

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER

1 Committee/Subcommittee hearing bill: State Affairs Committee  
2 Representative Borrero offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:

6 **Section 1. Effective January 1, 2027, subsection (9) of**  
7 **section 125.022, Florida Statutes, is renumbered as subsection**  
8 **(10), and a new subsection (9) is added to that section to read:**

9 125.022 Development permits and orders.—

10 (9) The amount of any application fee associated with a  
11 development permit or development order must reasonably relate  
12 to the direct and reasonable indirect costs associated with the  
13 review, processing, and final disposition of the application and  
14 must be published on the county's fee schedule. The fee may not  
15 be based on a percentage of construction costs, site costs, or  
16 project valuation.

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

17           **Section 2. Effective January 1, 2027, subsection (9) of**  
18 **section 166.033, Florida Statutes, is renumbered as subsection**  
19 **(10), and a new subsection (9) is added to that section to read:**

20           166.033 Development permits and orders.—

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

28           **Section 3. Effective January 1, 2027, paragraph (j) is**  
29 **added to subsection (2) of section 163.31777, Florida Statutes,**  
30 **to read:**

31           163.31777 Public schools interlocal agreement.—

32           (2) At a minimum, the interlocal agreement must address  
33 the following issues:

34           (j) Reasonable access, where available, to public  
35 easements and public rights-of-way which may be necessary for  
36 the siting, construction, expansion, or improvement of public  
37 school facilities, including charter schools, consistent with  
38 adopted level-of-service standards, school concurrency  
39 requirements, and applicable public facilities planning  
40 requirements.

41           **Section 4. Section 163.31803, Florida Statutes, is created**

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

42 **to read:**

43 163.31803 Large destination resorts.-

44 (1) It is the intent of the Legislature to promote and  
45 sustain national and international tourism to this state by  
46 encouraging the ongoing maintenance, renewal, renovation, and  
47 improvement of large destination resorts. The Legislature  
48 further finds that a uniform, statewide approach is necessary to  
49 avoid inconsistent local regulation that impedes improvements  
50 and to ensure predictability and timeliness in the development  
51 and improvement of qualifying large destination resorts.

52 (2) As used in this section, the term:

53 (a) "Large destination resort" means a public lodging  
54 establishment as defined in s. 509.013 that is comprised of at  
55 least 5 contiguous acres owned and controlled by the same  
56 business entity, containing at least 500 guest rooms, and that  
57 has had an average occupancy rate of at least 70 percent in the  
58 past 3 years.

59 (b) "Minor" means a special exception or variance that  
60 applies to no more than 20 percent of the total area of the  
61 parcel.

62 (3) A local government must administratively approve,  
63 without further action by the local government or any quasi-  
64 judicial or administrative reviewing body, any application for a  
65 minor special exception or variance submitted by a large  
66 destination resort for the maintenance, modification, or

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

67 refurbishment of an existing structure or site that is not a  
68 contributing structure which is listed in the National Register  
69 of Historic Places, provided that such changes are consistent  
70 with the existing permitted or accessory uses in the land use  
71 category of the local government comprehensive plan or zoning  
72 district in which the structure or site is located at the time  
73 the large destination resort applies for a building permit or  
74 any other permit with respect to the changes.

75 **Section 5. Paragraph (a) of subsection (11) of section**  
76 **163.3184, Florida Statutes, is amended to read:**

77 163.3184 Process for adoption of comprehensive plan or  
78 plan amendment.—

79 (11) PUBLIC HEARINGS.—

80 (a) The procedure for transmittal of a complete proposed  
81 comprehensive plan or plan amendment pursuant to subparagraph  
82 (3) (b) 1. and paragraph (4) (b) and for adoption of a  
83 comprehensive plan or plan amendment pursuant to subparagraphs  
84 (3) (c) 1. and (4) (e) 1. shall be by affirmative vote of not less  
85 than a majority of the members of the governing body present at  
86 the hearing. Notwithstanding any provision of a county charter,  
87 the exclusive method for the transmittal and adoption of an  
88 amendment to the future land use element of a comprehensive plan  
89 must be by affirmative vote of a majority of the members of the  
90 governing body present at the hearing. The adoption of a  
91 comprehensive plan or plan amendment shall be by ordinance. For

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

92 the purposes of transmitting or adopting a comprehensive plan or  
93 plan amendment, the notice requirements in chapters 125 and 166  
94 are superseded by this subsection, except as provided in this  
95 part.

96 **Section 6. Effective January 1, 2027, subsection (7) is**  
97 **added to section 163.3194, Florida Statutes, to read:**

98 163.3194 Legal status of comprehensive plan.—

99 (7) (a) Local government comprehensive plans and land  
100 development regulations must include factors for assessing the  
101 compatibility of allowable residential uses within a residential  
102 zoning district and future land use category.

103 (b) Land development regulations must incorporate measures  
104 for mitigating or minimizing potential incompatibility.

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

110 2. If the applicant has proposed mitigation measures, the  
111 local government may not deny an application on compatibility  
112 grounds unless the denial includes written findings stating that  
113 the proposed mitigation measures are inadequate and that no  
114 feasible mitigation measures exist.

115 3. A denial of an application on compatibility grounds  
116 must specify with particularity the area or areas of

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

117 incompatibility, including applicable standards and an  
118 explanation of any mitigation measures considered and declined  
119 by the applicant, or the basis for determining that no feasible  
120 mitigation measures exist. References to "community character"  
121 or "neighborhood feel" are not sufficient in and of themselves  
122 to support a denial of an application on compatibility grounds.

123 4. A local government's approval of an application may  
124 include requirements or conditions to mitigate or minimize  
125 compatibility concerns.

126 (d) This subsection does not apply to any of the  
127 following:

128 1. Compatibility between uses in different future land use  
129 categories, including rural, agricultural, conservation, open  
130 space, mixed-use, industrial, or commercial use.

131 2. Applications for development within planned unit  
132 developments or master planned communities.

133 3. Applications for development within historic districts  
134 designated before January 1, 2026.

135 (e) This section does not require approval of an  
136 application that is otherwise inconsistent with the applicable  
137 local government comprehensive plan or land development  
138 regulations.

139 **Section 7. Effective January 1, 2027, section 553.382,**  
140 **Florida Statutes, is amended to read:**

141 553.382 Placement of certain housing.—Notwithstanding any

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

142 other law or ordinance to the contrary, in order to expand the  
143 availability of affordable housing in this state, any  
144 residential manufactured building that is certified under this  
145 chapter by the department may be placed on a mobile home lot in  
146 a mobile home park, ~~recreational vehicle park,~~ or mobile home  
147 condominium, cooperative, or subdivision or on any lot in a  
148 recreational vehicle park. Any such housing unit placed on a  
149 ~~mobile home~~ lot authorized under this section is a mobile home  
150 for purposes of chapter 723 and, therefore, all rights,  
151 obligations, and duties under chapter 723 apply, including the  
152 specifics of the prospectus. However, a housing unit subject to  
153 this section may not be placed on a ~~mobile home~~ lot authorized  
154 under this section without the prior written approval of the  
155 park owner. Each housing unit subject to this section shall be  
156 taxed as a mobile home under s. 320.08(11) and is subject to  
157 payments to the Florida Mobile Home Relocation Fund under s.  
158 723.06116.

159 **Section 8. Effective January 1, 2027, section 553.385,**  
160 **Florida Statutes, is created to read:**

161 553.385 Zoning of off-site constructed residential  
162  dwellings; parity.-

163 (1) As used in this section, the term:

164 (a) "Local government" means a county or municipality.

165 (b) "Off-site constructed residential dwelling" means:

166 1. A manufactured building, as defined in s. 553.36,

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

167 intended for single-family residential use; or

168 2. A manufactured home, as defined in s. 320.01(2)(b),  
169 which is constructed in whole or in part off site and is treated  
170 as real property.

171 (2)(a) An off-site constructed residential dwelling must  
172 be permitted as of right in any zoning district where single-  
173 family detached dwellings are allowed.

174 (b) A local government may not adopt or enforce any  
175 zoning, land use, or development regulation that treats an off-  
176 site constructed residential dwelling differently or more  
177 restrictively than a single-family site-built dwelling allowed  
178 in the same zoning district.

179 (c) This section does not prohibit a local government from  
180 applying generally applicable architectural, aesthetic, design,  
181 setback, height, or bulk standards, provided that such standards  
182 are applied uniformly to all single-family dwellings in the same  
183 zoning district.

184 (d) Compatibility or design standards must be reasonable,  
185 may not have the effect of excluding off-site constructed  
186 residential dwellings, and, if adopted, must apply equally to  
187 site-built single-family dwellings. Such standards may be  
188 limited to:

189 1. Roof pitch.

190 2. Minimum square footage of livable space.

191 3. Type and quality of exterior finishing materials.

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

192 4. Foundation enclosure.

193 5. Existence and type of attached structures.

194 6. Building setbacks, lot dimensions, and orientation.

195 (e) A local government may not regulate or restrict an  
196 off-site constructed residential dwelling based solely on:

197 1. The method of construction;

198 2. The location of construction; or

199 3. The presence of components constructed off site.

200 (3) A local government may not adopt or enforce any  
201 ordinance, regulation, or policy that conflicts with this  
202 section or s. 553.38 or that has the effect of excluding off-  
203 site constructed residential dwellings. Any such ordinance,  
204 regulation, or policy is void and unenforceable as applied to  
205 off-site constructed residential dwellings.

206 (4) Local government regulations must be reasonable and  
207 uniformly enforced without distinction as to housing type

208 **Section 9.** The Office of Program Policy Analysis and  
209 Government Accountability (OPPAGA) shall conduct a study to  
210 identify the effect of removing the Urban Development Boundary  
211 (UDB) or similar boundaries in Miami-Dade County and other  
212 counties.

213 (1) The study shall:

214 (a) Address whether counties may still control growth  
215 through other zoning and land use designations.

Amendment No.

216 (b) Include an analysis of the economic benefits related  
217 to the cost of land and housing.

218 (c) Analyze whether local counties can still protect the  
219 environment and water quality without having a UDB or a similar  
220 boundary within their jurisdictions.

221 (2) By December 1, 2026, OPPAGA shall submit the results  
222 of the study to the President of the Senate and the Speaker of  
223 the House of Representatives.

224 **Section 10.** Except as otherwise expressly provided in this  
225 act, this act shall take effect upon becoming a law.

226  
227  
228 -----  
229 **T I T L E A M E N D M E N T**

230 Remove everything before the enacting clause and insert:  
231 An act relating to land use and development  
232 regulations; amending ss. 125.022 and 166.033, F.S.;  
233 requiring that the amount of certain application fees  
234 reasonably relate to certain costs; requiring that  
235 such fees be published on the county's or  
236 municipality's fee schedule, respectively; prohibiting  
237 such fees from being based on certain costs or  
238 valuations; amending s. 163.31777, F.S.; requiring  
239 certain interlocal agreements between school boards  
240 and local governments to address reasonable access to

Amendment No.

241 certain public easements and public rights-of-way;  
242 creating s. 163.31803, F.S.; providing legislative  
243 intent; providing definitions; requiring local  
244 governments to administratively approve applications  
245 for special exceptions or variances at large  
246 destination resorts that meet certain requirements;  
247 amending s. 163.3184, F.S.; requiring the transmittal  
248 and adoption of an amendment to the future land use  
249 element of a comprehensive plan to be by a majority  
250 vote of the members of the governing body; amending s.  
251 163.3194, F.S.; requiring that local government  
252 comprehensive plans and land development regulations  
253 include factors for assessing the compatibility of  
254 certain residential uses; requiring that land  
255 development regulations incorporate measures for  
256 mitigating or minimizing potential incompatibility;  
257 requiring local government staff to meet certain  
258 requirements before recommending denial of certain  
259 applications on compatibility grounds; prohibiting a  
260 local government from denying certain applications on  
261 compatibility grounds if the applicant has proposed  
262 certain measures; providing an exception; requiring  
263 that the denial of an application specify certain  
264 information; providing that a local government's  
265 approval of an application may include certain

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Amendment No.

266 requirements or conditions; providing applicability;  
267 amending s. 553.382, F.S.; authorizing the placement  
268 of certain residential manufactured buildings on any  
269 lot in a recreational vehicle park; providing  
270 construction; providing that a housing unit subject to  
271 certain provisions may not be placed on such a lot  
272 without certain written approval; creating s. 553.385,  
273 F.S.; providing definitions; requiring that an off-  
274 site constructed residential dwelling be permitted as  
275 of right in certain zoning districts; prohibiting  
276 local governments from adopting or enforcing  
277 regulations that treat off-site constructed  
278 residential dwellings in a certain manner; providing  
279 construction; providing requirements for compatibility  
280 and design standards; prohibiting a local government  
281 from adopting or enforcing certain ordinances,  
282 regulations, and policies; providing requirements for  
283 local government regulations; requiring the Office of  
284 Program Policy Analysis and Government Accountability  
285 to conduct a specified study; providing study  
286 requirements; requiring the office to submit the  
287 results of the study to the Legislature by a specified  
288 date; providing effective dates.

614439 - h0399-strike.docx

Published On: 2/23/2026 4:34:15 PM

Page 12 of 12