

CITY OF CORAL GABLES

- MEMORANDUM -

TO: HONORABLE PLANNING & ZONING BOARD MEMBERS **DATE:** MARCH 12, 2025

FROM: STAFF **SUBJECT:** UPDATES TO LIVE LOCAL

The Live Local Act, initially established under Senate Bill No. 102, Chapter 2023-17, Law of Florida, and amended by Senate Bill No. 328, Chapter 2024-188, is a preemptive law by the State Legislature to enhance affordable housing and promote sustainable urban development within the State's counties and municipalities.

Zoning Code text amendments were prepared for the September 11, 2024, Planning & Zoning Board meeting. To comply with the required implementation of the Live Local Act while maintaining the City's high design standards and planning principles, the proposed text amendments applicable to such projects include: prohibiting the receipt of Transfer of Development Rights (TDRs), restricting the use of Remote Parking except for Miracle Mile, disallowing shared parking reductions when utilizing the Live Local parking reductions, and requiring City Commission approval for certain transit-based parking reductions.

Following the September publication of the Planning & Zoning Board meeting with the proposed Zoning Code text amendments, an Implementation Order of the City Manager was executed to establish the specific applicability and process for reviewing affordable housing projects under the preemptions set forth in the Live Local Act. The application process includes a pre-application meeting, Development Review Committee (DRC) review, and Board of Architects (BOA) design approval. The Planning & Zoning Board's (PZB's) recommendation and the City Commission approval would be required for larger sites (20,000 square feet or more).

These measures align the City's implementation of the preemptive Live Local Act with state requirements while preserving local planning standards. The City ensures responsible growth, high design standards, and expanded affordable housing opportunities within the preemptions of the Act.

On February 24, 2025, the House of Representatives filed proposed amendments to the Live Local Act to include multi-family zones as applicable zoning districts, as well as other preemptions. On February 28, 2025, the Senate introduced its own version of amendments to the Live Local Act. The City Attorney's office and Staff are currently reviewing the potential impacts of these proposed amendments, and have attached both bills for the Board's reference.

ATTACHMENTS:

- Attachment A** – IO-2024-01 - Implementation of the Live Local Act
- Attachment B** – 09 11 24 PZB Staff Report and Recommendation
- Attachment C** – PowerPoint Presentation
- Attachment D** – Proposed House Bill 943
- Attachment E** – Proposed Senate Bill 1730



City of Coral Gables

Implementation Order of the City Manager

Implementing Order No.: 2024-001

Title: Implementation of the Live Local Act (Florida Statute 166.04151)

Effective: 12/17/24

AUTHORITY:

Chapter Law 2023-17 and 2024-188 (amending and enacting various Florida Statutes related to affordable housing)

PURPOSE

The purpose of this policy is to establish a process for qualifying developments to seek review and approval for affordable housing projects consistent with recent changes to State Law.

APPLICABILITY

A property owner that seeks to develop an affordable housing project pursuant to Florida Statute 166.04151 (Live Local Act) must satisfy the following conditions:

- The property must be located in a Mixed-Use zoned district
- At least 40% of the units must be affordable for a minimum period of 30 years
- At least 65% of the total square footage must be residential

ENTITLEMENTS

Per Florida Statute 166.04151, the proposed project must satisfy the above conditions to be eligible for the following:

- The project may build to the highest density permitted in any part of the city where residential development is allowed provided it otherwise complies with the Zoning Code
- The project may build to the highest currently allowed height of any residential or commercial property within one mile of the project, or up to three stories whichever is greater. Mediterranean bonus is not factored into this calculation.
- The project shall not build beyond 150% of the highest currently allowed Floor Area Ratio (FAR) of MX zoning
- If the proposed project is in the area of single-family residential as further outlined in Florida Statute 166.04151, the proposed project shall be in compliance with those provisions, including any applicable height restrictions

- The project may reduce the minimum parking requirements up to 20% when: 1) within ½ mile of a major transportation hub, which are the MetroRail stations; 2) has available parking within 600 feet; and 3) is accessible to transit and parking by safe, pedestrian-friendly means
- The project may apply for the Coral Gables Mediterranean Design bonus per Section 5-200 of the Zoning Code
- The Zoning Code applies to all aspects of the project except for use, density, Floor Area Ratio (FAR), building height, and allowed parking reduction (if applicable). (e.g. minimum unit size, setbacks, open space, mix of uses, etc.)

APPLICATION PROCESS

1. A Preapplication Meeting is required with the Planning & Zoning Division prior to submitting an application for initial review of the overall project information and identify the necessary documentation to be filed with the application(s).
2. The following documentation shall be submitted to the Development Review Committee (DRC) for review:
 - The Supporting Information as required on the Development Review Committee (DRC) Application Form, accessible at: <https://www.coralgables.com/department/development-services/applications-forms-and-general-information>.
 - A specific purpose survey demonstrating the 1-mile distance, with a brief analysis of the comparator site (its zoning, availability for bonus height, if sought, etc.).
 - Easily visible notes on the zoning legend indicating that proposed Live Local Act project is per Florida Statute 166.04151, specifically where the proposed project deviates from the zoning's height, density, Floor Area Ratio (FAR), use, or parking.
 - A table, with a diagram, indicating the ratio of 65%+ residential to any other use
 - An Affordability Report with proposed or expected rental rates for proposed affordable residential units (40% of units must target households making up to 120% of the area median income. The cost (including utilities) for such a unit cannot exceed 30% of the tenant's income, and will vary based on household size.)
 - Affidavit confirming a 30-year commitment to provide affordable housing
3. After the applicant is able to address all the applicable DRC comments, the proposed building design shall be submitted to the Board of Architects (BOA) for design review and approval, as well as any other required Boards review and processes.
4. For approval of a Building Site greater than 20,000 square feet per Section 2-201(D)(1) of the Zoning Code, the Planning and Zoning Board (PZB) shall review and make a recommendation to the City Commission for consideration of a mixed-use site plan approval. Pursuant to Florida Statute 166.04151, the proposed use, density, Floor Area Ratio (FAR), building height, and allowed parking reduction (if applicable) will not be considered in the public review process.
5. Prior to the Building Site approval, the affordable housing covenant shall be reviewed and approved by the City Attorney's Office.
6. All applicable DRC, BOA, PZB, and other Board fees apply.

ONGOING COMPLIANCE REQUIREMENTS

After completion of the proposed project, the following shall be required:

- Annual affordability review / affidavit requirement
- Covenant for 40% affordable units reporting requirements (audited)

APPROVED BY:



Amos Rojas, Jr.

City Manager

12/17/2024

Date



City of Coral Gables Planning and Zoning Staff Report

Applicant:	City of Coral Gables
Application:	<u>Zoning Code Text Amendments – Live Local Act</u>
Public Hearing:	Planning and Zoning Board
Date & Time:	September 11, 2024; 6:00 – 9:00 p.m
Location:	City Commission Chambers, City Hall, 405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables official Zoning Code Article 10, "Parking And Access," Section 10-109, "Remote Off-Street Parking And Payment-In-Lieu," Section 10-111, "Shared Parking Reduction Standards,," Section 10-112 "Miscellaneous Parking Standards," Article 14, "Process," Section 14-204, "Transfer Of Development Rights," to address the applicability of these provisions to projects utilizing provisions of the Live Local Act, CH. 2024-188, laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

The Live Local Act, initially established under Senate Bill No. 102, Chapter 2023-17, Law of Florida, and further amended by Senate Bill No. 328, Chapter 2024-188, Law of Florida, aims to enhance affordable housing and promote sustainable urban development within the state. These legislative acts introduced several key provisions requiring municipalities to adjust local zoning codes to comply with new state mandates. Staff has prepared Zoning Code text amendments for the City Commission to consider parking reductions for Live Local applications, as well as certain Transfer of Development Rights (TDRs) and shared parking restrictions for these affordable housing developments.

Originally adopted in 2023, Senate Bill No. 102, also known as the Live Local Act, was signed into law by Florida Governor Ron DeSantis on March 28, 2023, under Chapter 2023-17, Laws of Florida, and became effective on July 1, 2023. On May 16, 2024, Governor DeSantis signed Senate Bill No. 328 into law, referred to as the Live Local Act 2024 ("LLA 2024"). This new legislation amends and expands upon the affordable housing framework established by the original Live Local Act in 2023.

The Live Local Act states a municipality cannot require a proposed mixed-use development with mixed-use zoning to obtain a zoning or land use change if the proposed mixed-use development delivers a minimum of 40% affordable housing. Under the Live Local Act provisions, proposed developments can have the highest allowable density allowed in the municipality (with certain restrictions), the highest allowable height (with certain restrictions) for a commercial development within 1 mile of the proposed development, and 150 percent of the highest currently allowed floor area ratio (with certain restrictions).

The Live Local Act mandates that municipalities must consider reducing parking requirements for proposed mixed-

use developments located within one-quarter mile of an accessible transit stop. Additionally, the Act requires a parking reduction of at least 20 percent for mixed-use developments situated within one-half mile of an accessible major transportation hub. The Act defines a major transportation hub as “any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.”

The City of Coral Gables aims to comply with the State’s newly adopted regulations while preserving the City’s higher standards. The Live Local Act provides for State-mandated development entitlements; however, certain City-provided bonuses and incentives – such as Transfer of Development Rights (TDRs) and Shared Parking - would intensify potentially incompatible development within the City. Therefore to address the applicability of these provisions to projects utilizing the Live Local Act, staff has drafted zoning code text amendments, summarized as follows:

- Live Local applications are prohibited to utilized Remote Parking, except for Miracle Mile;
- Live Local applications are prohibited to apply a shared parking reduction when utilizing the Live Local parking reductions;
- City Commission will consider a 10% parking reduction for Live Local applications within ¼-mile of a transit stop;
- City Commission can grant a 20% parking reduction for Live Local applications within ½-mile of a major transportation hub; and
- Live Local applications are prohibited to received Transfer of Development Rights (TDRs).

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendments are provided below in ~~striketrough~~/underline format.

ARTICLE 10. PARKING AND ACCESS

Section 10-109. Remote off-street parking and Payment-in-lieu.

A. Remote off-street parking. Use of Remote Parking may be allowed as an alternative to, or in conjunction with providing required parking onsite. The one-time payment into the Parking Trust Fund for use of Remote Parking shall be satisfied for one hundred percent (100%) of the requested remote parking spaces to comply with up to one hundred percent (100%) of the required on-site parking and shall be collected prior to the issuance of a building permit in the amount established by the City Commission.

2. Applicability.

- a. Location of remote parking spaces. The proposed building site location and the location of the remote parking spaces shall both be located within the CBD, the Design & Innovation District, or located within one-hundred (100) feet of the Ponce de Leon right of way, south of SW 8th Street. The remote parking facility(ies) shall not be located in a single-family zoning district.
- b. Distance. The remote parking spaces shall be located within one thousand (1,000) feet of the building site, measured from the property line of the site to the property line of the off-street parking facility(ies) containing the remote parking spaces.
- c. Minimum and maximum remote parking. A minimum of ten (10) remote parking spaces shall be requested and up to one-hundred (100%) percent of the Code required off-street parking. A Payment-in-lieu may be requested if a building site requires less than ten (10) off-site parking spaces.

- d. Approval process. Remote off-street parking for new construction requesting more than twenty-five (25) parking spaces shall be subject to a Conditional Use approval as set-forth in Article 14-203.2 of the Zoning Code, including conditions to allow a combination of Remote Parking and Payment-in-lieu. The Development Services Director may review and approve an requesting twenty-five (25) remote off-street parking spaces or less located in the City upon finding that all of the requirements of this subsection have been satisfied.
- e. Miracle Mile. Projects facing Miracle Mile shall remote park one hundred percent (100%) of their required parking with no reductions. No minimum number of remote parking spaces are required. The Development Services Director may review and approve an application requesting less than twenty-five (25) remote off-street parking spaces.
- f. Restrictions: Live Local application projects, as defined in the Live Local Act, Ch. 2024-188, Law of Florida, are prohibited to utilize Remote Parking, except for projects facing Miracle Mile.

Section 10-111. Shared parking reduction standards.

- C. Restrictions: Live Local applications shall not apply for a shared parking reduction when utilizing the parking reductions as specified in in the Live Local Act, Ch. 2024-188, Law of Florida.

Section 10-112. Miscellaneous parking standards.

D. The City Commission shall consider a parking reduction for affordable housing developments as defined in the Live Local Act, Ch. 2024-188, Laws of Florida under the following conditions:

1. Transit Stop.

- a. The development is located within one-quarter (1/4) mile of a transit stop. For the purpose of this subsection D, a transit stop shall be defined as a Miami-Dade County MetroRail or MetroBus stop, or municipal trolley stop.
- b. The transit stop is accessible from the proposed development by safe, pedestrian-friendly infrastructure, such as a connected network of sidewalks, crosswalks, bike paths, or other multimodal design features.
- c. The City Commission shall consider the impact of the parking reduction for the subject development and its compatibility with the surrounding area to allow a reduction of parking requirements by up to ten (10) percent for qualifying developments.

2. Major Transportation Hub.

- a. The development is located within one-half (1/2) mile of a major transportation hub. For the purpose of this subsection D, the term “major transportation hub” means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.
- b. The major transportation hub is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features.
- c. The City Commission shall reduce the parking requirements by at least twenty (20) percent for qualifying developments.

ARTICLE 14. PROCESS

Section 14-204. Transfer of Development Rights.

Section 14-204.7. Approvals and restrictions.

A. A Restrictive Covenant shall be required on both the sending and receiving properties outlining any/all applicable conditions of approval pursuant to these provisions. The Restrictive Covenant(s) shall require review and approval by the City Attorney prior to recordation. The applicants shall be responsible for all costs associated herein

B. The use of Transfer of Development Rights (TDRs) as receiver sites are prohibited for Live Local applications, as defined under Senate Bill No. 102, Chapter 2023-17, Law of Florida, and Senate Bill No. 328, Chapter 2024-188, Law of Florida.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	09.11.24
City Commission – 1 st Reading	TBD
City Commission – 2 nd Reading	TBD

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	08.26.24
Posted agenda and Staff report on City web page/City Hall	09.06.24

5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to the Zoning Code unless the text amendment:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to comply with the Live Local Action Bills, Florida’s Senate Bill No. 102, Ch. 2023-17, and Bill No. 328, Chapter 2024-188, Laws of Florida. This amendment provides zoning requirements for parking reductions and TDR restriction for affordable housing developments. Reducing the number of parking and vehicular

	trips to comply with the State’s mandates promotes public health, safety, and welfare by encouraging accessibility, walkability, and the use of public transit. Additionally, prohibiting TDR applications helps to maintain compatible intensity and floor area ratio (FAR), supporting sustainable urban growth.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not permit uses the Comprehensive Plan prohibits in the affected area.
c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The proposed text amendment to allow the City Commission to reduce parking requirements for qualifying affordable housing developments does not affect the densities or intensities of any future land use category. Additionally, by prohibiting the use of TDRs with Live Local applications, the amendment ensures that densities and intensities are compatible with what is permitted by the applicable future land use categories of the affected property.
d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	The proposed text amendment will not cause a decline in the level of service for public infrastructure, as each proposed development will be reviewed by Staff to ensure it meets the concurrency requirements. Furthermore, by prohibiting use of TDRs with Live Local applications, the amendment prevents increases in development intensity that could otherwise strain public infrastructure, thereby maintaining the required levels of service as outlined in the Comprehensive Plan.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not directly conflict with any objective or policy of the Comprehensive Plan. The proposed amendment meets Policy FLU-1.9.1., Policy FLU-1.11.1., Policy DES-1.1.2., Policy HOU-1.1.1., Policy HOU-1.1.4., Policy MOB-1.1., Policy MOB-1.1.2., Policy MOB-1.1.4., Policy MOB-3.1.1., and Policy MOB-3.1.2.

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1	Objective FLU-1.1. Preserve Coral Gables as a “placemaker” where the balance of existing and future uses is maintained to achieve a high quality living environment by encouraging compatible land uses, restoring and protecting the natural environment, and providing facilities and services which meet or exceed the minimum Level of Service (LOS) standards and meet the social and economic needs of the community through the Comprehensive Plan and Future Land Use Classifications and Map (see FLU-1: Future Land Use Map).	Complies
2	Policy FLU-1.9.1. Encourage balanced mixed use development in the central business district and adjoining commercial areas to promote pedestrian activity and provide for specific commitments to design excellence and long term economic and cultural vitality.	Complies
3	Policy FLU-1.11.1. Maintain and enforce effective development and maintenance	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	regulations through site plan review, code enforcement, and design review boards and committees.	
4	Policy DES-1.1.2. Provide for rigorous design guidelines, standards, and review processes via the City’s Zoning Code that ensure high quality design of buildings and spaces.	Complies
5	Goal HOU-1. Provide a supply of housing that addresses the City’s needs that shall include a variety of housing opportunities for all income ranges, provide housing diversity to enhance the City’s social and economic growth and continue to be a distinctive, diverse, attractive and desirable place to live.	Complies
6	Objective HOU-1.1. Provide adequate and affordable housing to satisfy the community needs for existing and future residents.	Complies
7	Policy HOU-1.1.1. The City shall support the involvement of county, regional, state, and federal agencies in housing production, including new construction and/or rehabilitation, where appropriate.	Complies
8	<p>Policy HOU-1.1.4. By 2011, the City shall amend its zoning code to provide for affordable/attainable housing programs to address the City’s fair share of regional affordable housing needs. This may include partnerships between the City and other local governments, affordable housing agencies, etc. The City shall examine a multi-pronged approach to address the City’s fair share of affordable housing which may include the following:</p> <ul style="list-style-type: none"> • Set-aside or unit delivery requirements. • Inclusionary zoning incentives. • Linkage fees. • Creation of affordable housing trust fund. • Affordable housing credits. • Waiver of City building fees, impact fees, etc. • Initiation of an expedited building permit and/or development review system. • Utilization of federal, state, regional and county programs including but not limited to the following: Florida’s State Housing Initiatives Partnership (SHIP), federal Community Development Block Grants (CDBG), and federal affordable housing tax credits. <p>As a part of the amendments, the City shall include principles and criteria for locating affordable/attainable housing that promotes access to a broad range of housing opportunities with a full complement of urban services through cooperation and coordination with the private sector, surrounding local governments and Miami-Dade County. Such principles shall include:</p> <ul style="list-style-type: none"> • Accessible to public transit. • Close proximity or readily accessible to employment centers, medical services, retail centers, social services, and/or governmental services. • Accessible to public parks, recreation areas, and/or open space systems. <p>The Workforce/Affordable Housing Study for the City of Coral Gables (revised 2006) attached as an Appendix shall be the background data and analysis for the completion of the above amendments.</p>	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
9	Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.	Complies
10	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
11	Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.	Complies
12	<p>Policy MOB-3.1.1. The City shall research various parking strategies and policies for consideration and possible adoption that may include one or more of the following:</p> <ul style="list-style-type: none"> • Additional opportunities for visible/clear signage identifying public parking facilities or opportunities to “intercept” vehicle parking patrons. • Wayfinding signage to direct “pedestrian parkers” to their destinations. • Quality pedestrian connections between the parking facility and the initial destination and secondary destination(s), and City trolley. • Creation of an online real-time access to parking location and occupancy information. • Performance based pricing within high demand areas. • Support a “park once” effort, whereas parking patrons become a “pedestrian” of “transit rider” between the City’s downtown, adjoining retail centers, business attractors, employment centers and the University of Miami. • Continue research on the use of shared parking for destinations for public facilities or the overall parking system. 	Complies
13	Policy MOB-3.1.2. Management of existing public facilities or future public facilities shall be based on a Level of Service (LOS) that provide parking for short term users (i.e., visitors) within 500 feet of their initial destination and beyond 500 feet for long term users.	Complies

Staff’s Findings: Based upon the Findings of Facts provided herein, Staff finds the Application satisfies the provisions of the Zoning Code provides the authority to comply with the Live Local Act. This granted authority is consistent with the goals, objectives, and policies of the Coral Gables Comprehensive Plan.

Per Policy MOB-1.1, Policy MOB-1.1.2, Policy MOB-1.1.4, Policy MOB-3.1.1, and Policy MOB-3.1.2, parking reductions for proposed developments with more than 40% affordable housing that are accessible to a transit stop or a major transportation hub will help promote walking, biking, and the use of public transit between local destinations. Additionally, by restricting remote off-street parking and shared parking reductions, the amendment aides to balance potential development and infrastructure capacity. These measures are designed to comply with the State’s preemptions and mandates while safeguarding the quality of life and accessibility for all residents. Furthermore, per Policy FLU-1.9.1., Policy FLU-1.11.1., Policy DES-1.1.2., Policy HOU-1.1.1., and Policy HOU-1.1.4., the requirements for parking and the prohibition of TDRs with Live Local applications maintain compatible development and provide a range of housing opportunities accessible to urban services, public transit, public amenities, and employment opportunities.

Staff finds that all five of these criteria are **satisfied**.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

7. ATTACHMENTS

- A. Legal advertisement published.
- B. PowerPoint Presentation.

Please visit the City's webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
Planning Official
City of Coral Gables, Florida

COMMUNITY NEWSPAPERS
PUBLISHED MONDAY
MIAMI, MIAMI-DADE, FLORIDA

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared **GEORGIA GRIFFIN** who on oath says she is **OFFICE MANAGER** of Legal Advertising of Community Newspapers, published Monday at Miami-Dade, Florida; that the attached copy of advertisement, published on the publicly accessible website of Miami-Dade County, Florida and/or in a newspaper in print, being a Legal Advertisement of Notice in the Matter of

NOTICE OF PUBLIC HEARING
The City of Coral Gables, Florida
September 11, 2024

in the XXXXX Court, was published in said newspaper in the issue of
August 26, 2024

Affiant further says that the website or newspaper complies with the legal requirements for publication in chapter 50, Florida Statutes.

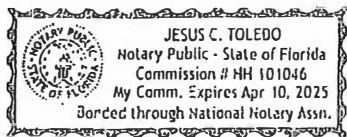
PROOF OF PUBLICATION -

AFFIANT *Georgia Griffin*
26 day of August 2024.

JESUS TOLEDO *[Signature]*
(Print or type or stamp Commissioned name of Notary Public)


(SEAL)

My Commission Expires: _____



X

Community Newspapers
6796 S.W. 62nd Avenue
South Miami, Florida 33143
305-669-7355 Ext. 2226

 **City of Coral Gables, Florida**
Notice of Public Hearing
HYBRID MEETING on Zoom platform

Local Planning Agency / Planning and Zoning Board
Wednesday, September 11, 2024, 6:00 p.m.
City Commission Chamber, City Hall
405 Biltmore Way, Coral Gables, FL 33134

PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA) Planning and Zoning Board (PZD) will conduct Public Hearing on the following:

1. A Resolution of the City Commission of Coral Gables, Florida approving Mixed-Use Site Plan and Conditional Use review pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses," for a proposed Mixed-Use project referred to as "33 Alhambra" on the property legally described as all of Block 15, "Coral Gables Section L," (20 nnd 42 Navarre Avenue, 33, 43 and 47 Alhambra Circle and 2001 Galiano Street), Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and providing for an effective date.
2. An Ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables Official Zoning Code, Article 5, "Architecture," Section 5-200, "Mediterranean Standards;" Article 3, "Uses," Section 3-402, "Restrictions related to location;" and Article 16, "Definitions;" to enhance the quality of Coral Gables Mediterranean design by requiring a conceptual design review; removing duplicative criteria; relocating inapplicable standards; supplementing existing criteria; and including additional Mediterranean building examples; providing for severability, repealer, codification, and for an effective date.
3. An ordinance of the City Commission of Coral Gables, Florida, providing for text amendments to the City of Coral Gables official Zoning Code Article 10, "Parking And Access;" Section 10-109, "Remote Off-Street Parking And Payment-In-Lieu;" Section 10-111, "Shared Parking Reduction Standards;" Section 10-112 "Miscellaneous Parking Standards;" Article 14, "Process;" Section 14-204, "Transfer Of Development Rights;" to address the applicability of these provisions to projects utilizing provisions of the Live Local Act, CH. 2024-188, laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, September 11, 2024, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/8378879513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgablescivicideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralibles.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cctv) as well as Channel 77 on Comcast.

CHAPTER 2024-188

Committee Substitute for
Committee Substitute for Senate Bill No. 328


An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; clarifying application; prohibiting counties and municipalities, respectively, from restricting the floor area ratio of certain proposed developments under certain circumstances; providing that the density, floor area ratio, or height of certain developments, bonuses, variances, or other special exceptions are not included in the calculation of the currently allowed density, floor area ratio, or height by counties and municipalities, respectively; authorizing counties and municipalities, respectively, to restrict the height of proposed developments under certain circumstances; prohibiting the administrative approval by counties and municipalities, respectively, of a proposed development within a specified proximity to a military installation; requiring counties and municipalities, respectively, to maintain a certain policy on their websites; requiring counties and municipalities, respectively, to consider reducing parking requirements under certain circumstances; requiring counties and municipalities, respectively, to reduce or eliminate parking requirements for certain proposed mixed-use developments that meet certain requirements; providing certain requirements for developments located within a transit-oriented development or area; defining the term "major transportation hub"; making technical changes; providing requirements for developments authorized located within a transit-oriented development or area; clarifying that a county or municipality, respectively, is not precluded from granting additional exceptions; clarifying that a proposed development is not precluded from receiving a bonus for density, height, or floor area ratio if specified conditions are satisfied; requiring that such bonuses be administratively approved by counties and municipalities, respectively; revising applicability; authorizing that specified developments be treated as a conforming use under certain circumstances; authorizing that specified developments be treated as a nonconforming use under certain circumstances; authorizing applicants for certain proposed developments to notify a county or municipality, as applicable, of their intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit a revised application, written request, or notice of intent; amending s. 196.1978, F.S.; revising the definition of the term "newly constructed"; revising conditions for when multifamily projects are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption; making technical changes; requiring property appraisers to make certain exemptions from ad valorem property taxes; providing the method for determining the value of a unit for certain purposes; requiring property appraisers to review certain applications and make certain determinations; authorizing property appraisers to request and review additional information; authorizing property appraisers to grant exemptions only

1
CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Live Local Act

SENATE BILL 328

PLANNING & ZONING BOARD
SEPTEMBER 11, 2024



1

LIVE LOCAL ACT

- LIVE LOCAL ACT
SENATE BILL NO. 102, CHAPTER 2023-17, LAW OF FLORIDA
SIGNED ON MARCH 28, 2023, AND EFFECTIVE ON JULY 1, 2023

- LIVE LOCAL ACT – 2024 AMENDMENTS
SENATE BILL NO. 328, CHAPTER 2024-188, LAW OF FLORIDA
EFFECTIVE ON MAY 16, 2024

- INTENDED TO ADDRESS THE STATE’S AFFORDABLE HOUSING
CRISIS

2

2

LIVE LOCAL ACT



City must authorize development if 40% affordable (120% AMI or below)

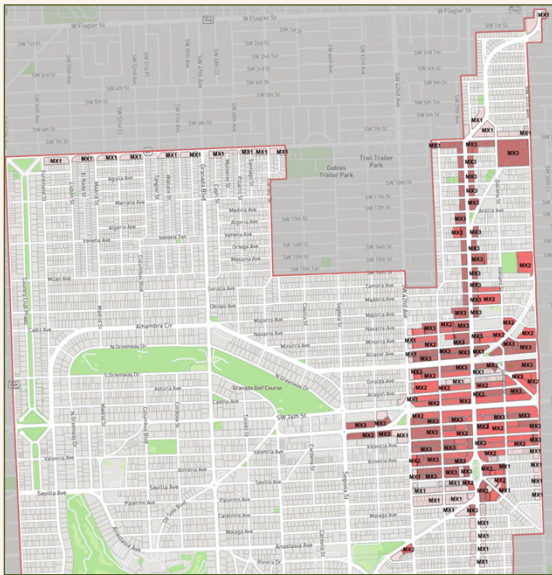
446 (7) (a) A municipality must authorize multifamily and mixed-
447 use residential as allowable uses in any area zoned for
448 commercial, industrial, or mixed use if at least 40 percent of
449 the residential units in a proposed multifamily rental
450 development are, for a period of at least 30 years, affordable
451 as defined in s. 420.0004. Notwithstanding any other law, local
452 ordinance, or regulation to the contrary, a municipality may not
453 require a proposed multifamily development to obtain a zoning or
454 land use change, special exception, conditional use approval,
455 variance, or comprehensive plan amendment for the building
456 height, zoning, and densities authorized under this subsection.
457 For mixed-use residential projects, at least 65 percent of the
458 total square footage must be used for residential purposes.

Development is only authorized in Mixed-Use districts

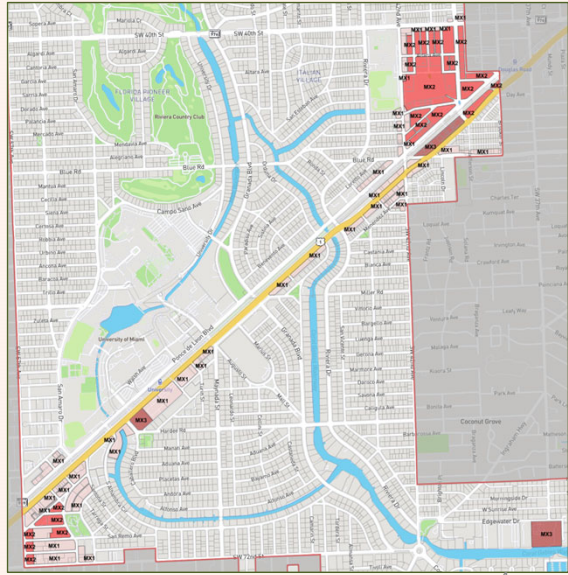
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APPLICABLE TO MIXED-USE DISTRICTS



North Coral Gables



South Coral Gables

4

4

WHAT IS AFFORDABLE?

The 2024 Florida Statutes

[Title XXX](#)
SOCIAL WELFARE

[Chapter 420](#)
HOUSING

[View Entire Chapter](#)

420.0004 Definitions.—As used in this part, unless the context otherwise indicates:

(3) “Affordable” means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in subsection (9), subsection (11), subsection (12), or subsection (17).

“AMI” in Miami-Dade County

WHAT IS AFFORDABLE?

HUD release: 4/2/2024
Effective: 4/1/2024
Implement on/before: 5/16/2024
4/22/2024 add HS Gulf & Levy

2024 Income Limits and Rent Limits
Florida Housing Finance Corporation
Multifamily Rental Programs and CWHIP Homeownership Program
NOTE: Does not pertain to CDBG-DR, HHRP, HOME, NHTF or SHIP

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Miami-Dade County (Miami-Miami Beach- Kendall HMFA)	20%	15,900	18,160	20,420	22,700	24,520	26,340	28,160	29,980	31,780	33,596	397	425	510	590	658	726
	25%	19,875	22,700	25,525	28,375	30,650	32,925	35,200	37,475	39,725	41,995	496	532	638	737	823	908
	28%	22,260	25,424	28,588	31,780	34,328	36,876	39,424	41,972	44,492	47,034	556	596	714	826	921	1,017
	30%	23,850	27,240	30,630	34,050	36,780	39,510	42,240	44,970	47,670	50,394	596	638	765	885	987	1,090
	33%	26,235	29,964	33,693	37,455	40,458	43,461	46,464	49,467	52,437	55,433	655	702	842	973	1,086	1,199
	35%	27,825	31,780	35,735	39,725	42,910	46,095	49,280	52,465	55,615	58,793	695	745	893	1,032	1,152	1,271
40%	31,800	36,320	40,840	45,400	49,040	52,680	56,320	59,960	63,560	67,192	795	851	1,021	1,180	1,317	1,453	
45%	35,775	40,860	45,945	51,075	55,170	59,265	63,360	67,455	71,505	75,591	894	957	1,148	1,328	1,481	1,635	
50%	39,750	45,400	51,050	56,750	61,300	65,850	70,400	74,950	79,450	83,990	993	1,064	1,276	1,475	1,646	1,816	
60%	47,700	54,480	61,260	68,100	73,560	79,020	84,480	89,940	95,340	100,788	1,192	1,277	1,531	1,770	1,975	2,180	
70%	55,650	63,560	71,470	79,450	85,820	92,190	98,560	104,930	111,230	117,586	1,391	1,490	1,786	2,065	2,304	2,543	
80%	63,600	72,640	81,680	90,800	98,080	105,360	112,640	119,920	127,120	134,384	1,590	1,703	2,042	2,361	2,634	2,907	
Median: 79,400																	
	120%	95,400	108,960	122,520	136,200	147,120	158,040	168,960	179,880	190,800	201,576	2,385	2,554	3,063	3,541	3,951	4,360
	140%	111,300	127,120	142,940	158,900	171,640	184,380	197,120	209,860	222,460	235,172	2,782	2,980	3,573	4,131	4,609	5,087

LIVE LOCAL ACT

2 ————— 2

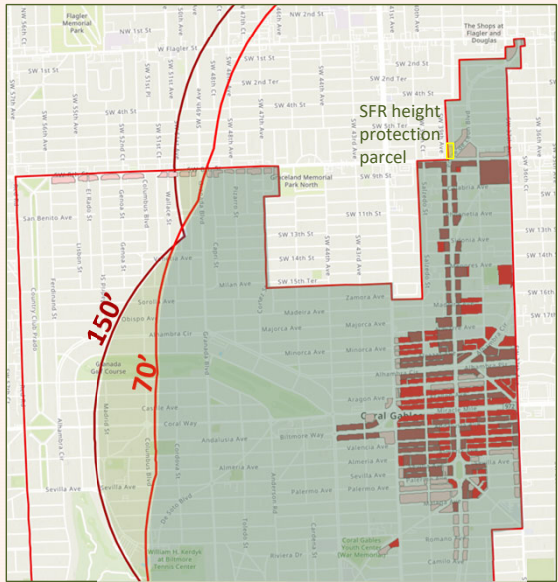
373	(g) Except as otherwise provided in this subsection, a
374	development authorized under this subsection must comply with
375	all applicable state and local laws and regulations.
465	highest currently allowed height for a commercial or residential
466	development located in its jurisdiction within 1 mile of the
467	proposed development or 3 stories, whichever is higher.

2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.

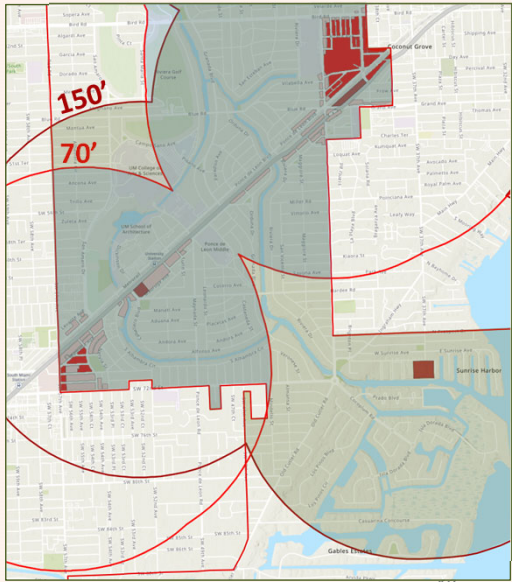
Max. height to highest height w/in 1 mile, w/ some SFR height protections

LIVE LOCAL ACT – 1-MILE RADII

2 ————— 2



North Coral Gables



South Coral Gables

LIVE LOCAL ACT



459 (b) A municipality may not restrict the density of a
 460 proposed development authorized under this subsection below the
 461 highest allowed density on any land in the municipality where
 462 residential development is allowed.

Density is analyzed City-wide

HIGHEST ALLOWED DENSITY



Section 2-200 Mixed Use Districts Table

Use categories		MX1		MX2		MX3	
A Lot occupation							
1	Building Site Area Minimum (square feet)	2,500	10,000	2,500	10,000	2,500	10,000
2	Building Site Width Minimum (feet)	25	100	25	100	25	100
3	Ground Coverage Minimum	NA	NA	NA	NA	NA	NA
4	Open Space Minimum	10%	10%	10%	10%	5%	10%
B Density							
1	Density (DU/Acre)	125	125	125	125	125	125
2	Unit Size Minimum (square feet)	900	900	900	900	900	900
3	Floor Area Ratio (FAR)	3.0	3.0	3.0	3.0	3.0	3.0
4	FAR Med. Bonus I	3.2	3.2	3.2	3.2	3.2	3.2
5	FAR Med. Bonus II	3.5	3.5	3.5	3.5	3.5	3.5
C Setback minimums (feet)							
1	Principal Front	0	0	0	0	0	0
2	Side Interior	0	0	0	0	0	0
3	Side Street	0	0	0	0	0	0
4	Rear	10	10	10	10	10	10
5	Rear at Alley	0	0	0	0	0	0
6	Waterway	35	35	35	35	35	35
D Stepback minimums (feet)							
1	Stepback Front	NA	10	NA	10	NA	10
2	Stepback Side	NA	15	NA	15	NA	15
3	Stepback Side Street	NA	10	NA	10	NA	10
4	Stepback Rear	NA	10	NA	10	NA	10
5	Stepback Rear at Alley	NA	3	NA	3	NA	3
E Building height maximums (stories/feet)							
1	Principal Building	45	45	45	70	45	70
2	Mediterranean Bonus I	NA	5 stories /63.5	5 stories /63.5	7 stories /83.5	5 stories /63.5	7 stories /83.5
3	Mediterranean Bonus II	NA	6 stories /77	6 stories /77	8 stories /97	6 stories /77	8 stories /97

LIVE LOCAL ACT

349 (d) A proposed development authorized under this subsection
 350 must be administratively approved and no further action by the
 351 board of county commissioners is required if the development
 352 satisfies the county's land development regulations for
 353 multifamily developments in areas zoned for such use and is
 354 otherwise consistent with the comprehensive plan, with the
 355 exception of provisions establishing allowable densities,
 356 height, and land use. Such land development regulations include,
 357 but are not limited to, regulations relating to setbacks and
 358 parking requirements.

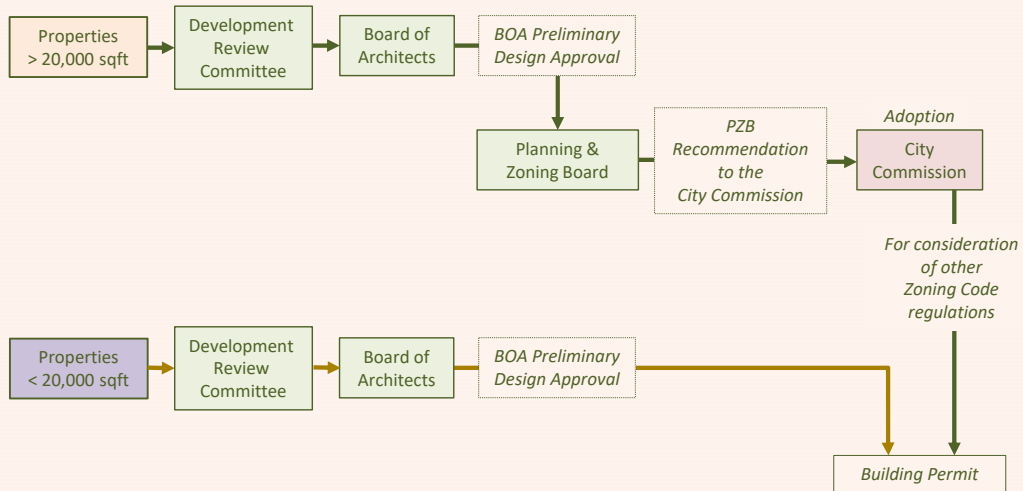
373 (g) Except as otherwise provided in this subsection, a
 374 development authorized under this subsection must comply with
 375 all applicable state and local laws and regulations.

Administrative approval for density, height, land use, and FAR

14

14

LIVE LOCAL ACT APPROVAL PROCESSES



15

LIVE LOCAL ACT

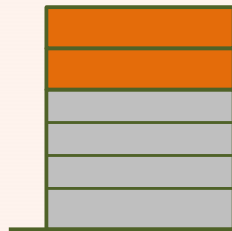
(c) A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed floor area ratio on any land in the municipality where development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio.

Maximum Floor Area Ratio (FAR) of 150% of currently allowed city-wide

FLOOR AREA RATIO (FAR)

Maximum FAR

Use categories		MX1		MX2		MX3		
B	Density							
1	Density (DU/Acre)	125	125	125	125	125	125	125
2	Unit Size Minimum (square feet)	500	500	500	500	500	500	500
3	Floor Area Ratio (FAR)	3.0	3.0	3.0	3.0	3.0	3.0	3.0
4	FAR Med. Bonus I	3.2	3.2	3.2	3.2	3.2	3.2	3.2
5	FAR Med. Bonus II	3.5	3.5	3.5	3.5	3.5	3.5	3.5



$$\begin{array}{r}
 \text{Max Addition } 1.5 \\
 + \\
 \text{Mixed Use FAR } 3.0 \\
 \hline
 \text{Total } 4.5
 \end{array}$$

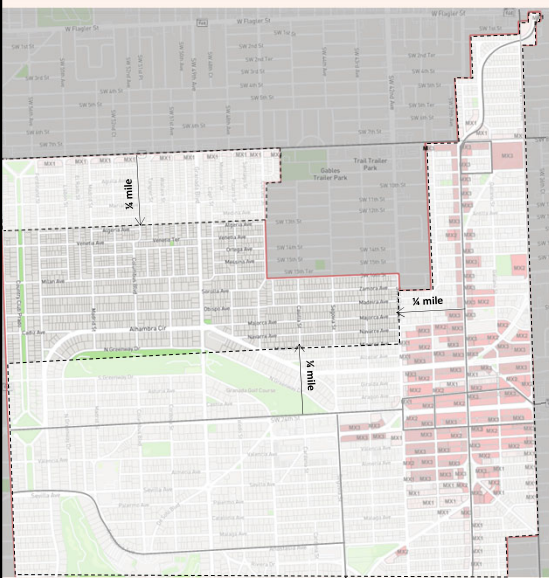
LIVE LOCAL ACT



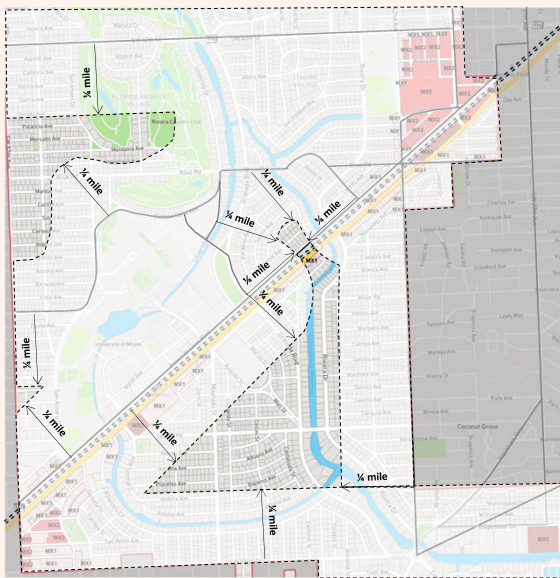
(f)1.(e) A municipality **must consider reducing parking requirements** for a proposed development authorized under this subsection if the development is located within **one-quarter one-half mile of a major transit stop**, as defined in the municipality's land development code, and the ~~major~~ transit stop is accessible from the development.

Parking reductions must be *considered* w/in ¼ mile of a transit stop

¼-MILE FROM TRANSIT STOPS



North Coral Gables



South Coral Gables

— Parking Reducing Area
— Transit Route

LIVE LOCAL ACT – TRANSIT STOP PARKING



Commission to consider a 10% parking reduction:

- **1/4 mile** of a transit stop (**MetroBus** or municipal **trolley** stop)
- **Accessible** by safe, pedestrian-friendly infrastructure (connected network of sidewalks, crosswalks, bike paths, etc)
- **Considers the impact of the parking reduction** and its **compatibility with the surrounding area**

21

LIVE LOCAL ACT



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

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

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

20% parking reduction w/in ½-mile and requirements

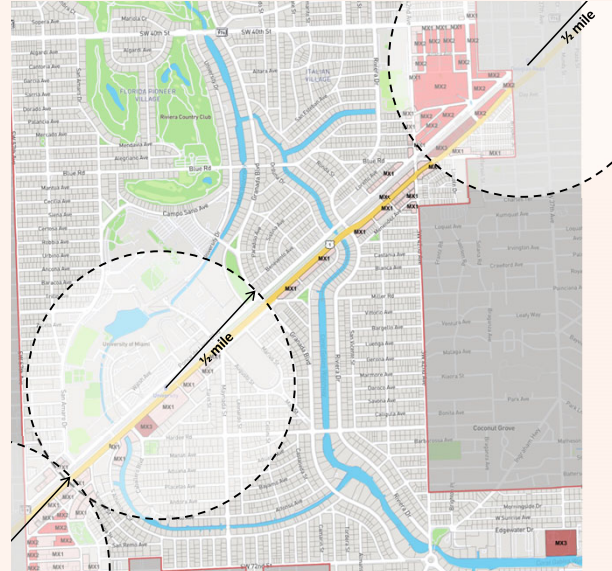
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1/2-MILE FROM MAJOR TRANSPORTATION HUBS

Commission to allow a 20% parking reduction:

- Located within **1/2 mile** of a major transportation hub (**MetroRail station**)
- Has available **parking within 600 feet** of the proposed development
- **Accessible** by safe, pedestrian-friendly means



South Coral Gables

23

LIVE LOCAL ACT - SUMMARY

Height

Highest currently allowed height **within 1-mile** of proposed

Density

Highest density allowed on any land in the City

FAR

150% of the highest currently allowed Floor Area Ratio (FAR)

Use

Mixed-use with multifamily rental in commercial, industrial, or mixed-use zones without a zoning or land use change

Parking

20% reduction within 1/2-mile of major transportation hub and **consider reduction** within 1/4-mile of transit stop

Preemption of local zoning regulations regarding Height, Density, FAR, Use, and Parking

26

26

LIVE LOCAL ACT – ADDITIONAL CHANGES



1. Prohibited to utilize Remote Parking, except Miracle Mile
2. Not apply Shared Parking reduction
3. Prohibited to utilize Transfer of Development Rights (TDRs)

CHAPTER 2024-188

Committee Substitute for
Committee Substitute for Senate Bill No. 328

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Live Local Act

SENATE BILL 328

PLANNING & ZONING BOARD
SEPTEMBER 11, 2024



CHAPTER 2024-188

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Live Local Act

SENATE BILLS 102/328

PLANNING & ZONING BOARD
MARCH 12, 2025



1

LIVE LOCAL ACT

ENROLLED
2023 Legislature

CS for SB 102, 1st Engrossed

2023102e1

CHAPTER 2024-188

Committee Substitute for
Committee Substitute for Senate Bill No. 328

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1

PREEMPTIVE BILL BY THE FLORIDA SENATE
AND SIGNED INTO LAW BY THE GOVERNOR
THAT IS INTENDED TO ADDRESS THE STATE OF
FLORIDA'S AFFORDABLE HOUSING CRISIS

- LIVE LOCAL ACT
FL SENATE BILL NO. 102, CH 2023-17
SIGNED ON MARCH 23, 2023, AND
EFFECTIVE ON JULY 1, 2023
- LIVE LOCAL ACT – 2024 “GLITCH BILL”
FL SENATE BILL NO. 328, CH 2024-188
EFFECTIVE ON MAY 16, 2024

2

2

WHAT IS A PREEMPTION?

A STATE BILL THAT RESTRICTS THE HOME RULE POWERS OF ALL CITIES AND COUNTIES IN THE STATE THROUGH PREEMPTION.

446	(7) (a) A municipality must authorize multifamily and mixed-
447	use residential as allowable uses in any area zoned for
448	commercial, industrial, or mixed use if at least 40 percent of
449	the residential units in a proposed multifamily rental
450	development are, for a period of at least 30 years, affordable
451	as defined in s. 420.0004. Notwithstanding any other law, local
452	ordinance, or regulation to the contrary, a municipality may not
453	require a proposed multifamily development to obtain a zoning or
454	land use change, special exception, conditional use approval,
	variance, or comprehensive plan amendment for the building
	height, zoning, and densities authorized under this subsection.
	For mixed-use residential projects, at least 65 percent of the
	total square footage must be used for residential purposes.

A PREEMPTION CONTROLS OVER LOCAL LAWS AND PRECLUDES *EVERY CITY AND COUNTY* FROM ADOPTING LAWS ON THE SAME SUBJECT.

3

3

LIVE LOCAL ACT

City must authorize development if 40% affordable (120% AMI or below)

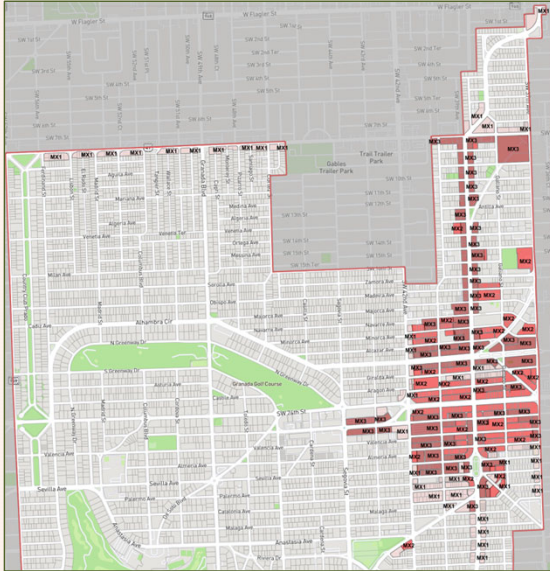
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Development is only authorized in Mixed-Use districts

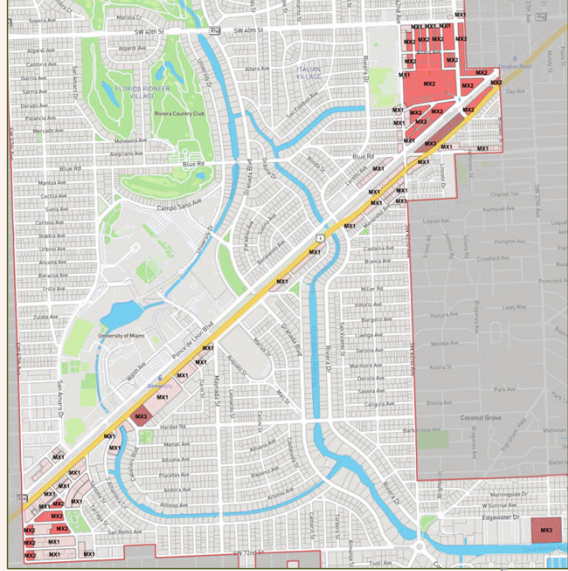
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APPLICABLE TO MIXED-USE DISTRICTS



North Coral Gables



South Coral Gables

5

WHAT IS AFFORDABLE?

The 2024 Florida Statutes

[Title XXX](#)
SOCIAL WELFARE

[Chapter 420](#)
HOUSING

[View Entire Chapter](#)

420.0004 **Definitions.**—As used in this part, unless the context otherwise indicates:

(3) “Affordable” means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in subsection (9), subsection (11), subsection (12), or subsection (17).

“AMI” in Miami-Dade County

6

6

WHAT IS AFFORDABLE?

Florida Housing Finance Corporation

2024 Rent Limits | 2023 Rent Limits | 2022 Rent Limits | 2021 Rent Limits | 2020 Rent Limits | 2019 Rent Limits

HUD release: 4/2/2024
 Effective: 4/1/2024
 Implement on/before: 5/16/2024
 4/22/2024 add HS Gulf & Levy

2024 Income Limits and Rent Limits
 Florida Housing Finance Corporation
 Multifamily Rental Programs and CWHIP Homeownership Program
 NOTE: Does not pertain to CDBG-DR, HHRP, HOME, NHTF or SHIP

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Miami-Dade County (Miami-Miami Beach-Kendall HMFA)	20%	15,900	18,160	20,420	22,700	24,520	26,340	28,160	29,980	31,780	33,596	397	425	510	590	658	726
	25%	19,875	22,700	25,525	28,375	30,650	32,925	35,200	37,475	39,725	41,995	496	532	638	737	823	908
	28%	22,260	25,424	28,588	31,780	34,328	36,876	39,424	41,972	44,492	47,034	556	596	714	826	921	1,017
	30%	23,850	27,240	30,630	34,050	36,780	39,510	42,240	44,970	47,670	50,394	596	638	765	885	987	1,090
	33%	26,235	29,964	33,693	37,455	40,458	43,461	46,464	49,467	52,437	55,433	655	702	842	973	1,086	1,199
	35%	27,825	31,780	35,735	39,725	42,910	46,095	49,280	52,465	55,615	58,793	695	745	893	1,032	1,152	1,271
	40%	31,800	36,320	40,840	45,400	49,040	52,680	56,320	59,960	63,560	67,192	795	851	1,021	1,180	1,317	1,453
	45%	35,775	40,860	45,945	51,075	55,170	59,265	63,360	67,455	71,505	75,591	894	957	1,148	1,328	1,481	1,635
	50%	39,750	45,400	51,050	56,750	61,300	65,850	70,400	74,950	79,450	83,990	993	1,064	1,276	1,475	1,646	1,816
	60%	47,700	54,480	61,260	68,100	73,560	79,020	84,480	89,940	95,340	100,788	1,192	1,277	1,531	1,770	1,975	2,180
70%	55,650	63,560	71,470	79,450	85,820	92,190	98,560	104,930	111,230	117,586	1,391	1,490	1,786	2,065	2,304	2,543	
80%	63,600	72,640	81,680	90,800	98,080	105,360	112,640	119,920	127,120	134,384	1,590	1,703	2,042	2,361	2,634	2,907	
Median: 79,400																	
120%	95,400	108,960	122,520	136,200	147,120	158,040	168,960	179,880	190,680	201,576	2,385	2,554	3,063	3,541	3,951	4,360	
140%	111,300	127,120	142,940	158,900	171,640	184,380	197,120	209,860	222,460	235,172	2,782	2,980	3,573	4,131	4,609	5,087	

www.floridahousing.org/owners-and-managers/compliance/rent-limits

7

LIVE LOCAL ACT

463	(c) A municipality may not restrict the height of a
464	proposed development authorized under this subsection below the
465	highest currently allowed height for a commercial or residential
466	development located in its jurisdiction within 1 mile of the
467	proposed development or 3 stories, whichever is higher.

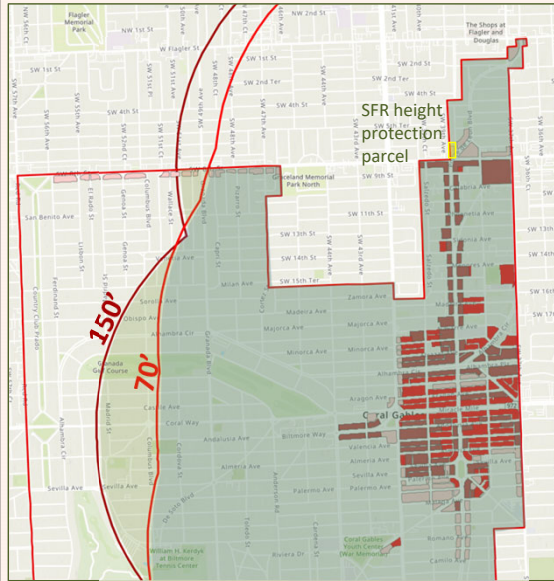
2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the municipality may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the municipality's land development regulations, or 3 stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line, but does not include properties separated by a public road.

Max. height to highest height w/in 1 mile, w/ some SFR height protections

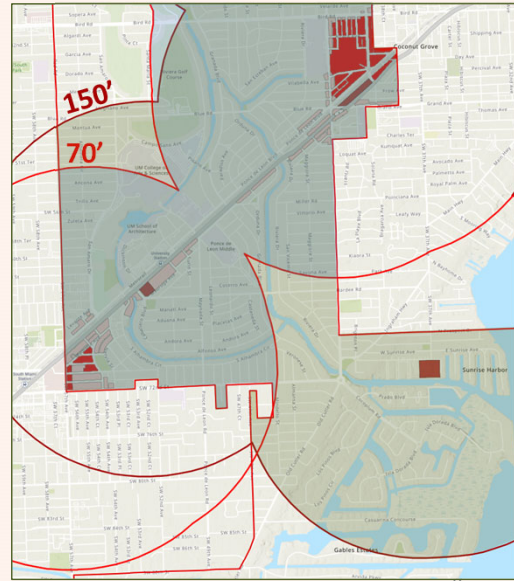
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8

LIVE LOCAL ACT – 1-MILE RADII



North Coral Gables



South Coral Gables

9

LIVE LOCAL ACT

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

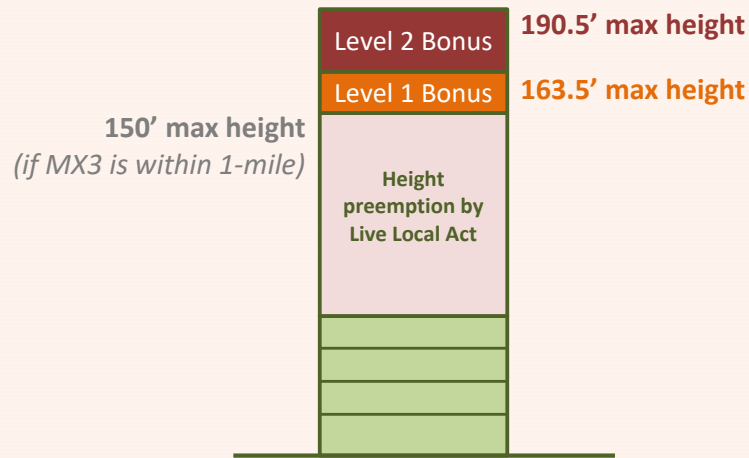
2. Nothing in this subsection precludes a proposed development authorized under this subsection from receiving a bonus for density, height, or floor area ratio pursuant to an ordinance or regulation of the jurisdiction where the proposed development is located if the proposed development satisfies the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

Eligible to be granted Mediterranean design bonus

10

10

LIVE LOCAL ACT



11

11

LIVE LOCAL ACT



459	<u>(b) A municipality may not restrict the density of a</u>	
460	<u>proposed development authorized under this subsection below the</u>	
461	<u>highest allowed density on any land in the municipality where</u>	
462	<u>residential development is allowed.</u>	

Density is analyzed City-wide

12

12

HIGHEST ALLOWED DENSITY

Section 2-200 Mixed Use Districts Table

Use categories		MX1		MX2		MX3		
A Lot excavation								
1	Building Site Area Minimum (square feet)	2,500	10,000	2,500	10,000	2,500	10,000	20,000
2	Building Site Width Minimum (feet)	25	100	25	100	25	100	200
3	Ground Coverage Minimum	NA	NA	NA	NA	NA	NA	NA
4	Open Space Minimum	10%	10%	10%	10%	5%	10%	10%
B Density								
1	Density (DU/Acre)	125	125	125	125	125	125	125
2	Unit Size Minimum (square feet)	500	500	500	500	500	500	500
3	Floor Area Ratio (FAR)	3.0	3.0	3.0	3.0	3.0	3.0	3.0
4	FAR Med. Bonus I	3.2	3.2	3.2	3.2	3.2	3.2	3.2
5	FAR Med. Bonus II	3.5	3.5	3.5	3.5	3.5	3.5	3.5
C Setback minimums (feet)								
1	Principal Front	0	0	0	0	0	0	0
2	Side Interior	0	0	0	0	0	0	0
3	Side Street	0	0	0	0	0	0	0
4	Rear	10	10	10	10	10	10	10
5	Rear at Alley	0	0	0	0	0	0	0
6	Waterway	35	35	35	35	35	35	35
D Stepback minimums (feet)								
1	Stepback Front	NA	10	NA	10	NA	10	10
2	Stepback Side	NA	15	NA	15	NA	15	15
3	Stepback Side Street	NA	10	NA	10	NA	10	10
4	Stepback Rear	NA	10	NA	10	NA	10	10
5	Stepback Rear at Alley	NA	3	NA	3	NA	3	3
E Building height maximums (stories/feet)								
1	Principal Building	45	45	45	70	45	70	150
2	Mediterranean Bonus I	NA	5 stories / 63.5	5 stories / 63.5	7 stories / 83.5	5 stories / 63.5	7 stories / 83.5	14 stories / 163.5
3	Mediterranean Bonus II	NA	6 stories / 77	6 stories / 77	8 stories / 97	6 stories / 77	8 stories / 97	16 stories / 190.5

13

13

LIVE LOCAL ACT

468 (d) A proposed development authorized under this subsection
 469 **must be administratively approved** and no further action by the
 470 governing body of the municipality is required if the development
 471 satisfies the municipality's land development regulations for
 472 multifamily developments in areas zoned for such use and is
 473 otherwise consistent with the comprehensive plan, **with the**
 474 **exception of provisions establishing allowable densities, height,**
 475 **and land use.** Such land development regulations include, but are
 476 not limited to, **regulations relating to setbacks** and parking
 477 requirements.

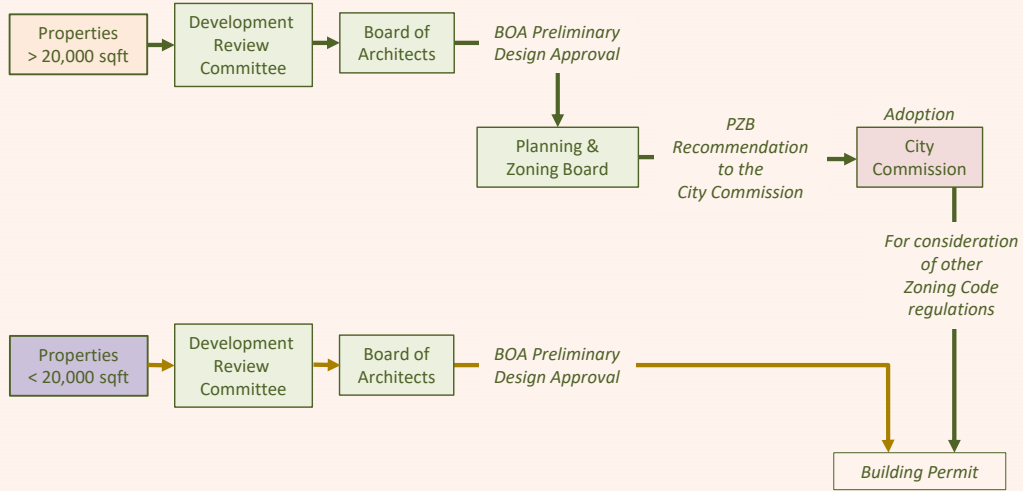
490 (g) Except as otherwise provided in this subsection, a
 491 development authorized under this subsection must comply with all
 492 applicable state and local laws and regulations.

Administrative approval for density, height, land use, and FAR

14

14

LIVE LOCAL ACT APPROVAL PROCESSES



15

LIVE LOCAL ACT

(c) A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below **150 percent of the highest currently allowed floor area ratio** on any land in the municipality where development is allowed under the municipality's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the municipality's land development regulations as an incentive for development. For purposes of this subsection, the term "floor area ratio" includes floor lot ratio.

Maximum Floor Area Ratio (FAR) of 150% of currently allowed city-wide

16

16

FLOOR AREA RATIO (FAR)

Maximum FAR

Use categories		MX1		MX2		MX3	
B	Density						
1	Density (DU/Acre)	125	125	125	125	125	125
2	Unit Size Minimum (square feet)	500	500	500	500	500	500
3	Floor Area Ratio (FAR)	3.0	3.0	3.0	3.0	3.0	3.0
4	FAR Med. Bonus I	3.2	3.2	3.2	3.2	3.2	3.2
5	FAR Med. Bonus II	3.5	3.5	3.5	3.5	3.5	3.5



17

17

LIVE LOCAL ACT IN CORAL GABLES

Provide website feedback Request a public record Request a service

CORAL GABLES
THE CITY BEAUTIFUL

Home Your Government Services Directory Business Visit Us

[Home](#) > [Development Services](#) > [Live Local Act](#)

Live Local Act

- The City Manager has issued an implementation order detailing developer entitlements and the application process.
[IQ-2024-01 - Implementation of the Live Local Act \(PDF\)](#)
- Below, you will find the Commission's resolution regarding an inventory of properties.
[Commission's resolution for upcoming inventory list of city-owned properties appropriate for use as affordable housing](#)

www.coralgables.com/department/development-services/live-local-act

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LIVE LOCAL ACT QUALIFICATIONS



Qualifying Developments must:

- ✓ In any area zoned for commercial, industrial, or **mixed use**;
- ✓ Provide at least 40% of residential units as **affordable for 30+ years**;
- ✓ Contain **65% or more residential use** by square footage; and

Qualifying Developments get:

- ✓ The **highest density** allowed in Coral Gables, which is 125 units per acre;
- ✓ The **height permitted within 1 mile in Coral Gables** “for a commercial or residential development”; and
- ✓ The maximum **Floor Area Ratio (FAR) of 150%** of currently allowed in Coral Gables, which is 3.0 FAR

COMPARISON



	Mixed-Use Zoning	Live Local Act
Height		
MX1	45' / 77' w/ Med Bonus	150' / 190.5' w Med Bonus <i>(if MX3 is within 1 mile)</i>
MX2	70' / 97' w/ Med Bonus	
MX3	150' / 190.5' w/ Med Bonus	
FAR	3.0, or 3.5 w/ Med Bonus	4.5
Density	125 u/a	125 u/a
Affordable Units	N/A	Min. 40% of units
Open Space	10%	10%

LIVE LOCAL ACT

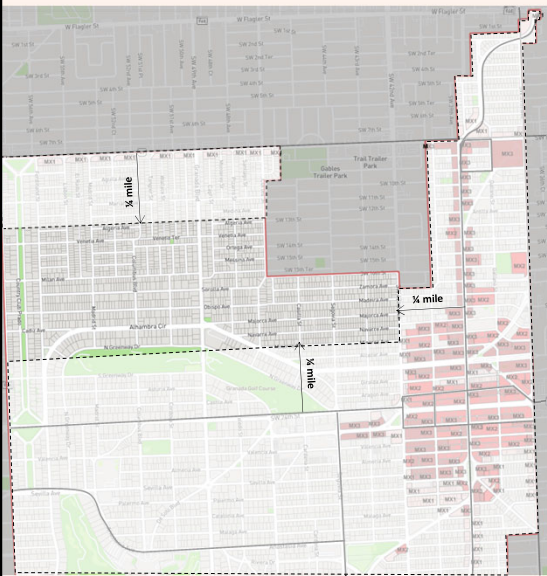


(f)1.(e) A municipality **must consider reducing parking requirements** for a proposed development authorized under this subsection if the development is located within **one-quarter one-half mile of a major transit stop**, as defined in the municipality's land development code, and the major transit stop is accessible from the development.

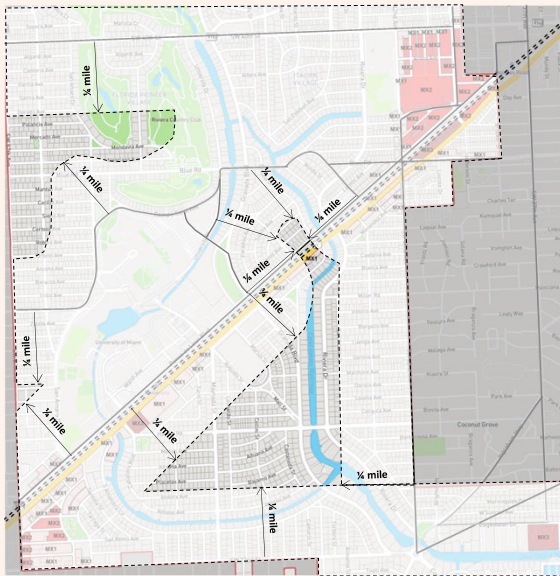
Parking reductions must be *considered* w/in 1/4 mile of a transit stop

[required to be adopted]

1/4-MILE FROM TRANSIT STOPS



North Coral Gables



South Coral Gables

--- Parking Reduction Area
— Transit Route

LIVE LOCAL ACT – TRANSIT STOP PARKING



Commission to consider a 10% parking reduction:

- **1/4 mile** of a transit stop (**MetroBus** or municipal **trolley** stop)
- **Accessible** by safe, pedestrian-friendly infrastructure (connected network of sidewalks, crosswalks, bike paths, etc)
- **Considers the impact of the parking reduction** and its **compatibility with the surrounding area**

[required to be adopted]

23

LIVE LOCAL ACT



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

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

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

20% parking reduction w/in ½-mile and requirements

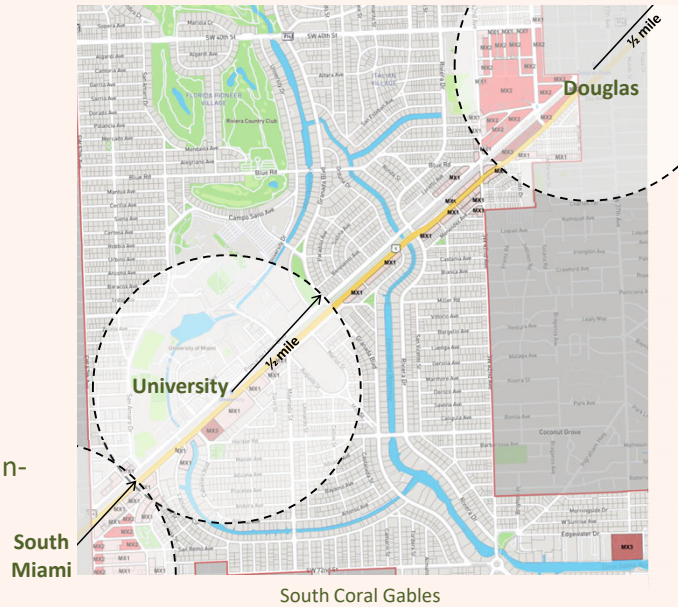
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1/2-MILE FROM MAJOR TRANSPORTATION HUBS

Commission to allow a 20% parking reduction:

- Located within **1/2 mile** of a major transportation hub (**MetroRail station**)
- Has available **parking within 600 feet** of the proposed development
- **Accessible** by safe, pedestrian-friendly means



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LIVE LOCAL ACT - SUMMARY

Height

Highest currently allowed height **within 1-mile** of proposed

Density

Highest density allowed on any land in the City

FAR

150% of the highest currently allowed Floor Area Ratio (FAR)

Use

Mixed-use with multifamily rental in commercial, industrial, or mixed-use zones without a zoning or land use change

Parking

20% reduction required w/in 1/2-mile of major transportation hub and **consider reduction** w/in 1/4-mile of transit stop

Preemption of local zoning regulations regarding Height, Density, FAR, Use, and Parking

26

26

LIVE LOCAL ACT – PROPOSED ADDITIONAL CHANGES



1. Prohibited to utilize Remote Parking, except Miracle Mile
2. Not apply Shared Parking reduction
3. Prohibited to utilize Transfer of Development Rights (TDRs)

[to also be adopted]

LIVE LOCAL ACT – PROPOSED STATE AMENDMENTS



FLORIDA HOUSE OF REPRESENTATIVES		Florida Senate - 2025	
HB 943	2025	SB 1730	
1 A bill to be entitled		1 A bill to be entitled	20251730__
2 An act relating to real property		2 An act relating to affordable housing; amending ss.	
3 development; amending ss. 125.01		3 125.01055 and 146.04151, F.S.; requiring counties and	
4 F.S.; requiring the board of con		4 municipalities, respectively, to authorize multifamily	
5 the governing body of a municipi		5 and mixed-use residential as allowable uses in	
6 approve the development of affor		6 portions of flexibly zoned areas under certain	
7 parcel owned by a religious inst		7 circumstances; prohibiting counties and municipalities	
8 requirements are met; requiring		8 from imposing certain requirements on proposed	
9 commissioners and the governing		9 multifamily developments; prohibiting counties and	
10 municipality, respectively, to		10 municipalities from requiring that more than a	
11 of housing that is affordable; r		11 specified percentage of a mixed-use residential	
12 requiring counties and municip		12 project be used for certain purposes; revising the	
13 to authorize multifamily and mix		13 height below which counties and municipalities may not	
14 allowable uses on sites owned by		14 restrict certain developments; requiring the	
15 and in planned unit developmen		15 administrative approval of certain proposed	
16 certain conditions are met; req		16 developments without further action by a quasi-	
17 municipalities, respectively, t		17 judicial or administrative board or reviewing body	
18 as part of multifamily develop		18 under certain circumstances; requiring counties and	
19 use designation, if certain cond		19 municipalities to reduce parking requirements by at	
20 prohibiting counties and municip		20 least a specified percentage for certain proposed	
21 from requiring a proposed mixed-		21 developments under certain circumstances; requiring a	
22 development to obtain certain a		22 court to give priority to and render expeditious	
23 counties and municipalities, re		23 decisions in certain civil actions; requiring a court	
24 requiring more than a certain p		24 to award reasonable attorney fees and costs and	
25 square footage to be used for s		25 damages to a prevailing plaintiff in certain civil	
		26 actions; providing that such attorney fees or costs	
		27 and damages may not exceed a specified dollar amount;	
		28 prohibiting the prevailing plaintiff from recovering	
		29 certain other fees or costs; defining terms;	

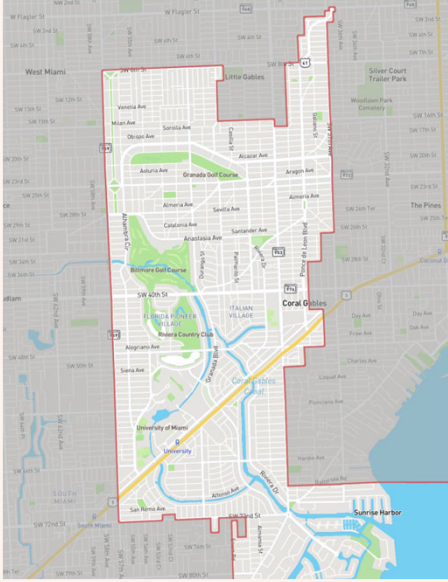
Page 1 of 67

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Page 1 of 19

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LIVE LOCAL ACT - APPLICATIONS



Current Live Local applications in Coral Gables:

- Applied: *none*
- Reviewed/processed: *none*
- Approved: *none*

Live Local applications near Coral Gables:

- Sears project at Coral Way / Douglas Road

CHAPTER 2024-188

Committee Substitute for
Committee Substitute for Senate Bill No. 328

An act relating to affordable housing; amending ss. 125.01055 and 166.04151, F.S.; clarifying application; prohibiting counties and municipalities, respectively, from restricting the floor area ratio of certain proposed developments under certain circumstances; providing that the density, floor area ratio, or height of certain developments, bonuses, variances, or other special exceptions are not included in the calculation of the currently allowed density, floor area ratio, or height by counties and municipalities, respectively; authorizing counties and municipalities, respectively, to restrict the height of proposed developments under certain circumstances; prohibiting the administrative approval by counties and municipalities, respectively, of a proposed development within a specified proximity to a military installation; requiring counties and municipalities, respectively, to maintain a certain policy on their websites; requiring counties and municipalities, respectively, to consider reducing parking requirements under certain circumstances; requiring counties and municipalities, respectively, to reduce or eliminate parking requirements for certain proposed mixed-use developments that meet certain requirements; providing certain requirements for developments located within a transit-oriented development or area; defining the term "major transportation hub"; making technical changes; providing requirements for developments authorized located within a transit-oriented development or area; clarifying that a county or municipality, respectively, is not precluded from granting additional exceptions; clarifying that a proposed development is not precluded from receiving a bonus for density, height, or floor area ratio if specified conditions are satisfied; requiring that such bonuses be administratively approved by counties and municipalities, respectively; revising applicability; authorizing that specified developments be treated as a conforming use under certain circumstances; authorizing that specified developments be treated as a nonconforming use under certain circumstances; authorizing applicants for certain proposed developments to notify a county or municipality, as applicable, of their intent to proceed under certain provisions; requiring counties and municipalities to allow certain applicants to submit a revised application, written request, or notice of intent; amending s. 196.1978, F.S.; revising the definition of the term "newly constructed"; revising conditions for when multifamily projects are considered property used for a charitable purpose and are eligible to receive an ad valorem property tax exemption; making technical changes; requiring property appraisers to make certain exemptions from ad valorem property taxes; providing the method for determining the value of a unit for certain purposes; requiring property appraisers to review certain applications and make certain determinations; authorizing property appraisers to request and review additional information; authorizing property appraisers to grant exemptions only

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Live Local Act

SENATE BILL 328

PLANNING & ZONING BOARD
MARCH 12, 2025



HB 943

2025

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

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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

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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.

By Senator Calatayud

38-01885A-25

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1 A bill to be entitled
 2 An act relating to affordable housing; amending ss.
 3 125.01055 and 166.04151, F.S.; requiring counties and
 4 municipalities, respectively, to authorize multifamily
 5 and mixed-use residential as allowable uses in
 6 portions of flexibly zoned areas under certain
 7 circumstances; prohibiting counties and municipalities
 8 from imposing certain requirements on proposed
 9 multifamily developments; prohibiting counties and
 10 municipalities from requiring that more than a
 11 specified percentage of a mixed-use residential
 12 project be used for certain purposes; revising the
 13 height below which counties and municipalities may not
 14 restrict certain developments; requiring the
 15 administrative approval of certain proposed
 16 developments without further action by a quasi-
 17 judicial or administrative board or reviewing body
 18 under certain circumstances; requiring counties and
 19 municipalities to reduce parking requirements by at
 20 least a specified percentage for certain proposed
 21 developments under certain circumstances; requiring a
 22 court to give priority to and render expeditious
 23 decisions in certain civil actions; requiring a court
 24 to award reasonable attorney fees and costs and
 25 damages to a prevailing plaintiff in certain civil
 26 actions; providing that such attorney fees or costs
 27 and damages may not exceed a specified dollar amount;
 28 prohibiting the prevailing plaintiff from recovering
 29 certain other fees or costs; defining terms;

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30 prohibiting counties and municipalities from imposing
31 certain building moratoriums; providing an exception,
32 subject to certain requirements; authorizing
33 applicants for certain proposed developments to notify
34 the county or municipality, as applicable, by a
35 specified date of its intent to proceed under certain
36 provisions; requiring counties and municipalities to
37 allow certain applicants to submit revised
38 applications, written requests, and notices of intent
39 to account for changes made by the act; amending s.
40 380.0552, F.S.; revising the maximum hurricane
41 evacuation clearance time for permanent residents,
42 which time is an element for which amendments to local
43 comprehensive plans in the Florida Keys Area must be
44 reviewed for compliance; providing legislative intent;
45 creating s. 420.5098, F.S.; providing legislative
46 findings and intent; defining terms; providing that it
47 is the policy of the state to support housing for
48 certain employees and to permit developers in receipt
49 of certain tax credits and funds to create a specified
50 preference for housing certain employees; requiring
51 that such preference conform to certain requirements;
52 amending s. 760.26, F.S.; providing that it is
53 unlawful to discriminate in land use decisions or in
54 the permitting of development based on the specified
55 nature of a development or proposed development;
56 providing an effective date.

57
58 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Present paragraph (l) of subsection (7) of section 125.01055, Florida Statutes, is redesignated as paragraph (o), a new paragraph (l) and paragraphs (m) and (n) are added to that subsection, subsection (9) is added to that section, and paragraphs (a), (d), (e), and (f) of subsection (7) are amended, to read:

125.01055 Affordable housing.—

(7) (a) A county must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use, and in portions of any flexibly zoned area such as a planned unit development permitted for commercial, industrial, or mixed use, if at least 40 percent of the residential units in a proposed multifamily development are rental units that, for a period of at least 30 years, are affordable as defined in s. 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a county may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, transfer of density or development units, amendment to a development of regional impact, amendment to a development agreement, amendment to a restrictive covenant, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes. The county may not require that more than 10 percent of the total square footage of such mixed-use residential projects be used for nonresidential purposes.

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88 (d) 1. A county may not restrict the height of a proposed
89 development authorized under this subsection below the highest
90 currently allowed, or allowed on July 1, 2023, height for a
91 commercial or residential building located in its jurisdiction
92 within 1 mile of the proposed development or 3 stories,
93 whichever is higher. For purposes of this paragraph, the term
94 "highest currently allowed height" does not include the height
95 of any building that met the requirements of this subsection or
96 the height of any building that has received any bonus,
97 variance, or other special exception for height provided in the
98 county's land development regulations as an incentive for
99 development.

100 2. If the proposed development is adjacent to, on two or
101 more sides, a parcel zoned for single-family residential use
102 which is within a single-family residential development with at
103 least 25 contiguous single-family homes, the county may restrict
104 the height of the proposed development to 150 percent of the
105 tallest building on any property adjacent to the proposed
106 development, the highest currently allowed height for the
107 property provided in the county's land development regulations,
108 or 3 stories, whichever is higher. For the purposes of this
109 paragraph, the term "adjacent to" means those properties sharing
110 more than one point of a property line, but does not include
111 properties separated by a public road.

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

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117 for multifamily developments in areas zoned for such use and is
 118 otherwise consistent with the comprehensive plan, with the
 119 exception of provisions establishing allowable densities, floor
 120 area ratios, height, and land use. Such land development
 121 regulations include, but are not limited to, regulations
 122 relating to setbacks and parking requirements. A proposed
 123 development located within one-quarter mile of a military
 124 installation identified in s. 163.3175(2) may not be
 125 administratively approved. Each county shall maintain on its
 126 website a policy containing procedures and expectations for
 127 administrative approval pursuant to this subsection.

128 (f)1. A county must, upon request of an applicant, reduce
 129 ~~consider reducing~~ parking requirements by at least 20 percent
 130 for a proposed development authorized under this subsection if
 131 the development:

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

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

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

143 ~~c.b.~~ Has available parking within 600 feet of the proposed
 144 development which may consist of options such as on-street
 145 parking, parking lots, or parking garages available for use by

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146 residents of the proposed development. However, a county may not
147 require that the available parking compensate for the reduction
148 in parking requirements.

149 ~~2.3.~~ A county must eliminate parking requirements for a
150 proposed mixed-use residential development authorized under this
151 subsection within an area recognized by the county as a transit-
152 oriented development or area, as provided in paragraph (h).

153 ~~3.4.~~ For purposes of this paragraph, the term "major
154 transportation hub" means any transit station, whether bus,
155 train, or light rail, which is served by public transit with a
156 mix of other transportation options.

157 (1) The court shall give any civil action filed against a
158 county for a violation of this subsection priority over other
159 pending cases and render a preliminary or final decision as
160 expeditiously as possible.

161 (m) If a civil action is filed against a county for a
162 violation of this subsection, the court must assess and award
163 reasonable attorney fees and costs and damages to the prevailing
164 plaintiff. An award of reasonable attorney fees or costs and
165 damages pursuant to this subsection may not exceed \$100,000. In
166 addition, a prevailing plaintiff may not recover any attorney
167 fees or costs directly incurred by or associated with litigation
168 to determine an award of reasonable attorney fees or costs.

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

170 1. "Commercial use" means activities associated with the
171 sale, rental, or distribution of products or the performance of
172 services related thereto. The term includes, but is not limited
173 to, such uses or activities as retail sales; wholesale sales;
174 rentals of equipment, goods, or products; offices; restaurants;

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175 food service vendors; sports arenas; theaters; tourist
176 attractions; and other for-profit business activities. A parcel
177 zoned to permit such uses by right without the requirement to
178 obtain a variance or waiver is considered commercial use for the
179 purposes of this section, irrespective of the local land
180 development regulation's listed category or title. The term does
181 not include uses that are accessory, ancillary, incidental to
182 the allowable uses, or allowed only on a temporary basis.
183 Recreational uses, such as golf courses, tennis courts, swimming
184 pools, and clubhouses, within an area designated for residential
185 use are not commercial use, irrespective of how they are
186 operated.

187 2. "Industrial use" means activities associated with the
188 manufacture, assembly, processing, or storage of products or the
189 performance of services related thereto. The term includes, but
190 is not limited to, such uses or activities as automobile
191 manufacturing or repair, boat manufacturing or repair, junk
192 yards, meat packing facilities, citrus processing and packing
193 facilities, produce processing and packing facilities,
194 electrical generating plants, water treatment plants, sewage
195 treatment plants, and solid waste disposal sites. A parcel zoned
196 to permit such uses by right without the requirement to obtain a
197 variance or waiver is considered industrial use for the purposes
198 of this section, irrespective of the local land development
199 regulation's listed category or title. The term does not include
200 uses that are accessory, ancillary, incidental to the allowable
201 uses, or allowed only on a temporary basis. Recreational uses,
202 such as golf courses, tennis courts, swimming pools, and
203 clubhouses, within an area designated for residential use are

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204 not industrial use, irrespective of how they are operated.

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

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

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

215 (9)(a) A county may not impose a building moratorium that
216 has the effect of delaying the permitting or construction of a
217 multifamily residential or mixed-use residential development
218 authorized under subsection (7) except as provided in paragraph
219 (b).

220 (b) A county may, by ordinance, impose such a building
221 moratorium for no more than 90 days in any 3-year period. Before
222 adoption of such a building moratorium, the county shall prepare
223 or cause to be prepared an assessment of the county's need for
224 affordable housing at the extremely-low-income, very-low-income,
225 low-income, or moderate-income limits specified in s. 420.0004,
226 including projections of such need for the next 5 years. This
227 assessment must be posted on the county's website by the date
228 the notice of proposed enactment is published, and presented at
229 the same public meeting at which the proposed ordinance imposing
230 the building moratorium is adopted by the board of county
231 commissioners. This assessment must be included in the business
232 impact estimate for the ordinance imposing such a moratorium

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233 required by s. 125.66(3).

234 (c) If a civil action is filed against a county for a
235 violation of this subsection, the court must assess and award
236 reasonable attorney fees and costs and damages to the prevailing
237 plaintiff. An award of reasonable attorney fees or costs and
238 damages pursuant to this subsection may not exceed \$100,000. In
239 addition, a prevailing plaintiff may not recover any attorney
240 fees or costs directly incurred by or associated with litigation
241 to determine an award of reasonable attorney fees or costs.

242 Section 2. Present paragraph (l) of subsection (7) of
243 section 166.04151, Florida Statutes, is redesignated as
244 paragraph (o), a new paragraph (l) and paragraphs (m) and (n)
245 are added to that subsection, subsection (9) is added to that
246 section, and paragraphs (a), (d), (e), and (f) of subsection (7)
247 are amended, to read:

248 166.04151 Affordable housing.—

249 (7)(a) A municipality must authorize multifamily and mixed-
250 use residential as allowable uses in any area zoned for
251 commercial, industrial, or mixed use, and in portions of any
252 flexibly zoned area such as a planned unit development permitted
253 for commercial, industrial, or mixed use, if at least 40 percent
254 of the residential units in a proposed multifamily development
255 are rental units that, for a period of at least 30 years, are
256 affordable as defined in s. 420.0004. Notwithstanding any other
257 law, local ordinance, or regulation to the contrary, a
258 municipality may not require a proposed multifamily development
259 to obtain a zoning or land use change, special exception,
260 conditional use approval, variance, transfer of density or
261 development units, amendment to a development of regional

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262 impact, amendment to a development agreements, amendment to a
263 restrictive covenant, or comprehensive plan amendment for the
264 building height, zoning, and densities authorized under this
265 subsection. For mixed-use residential projects, at least 65
266 percent of the total square footage must be used for residential
267 purposes. The municipality may not require that more than 10
268 percent of the total square footage of such mixed-use
269 residential projects be used for nonresidential purposes.

270 (d)1. A municipality may not restrict the height of a
271 proposed development authorized under this subsection below the
272 highest currently allowed, or allowed on July 1, 2023, height
273 for a commercial or residential building located in its
274 jurisdiction within 1 mile of the proposed development or 3
275 stories, whichever is higher. For purposes of this paragraph,
276 the term "highest currently allowed height" does not include the
277 height of any building that met the requirements of this
278 subsection or the height of any building that has received any
279 bonus, variance, or other special exception for height provided
280 in the municipality's land development regulations as an
281 incentive for development.

282 2. If the proposed development is adjacent to, on two or
283 more sides, a parcel zoned for single-family residential use
284 that is within a single-family residential development with at
285 least 25 contiguous single-family homes, the municipality may
286 restrict the height of the proposed development to 150 percent
287 of the tallest building on any property adjacent to the proposed
288 development, the highest currently allowed height for the
289 property provided in the municipality's land development
290 regulations, or 3 stories, whichever is higher. For the purposes

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291 of this paragraph, the term "adjacent to" means those properties
292 sharing more than one point of a property line, but does not
293 include properties separated by a public road or body of water,
294 including man-made lakes or ponds.

295 (e) A proposed development authorized under this subsection
296 must be administratively approved without ~~and no~~ further action
297 by the governing body of the municipality or any quasi-judicial
298 or administrative board or reviewing body ~~is required~~ if the
299 development satisfies the municipality's land development
300 regulations for multifamily developments in areas zoned for such
301 use and is otherwise consistent with the comprehensive plan,
302 with the exception of provisions establishing allowable
303 densities, floor area ratios, height, and land use. Such land
304 development regulations include, but are not limited to,
305 regulations relating to setbacks and parking requirements. A
306 proposed development located within one-quarter mile of a
307 military installation identified in s. 163.3175(2) may not be
308 administratively approved. Each municipality shall maintain on
309 its website a policy containing procedures and expectations for
310 administrative approval pursuant to this subsection.

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

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

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

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

325 ~~c.b.~~ Has available parking within 600 feet of the proposed
326 development which may consist of options such as on-street
327 parking, parking lots, or parking garages available for use by
328 residents of the proposed development. However, a municipality
329 may not require that the available parking compensate for the
330 reduction in parking requirements.

331 ~~2.3.~~ A municipality must eliminate parking requirements for
332 a proposed mixed-use residential development authorized under
333 this subsection within an area recognized by the municipality as
334 a transit-oriented development or area, as provided in paragraph
335 (h).

336 ~~3.4.~~ For purposes of this paragraph, the term "major
337 transportation hub" means any transit station, whether bus,
338 train, or light rail, which is served by public transit with a
339 mix of other transportation options.

340 (1) The court shall give any civil action filed against a
341 municipality for a violation of this subsection priority over
342 other pending cases and render a preliminary or final decision
343 as expeditiously as possible.

344 (m) If a civil action is filed against a municipality for a
345 violation of this subsection, the court must assess and award
346 reasonable attorney fees and costs and damages to the prevailing
347 plaintiff. An award of reasonable attorney fees or costs and
348 damages pursuant to this subsection may not exceed \$100,000. In

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349 addition, a prevailing plaintiff may not recover any attorney
350 fees or costs directly incurred by or associated with litigation
351 to determine an award of reasonable attorney fees or costs.

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

353 1. "Commercial use" means activities associated with the
354 sale, rental, or distribution of products or the performance of
355 services related thereto. The term includes, but is not limited
356 to, such uses or activities as retail sales; wholesale sales;
357 rentals of equipment, goods, or products; offices; restaurants;
358 food service vendors; sports arenas; theaters; tourist
359 attractions; and other for-profit business activities. A parcel
360 zoned to permit such uses by right without the requirement to
361 obtain a variance or waiver is considered commercial use for the
362 purposes of this section, irrespective of the local land
363 development regulation's listed category or title. The term does
364 not include uses that are accessory, ancillary, incidental to
365 the allowable uses, or allowed only on a temporary basis.
366 Recreational uses, such as golf courses, tennis courts, swimming
367 pools, and clubhouses, within an area designated for residential
368 use are not commercial use, irrespective of how they are
369 operated.

370 2. "Industrial use" means activities associated with the
371 manufacture, assembly, processing, or storage of products or the
372 performance of services related thereto. The term includes, but
373 is not limited to, such uses or activities as automobile
374 manufacturing or repair, boat manufacturing or repair, junk
375 yards, meat packing facilities, citrus processing and packing
376 facilities, produce processing and packing facilities,
377 electrical generating plants, water treatment plants, sewage

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378 treatment plants, and solid waste disposal sites. A parcel zoned
379 to permit such uses by right without the requirement to obtain a
380 variance or waiver is considered industrial use for the purposes
381 of this section, irrespective of the local land development
382 regulation's listed category or title. The term does not include
383 uses that are accessory, ancillary, incidental to the allowable
384 uses, or allowed only on a temporary basis. Recreational uses,
385 such as golf courses, tennis courts, swimming pools, and
386 clubhouses, within an area designated for residential use are
387 not industrial, irrespective of how they are operated.

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

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

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

398 (9)(a) A municipality may not impose a building moratorium
399 that has the effect of delaying the permitting or construction
400 of a multifamily residential or mixed-use residential
401 development authorized under subsection (7) except as provided
402 in paragraph (b).

403 (b) A municipality may, by ordinance, impose such a
404 building moratorium for no more than 90 days in any 3-year
405 period. Before adoption of such a building moratorium, the
406 municipality shall prepare or cause to be prepared an assessment

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407 of the municipality's need for affordable housing at the
408 extremely-low-income, very-low-income, low-income, or moderate-
409 income limits specified in s. 420.0004, including projections of
410 such need for the next 5 years. This assessment must be posted
411 on the municipality's website by the date the notice of proposed
412 enactment is published and must be presented at the same public
413 meeting at which the proposed ordinance imposing the building
414 moratorium is adopted by the governing body of the municipality.
415 This assessment must be included in the business impact estimate
416 for the ordinance imposing such a moratorium required by s.
417 166.041(4).

418 (c) If a civil action is filed against a municipality for a
419 violation of this subsection, the court must assess and award
420 reasonable attorney fees and costs and damages to the prevailing
421 plaintiff. An award of reasonable attorney fees or costs and
422 damages pursuant to this subsection may not exceed \$100,000. In
423 addition, a prevailing plaintiff may not recover any attorney
424 fees or costs directly incurred by or associated with litigation
425 to determine an award of reasonable attorney fees or costs.

426 Section 3. An applicant for a proposed development
427 authorized under s. 125.01055(7), Florida Statutes, or s.
428 166.04151(7), Florida Statutes, who submitted an application,
429 written request, or notice of intent to use such provisions to
430 the county or municipality and which application, written
431 request, or notice of intent has been received by the county or
432 municipality, as applicable, before July 1, 2025, may notify the
433 county or municipality by July 1, 2025, of its intent to proceed
434 under the provisions of s. 125.01055(7), Florida Statutes, or s.
435 166.04151(7), Florida Statutes, as they existed at the time of

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436 submittal. A county or municipality, as applicable, shall allow
437 an applicant who submitted such application, written request, or
438 notice of intent before July 1, 2025, the opportunity to submit
439 a revised application, written request, or notice of intent to
440 account for the changes made by this act.

441 Section 4. Paragraph (a) of subsection (9) of section
442 380.0552, Florida Statutes, is amended to read:

443 380.0552 Florida Keys Area; protection and designation as
444 area of critical state concern.—

445 (9) MODIFICATION TO PLANS AND REGULATIONS.—

446 (a) Any land development regulation or element of a local
447 comprehensive plan in the Florida Keys Area may be enacted,
448 amended, or rescinded by a local government, but the enactment,
449 amendment, or rescission becomes effective only upon approval by
450 the state land planning agency. The state land planning agency
451 shall review the proposed change to determine if it is in
452 compliance with the principles for guiding development specified
453 in chapter 27F-8, Florida Administrative Code, as amended
454 effective August 23, 1984, and must approve or reject the
455 requested changes within 60 days after receipt. Amendments to
456 local comprehensive plans in the Florida Keys Area must also be
457 reviewed for compliance with the following:

458 1. Construction schedules and detailed capital financing
459 plans for wastewater management improvements in the annually
460 adopted capital improvements element, and standards for the
461 construction of wastewater treatment and disposal facilities or
462 collection systems that meet or exceed the criteria in s.
463 403.086(11) for wastewater treatment and disposal facilities or
464 s. 381.0065(4)(1) for onsite sewage treatment and disposal

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465 systems.

466 2. Goals, objectives, and policies to protect public safety
467 and welfare in the event of a natural disaster by maintaining a
468 hurricane evacuation clearance time for permanent residents of
469 no more than 26 ~~24~~ hours. The hurricane evacuation clearance
470 time shall be determined by a hurricane evacuation study
471 conducted in accordance with a professionally accepted
472 methodology and approved by the state land planning agency. For
473 purposes of hurricane evacuation clearance time:

474 a. Mobile home residents are not considered permanent
475 residents.

476 b. The City of Key West Area of Critical State Concern
477 established by chapter 28-36, Florida Administrative Code, shall
478 be included in the hurricane evacuation study and is subject to
479 the evacuation requirements of this subsection.

480 Section 5. It is the intent of the Legislature that the
481 amendment made by this act to s. 380.0552, Florida Statutes,
482 will accommodate the building of additional developments within
483 the Florida Keys to ameliorate the acute affordable housing and
484 building permit allocation shortage. The Legislature also
485 intends that local governments subject to the hurricane
486 evacuation clearance time restrictions on residential buildings
487 manage growth with a heightened focus on long-term stability and
488 affordable housing for the local workforce.

489 Section 6. Section 420.5098, Florida Statutes, is created
490 to read:

491 420.5098 Public sector and hospital employer-sponsored
492 housing policy.—

493 (1) The Legislature finds that it is in the best interests

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494 of the state and the state's economy to provide affordable
495 housing to state residents employed by hospitals, health care
496 facilities, and governmental entities in order to attract and
497 maintain the highest quality labor by incentivizing such
498 employers to sponsor affordable housing opportunities. Section
499 42(g)(9)(B) of the Internal Revenue Code provides that a
500 qualified low-income housing project does not fail to meet the
501 general public use requirement solely because of occupancy
502 restrictions or preferences that favor tenants who are members
503 of a specified group under a state program or policy that
504 supports housing for such specified group. Therefore, it is the
505 intent of the Legislature to establish a policy that supports
506 the development of affordable workforce housing for employees of
507 hospitals, health care facilities, and governmental entities.

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

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

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

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

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523 (3) It is the policy of the state to support housing for
524 employees of hospitals, health care facilities, and governmental
525 entities and to allow developers in receipt of federal low-
526 income housing tax credits allocated pursuant to s. 420.5099,
527 local or state funds, or other sources of funding available to
528 finance the development of affordable housing to create a
529 preference for housing for such employees. Such preference must
530 conform to the requirements of s. 42(g)(9) of the Internal
531 Revenue Code.

532 Section 7. Section 760.26, Florida Statutes, is amended to
533 read:

534 760.26 Prohibited discrimination in land use decisions and
535 in permitting of development.—It is unlawful to discriminate in
536 land use decisions or in the permitting of development based on
537 race, color, national origin, sex, disability, familial status,
538 religion, or, except as otherwise provided by law, the source of
539 financing of a development or proposed development or the nature
540 of a development or proposed development as affordable housing.

541 Section 8. This act shall take effect July 1, 2025.