

1 A bill to be entitled
2 An act relating to local government land development
3 regulations and orders; amending ss. 125.022 and
4 166.033, F.S.; providing applicability; requiring
5 certain counties and municipalities, respectively, to
6 follow certain application procedures for applications
7 for certain development permits and development
8 orders; creating s. 163.3254, F.S.; creating the
9 "Florida Starter Homes Act" for a specified purpose;
10 providing a short title; providing legislative
11 findings; providing definitions; prohibiting local
12 governments from imposing certain regulations if a
13 residential lot is connected to a public water system
14 and a sewerage system; requiring that regulations
15 imposed by a local government allow residential lots
16 to front or abut a shared space instead of a public
17 right-of-way; prohibiting a local government from
18 imposing regulations that require more than a certain
19 minimum number of parking spaces for specified
20 residential lots; prohibiting a local government from
21 imposing certain regulations on residential lots that
22 contain historic property; providing exceptions;
23 requiring that local government regulations include a
24 certain process; requiring off-site constructed
25 residential dwellings to be allowed in certain

26 | circumstances; prohibiting a local government from
27 | adopting or enforcing certain regulations; providing
28 | construction; prohibiting a local government from
29 | treating off-site constructed residential dwellings
30 | differently than factory-built buildings based on
31 | certain circumstances; authorizing a local government
32 | to adopt compatibility standards that are limited to
33 | certain architectural features; requiring the approval
34 | of a lot split under certain circumstances; limiting
35 | the criteria that may be required by local governments
36 | for applications for and approvals of lot splits;
37 | establishing an application process for development
38 | applications for residential lots; requiring a local
39 | government to process such applications in a certain
40 | manner within certain timeframes; authorizing an
41 | applicant to request, and requiring the local
42 | government to grant certain extensions; prohibiting a
43 | local government from imposing, or from requiring an
44 | applicant to request, such an extension; providing
45 | that certain applications are deemed approved under
46 | certain circumstances; requiring a local government to
47 | issue to an applicant a refund of the application fee
48 | under certain circumstances; providing construction;
49 | providing that certain local government regulations
50 | are void and unenforceable to a specified extent;

51 amending s. 177.071, F.S.; providing applicability;
 52 requiring an administrative authority to follow
 53 certain application procedures for applications for
 54 certain plats and replats; amending s. 553.382, F.S.;
 55 authorizing the placement of a residential
 56 manufactured building on any lot in a recreational
 57 vehicle park; conforming a provision to changes made
 58 by the act; providing an effective date.

59
 60 Be It Enacted by the Legislature of the State of Florida:

61
 62 **Section 1. Subsection (10) is added to section 125.022,**
 63 **Florida Statutes, to read:**

64 125.022 Development permits and orders.—
 65 (10) Subsections (2), (3), and (4) do not apply to a
 66 county with a population density of more than 500 persons per
 67 square mile, calculated according to the most recent decennial
 68 census, for an application for approval of a development permit
 69 or development order for one or more residential lots as defined
 70 in s. 163.3254(3). For such application, such a county must
 71 follow the application procedures established in s. 163.3254(8).

72 **Section 2. Subsection (10) is added to section 166.033,**
 73 **Florida Statutes, to read:**

74 166.033 Development permits and orders.—
 75 (10) Subsections (2), (3), and (4) do not apply to a

76 municipality in a county with a population density of more than
77 500 persons per square mile, calculated according to the most
78 recent decennial census, for an application for approval of a
79 development permit or development order for one or more
80 residential lots as defined in s. 163.3254(3). For such
81 application, such a municipality must follow the application
82 procedures established in s. 163.3254(8).

83 **Section 3. Section 163.3254, Florida Statutes, is created**
84 **to read:**

85 163.3254 Florida Starter Homes Act.—The Florida Starter
86 Homes Act is created to make home ownership, renting, and
87 leasing more affordable for the residents of this state by
88 increasing the supply of housing for the residents of this
89 state.

90 (1) This section may be cited as the "Florida Starter
91 Homes Act."

92 (2) The Legislature finds that:

93 (a) The median price of homes in this state has increased
94 steadily in the decade preceding 2026, rising at a greater rate
95 of increase than the median income in this state.

96 (b) There is a housing shortage in this state which
97 constitutes a threat to the health, safety, and welfare of the
98 residents of this state, and this shortage has caused the costs
99 of home ownership, renting, and leasing to often exceed an
100 amount that is affordable for residents of this state.

101 (c) The housing shortage is caused, to a significant
102 extent, by regulations governing residential lots which have
103 been imposed by local governments.

104 (d) Single-family detached homes, single-family attached
105 homes, townhouses, duplexes, triplexes, and quadruplexes are
106 affordable starter homes for residents of this state to own,
107 rent, or lease.

108 (e) Regulations governing residential lots which have been
109 imposed by local governments do not encourage a high degree of
110 flexibility relating to residential development, and such
111 regulations prevent the development of starter homes on
112 residential lots smaller in size, due, in part, to minimum lot
113 size requirements and restrictions on the types of dwellings
114 allowed to be constructed on residential lots.

115 (f) The important public purpose sought to be achieved by
116 allowing starter homes on residential lots that are smaller in
117 size is to increase the supply of housing, which will make home
118 ownership, renting, and leasing more affordable for the
119 residents of this state.

120 (3) For purposes of this section, the term:

121 (a) "Development" has the same meaning as in s. 380.04(1),
122 and also includes the division of one parent parcel into two
123 lots.

124 (b) "Development application" means an application for
125 approval of any of the following:

126 1. A lot split or subdivision.

127 2. A plat or replat.

128 3. A development bonus for additional height, density, or
129 floor area ratio.

130 4. The demolition of an existing structure, if the
131 demolition objectively complies with applicable regulations.

132 5. Any other development order or development permit as
133 those terms are defined in s. 163.3164, except for building
134 permits.

135 (c) " Dwelling unit " means a single unit formed by one or
136 more rooms within a dwelling which is used, or is designed to be
137 used, as a home, residence, or sleeping place for at least one
138 person.

139 (d) " Local government " means any county, municipality, or
140 special district.

141 (e) " Lot " means a parcel, tract, tier, block, site, unit,
142 or any other division of land.

143 (f) " Lot split " means the division of a parent parcel into
144 no more than eight residential lots.

145 (g) " Off-site constructed residential dwelling " means a
146 manufactured building as defined in s. 553.36 which is intended
147 for use as at least one type of starter home, or a manufactured
148 home as defined in s. 320.01(2)(b), which is constructed in
149 whole or in part off-site and is treated as real property.

150 (h) " Parent parcel " means the original lot from which

151 subsequent lots are created.

152 (i) "Public transit stop" means a stop or station used for
153 public purposes for transit services, including for a bus rapid
154 transit service, a bus system, a streetcar, a commuter rail
155 service as defined in s. 341.301, an intercity rail
156 transportation system as defined in s. 341.301, or a fixed-
157 guideway transportation system as defined in s. 341.031(2). The
158 term does not include a stop or station for a people-mover
159 system in a public-use airport as defined in s. 332.004 or a
160 stop or station that is used exclusively for a freight rail
161 service as defined in s. 343.545(3) (h).

162 (j) "Public water system" has the same meaning as in s.
163 403.852(2).

164 (k) "Regulation" means a comprehensive plan, a development
165 order, or a land development regulation as those terms are
166 defined in s. 163.3164 or any other local government ordinance,
167 resolution, policy, action, procedure, condition, guideline,
168 development agreement, or land development code.

169 (l) "Residential lot" means a lot that is zoned for
170 residential use or on which at least one type of starter home is
171 an existing or lawful use. The term does not include a lot that
172 is located within an area of critical state concern designated
173 pursuant to s. 380.05.

174 (m) "Sewerage system" has the same meaning as in s.
175 403.031. The term does not include an onsite sewage treatment

176 and disposal system as defined in s. 403.031.

177 (n) "Shared space" means a driveway, an alley, or a common
178 open space, such as a courtyard or pocket park.

179 (o) "Starter home" means a dwelling with one, two, three,
180 or four dwelling units. The term includes, but is not limited
181 to, single-family detached homes, single-family attached homes,
182 townhouses as defined in s. 481.203, duplexes, triplexes, and
183 quadruplexes, and the curtilage thereof.

184 (p) "Subdivision" means the division of a parent parcel
185 into nine or more residential lots. The term includes streets,
186 alleys, additions, and resubdivisions.

187 (4) If a residential lot is connected to a public water
188 system and a sewerage system, or will be connected to such
189 systems as part of a lot split plan or subdivision plan, a local
190 government may not impose a regulation that does any of the
191 following:

192 (a) Prohibits, limits, or otherwise restricts the
193 development of a starter home.

194 (b) Requires a minimum setback that is greater than: 0
195 feet from the sides; 10 feet from the rear; or 20 feet from the
196 front, or 0 feet from the front if the lot fronts or abuts a
197 shared space.

198 (c) Requires a minimum dimension of a lot, including its
199 width or depth, to exceed 20 feet if the lot meets the relevant
200 minimum lot size requirement.

201 (d) Requires more than 30 percent of lot area to be
202 reserved for open space or permeable surface.

203 (e) Requires a maximum building height of less than three
204 stories or 35 feet above grade or, if applicable, three stories
205 or 35 feet above the base flood elevation established by the
206 Federal Emergency Management Agency.

207 (f) Requires a maximum floor area ratio of less than 3.

208 (g) Requires the property owner to occupy the property.

209 (h) Requires a minimum size for a starter home which is
210 greater than that required by the Florida Building Code.

211 (i) Requires a maximum residential density, typically
212 measured in dwelling units per acre, which is more restrictive
213 than the requirements of this subsection.

214 (j) Requires a minimum lot size that is greater than 1,200
215 square feet for existing lots, lots created by a lot split, or
216 lots created by subdivision.

217 (5) (a) Regulations imposed by a local government must
218 allow a residential lot to front or abut a shared space instead
219 of a public right-of-way.

220 (b) A local government may not impose a regulation that
221 requires a minimum number of parking spaces greater than one per
222 dwelling unit for residential lots that are 4,000 square feet or
223 less, or any minimum number of parking spaces for residential
224 lots within a one-half mile radius of a public transit stop that
225 is open for public use on or after January 1, 2026.

226 (c) A local government may not impose a regulation that
227 prohibits, limits, or otherwise restricts lot splits or the
228 development of starter homes on a residential lot that contains
229 historic property as defined in s. 267.021, except for:

230 1. Regulations relating to building design elements which
231 may be applied pursuant to s. 163.3202(5)(a)1.; or

232 2. Regulations that prohibit, limit, or otherwise restrict
233 the demolition or alteration of a structure or building that is
234 individually listed in the National Register of Historic Places,
235 or that is a contributing structure or building within a
236 historic district which was listed in the National Register of
237 Historic Places before January 1, 2000.

238 (6)(a) An off-site constructed residential dwelling must
239 be allowed on any residential lot where at least one type of
240 starter home is allowed.

241 (b) A local government may not impose any regulation that
242 treats an off-site constructed residential dwelling differently
243 or more restrictively than a single-family detached dwelling
244 allowed on the same residential lot.

245 (c) A local government may not treat off-site constructed
246 residential dwellings differently than factory-built buildings
247 subject to s. 553.38 based on the method or location of
248 construction. A local government may not impose a regulation
249 that differently or more restrictively treats an off-site
250 constructed residential dwelling based on its method of

251 construction or the presence of components built off site. Any
252 local government regulation that governs off-site constructed
253 residential dwellings must be reasonable, may not have the
254 effect of excluding off-site constructed residential dwellings,
255 and must be uniformly enforced without any distinction as to the
256 type of housing.

257 (d) This subsection does not prohibit a local government
258 from objectively applying generally applicable architectural,
259 aesthetic, design, setback, height, or bulk standards to off-
260 site constructed residential dwellings, provided such standards
261 apply equally to site-built single-family dwellings allowed on
262 the same residential lot. A local government may adopt
263 compatibility standards that are limited to the following
264 architectural features:

- 265 1. Roof pitch.
- 266 2. Square footage of livable space.
- 267 3. Type and quality of exterior finishing materials.
- 268 4. Foundation enclosure.
- 269 5. Existence and type of attached structures.
- 270 6. Building setbacks, lot dimensions, and the orientation
271 of the home on the lot.

272 (7) Local government regulations must include a process
273 through which an applicant may seek review and approval of a lot
274 split.

275 (a) A lot split must be administratively approved without

276 further action by the governing body of the local government if
277 the lot split complies with the requirements of this section.

278 (b) Regulations imposed by a local government which
279 establish criteria for the application for, or approval of, a
280 lot split are limited to the following:

281 1. The requirement that an applicant provide the relevant
282 documentation and pay a fee for the cost of review of such
283 documentation. Any other fee imposed on the application for, or
284 approval of, a lot split is prohibited.

285 2. The requirement that lots created by the lot split
286 comply with applicable zoning regulations that govern the parent
287 parcel.

288 3. The requirement that the parent parcel was not created
289 by a lot split or subdivision during the previous 12 months.

290 (8) (a) A local government shall confirm receipt of a
291 development application for a residential lot within 5 business
292 days after receipt of the application using the contact
293 information provided by the applicant. Within 15 business days
294 after receiving the application, the local government shall
295 review the application for completeness and issue a written
296 notification to the applicant indicating that all required
297 information is submitted or specify in writing with
298 particularity any areas that are deficient. If the application
299 is deficient, the applicant has 60 business days to address the
300 deficiencies by submitting the required additional information.

301 (b) Within 10 business days after receipt of such
302 additional information, the local government shall issue a
303 written notification to the applicant indicating that all
304 required information is submitted or specify in writing with
305 particularity any areas that remain deficient. The local
306 government may request additional information up to three times
307 if necessary to address an initially identified area of
308 deficiency, provided that the local government shall issue the
309 written notification to the applicant concerning a second or
310 third request for additional information within 5 business days.
311 However, the local government may not raise a new area of
312 deficiency in a subsequent request for additional information
313 unless the deficiency was caused by a material change introduced
314 by the applicant in the additional information provided to the
315 local government. Before making a third request for additional
316 information, the local government must offer the applicant a
317 meeting to discuss and resolve any outstanding areas of
318 deficiency. If the applicant believes that a request for
319 additional information is not authorized by law, the local
320 government, at the applicant's request, must process the
321 application for approval or denial. If a local government deems
322 an application incomplete after making three requests for
323 additional information, the local government must process the
324 application for approval or denial.
325 (c) For applications that do not require final action

326 through a quasi-judicial hearing or a public hearing, the local
327 government must approve, approve with conditions, or deny the
328 development application within 60 days after the local
329 government has deemed the application complete. For applications
330 that require final action through a quasi-judicial hearing or a
331 public hearing, the local government must approve, approve with
332 conditions, or deny the development application within 90 days
333 after the local government has deemed the application complete.
334 Any denial of the application must include written findings
335 supporting the local government's decision.

336 (d) At any point during the timeframes specified in
337 paragraph (a) or paragraph (b), an applicant may request, and
338 the local government must grant, an extension of time for up to
339 60 business days. However, a local government may not impose an
340 extension of time or require an applicant to request an
341 extension of time.

342 (e) If a local government fails to issue a written
343 notification of completeness or written specification of areas
344 of deficiency or make a final determination on an application
345 within the timeframes specified in paragraphs (a), (b), and (c),
346 the application is deemed approved and the local government must
347 issue written notification of approval by the next business day
348 and issue to the applicant a refund equal to 100 percent of the
349 application fee. This paragraph shall not apply if the delay is
350 caused by the applicant or the delay is attributable to a force

351 majeure or other extraordinary circumstance.

352 (f) The timeframes contained in this subsection do not
 353 supersede any other timeframes provided in state law which are
 354 less restrictive than this subsection for property owners or
 355 development, such as a shorter timeframe for a local government
 356 to review documentation or to approve a development application.

357 (8) This section does not prohibit, limit, or otherwise
 358 restrict a condominium association, a homeowners' association,
 359 or a cooperative from adopting or approving governing documents,
 360 or a property owner from establishing deed restrictions, if such
 361 adoption, approval, or establishment is voluntary and not
 362 imposed by a local government.

363 (9) Any local government regulation contrary to this
 364 section is void and unenforceable to the extent that it
 365 conflicts with this section.

366 **Section 4. Subsection (6) is added to section 177.071,**
 367 **Florida Statutes, to read:**

368 177.071 Administrative approval of plats or replats by
 369 designated county or municipal official.—

370 (6) Subsection (3) does not apply to a plat or a replat
 371 under this part for a residential lot as defined in s.
 372 163.3254(3). For such plats and replats, the administrative
 373 authority shall follow the application procedures established in
 374 s. 163.3254(8).

375 **Section 5. Section 553.382, Florida Statutes, is amended**

376 **to read:**

377 553.382 Placement of certain housing.—Notwithstanding any
378 other law or ordinance to the contrary, in order to expand the
379 availability of affordable housing in this state, any
380 residential manufactured building that is certified under this
381 chapter by the department may be placed on a mobile home lot in
382 a mobile home park, ~~recreational vehicle park,~~ or mobile home
383 condominium, cooperative, or subdivision or on any lot in a
384 recreational vehicle park. Any such housing unit placed on a
385 mobile home lot is a mobile home for purposes of chapter 723
386 and, therefore, all rights, obligations, and duties under
387 chapter 723 apply, including the specifics of the prospectus.
388 However, a housing unit subject to this section may not be
389 placed on a mobile home lot without the prior written approval
390 of the park owner. Each housing unit subject to this section
391 which is placed on a mobile home lot shall be taxed as a mobile
392 home under s. 320.08(11) and is subject to payments to the
393 Florida Mobile Home Relocation Fund under s. 723.06116.

394 **Section 6.** This act shall take effect July 1, 2026.