

1 A bill to be entitled
2 An act relating to affordable housing; amending ss.
3 125.01055 and 166.04151, F.S.; clarifying application;
4 prohibiting counties and municipalities, respectively,
5 from restricting the floor area ratio of certain
6 proposed developments under certain circumstances;
7 providing that the density, floor area ratio, or
8 height of certain developments, bonuses, variances, or
9 other special exceptions are not included in the
10 calculation of the currently allowed density, floor
11 area ratio, or height by counties and municipalities,
12 respectively; authorizing counties and municipalities,
13 respectively, to restrict the height of proposed
14 developments under certain circumstances; prohibiting
15 the administrative approval by counties and
16 municipalities, respectively, of a proposed
17 development within a specified proximity to a military
18 installation; requiring counties and municipalities,
19 respectively, to maintain a certain policy on their
20 websites; requiring counties and municipalities,
21 respectively, to consider reducing parking
22 requirements under certain circumstances; requiring
23 counties and municipalities, respectively, to reduce
24 or eliminate parking requirements for certain proposed
25 mixed-use developments that meet certain requirements;

26 providing certain requirements for developments
27 located within a transit-oriented development or area;
28 defining the term "major transportation hub";
29 providing requirements for developments authorized
30 located within a transit-oriented development or area;
31 clarifying that a county or municipality,
32 respectively, is not precluded from granting
33 additional exceptions; clarifying that a proposed
34 development is not precluded from receiving a bonus
35 for density, height, or floor area ratio if specified
36 conditions are satisfied; revising applicability;
37 authorizing specified developments to be treated as a
38 conforming use under certain circumstances;
39 authorizing specified developments to be treated as a
40 nonconforming use under certain circumstances;
41 amending s. 196.1978, F.S.; revising the definition of
42 the term "newly constructed"; revising conditions for
43 when multifamily projects are considered property used
44 for a charitable purpose and are eligible to receive
45 an ad valorem property tax exemption; requiring
46 property appraisers to make certain exemptions from ad
47 valorem property taxes; providing the method for
48 determining the value of a unit for certain purposes;
49 requiring property appraisers to review certain
50 applications and make certain determinations;

51 authorizing property appraisers to request and review
52 additional information; authorizing property
53 appraisers to grant exemptions only under certain
54 conditions; revising requirements for property owners
55 seeking a certification notice from the Florida
56 Housing Finance Corporation; providing that a certain
57 determination by the corporation does not constitute
58 an exemption; conforming provisions to changes made by
59 the act; amending s. 196.1979, F.S.; revising the
60 value to which a certain ad valorem property tax
61 exemption applies; revising a condition of eligibility
62 for vacant residential units to qualify for a certain
63 ad valorem property tax exemption; revising the
64 deadline for an application for exemption; revising
65 deadlines by which boards and governing bodies must
66 deliver to or notify the Department of Revenue of the
67 adoption, repeal, or expiration of certain ordinances;
68 requiring property appraisers to review certain
69 applications and make certain determinations;
70 authorizing property appraisers to request and review
71 additional information; authorizing property
72 appraisers to grant exemptions only under certain
73 conditions; providing the method for determining the
74 value of a unit for certain purposes; providing for
75 retroactive application; amending s. 333.03, F.S.;

76 | excluding certain proposed developments from specified
 77 | airport zoning provisions; amending s. 420.507, F.S.;
 78 | revising the enumerated powers of the corporation;
 79 | amending s. 420.5096, F.S.; deleting required working
 80 | hours under the Florida Hometown Hero Program;
 81 | amending s. 420.518, F.S.; specifying conditions under
 82 | which the corporation may preclude applicants from
 83 | corporation programs; providing an appropriation;
 84 | providing an effective date.

85 |

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

87 |

88 | Section 1. Subsection (7) of section 125.01055, Florida
 89 | Statutes, is amended, and subsection (8) is added to that
 90 | section, to read:

91 | 125.01055 Affordable housing.—

92 | (7)(a) A county must authorize multifamily and mixed-use
 93 | residential as allowable uses in any area zoned for commercial,
 94 | industrial, or mixed use if at least 40 percent of the
 95 | residential units in a proposed multifamily ~~rental~~ development
 96 | are rental units that, for a period of at least 30 years, are
 97 | affordable as defined in s. 420.0004. Notwithstanding any other
 98 | law, local ordinance, or regulation to the contrary, a county
 99 | may not require a proposed multifamily development to obtain a
 100 | zoning or land use change, special exception, conditional use

101 approval, variance, or comprehensive plan amendment for the
 102 building height, zoning, and densities authorized under this
 103 subsection. For mixed-use residential projects, at least 65
 104 percent of the total square footage must be used for residential
 105 purposes.

106 (b) A county may not restrict the density of a proposed
 107 development authorized under this subsection below the highest
 108 currently allowed density on any unincorporated land in the
 109 county where residential development is allowed under the
 110 county's land development regulations. For purposes of this
 111 paragraph, the term "highest currently allowed density" does not
 112 include the density of any development that meets the
 113 requirements of this subsection or the density of any
 114 development which has received any bonus, variance, or other
 115 special exception for density provided in the county's land
 116 development regulations as an incentive for development.

117 (c) A county may not restrict the floor area ratio of a
 118 proposed development authorized under this subsection below the
 119 highest currently allowed floor area ratio on any unincorporated
 120 land in the county where development is allowed under the
 121 county's land development regulations. For purposes of this
 122 paragraph, the term "highest currently allowed floor area ratio"
 123 does not include the floor area ratio of any development that
 124 met the requirements of this subsection or the floor area ratio
 125 of any development which has received any bonus, variance, or

126 other special exception for floor area ratio provided in the
127 county's land development regulations as an incentive for
128 development. For purposes of this subsection, the term floor
129 area ratio includes floor lot ratio.

130 (d)1.~~(e)~~ A county may not restrict the height of a
131 proposed development authorized under this subsection below the
132 highest currently allowed height for a commercial or residential
133 building development located in its jurisdiction within 1 mile
134 of the proposed development or 3 stories, whichever is higher.
135 For purposes of this paragraph, the term "highest currently
136 allowed height" does not include the height of any development
137 that met the requirements of this subsection or the height of
138 any development which has received any bonus, variance, or other
139 special exception for height provided in the county's land
140 development regulations as an incentive for development.

141 2. If the proposed development is adjacent to, on two or
142 more sides, a parcel zoned for single-family residential use
143 that is within a single-family residential development with at
144 least 25 contiguous single-family homes, the county may restrict
145 the height of the proposed development to 150 percent of the
146 tallest building on property within one-quarter mile of the
147 proposed development or 3 stories, whichever is higher.

148 (e)~~(d)~~ A proposed development authorized under this
149 subsection must be administratively approved and no further
150 action by the board of county commissioners is required if the

151 development satisfies the county's land development regulations
 152 for multifamily developments in areas zoned for such use and is
 153 otherwise consistent with the comprehensive plan, with the
 154 exception of provisions establishing allowable densities, floor
 155 area ratios, height, and land use. Such land development
 156 regulations include, but are not limited to, regulations
 157 relating to setbacks and parking requirements. A proposed
 158 development located within one-quarter mile of a military
 159 installation identified in s. 163.3175(2) may not be
 160 administratively approved. Each county shall maintain on its
 161 website a policy containing procedures and expectations for
 162 administrative approval pursuant to this subsection.

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

169 2. A county must reduce parking requirements by 20 percent
 170 for a proposed development authorized under this subsection if
 171 the development:

172 a. Is located within one-half mile of a major
 173 transportation hub that is accessible from the proposed
 174 development by safe, pedestrian-friendly means, such as
 175 sidewalks, crosswalks, elevated pedestrian or bike paths, or

176 other multimodal design features.

177 b. Has available parking within 600 feet of the proposed
 178 development which may consist of options such as on-street
 179 parking, parking lots, or parking garages available for use by
 180 residents of the proposed development.

181 3. A county must eliminate parking requirements for a
 182 proposed mixed-use residential development authorized under this
 183 subsection within an area recognized by the county as a transit-
 184 oriented development or area, as provided in paragraph (h).

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

189 (g)~~(f)~~ For proposed multifamily developments in an
 190 unincorporated area zoned for commercial or industrial use which
 191 is within the boundaries of a multicounty independent special
 192 district that was created to provide municipal services and is
 193 not authorized to levy ad valorem taxes, and less than 20
 194 percent of the land area within such district is designated for
 195 commercial or industrial use, a county must authorize, as
 196 provided in this subsection, such development only if the
 197 development is mixed-use residential.

198 (h) A proposed development authorized under this
 199 subsection which is located within a transit-oriented
 200 development or area, as recognized by the county, must be mixed-

201 use residential and otherwise comply with requirements of the
 202 county's regulations applicable to the transit-oriented
 203 development or area except for use, height, density, and floor
 204 area ratio as provided in this subsection or as otherwise agreed
 205 to by the county and the applicant for the development.

206 (i)-(g) Except as otherwise provided in this subsection, a
 207 development authorized under this subsection must comply with
 208 all applicable state and local laws and regulations.

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

214 2. Nothing in this subsection precludes a proposed
 215 development authorized under this subsection from receiving a
 216 bonus for density, height, or floor area ratio pursuant to an
 217 ordinance or regulation of the jurisdiction where the proposed
 218 development is located if the proposed development satisfies the
 219 conditions to receive the bonus except for any condition which
 220 conflicts with this subsection.

221 (k)-(h) This subsection does not apply to:

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

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

225 (l)-(i) This subsection expires October 1, 2033.

226 (8) Any development authorized under paragraph (7) (a) must
 227 be treated as a conforming use even after the expiration of
 228 subsection (7) and the development's affordability period as
 229 provided in paragraph (7) (a), notwithstanding the county's
 230 comprehensive plan, future land use designation, or zoning. If
 231 at any point during the development's affordability period the
 232 development violates the affordability period requirement
 233 provided in paragraph (7) (a), the development must be allowed a
 234 reasonable time to cure such violation. If the violation is not
 235 cured within a reasonable time, the development must be treated
 236 as a nonconforming use.

237 Section 2. Subsection (7) of section 166.04151, Florida
 238 Statutes, is amended, and subsection (8) is added to that
 239 section, to read:

240 166.04151 Affordable housing.—

241 (7) (a) A municipality must authorize multifamily and
 242 mixed-use residential as allowable uses in any area zoned for
 243 commercial, industrial, or mixed use if at least 40 percent of
 244 the residential units in a proposed multifamily ~~rental~~
 245 development are rental units that, for a period of at least 30
 246 years, are affordable as defined in s. 420.0004. Notwithstanding
 247 any other law, local ordinance, or regulation to the contrary, a
 248 municipality may not require a proposed multifamily development
 249 to obtain a zoning or land use change, special exception,
 250 conditional use approval, variance, or comprehensive plan

251 amendment for the building height, zoning, and densities
252 authorized under this subsection. For mixed-use residential
253 projects, at least 65 percent of the total square footage must
254 be used for residential purposes.

255 (b) A municipality may not restrict the density of a
256 proposed development authorized under this subsection below the
257 highest currently allowed density on any land in the
258 municipality where residential development is allowed under the
259 municipality's land development regulations. For purposes of
260 this paragraph, the term "highest currently allowed density"
261 does not include the density of any development that meets the
262 requirements of this subsection or the density of any
263 development which has received any bonus, variance, or other
264 special exception for density provided in the municipality's
265 land development regulations as an incentive for development.

266 (c) A municipality may not restrict the floor area ratio
267 of a proposed development authorized under this subsection below
268 the highest currently allowed floor area ratio on any land in
269 the municipality where development is allowed under the
270 municipality's land development regulations. For purposes of
271 this paragraph, the term "highest currently allowed floor area
272 ratio" does not include the floor area ratio of any development
273 that met the requirements of this subsection or the floor area
274 ratio of any development which has received any bonus, variance,
275 or other special exception for floor area ratio provided in the

276 municipality's land development regulations as an incentive for
 277 development. For purposes of this subsection, the term "floor
 278 area ratio" includes floor lot ratio.

279 (d)1.~~(e)~~ A municipality may not restrict the height of a
 280 proposed development authorized under this subsection below the
 281 highest currently allowed height for a commercial or residential
 282 building development located in its jurisdiction within 1 mile
 283 of the proposed development or 3 stories, whichever is higher.
 284 For purposes of this paragraph, the term "highest currently
 285 allowed height" does not include the height of any development
 286 that met the requirements of this subsection or the height of
 287 any development which has received any bonus, variance, or other
 288 special exception for height provided in the municipality's land
 289 development regulations as an incentive for development.

290 2. If the proposed development is adjacent to, on two or
 291 more sides, a parcel zoned for single-family residential use
 292 that is within a single-family residential development with at
 293 least 25 contiguous single-family homes, the municipality may
 294 restrict the height of the proposed development to 150 percent
 295 of the tallest building on property within one-quarter mile of
 296 the proposed development or 3 stories, whichever is higher.

297 (e)~~(d)~~ A proposed development authorized under this
 298 subsection must be administratively approved and no further
 299 action by the governing body of the municipality is required if
 300 the development satisfies the municipality's land development

301 regulations for multifamily developments in areas zoned for such
302 use and is otherwise consistent with the comprehensive plan,
303 with the exception of provisions establishing allowable
304 densities, floor area ratios, height, and land use. Such land
305 development regulations include, but are not limited to,
306 regulations relating to setbacks and parking requirements. A
307 proposed development located within one-quarter mile of a
308 military installation identified in s. 163.3175(2) may not be
309 administratively approved. Each municipality shall maintain on
310 its website a policy containing procedures and expectations for
311 administrative approval pursuant to this subsection.

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

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

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

326 b. Has available parking within 600 feet of the proposed
327 development which may consist of options such as on-street
328 parking, parking lots, or parking garages available for use by
329 residents of the proposed development.

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

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

339 (g)~~(f)~~ A municipality that designates less than 20 percent
340 of the land area within its jurisdiction for commercial or
341 industrial use must authorize a proposed multifamily development
342 as provided in this subsection in areas zoned for commercial or
343 industrial use only if the proposed multifamily development is
344 mixed-use residential.

345 (h) A proposed development authorized under this
346 subsection which is located within a transit-oriented
347 development or area, as recognized by the municipality, must be
348 mixed-use residential and otherwise comply with requirements of
349 the municipality's regulations applicable to the transit-
350 oriented development or area except for use, height, density,

351 and floor area ratio as provided in this subsection or as
 352 otherwise agreed to by the municipality and the applicant for
 353 the development.

354 (i)~~(g)~~ Except as otherwise provided in this subsection, a
 355 development authorized under this subsection must comply with
 356 all applicable state and local laws and regulations.

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

362 2. Nothing in this subsection precludes a proposed
 363 development authorized under this subsection from receiving a
 364 bonus for density, height, or floor area ratio pursuant to an
 365 ordinance or regulation of the jurisdiction where the proposed
 366 development is located if the proposed development satisfies the
 367 conditions to receive the bonus except for any condition which
 368 conflicts with this subsection.

369 (k)~~(h)~~ This subsection does not apply to:

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

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

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

374 (8) Any development authorized under paragraph (7) (a) must
 375 be treated as a conforming use even after the expiration of

376 subsection (7) and the development's affordability period as
 377 provided in paragraph (7) (a), notwithstanding the municipality's
 378 comprehensive plan, future land use designation, or zoning. If
 379 at any point during the development's affordability period the
 380 development violates the affordability period requirement
 381 provided in paragraph (7) (a), the development must be allowed a
 382 reasonable time to cure such violation. If the violation is not
 383 cured within a reasonable time, the development must be treated
 384 as a nonconforming use.

385 Section 3. Subsection (3) of section 196.1978, Florida
 386 Statutes, is amended to read:

387 196.1978 Affordable housing property exemption.—

388 (3) (a) As used in this subsection, the term:

389 1. "Corporation" means the Florida Housing Finance
 390 Corporation.

391 2. "Newly constructed" means an improvement to real
 392 property which was substantially completed within 5 years before
 393 the date of an applicant's first submission of a request for a
 394 certification notice ~~or an application for an exemption~~ pursuant
 395 to this subsection ~~section, whichever is earlier.~~

396 3. "Substantially completed" has the same meaning as in s.
 397 192.042 (1) .

398 (b) Notwithstanding ss. 196.195 and 196.196, portions of
 399 property in a multifamily project are considered property used
 400 for a charitable purpose and are eligible to receive an ad

401 valorem property tax exemption if such portions meet all of the
 402 following conditions:

403 1. Provide affordable housing to natural persons or
 404 families meeting the income limitations provided in paragraph
 405 (d).~~†~~

406 2.a. Are within a newly constructed multifamily project
 407 that contains more than 70 units dedicated to housing natural
 408 persons or families meeting the income limitations provided in
 409 paragraph (d); or

410 b. Are within a newly constructed multifamily project in
 411 an area of critical state concern, as designated by s. 380.0552
 412 or chapter 28-36, Florida Administrative Code, which contains
 413 more than 10 units dedicated to housing natural persons or
 414 families meeting the income limitations provided in paragraph
 415 (d). and

416 3. Are rented for an amount that does not exceed the
 417 amount as specified by the most recent multifamily rental
 418 programs income and rent limit chart posted by the corporation
 419 and derived from the Multifamily Tax Subsidy Projects Income
 420 Limits published by the United States Department of Housing and
 421 Urban Development or 90 percent of the fair market value rent as
 422 determined by a rental market study meeting the requirements of
 423 paragraph (1) ~~(m)~~, whichever is less.

424 (c) If a unit that in the previous year received ~~qualified~~
 425 ~~for~~ the exemption under this subsection and was occupied by a

426 | tenant is vacant on January 1, the vacant unit is eligible for
427 | the exemption if the use of the unit is restricted to providing
428 | affordable housing that would otherwise meet the requirements of
429 | this subsection and a reasonable effort is made to lease the
430 | unit to eligible persons or families.

431 | (d)1. The property appraiser shall exempt:

432 | a. Seventy-five percent of the assessed value of the units
433 | in multifamily projects that meet the requirements of this
434 | subsection and are ~~Qualified property~~ used to house natural
435 | persons or families whose annual household income is greater
436 | than 80 percent but not more than 120 percent of the median
437 | annual adjusted gross income for households within the
438 | metropolitan statistical area or, if not within a metropolitan
439 | statistical area, within the county in which the person or
440 | family resides; ~~and, must receive an ad valorem property tax~~
441 | ~~exemption of 75 percent of the assessed value.~~

442 | b.2. From ad valorem property taxes the units in
443 | multifamily projects that meet the requirements of this
444 | subsection and are ~~Qualified property~~ used to house natural
445 | persons or families whose annual household income does not
446 | exceed 80 percent of the median annual adjusted gross income for
447 | households within the metropolitan statistical area or, if not
448 | within a metropolitan statistical area, within the county in
449 | which the person or family resides, ~~is exempt from ad valorem~~
450 | ~~property taxes.~~

451 2. When determining the value of a unit for purposes of
452 applying an exemption pursuant to this paragraph, the property
453 appraiser must include in such valuation the proportionate share
454 of the residential common areas, including the land, fairly
455 attributable to such unit.

456 (e) To be eligible to receive an exemption under this
457 subsection, a property owner must submit an application on a
458 form prescribed by the department by March 1 for the exemption,
459 accompanied by a certification notice from the corporation to
460 the property appraiser. The property appraiser shall review the
461 application and determine whether the applicant meets all of the
462 requirements of this subsection and is entitled to an exemption.
463 A property appraiser may request and review additional
464 information necessary to make such determination. A property
465 appraiser may grant an exemption only for a property for which
466 the corporation has issued a certification notice and which the
467 property appraiser determines is entitled to an exemption.

468 (f) To receive a certification notice, a property owner
469 must submit a request to the corporation ~~for certification~~ on a
470 form provided by the corporation which includes all of the
471 following:

472 1. The most recently completed rental market study meeting
473 the requirements of paragraph (1) ~~(m)~~.

474 2. A list of the units for which the property owner seeks
475 an exemption.

476 3. The rent amount received by the property owner for each
 477 unit for which the property owner seeks an exemption. If a unit
 478 is vacant and qualifies for an exemption under paragraph (c),
 479 the property owner must provide evidence of the published rent
 480 amount for each vacant unit.

481 4. A sworn statement, under penalty of perjury, from the
 482 applicant restricting the property for a period of not less than
 483 3 years to housing persons or families who meet the income
 484 limitations under this subsection.

485 (g) The corporation shall review the request for a
 486 certification notice and certify whether a property ~~that~~ meets
 487 the ~~eligibility~~ criteria of paragraphs (b) and (c) ~~this~~
 488 ~~subsection~~. A determination by the corporation regarding a
 489 request for a certification notice does not constitute a grant
 490 of an exemption pursuant to this subsection or final agency
 491 action pursuant to chapter 120.

492 1. If the corporation determines that the property meets
 493 the ~~eligibility~~ criteria ~~for an exemption under this subsection~~,
 494 the corporation must send a certification notice to the property
 495 owner and the property appraiser.

496 2. If the corporation determines that the property does
 497 not meet the ~~eligibility~~ criteria, the corporation must notify
 498 the property owner and include the reasons for such
 499 determination.

500 (h) The corporation shall post on its website the deadline

501 to submit a request for a certification notice. The deadline
 502 must allow adequate time for a property owner to submit a timely
 503 application for exemption to the property appraiser.

504 ~~(i) The property appraiser shall review the application~~
 505 ~~and determine if the applicant is entitled to an exemption. A~~
 506 ~~property appraiser may grant an exemption only for a property~~
 507 ~~for which the corporation has issued a certification notice.~~

508 ~~(j)~~ If the property appraiser determines that for any year
 509 during the immediately previous 10 years a person who was not
 510 entitled to an exemption under this subsection was granted such
 511 an exemption, the property appraiser must serve upon the owner a
 512 notice of intent to record in the public records of the county a
 513 notice of tax lien against any property owned by that person in
 514 the county, and that property must be identified in the notice
 515 of tax lien. Any property owned by the taxpayer and situated in
 516 this state is subject to the taxes exempted by the improper
 517 exemption, plus a penalty of 50 percent of the unpaid taxes for
 518 each year and interest at a rate of 15 percent per annum. If an
 519 exemption is improperly granted as a result of a clerical
 520 mistake or an omission by the property appraiser, the property
 521 owner improperly receiving the exemption may not be assessed a
 522 penalty or interest.

523 (j)~~(k)~~ Units subject to an agreement with the corporation
 524 pursuant to chapter 420 recorded in the official records of the
 525 county in which the property is located to provide housing to

526 natural persons or families meeting the extremely-low-income,
 527 very-low-income, or low-income limits specified in s. 420.0004
 528 are not eligible for this exemption.

529 (k)~~(l)~~ Property receiving an exemption pursuant to s.
 530 196.1979 is not eligible for this exemption.

531 (l)~~(m)~~ A rental market study submitted as required by
 532 subparagraph (f)1. ~~paragraph (f)~~ must identify the fair market
 533 value rent of each unit for which a property owner seeks an
 534 exemption. Only a certified general appraiser as defined in s.
 535 475.611 may issue a rental market study. The certified general
 536 appraiser must be independent of the property owner who requests
 537 the rental market study. In preparing the rental market study, a
 538 certified general appraiser shall comply with the standards of
 539 professional practice pursuant to part II of chapter 475 and use
 540 comparable property within the same geographic area and of the
 541 same type as the property for which the exemption is sought. A
 542 rental market study must have been completed within 3 years
 543 before submission of the application.

544 (m)~~(n)~~ The corporation may adopt rules to implement this
 545 section.

546 (n)~~(o)~~ This subsection first applies to the 2024 tax roll
 547 and is repealed December 31, 2059.

548 Section 4. Subsections (6) and (7) of section 196.1979,
 549 Florida Statutes, are renumbered as subsections (8) and (9),
 550 respectively, paragraph (b) of subsection (1), subsection (2),

551 paragraphs (d), (f), and (1) of subsection (3), and subsection
 552 (5) are amended, and new subsections (6) and (7) are added to
 553 that section, to read:

554 196.1979 County and municipal affordable housing property
 555 exemption.—

556 (1)

557 (b) Qualified property may receive an ad valorem property
 558 tax exemption of:

559 1. Up to 75 percent of the assessed value of each
 560 residential unit used to provide affordable housing if fewer
 561 than 100 percent of the multifamily project's residential units
 562 are used to provide affordable housing meeting the requirements
 563 of this section.

564 2. Up to 100 percent of the assessed value of each
 565 residential unit used to provide affordable housing if 100
 566 percent of the multifamily project's residential units are used
 567 to provide affordable housing meeting the requirements of this
 568 section.

569 (2) If a residential unit that in the previous year
 570 received ~~qualified for~~ the exemption under this section and was
 571 occupied by a tenant is vacant on January 1, the vacant unit may
 572 qualify for the exemption under this section if the use of the
 573 unit is restricted to providing affordable housing that would
 574 otherwise meet the requirements of this section and a reasonable
 575 effort is made to lease the unit to eligible persons or

576 families.

577 (3) An ordinance granting the exemption authorized by this
578 section must:

579 (d) Require the local entity to verify and certify
580 property that meets the requirements of the ordinance as
581 qualified property and forward the certification to the property
582 owner and the property appraiser. If the local entity denies the
583 application for certification ~~exemption~~, it must notify the
584 applicant and include reasons for the denial.

585 (f) Require the property owner to submit an application
586 for exemption, on a form prescribed by the department,
587 accompanied by the certification of qualified property, to the
588 property appraiser no later than the deadline specified in s.
589 196.011 ~~March 1~~.

590 (1) Require the county or municipality to post on its
591 website a list of ~~certified~~ properties receiving the exemption
592 for the purpose of facilitating access to affordable housing.

593 (5) An ordinance adopted under this section must expire
594 before the fourth January 1 after adoption; however, the board
595 of county commissioners or the governing body of the
596 municipality may adopt a new ordinance to renew the exemption.
597 The board of county commissioners or the governing body of the
598 municipality shall deliver a copy of an ordinance adopted under
599 this section to the department and the property appraiser within
600 10 days after its adoption, but no later than January 1 of the

601 year such exemption will take effect. If the ordinance expires
 602 or is repealed, the board of county commissioners or the
 603 governing body of the municipality must notify the department
 604 and the property appraiser within 10 days after its expiration
 605 or repeal, but no later than January 1 of the year the repeal or
 606 expiration of such exemption will take effect.

607 (6) The property appraiser shall review each application
 608 for exemption and determine whether the applicant meets all of
 609 the requirements of this section and is entitled to an
 610 exemption. A property appraiser may request and review
 611 additional information necessary to make such determination. A
 612 property appraiser may grant an exemption only for a property
 613 for which the local entity has certified as qualified property
 614 and which the property appraiser determines is entitled to an
 615 exemption.

616 (7) When determining the value of a unit for purposes of
 617 applying an exemption pursuant to this section, the property
 618 appraiser must include in such valuation the proportionate share
 619 of the residential common areas, including the land, fairly
 620 attributable to such unit.

621 Section 5. The amendments made by this act to ss. 196.1978
 622 and 196.1979, Florida Statutes, are intended to be remedial and
 623 clarifying in nature and apply retroactively to January 1, 2024.

624 Section 6. Subsection (5) of section 333.03, Florida
 625 Statutes, is renumbered as subsection (6), and a new subsection

626 (5) is added to that section, to read:

627 333.03 Requirement to adopt airport zoning regulations.—

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

630 (a) A proposed development near a runway within one-
 631 quarter of a mile laterally from the runway edge and within an
 632 area that is the width of one-quarter of a mile extending at
 633 right angles from the end of the runway for a distance of 10,000
 634 feet of any existing airport runway or planned airport runway
 635 identified in the local government's airport master plan.

636 (b) A proposed development within any airport noise zone
 637 identified in the federal land use compatibility table or in a
 638 land-use zoning or airport noise regulation adopted by the local
 639 government.

640 (c) A proposed development that exceeds maximum height
 641 restrictions identified in the political subdivision's airport
 642 zoning regulation adopted pursuant to this section.

643 Section 7. Subsection (35) of section 420.507, Florida
 644 Statutes, is amended to read:

645 420.507 Powers of the corporation.—The corporation shall
 646 have all the powers necessary or convenient to carry out and
 647 effectuate the purposes and provisions of this part, including
 648 the following powers which are in addition to all other powers
 649 granted by other provisions of this part:

650 (35) To preclude any applicant, sponsor, or affiliate of

651 an applicant or sponsor from further participation in any of the
 652 corporation's programs as provided in s. 420.518, ~~any applicant~~
 653 ~~or affiliate of an applicant which has made a material~~
 654 ~~misrepresentation or engaged in fraudulent actions in connection~~
 655 ~~with any application for a corporation program.~~

656 Section 8. Subsection (3) of section 420.5096, Florida
 657 Statutes, is amended to read:

658 420.5096 Florida Hometown Hero Program.—

659 (3) For loans made available pursuant to s.
 660 420.507(23)(a)1. or 2., the corporation may underwrite and make
 661 those mortgage loans through the program to persons or families
 662 who have household incomes that do not exceed 150 percent of the
 663 state median income or local median income, whichever is
 664 greater. A borrower must be seeking to purchase a home as a
 665 primary residence; must be a first-time homebuyer and a Florida
 666 resident; and must be employed full-time by a Florida-based
 667 employer. The borrower must provide documentation of full-time
 668 employment, ~~or full-time status for self-employed individuals,~~
 669 ~~of 35 hours or more per week.~~ The requirement to be a first-time
 670 homebuyer does not apply to a borrower who is an active duty
 671 servicemember of a branch of the armed forces or the Florida
 672 National Guard, as defined in s. 250.01, or a veteran.

673 Section 9. Section 420.518, Florida Statutes, is amended
 674 to read:

675 420.518 Preclusion from participation in corporation

676 | programs ~~Fraudulent or material misrepresentation.~~-

677 | (1) An applicant, a sponsor, or an affiliate of an
 678 | applicant or a sponsor may be precluded from participation in
 679 | any corporation program if the applicant, the sponsor, or the
 680 | affiliate of the applicant or sponsor has:

681 | (a) Made a material misrepresentation or engaged in
 682 | fraudulent actions in connection with any corporation program.

683 | (b) Been convicted or found guilty of, or entered a plea
 684 | of guilty or nolo contendere to, regardless of adjudication, a
 685 | crime in any jurisdiction which directly relates to the
 686 | financing, construction, or management of affordable housing or
 687 | the fraudulent procurement of state or federal funds. The record
 688 | of a conviction certified or authenticated in such form as to be
 689 | admissible in evidence under the laws of the state shall be
 690 | admissible as prima facie evidence of such guilt.

691 | (c) Been excluded from any federal funding program related
 692 | to the provision of housing, including debarment from
 693 | participation in federal housing programs by the United States
 694 | Department of Housing and Urban Development.

695 | (d) Been excluded from any federal or Florida procurement
 696 | programs.

697 | (e) Offered or given consideration, other than the
 698 | consideration to provide affordable housing, with respect to a
 699 | local contribution.

700 | (f) Demonstrated a pattern of noncompliance and a failure

701 to correct any such noncompliance after notice from the
702 corporation in the construction, operation, or management of one
703 or more developments funded through a corporation program.

704 (g) Materially or repeatedly violated any condition
705 imposed by the corporation in connection with the administration
706 of a corporation program, including a land use restriction
707 agreement, an extended use agreement, or any other financing or
708 regulatory agreement with the corporation.

709 (2) Upon a determination by the board of directors of the
710 corporation that an applicant or affiliate of the applicant be
711 precluded from participation in any corporation program, the
712 board may issue an order taking any or all of the following
713 actions:

714 (a) Preclude such applicant or affiliate from applying for
715 funding from any corporation program for a specified period. The
716 period may be a specified period of time or permanent in nature.
717 With regard to establishing the duration, the board shall
718 consider the facts and circumstances, inclusive of the
719 compliance history of the applicant or affiliate of the
720 applicant, the type of action under subsection (1), and the
721 degree of harm to the corporation's programs that has been or
722 may be done.

723 (b) Revoke any funding previously awarded by the
724 corporation for any development for which construction or
725 rehabilitation has not commenced.

726 (3) Before any order issued under this section can be
727 final, an administrative complaint must be served on the
728 applicant, affiliate of the applicant, or its registered agent
729 that provides notification of findings of the board, the
730 intended action, and the opportunity to request a proceeding
731 pursuant to ss. 120.569 and 120.57.

732 (4) Any funding, allocation of federal housing credits,
733 credit underwriting procedures, or application review for any
734 development for which construction or rehabilitation has not
735 commenced may be suspended by the corporation upon the service
736 of an administrative complaint on the applicant, affiliate of
737 the applicant, or its registered agent. The suspension shall be
738 effective from the date the administrative complaint is served
739 until an order issued by the corporation in regard to that
740 complaint becomes final.

741 Section 10. For the 2024-2025 fiscal year, from the funds
742 received and deposited into the General Revenue Fund from the
743 state's allocation from the federal Coronavirus State Fiscal
744 Recovery Fund created under the American Rescue Plan Act of
745 2021, Pub. L. No. 117-2, the sum of \$100 million in nonrecurring
746 funds is appropriated to the State Housing Trust Fund for use by
747 the Florida Housing Finance Corporation to implement the Florida
748 Hometown Hero Program established in s. 420.5096, Florida
749 Statutes.

750 Section 11. This act shall take effect upon becoming a

751 | law.