 3. Any abatement of development restrictions under
903 subsection (7).

904 (b) The property owner of a multifamily project described
905 in paragraph (a), which is adversely affected by a building
906 moratorium imposed in violation of this subsection, has a cause
907 of action against the municipality. If the court finds that a
908 municipality has violated this subsection, it may provide
909 injunctive relief, compensatory damages, and reasonable attorney
910 fees and costs, not to exceed \$100,000, to a prevailing
911 plaintiff. For purposes of this paragraph, the term "reasonable
912 attorney fees and costs" means the reasonable and necessary
913 attorney fees and costs incurred for all preparations, motions,
914 hearings, trials, and appeals in a proceeding. The term does not
915 include any attorney fees or costs directly incurred by or
916 associated with litigation to determine an award of reasonable
917 attorney fees or costs.

918 (12) If the owner of an administratively approved proposed
919 development has acted in reliance on that approval, the owner
920 has a vested right to proceed with development under the
921 relevant laws, regulations, and ordinances at the time such
922 rights vested, if the property continues to comply with the
923 requirements of this section.

924 **Section 5. Subsection (7) is added to section 163.2517,**
925 **Florida Statutes, to read:**

926 163.2517 Designation of urban infill and redevelopment
 927 area.—

928 (7) Notwithstanding any ordinance to the contrary existing
 929 on July 1, 2025, a proposed urban infill development must be
 930 administratively approved, and a comprehensive plan amendment,
 931 rezoning, or variance is not required.

932 **Section 6. Subsections (9) and (53) of section 163.3164,**
 933 **Florida Statutes, are amended to read:**

934 163.3164 Community Planning Act; definitions.—As used in
 935 this act:

936 (9) "Compatibility" means a condition in which land uses
 937 or conditions can coexist in relative proximity to each other in
 938 a stable fashion over time such that no use or condition is
 939 unduly negatively impacted directly or indirectly by another use
 940 or condition. All residential land use categories are deemed to
 941 be compatible with each other.

942 (53) "Urban service area" means areas in which identified
 943 ~~in the comprehensive plan where~~ public facilities and services,
 944 including, but not limited to, central water and sewer capacity
 945 and roads, are already in place or may be expanded by the ~~are~~
 946 ~~identified in the capital improvements element. The term~~
 947 ~~includes any areas identified in the comprehensive plan as urban~~
 948 ~~service areas, regardless of local government~~ or the private
 949 sector as evidenced by an executed agreement with the local
 950 government to provide urban services within the local

951 government's 20-year planning period limitation.

952 **Section 7. Subsection (2) and paragraph (a) of subsection**
953 **(6) of section 163.3177, Florida Statutes, are amended to read:**

954 163.3177 Required and optional elements of comprehensive
955 plan; studies and surveys.—

956 (2) Coordination of the required and optional ~~several~~
957 elements of the local comprehensive plan must ~~shall~~ be a major
958 objective of the planning process. The required and optional
959 ~~several~~ elements of the comprehensive plan must ~~shall~~ be
960 consistent. Optional elements of the comprehensive plan may not
961 contain policies that restrict the density or intensity
962 established in the future land use element. Where data is
963 relevant to required and optional ~~several~~ elements, consistent
964 data must ~~shall~~ be used, including population estimates and
965 projections ~~unless alternative data can be justified for a plan~~
966 ~~amendment through new supporting data and analysis.~~ Each map
967 depicting future conditions must reflect the principles,
968 guidelines, and standards within all elements, and each such map
969 must be contained within the comprehensive plan.

970 (6) In addition to the requirements of subsections (1)-
971 (5), the comprehensive plan shall include the following
972 elements:

973 (a) A future land use plan element designating proposed
974 future general distribution, location, and extent of the uses of
975 land for residential uses, commercial uses, industry,

976 agriculture, recreation, conservation, education, public
977 facilities, and other categories of the public and private uses
978 of land. The approximate acreage and the general range of
979 density or intensity of use shall be provided for the gross land
980 area included in each existing land use category. The element
981 shall establish the long-term end toward which land use programs
982 and activities are ultimately directed.

983 1. Each future land use category must be defined in terms
984 of uses included, and must include standards to be followed in
985 the control and distribution of population densities and
986 building and structure intensities. The proposed distribution,
987 location, and extent of the various categories of land use shall
988 be shown on a land use map or map series which shall be
989 supplemented by goals, policies, and measurable objectives.

990 2. The future land use plan and plan amendments shall be
991 based upon surveys, studies, and data regarding the area, as
992 applicable, including:

993 a. The amount of land required to accommodate anticipated
994 growth.

995 b. The projected permanent and seasonal population of the
996 area.

997 c. The character of undeveloped land.

998 d. The availability of water supplies, public facilities,
999 and services.

1000 e. The need for redevelopment, including the renewal of

1001 blighted areas and the elimination of nonconforming uses which
 1002 are inconsistent with the character of the community.

1003 f. The compatibility of uses on lands adjacent to or
 1004 closely proximate to military installations.

1005 g. The compatibility of uses on lands adjacent to an
 1006 airport as defined in s. 330.35 and consistent with s. 333.02.

1007 h. The discouragement of urban sprawl.

1008 i. The need for job creation, capital investment, and
 1009 economic development that will strengthen and diversify the
 1010 community's economy.

1011 j. The need to modify land uses and development patterns
 1012 within antiquated subdivisions.

1013 3. The future land use plan element shall include criteria
 1014 to be used to:

1015 a. Achieve the compatibility of lands adjacent or closely
 1016 proximate to military installations, considering factors
 1017 identified in s. 163.3175(5).

1018 b. Achieve the compatibility of lands adjacent to an
 1019 airport as defined in s. 330.35 and consistent with s. 333.02.

1020 c. Encourage preservation of recreational and commercial
 1021 working waterfronts for water-dependent uses in coastal
 1022 communities.

1023 d. Encourage the location of schools proximate to urban
 1024 residential areas to the extent possible.

1025 e. Coordinate future land uses with the topography and

1026 soil conditions, and the availability of facilities and
 1027 services.

1028 f. Ensure the protection of natural and historic
 1029 resources.

1030 g. Provide for the compatibility of adjacent land uses.

1031 h. Provide guidelines for the implementation of mixed-use
 1032 development including the types of uses allowed, the percentage
 1033 distribution among the mix of uses, or other standards, and the
 1034 density and intensity of each use.

1035 4. The amount of land designated for future planned uses
 1036 shall provide a balance of uses that foster vibrant, viable
 1037 communities and economic development opportunities and address
 1038 outdated development patterns, such as antiquated subdivisions.
 1039 The amount of land designated for future land uses should allow
 1040 the operation of real estate markets to provide adequate choices
 1041 for permanent and seasonal residents and business and may not be
 1042 limited solely by the projected population. The element shall
 1043 accommodate at least the minimum amount of land required to
 1044 accommodate the medium projections as published by the Office of
 1045 Economic and Demographic Research for at least a 10-year
 1046 planning period unless otherwise limited under s. 380.05,
 1047 including related rules of the Administration Commission.

1048 5. The future land use plan of a county may designate
 1049 areas for possible future municipal incorporation.

1050 6. The land use maps or map series shall generally

1051 identify and depict historic district boundaries and shall
 1052 designate historically significant properties meriting
 1053 protection.

1054 7. The future land use element must clearly identify the
 1055 land use categories in which public schools are an allowable
 1056 use. When delineating the land use categories in which public
 1057 schools are an allowable use, a local government shall include
 1058 in the categories sufficient land proximate to residential
 1059 development to meet the projected needs for schools in
 1060 coordination with public school boards and may establish
 1061 differing criteria for schools of different type or size. Each
 1062 local government shall include lands contiguous to existing
 1063 school sites, to the maximum extent possible, within the land
 1064 use categories in which public schools are an allowable use.

1065 8. Future land use map amendments shall be based upon the
 1066 following analyses:

1067 a. An analysis of the availability of facilities and
 1068 services.

1069 b. An analysis of the suitability of the plan amendment
 1070 for its proposed use considering the character of the
 1071 undeveloped land, soils, topography, natural resources, and
 1072 historic resources on site.

1073 c. An analysis of the minimum amount of land needed to
 1074 achieve the goals and requirements of this section.

1075 9. The future land use element must ~~and any amendment to~~

1076 ~~the future land use element shall~~ discourage the proliferation
1077 of urban sprawl by planning for future development as provided
1078 in this section.

1079 a. The primary indicators that a plan or plan amendment
1080 does not discourage the proliferation of urban sprawl are listed
1081 below. The evaluation of the presence of these indicators shall
1082 consist of an analysis of the plan or plan amendment within the
1083 context of features and characteristics unique to each locality
1084 in order to determine whether the plan or plan amendment:

1085 (I) Promotes, allows, or designates for development
1086 substantial areas of the jurisdiction to develop as low-
1087 intensity, low-density, or single-use development or uses.

1088 (II) Promotes, allows, or designates significant amounts
1089 of urban development to occur in rural areas at substantial
1090 distances from existing urban areas while not using undeveloped
1091 lands that are available and suitable for development.

1092 (III) Promotes, allows, or designates urban development in
1093 radial, strip, isolated, or ribbon patterns generally emanating
1094 from existing urban developments.

1095 (IV) Fails to adequately protect and conserve natural
1096 resources, such as wetlands, floodplains, native vegetation,
1097 environmentally sensitive areas, natural groundwater aquifer
1098 recharge areas, lakes, rivers, shorelines, beaches, bays,
1099 estuarine systems, and other significant natural systems.

1100 (V) Fails to adequately protect adjacent agricultural

1101 areas and activities, including silviculture, active
 1102 agricultural and silvicultural activities, passive agricultural
 1103 activities, and dormant, unique, and prime farmlands and soils.

1104 (VI) Fails to maximize use of existing public facilities
 1105 and services.

1106 (VII) Fails to maximize use of future public facilities
 1107 and services.

1108 (VIII) Allows for land use patterns or timing which
 1109 disproportionately increase the cost in time, money, and energy
 1110 of providing and maintaining facilities and services, including
 1111 roads, potable water, sanitary sewer, stormwater management, law
 1112 enforcement, education, health care, fire and emergency
 1113 response, and general government.

1114 (IX) Fails to provide a clear separation between rural and
 1115 urban uses.

1116 (X) Discourages or inhibits infill development or the
 1117 redevelopment of existing neighborhoods and communities.

1118 (XI) Fails to encourage a functional mix of uses.

1119 (XII) Results in poor accessibility among linked or
 1120 related land uses.

1121 (XIII) Results in the loss of significant amounts of
 1122 functional open space.

1123 b. The future land use element or plan amendment shall be
 1124 determined to discourage the proliferation of urban sprawl if it
 1125 incorporates a development pattern or urban form that achieves

1126 four or more of the following:

1127 (I) Directs or locates economic growth and associated land
1128 development to geographic areas of the community in a manner
1129 that does not have an adverse impact on and protects natural
1130 resources and ecosystems.

1131 (II) Promotes the efficient and cost-effective provision
1132 or extension of public infrastructure and services.

1133 (III) Promotes walkable and connected communities and
1134 provides for compact development and a mix of uses at densities
1135 and intensities that will support a range of housing choices and
1136 a multimodal transportation system, including pedestrian,
1137 bicycle, and transit, if available.

1138 (IV) Promotes conservation of water and energy.

1139 (V) Preserves agricultural areas and activities, including
1140 silviculture, and dormant, unique, and prime farmlands and
1141 soils.

1142 (VI) Preserves open space and natural lands and provides
1143 for public open space and recreation needs.

1144 (VII) Creates a balance of land uses based upon demands of
1145 the residential population for the nonresidential needs of an
1146 area.

1147 (VIII) Provides uses, densities, and intensities of use
1148 and urban form that would remediate an existing or planned
1149 development pattern in the vicinity that constitutes sprawl or
1150 if it provides for an innovative development pattern such as

1151 transit-oriented developments or new towns as defined in s.
 1152 163.3164.

1153 10. The future land use element shall include a future
 1154 land use map or map series.

1155 a. The proposed distribution, extent, and location of the
 1156 following uses shall be shown on the future land use map or map
 1157 series:

1158 (I) Residential.

1159 (II) Commercial.

1160 (III) Industrial.

1161 (IV) Agricultural.

1162 (V) Recreational.

1163 (VI) Conservation.

1164 (VII) Educational.

1165 (VIII) Public.

1166 b. The following areas shall also be shown on the future
 1167 land use map or map series, if applicable:

1168 (I) Historic district boundaries and designated
 1169 historically significant properties.

1170 (II) Transportation concurrency management area boundaries
 1171 or transportation concurrency exception area boundaries.

1172 (III) Multimodal transportation district boundaries.

1173 (IV) Mixed-use categories.

1174 c. The following natural resources or conditions shall be
 1175 shown on the future land use map or map series, if applicable:

1176 (I) Existing and planned public potable waterwells, cones
 1177 of influence, and wellhead protection areas.

1178 (II) Beaches and shores, including estuarine systems.

1179 (III) Rivers, bays, lakes, floodplains, and harbors.

1180 (IV) Wetlands.

1181 (V) Minerals and soils.

1182 (VI) Coastal high hazard areas.

1183 **Section 8. Paragraph (e) of subsection (8) of section**
 1184 **163.3167, Florida Statutes, is redesignated as paragraph (f),**
 1185 **and paragraph (e) is added to that subsection, to read:**

1186 163.3167 Scope of act.—

1187 (8)

1188 (e) The approval of an increase in height or floor area
 1189 ratio in the land development regulations by a local government,
 1190 commission, council, or board shall be by ordinance with a
 1191 simple majority vote. For purposes of this paragraph, the term
 1192 "floor area ratio" includes floor lot area.

1193 **Section 9. Section 163.31771, Florida Statutes, is amended**
 1194 **to read:**

1195 163.31771 Accessory dwelling units.—

1196 (1) The Legislature finds that the median price of homes
 1197 in this state has increased steadily over the last decade and at
 1198 a greater rate of increase than the median income in many urban
 1199 areas. The Legislature finds that the cost of rental housing has
 1200 also increased steadily and the cost often exceeds an amount

1201 that is affordable to extremely-low-income, very-low-income,
1202 low-income, or moderate-income persons and has resulted in a
1203 critical shortage of affordable rentals in many urban areas in
1204 the state. This shortage of affordable rentals constitutes a
1205 threat to the health, safety, and welfare of the residents of
1206 the state. Therefore, the Legislature finds that it serves an
1207 important public purpose to encourage the permitting of
1208 accessory dwelling units in single-family residential areas in
1209 order to increase the availability of affordable rentals for
1210 extremely-low-income, very-low-income, low-income, or moderate-
1211 income persons.

1212 (2) As used in this section, the term:

1213 (a) "Accessory dwelling unit" means an ancillary or
1214 secondary living unit, that has a separate kitchen, bathroom,
1215 and sleeping area, existing either within the same structure, or
1216 on the same lot, as the primary dwelling unit.

1217 (b) "Affordable rental" means that monthly rent and
1218 utilities do not exceed 30 percent of that amount which
1219 represents the percentage of the median adjusted gross annual
1220 income for extremely-low-income, very-low-income, low-income, or
1221 moderate-income persons.

1222 (c) "Department" means the Department of Commerce.

1223 (d)~~(g)~~ "Extremely-low-income persons" has the same meaning
1224 as in s. 420.0004(9).

1225 (e)~~(e)~~ "Local government" means a county or municipality.

1226 (f)~~(d)~~ "Low-income persons" has the same meaning as in s.
1227 420.0004(11).

1228 (g)~~(e)~~ "Moderate-income persons" has the same meaning as
1229 in s. 420.0004(12).

1230 (h)~~(f)~~ "Very-low-income persons" has the same meaning as
1231 in s. 420.0004(17).

1232 (3) A local government shall ~~may~~ adopt an ordinance to
1233 allow accessory dwelling units in any area zoned for single-
1234 family residential use. A local government may not directly,
1235 unreasonably increase, or in effect unreasonably increase, the
1236 cost to construct, in effect prohibit the construction of, or
1237 extinguish the ability to otherwise construct an accessory
1238 dwelling unit. Such regulation does not include:

1239 (a) Restrictions on the terms of rentals that do not apply
1240 generally to other housing in the same district or zone.

1241 (b) Parking requirements and minimum lot size requirements
1242 that do not apply general to other housing in the same district
1243 or zone, other lot design regulations that unreasonably increase
1244 the cost to construct or unreasonably extinguish the ability to
1245 construct an accessory dwelling unit on a lot.

1246 (c) Discretionary conditional use permit procedures or
1247 standards that do not apply generally to other housing in the
1248 same district or zone.

1249 ~~(4) An application for a building permit to construct an~~
1250 ~~accessory dwelling unit must include an affidavit from the~~

1251 ~~applicant which attests that the unit will be rented at an~~
1252 ~~affordable rate to an extremely low income, very low income,~~
1253 ~~low income, or moderate income person or persons.~~

1254 (4)~~(5)~~ Each accessory dwelling unit allowed by an
1255 ordinance adopted under this section applies ~~shall apply~~ toward
1256 satisfying the affordable housing component of the housing
1257 element in the local government's comprehensive plan under s.
1258 163.3177(6)(f).

1259 (5)(a) Beginning October 1, 2025, and by October 1 every
1260 year thereafter, the local government shall submit an annual
1261 report to the department, in a form and manner prescribed by the
1262 department, and post publicly on its website, the following
1263 information for the previous fiscal year:

1264 1. The number of applications to construct new accessory
1265 dwelling units, the number of new accessory dwelling units that
1266 have been approved, and the number of new accessory dwelling
1267 units that have been denied, and the reason for denial.

1268 2. The number of allowable accessory dwelling units
1269 located in the jurisdiction, the number of accessory dwelling
1270 units, attached or unattached, which are not allowed by an
1271 ordinance, and the number of single-family homes in a zoning
1272 district in which accessory dwelling units are allowed by an
1273 ordinance.

1274 (b) The department may adopt rules to administer and
1275 enforce this subsection.

1276 (6) (a) The owner of property with an accessory dwelling
 1277 unit may not be denied a homestead exemption or homestead
 1278 property assessment limitation solely on the basis of the
 1279 property containing an accessory dwelling unit which may be
 1280 rented.

1281 (b) If the accessory dwelling unit is rented by the
 1282 property owner:

1283 1. The assessment of the accessory dwelling unit must be
 1284 separated from the homestead property.

1285 2. It may not be construed as an abandonment of the
 1286 dwelling previously claimed to be a homestead under s. 196.061,
 1287 provided such dwelling is physically occupied by the owner.

1288 (c) If the accessory dwelling unit is not rented by the
 1289 property owner, the assessment of the accessory dwelling unit
 1290 must be considered part of the homestead property.

1291 **Section 10. Paragraphs (a) and (b) of subsection (1) of**
 1292 **section 196.1979, Florida Statutes, are amended to read:**

1293 196.1979 County and municipal affordable housing property
 1294 exemption.—

1295 (1) (a) Notwithstanding ss. 196.195 and 196.196, the board
 1296 of county commissioners of a county or the governing body of a
 1297 municipality may adopt an ordinance to exempt those portions of
 1298 property used to provide affordable housing meeting the
 1299 requirements of this section. Such property is considered
 1300 property used for a charitable purpose. To be eligible for the

1301 exemption, the portions of property:

1302 1. Must be used to house natural persons or families whose

1303 annual household income:

1304 a. Is greater than 30 percent but not more than 60 percent

1305 of the median annual adjusted gross income for households within

1306 the metropolitan statistical area or, if not within a

1307 metropolitan statistical area, within the county where ~~in which~~

1308 the person or family resides; or

1309 b. Does not exceed 30 percent of the median annual

1310 adjusted gross income for households within the metropolitan

1311 statistical area or, if not within a metropolitan statistical

1312 area, within the county where ~~in which~~ the person or family

1313 resides.~~†~~

1314 2.a. Must be within a multifamily project containing at

1315 least the minimum number of residential units as defined by the

1316 county or municipality that adopts an ordinance under this

1317 section; a county or municipality that adopts an ordinance under

1318 this section may set a minimum residential unit threshold that

1319 deems a property eligible for the exemption for properties that

1320 exceed 15,000 square feet, at a minimum of 5 units not to exceed

1321 a minimum of 50 residential units ~~50 or more residential units,~~

1322 ~~at least 20 percent of which are used to provide affordable~~

1323 ~~housing that meets the requirements of this section; or~~

1324 b. Must be an accessory dwelling unit as defined in s.

1325 163.31771(2).

1326 3. Must be rented for an amount no greater than the amount
 1327 as specified by the most recent multifamily rental programs
 1328 income and rent limit chart posted by the corporation and
 1329 derived from the Multifamily Tax Subsidy Projects Income Limits
 1330 published by the United States Department of Housing and Urban
 1331 Development or 90 percent of the fair market value rent as
 1332 determined by a rental market study meeting the requirements of
 1333 subsection (4), whichever is less.~~†~~

1334 4. May not have been cited for code violations on three or
 1335 more occasions in the 24 months before the submission of a tax
 1336 exemption application.†

1337 5. May not have any cited code violations that have not
 1338 been properly remedied by the property owner before the
 1339 submission of a tax exemption application.†~~and~~

1340 6. May not have any unpaid fines or charges relating to
 1341 the cited code violations. Payment of unpaid fines or charges
 1342 before a final determination on a property's qualification for
 1343 an exemption under this section will not exclude such property
 1344 from eligibility if the property otherwise complies with all
 1345 other requirements for the exemption.

1346 (b) Qualified property may receive an ad valorem property
 1347 tax exemption of:

1348 1. Up to 75 percent of the assessed value of each
 1349 residential unit used to provide affordable housing if fewer
 1350 than 100 percent of the multifamily project's residential units

1351 are used to provide affordable housing meeting the requirements
 1352 of this section.

1353 2. Up to 100 percent of the assessed value of each
 1354 residential unit used to provide affordable housing if 100
 1355 percent of the multifamily project's residential units are used
 1356 to provide affordable housing meeting the requirements of this
 1357 section.

1358 3. Up to 100 percent of the assessed value of the
 1359 accessory dwelling unit if the unit is used to provide
 1360 affordable housing meeting the requirements of this section.

1361 **Section 11. Paragraph (a) of subsection (5) of section**
 1362 **333.03, Florida Statutes, is amended to read:**

1363 333.03 Requirement to adopt airport zoning regulations.—

1364 (5) Sections 125.01055(7) and 166.04151(7) do not apply to
 1365 any of the following:

1366 (a) A proposed development ~~near a runway~~ within one-
 1367 quarter of a mile laterally from the runway edge and within an
 1368 area that is the width of one-quarter of a mile extending at
 1369 right angles from the end of the runway for a distance of 10,000
 1370 feet of any runway for an existing commercial service airport
 1371 ~~runway~~ or planned commercial service airport runway identified
 1372 in the local government's airport master plan. As used in this
 1373 paragraph, the term "commercial service airport" has the same
 1374 meaning as in s. 332.0075(1).

1375 **Section 12. Paragraph (d) of subsection (1) of section**

1376 **420.50871, Florida Statutes, is amended, and paragraph (e) is**
 1377 **added to subsection (1) of that section, to read:**

1378 420.50871 Allocation of increased revenues derived from
 1379 amendments to s. 201.15 made by ch. 2023-17.—Funds that result
 1380 from increased revenues to the State Housing Trust Fund derived
 1381 from amendments made to s. 201.15 made by chapter 2023-17, Laws
 1382 of Florida, must be used annually for projects under the State
 1383 Apartment Incentive Loan Program under s. 420.5087 as set forth
 1384 in this section, notwithstanding ss. 420.507(48) and (50) and
 1385 420.5087(1) and (3). The Legislature intends for these funds to
 1386 provide for innovative projects that provide affordable and
 1387 attainable housing for persons and families working, going to
 1388 school, or living in this state. Projects approved under this
 1389 section are intended to provide housing that is affordable as
 1390 defined in s. 420.0004, notwithstanding the income limitations
 1391 in s. 420.5087(2). Beginning in the 2023-2024 fiscal year and
 1392 annually for 10 years thereafter:

1393 (1) The corporation shall allocate 70 percent of the funds
 1394 provided by this section to issue competitive requests for
 1395 application for the affordable housing project purposes
 1396 specified in this subsection. The corporation shall finance
 1397 projects that:

1398 (d) Provide housing near military installations and United
 1399 States Department of Veterans Affairs medical centers or
 1400 outpatient clinics in this state, with preference given to

1401 projects that incorporate critical services for servicemembers,
1402 their families, and veterans, such as mental health treatment
1403 services, employment services, and assistance with transition
1404 from active-duty service to civilian life.

1405 (e) Provide housing in areas of critical housing shortage
1406 for essential service and high-demand career employees through a
1407 public-private housing partnership agreement with major public
1408 and private sector employers for whom housing shortages are
1409 affecting recruitment and retention of workers. Private sector
1410 employers shall provide land and financial support for the
1411 housing projects. Housing may not be exclusive to any specific
1412 employee group.

1413 **Section 13. Section 702.13, Florida Statutes, is created**
1414 **to read:**

1415 702.13 Expedited foreclosure proceedings for abandoned
1416 real property.-

1417 (1) As used in this section, the term:

1418 (a) "Abandoned real property" means residential real
1419 property that a homeowner does not continue to occupancy or use,
1420 and at least three of the following indications of abandonment
1421 are met:

1422 1. Furnishings and personal items consistent with
1423 residential occupancy are not present on the property;

1424 2. Public utility services, such as gas, electric, or
1425 water utilities, are disconnected;

1426 3. Windows on the property are boarded up or closed off;
1427 smashed, broken, or unhinged; or window panes are broken and
1428 unrepaired;

1429 4. Statements are provided by neighbors, delivery agents,
1430 or government employees that the property is vacant;

1431 5. Doors on the property are substantially damaged,
1432 broken, unhinged, or conspicuously open;

1433 6. The property is stripped of copper or any other
1434 nonferrous metal, including, but not limited to, copper, copper
1435 alloy, brass, aluminum, bronze, lead, zinc, nickel, and alloys
1436 thereof, or any interior fixtures are removed;

1437 7. At least one report has been received by law
1438 enforcement officials of trespassing, vandalism, or other
1439 illegal activity on the property within the immediately
1440 preceding 6 months;

1441 8. The property has been declared unfit for occupancy and
1442 ordered to remain vacant and unoccupied under an order issued by
1443 a municipal authority or county authority, or by a court of
1444 competent jurisdiction;

1445 9. Construction has been initiated on the property but is
1446 discontinued before completion, leaving the property unsuitable
1447 for occupancy, and construction has not taken place for at least
1448 12 months;

1449 10. Newspapers, circulars, flyers, or mail has accumulated
1450 on the property or the United States Postal Service has

1451 discontinued delivery to the property;
1452 11. Rubbish, trash, debris, neglected vegetation, or
1453 natural overgrowth has accumulated on the property;
1454 12. Hazardous, noxious, or unhealthy substances or
1455 materials have accumulated on the property;
1456 13. The homeowner or a representative for the property
1457 cannot be reached after a credible attempt to communicate; or
1458 14. Other credible indications exist indicating that the
1459 homeowner has vacated and abandoned the property.
1460 (b) "Claimant" means a person or entity claiming a legal
1461 right to initiate a foreclosure action, including:
1462 1. A mortgagee as defined in s. 701.041.
1463 2. A tax lienholder or a tax certificate holder pursuant
1464 to chapter 197.
1465 3. A homeowners' association or a condominium association
1466 enforcing a lien pursuant to s. 718.116 or s. 720.3085.
1467 4. A county, municipality, or other governmental entity
1468 enforcing a lien for:
1469 a. Code violations pursuant to chapter 162.
1470 b. Utility services pursuant to chapter 159 or local
1471 ordinance.
1472 c. Environmental cleanup pursuant to chapters 376 and 403.
1473 d. Special assessments pursuant to chapters 170 and 197.
1474 5. A mechanic or laborer enforcing a lien under part II
1475 of chapter 713.

1476 6. A judgment lienholder pursuant to chapter 55.

1477 7. State tax authorities enforcing a lien pursuant to s.
1478 213.758 or s. 192.091, including a lien for unpaid taxes
1479 administered by the Florida Department of Revenue.

1480 8. Special districts, including, but not limited to,
1481 Community Development Districts, enforcing a lien pursuant to
1482 chapters 189 and 190.

1483 9. Other governmental or quasi-governmental entities,
1484 including water management districts and public hospital boards,
1485 enforcing a lien pursuant to s. 373.503 or s. 154.02.

1486 10. A lienholder authorized to request an order to show
1487 cause for the entry of final judgment in a foreclosure action
1488 pursuant to s. 702.10.

1489 11. Any other person or entity authorized by general law
1490 to initiate a foreclosure action or enforce a lien against real
1491 property.

1492 (c) "Delinquent party" means the person or entity against
1493 whom a foreclosure action has been initiated, including, but not
1494 limited to, a person or entity in arrears or default under the
1495 terms of a lien, a mortgage, or any other obligation.

1496 (d) "Mortgagor" has the same meaning as in s.
1497 701.041 (1) (d).

1498 (e) "Real property" has the same meaning as in s. 475.801.

1499 (2) (a) In a foreclosure proceeding under this chapter
1500 involving residential real property, the claimant may file a

1501 motion with the trial court for a judicial determination that
1502 the residential real property is abandoned real property. The
1503 claimant must file a sworn affidavit with the trial court
1504 attesting that the residential real property is "abandoned real
1505 property," as defined in subsection (1), and any other relevant
1506 documentation, including photographic documentation.

1507 (b) Upon filing of the motion, the trial court shall set
1508 the date and time for a hearing on the motion, which must be
1509 conducted at least 15 days but no more than 25 days after the
1510 filing of the motion.

1511 (3) (a) The claimant shall give written notice to the
1512 homeowner and to each known delinquent party. Notice shall be
1513 promptly delivered or sent pursuant to s. 715.104(3) to the last
1514 known mailing address of the homeowner and to each known
1515 delinquent party. In addition, notice shall be sent to the last
1516 known e-mail address of the homeowner and to each known
1517 delinquent party, and shall be given by telephone communication
1518 to the last known telephone number of the homeowner and each
1519 known delinquent party. Notice under this paragraph must include
1520 the following information:

1521 1. State that a motion has been filed with the trial court
1522 to make a judicial determination as to whether the residential
1523 real property is abandoned real property and that a hearing
1524 regarding the motion has been set.

1525 2. State the contact information of the trial court to

1526 which the motion was filed and the date and location of the
1527 hearing on the motion.

1528 3. State the definition of abandoned real property
1529 pursuant to subsection (1).

1530 4. State the possible outcomes if the court makes a
1531 judicial determination that the residential real property is
1532 abandoned real property, including the possibility of an
1533 expeditious foreclosure on the property.

1534 5. State that the homeowner or delinquent party has the
1535 right to file an affidavit attesting to legal residence at the
1536 property, or any other documentation of legal residence at the
1537 property, at the time of the hearing and may appear personally
1538 or by way of an attorney at the hearing.

1539 6. State that a mortgagor, lawful occupant, or adverse
1540 possessor of the residential real property under s. 95.18 may
1541 contact the trial court for information about the motion and
1542 hearing or to object on the record to the motion.

1543 7. Provide copies of the motion and any documentation in
1544 support of the motion, including photographic and other relevant
1545 documentation.

1546 (b) The claimant shall conspicuously post on the
1547 residential real property a notice printed in at least 12-point
1548 uppercase and boldfaced type. The notice must state the
1549 information in paragraph (a)1.-6. The claimant shall file with
1550 the trial court photographic documentation of compliance with

1551 this paragraph after posting the notice on the residential real
1552 property.

1553 (4) (a) At the hearing on the motion, if the trial court
1554 finds by a preponderance of the evidence that the residential
1555 real property is abandoned real property, the court shall render
1556 a declaratory judgment in favor of the claimant and immediately
1557 proceed to a trial of foreclosure pursuant to this chapter.

1558 (b) If the trial court finds at the foreclosure trial that
1559 the abandoned real property meets all requirements necessary to
1560 enter a judgement of foreclosure pursuant to s. 702.036, the
1561 court must promptly order the clerk to schedule a public sale of
1562 the abandoned real property pursuant to s. 45.031.

1563 (5) (a) If a mortgagor, a lawful occupant, or a person
1564 claiming adverse possession pursuant to s. 95.18 objects to the
1565 trial court's judicial determination under subsection(4) (a) and
1566 submits the appropriate documentation with the court, the court
1567 may not enter a declaratory judgment in favor of the claimant.

1568 (b) If, before the sale of the abandoned real property
1569 pursuant to subsection (4) (b), a mortgagor, a lawful occupant,
1570 or a person claiming adverse possession pursuant to s. 95.18
1571 presents sufficient evidence to the court that the property is
1572 not abandoned real property, the court shall rescind the orders
1573 it issued pursuant to subsection (4) (a) and (b).

1574 (6) (a) This section applies to residential real property
1575 that is abandoned. Residential real property is abandoned if:

1576 1. The homeowner or delinquent party delivers a written,
 1577 signed statement declaring the residential real property to be
 1578 abandoned; or

1579 2. The residential real property is considered "abandoned
 1580 real property," as defined in subsection (1).

1581 (b) This section does not apply to residential real
 1582 property that is:

1583 1. Subject to an action to quiet title pursuant to s.
 1584 65.011, s. 65.021, s. 65.061, or s. 65.071.

1585 2. Subject to a probate action pursuant to chapter 733.

1586 3. The subject of any other litigation where the ownership
 1587 of the property is actively disputed.

1588 4. An unoccupied dwelling or building undergoing
 1589 construction, renovation, or any other manner of rehabilitation,
 1590 which complies with all applicable state and local permitting
 1591 requirements and regulations.

1592 **Section 14. Section 760.26, Florida Statutes, is amended**
 1593 **to read:**

1594 760.26 Prohibited discrimination in land use decisions and
 1595 in permitting of development.—

1596 (1) It is unlawful to discriminate in land use decisions
 1597 or in the permitting of development based on race, color,
 1598 national origin, sex, disability, familial status, religion, or,
 1599 except as otherwise provided by law, the source of financing of
 1600 a development or proposed development or based on the

1601 development or proposed development being affordable housing as
 1602 defined under s. 420.0004(3).

1603 (2) To ensure that courts may assess damages for claims
 1604 filed under this section in accordance with s. 13, Art. X of the
 1605 State Constitution, the state, for itself and its agencies or
 1606 political subdivisions, waives sovereign immunity for causes of
 1607 action based on the application of this section. Such waiver is
 1608 limited only to actions brought under this section. A violation
 1609 of this section may be remedied as provided by s. 760.35.

1610 **Section 15.** It is the intent of the Legislature that the
 1611 amendment to s. 760.26, Florida Statutes, is remedial and
 1612 clarifying in nature, and shall apply retroactively for any
 1613 causes of action filed on or before the effective date of the
 1614 passage of this act.

1615 **Section 16. Subsection (29) of section 479.01, Florida**
 1616 **Statutes, is amended to read:**

1617 479.01 Definitions.—As used in this chapter, the term:

1618 (29) "Zoning category" means the designation under the
 1619 land development regulations or other similar ordinance enacted
 1620 to regulate the use of land as provided in s. 163.3202(2)(c) ~~s.~~
 1621 ~~163.3202(2)(b)~~, which designation sets forth the allowable uses,
 1622 restrictions, and limitations on use applicable to properties
 1623 within the category.

1624 **Section 17. Subsection (12) of section 1001.43, Florida**
 1625 **Statutes, is amended to read:**

1626 1001.43 Supplemental powers and duties of district school
 1627 board.—The district school board shall ~~may~~ exercise the
 1628 following supplemental powers and duties as authorized by this
 1629 code or State Board of Education rule.

1630 (12) AFFORDABLE HOUSING.—

1631 (a) A district school board shall ~~may~~ use portions of
 1632 school sites purchased within the guidelines of the State
 1633 Requirements for Educational Facilities, land deemed not usable
 1634 for educational purposes because of location or other factors,
 1635 or land declared as surplus by the board ~~to provide sites for~~
 1636 ~~affordable housing for teachers and other district personnel~~
 1637 ~~and, in areas of critical state concern, for other essential~~
 1638 ~~services personnel as defined by local affordable housing~~
 1639 ~~eligibility requirements, independently or in conjunction with~~
 1640 ~~other agencies as described in subsection (5).~~

1641 (b) Each district school board shall adopt best practices
 1642 for surplus land programs, including, but not limited to:

1643 1. Establishing eligibility criteria for the receipt or
 1644 purchase of surplus land by developers.

1645 2. Making the process for requesting surplus lands
 1646 publicly available.

1647 3. Ensuring long-term affordability through ground leases
 1648 by retaining the right of first refusal to purchase property
 1649 that would be sold or offered at market rate and by requiring
 1650 reversion of property not used for affordable housing within a

HB 943

2025

1651 certain timeframe.

1652 4. Each district school board's most recent and all future
1653 educational plan surveys conducted pursuant to s. 235.15 shall
1654 be updated to include an inventory list of such surplus lands.

1655 **Section 18.** This act shall take effect July 1, 2025.