

Florida Legislature and Governor DeSantis Ease Path to Approve Affordable Housing

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On June 10, Gov. Ron DeSantis signed HB 1339 into law, making it easier to develop affordable housing throughout Florida. A notable provision within the pages of HB 1339, now Chapter 2020-27, Laws of Florida, allows cities and counties to approve affordable housing developments on any parcel of property zoned for residential, commercial, or industrial use, “notwithstanding any other law or local ordinance or regulation to the contrary.”

In theory, this new provision streamlines the process to approve affordable housing developments by removing the hurdle of rezoning property that previously did not specifically provide authorization for any kind of residential development. Similarly, HB 1339 could also be used as a defense if opponents to a newly approved affordable housing development attempted to challenge the development by arguing the approval was inconsistent with the local government’s comprehensive plan or that the approval was somehow “spot-zoning.”

Although any decision to approve new affordable housing developments will still be up to the local government, HB 1339 provides what may become a less burdensome path to increase much needed affordable housing stock throughout Florida.

For more information on the remainder of HB 1339, or any other 2020 Florida legislation, please refer to [Carlton Fields’ 2020 Florida Legislative Post-Session Report](#) , or contact the author of this article or any member of the Carlton Fields Government Law and Consulting Practice.

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