

## **Brownfield Infill Housing Allowed on Certain Contaminated Urban Parcels**

**SB 1434 – Sen. Alexis Calatayud (HB 979 – Rep. David Borrero)**

### **General Bill Summary**

CS/CS/SB 1434, titled the Infill Redevelopment Act, passed the Legislature and creates s. 163.2525, F.S. The bill requires local governments to allow residential development on certain qualifying parcels of environmentally impacted or previously developed land located within large urban counties.

To qualify, parcels must generally be at least five acres, located adjacent to property already zoned for residential use as of right, and situated within counties that meet specified population and municipal thresholds. Based on the bill's criteria, the provisions primarily apply in Miami-Dade, Broward, and Palm Beach counties.

The bill establishes development parameters for qualifying parcels. Residential density may not exceed the lesser of 25 dwelling units per acre or the average density allowed in adjacent residential zoning districts. Local governments must approve qualifying development and subdivision applications administratively if they meet the requirements of the act.

The legislation also establishes compatibility and buffering requirements, including additional notice provisions when redevelopment occurs on land previously used for recreational purposes. The act preempts conflicting local ordinances or regulations that would otherwise prohibit or restrict residential development authorized under the bill.

### **Potential County Impact**

The bill represents a targeted preemption of local land-use authority for certain redevelopment sites in qualifying counties. Counties would be required to permit residential development on eligible parcels even if local zoning or development regulations would otherwise prohibit the use.

County governments would be required to process qualifying development applications through an administrative review process, rather than discretionary review by elected officials or governing boards. Local governments may still apply generally applicable building and design standards, but these standards may not reduce the density, intensity, or development potential authorized under the act.

Counties may need to update internal development review procedures and adopt website guidance explaining the administrative approval process for qualifying projects. Staff responsibilities may shift toward ensuring compliance with the bill's technical requirements, such as parcel eligibility, density limits, compatibility standards, and buffering requirements.

While Senate analyses suggest the bill could reduce staff time associated with rezoning or discretionary hearings, counties may still incur administrative and implementation

costs associated with policy updates, application review, and monitoring compliance. Fiscal impacts to counties are not clearly quantified in the bill analyses.

### **Effective Date**

Upon becoming a law. The provisions apply to development applications submitted on or after the effective date.

### **Primary Statutory References**

- **s. 163.2525, F.S.** (created)
- Related statutory references include **ss. 163.3164, 163.3175, 193.461, 366.02, 376.80, F.S.; and ch. 177, F.S.**