



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/12/2026	.	
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The Committee on Judiciary (McClain) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Present subsection (9) of section 125.022,
6 Florida Statutes, is redesignated as subsection (10), and a new
7 subsection (9) is added to that section, to read:

8 125.022 Development permits and orders.—

9 (9) The amount of any application fee associated with a
10 development permit or development order must reasonably relate
11 to the direct and reasonable indirect costs associated with the



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12 review, processing, and final disposition of the application and
13 must be published on the county's fee schedule. The fee may not
14 be based on a percentage of construction costs, site costs, or
15 project valuation.

16 Section 2. Present subsection (9) of section 166.033,
17 Florida Statutes, is redesignated as subsection (10), and a new
18 subsection (9) is added to that section, to read:

19 166.033 Development permits and orders.—

20 (9) The amount of any application fee associated with a
21 development permit or development order must reasonably relate
22 to the direct and reasonable indirect costs associated with the
23 review, processing, and final disposition of the application and
24 must be published on the municipality's fee schedule. The fee
25 may not be based on a percentage of construction costs, site
26 costs, or project valuation.

27 Section 3. Subsection (7) is added to section 163.3194,
28 Florida Statutes, to read:

29 163.3194 Legal status of comprehensive plan.—

30 (7) (a) Local government comprehensive plans and land
31 development regulations must include factors for assessing the
32 compatibility of allowable residential uses within a residential
33 zoning district and future land use category. Such factors may
34 include intensity, density, scale, building size, mass, bulk,
35 height and orientation, lot coverage, lot size and
36 configuration, architectural style, permeability, screening,
37 buffers, setbacks, stepbacks, transitional areas, signage,
38 traffic and pedestrian circulation and access, and operational
39 impacts, such as noise, odor, and lighting.

40 (b) Land development regulations must incorporate objective



41 design standards or other measures for mitigating or minimizing
42 potential incompatibility.

43 (c)1. Before recommending denial of an application for
44 rezoning, subdivision, or site plan approval on compatibility
45 grounds, local government staff must identify with specificity
46 each area of incompatibility and may recommend mitigation
47 measures to the applicant.

48 2. If the applicant has proposed mitigation measures, the
49 local government may not deny an application on compatibility
50 grounds unless the denial includes written findings stating that
51 the proposed mitigation measures are inadequate and that no
52 feasible mitigation measures exist.

53 3. A denial of an application on compatibility grounds must
54 specify with particularity the area or areas of incompatibility,
55 including applicable standards and an explanation of any
56 mitigation measures considered and declined by the applicant, or
57 the basis for determining that no feasible mitigation measures
58 exist. References to "community character" or "neighborhood
59 feel" are not sufficient in and of themselves to support a
60 denial of an application on compatibility grounds.

61 4. A local government's approval of an application may
62 include requirements or conditions to mitigate or minimize
63 compatibility concerns.

64 (d) This subsection does not apply to any of the following:
65 1. Compatibility between uses in different future land use
66 categories, including rural, agricultural, conservation, open
67 space, mixed-use, industrial, or commercial use.

68 2. Applications for development within planned unit
69 developments or master planned communities.



70 3. Applications for development within historic districts
71 designated before January 1, 2026.

72 (e) This section does not require approval of an
73 application that is otherwise inconsistent with the applicable
74 local government comprehensive plan or land development
75 regulations.

76 Section 4. This act shall take effect January 1, 2027.

77
78 ===== T I T L E A M E N D M E N T =====
79 And the title is amended as follows:

80 Delete everything before the enacting clause
81 and insert:

82 A bill to be entitled
83 An act relating to land use and development
84 regulations; amending ss. 125.022 and 166.033, F.S.;
85 requiring that the amount of certain application fees
86 reasonably relate to certain costs; requiring that
87 such fees be published on the county's or
88 municipality's fee schedule, respectively; requiring
89 that such fees not be based on certain costs or
90 valuations; amending s. 163.3194, F.S.; requiring that
91 local government comprehensive plans and land
92 development regulations include factors for assessing
93 the compatibility of certain residential uses;
94 requiring that land development regulations
95 incorporate certain objective standards or other
96 measures for mitigating or minimizing potential
97 incompatibility; requiring local government staff to
98 meet certain requirements before recommending denial



99 of certain applications on compatibility grounds;
100 prohibiting a local government from denying certain
101 applications on compatibility grounds if the applicant
102 has proposed certain measures; providing an exception;
103 requiring that the denial of an application specify
104 certain information; providing that a local
105 government's approval of an application may include
106 certain requirements or conditions; providing
107 applicability; providing construction; providing an
108 effective date.