These floor amendments to the Senate Committee Substitute (SCS) for Senate Bill No. 1 make several changes to the bill. The floor amendments modify the definitions of "residential development project" and "small residential development project." The amendments to section 5 of the SCS provide that a residential development project is a construction project resulting in five or more dwelling units. These amendments also provide that the term, "small residential development" means a development resulting in less than five dwelling units, and does not include single-family homes.

Most importantly, these floor amendments change the set-aside requirements for new residential development projects and small residential development projects. The amendments provide that, pursuant to section 21 of the SCS, a municipality shall require residential development projects to provide that one of every five proposed units is affordable. The amendments also require a payment in lieu of construction of two and one-half percent of construction costs for small residential development projects.

The amendments require the State Planning Commission to conduct a study of the available surplus State property in every municipality not determined to be inclusionary, including an estimate of the affordable units that could be developed on the property, and report to the Legislature within six months.

These amendments to the SCS also provide that a municipality shall not alter the zoning of any site that is reserved for a development containing affordable housing as a result of a judgment, court order, or settlement in exclusionary zoning litigation.

The floor amendments make technical corrections to sections 13, 18, 22, and 34 of the original Senate Committee Substitute for Senate, No. 1.