

1 A bill to be entitled
2 An act relating to land use and development
3 regulations; amending s. 163.3164, F.S.; revising the
4 definition of the term "compatibility"; amending s.
5 163.3202, F.S.; prohibiting local governments from
6 adopting certain local land development regulations;
7 establishing requirements for certain local land
8 development regulations that impose a fee, charge, or
9 exaction; declaring certain local land development
10 regulations null and void; defining the terms "infill
11 residential development" and "contiguous"; requiring
12 the Office of Program Policy Analysis and Government
13 Accountability (OPPAGA) to perform a study to identify
14 the effect of removing the Urban Development Boundary
15 (UDB) or similar boundaries in Miami-Dade County and
16 other counties; providing requirements for the study;
17 requiring OPPAGA to submit a specified report to the
18 Legislature by a specified date; providing an
19 effective date.

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21 Be It Enacted by the Legislature of the State of Florida:

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23 **Section 1. Subsection (9) of section 163.3164, Florida**
24 **Statutes, is amended to read:**

25 163.3164 Community Planning Act; definitions.—As used in

26 this act:

27 (9) "Compatibility" means a condition in which land uses
28 or conditions within the same land use category, as designated
29 in a local government's comprehensive plan, can reasonably
30 coexist in relative proximity to each other in a stable fashion
31 over time such that no use or condition is unduly adversely
32 negatively impacted directly or indirectly by another use or
33 condition.

34 **Section 2. Subsection (7) of section 163.3202, Florida**
35 **Statutes, is renumbered as subsection (9), and a new subsection**
36 **(7) and subsection (8) are added to that section to read:**

37 163.3202 Land development regulations.—

38 (7) (a) A local government may not adopt a local land
39 development regulation to condition the approval of an
40 application for an infill residential development, or any other
41 residential development authorized under this section, on the
42 payment of a fee, charge, or exaction that is based on a
43 percentage of construction costs, site costs, or project
44 valuation.

45 (b) A local land development regulation that imposes a
46 fee, charge, or exaction in connection with the review,
47 processing, or inspection of a residential development
48 application shall be:

49 1. Limited to the actual cost of the service provided by
50 the local government.

51 2. Clearly itemized and published on the local
52 government's fee schedule.

53 3. Limited to the amount established for building permit
54 and inspection fees under s. 553.80.

55 (c) Any local land development regulation adopted by a
56 local government in violation of this subsection shall be null
57 and void.

58 (d) For purposes of this subsection, the term "infill
59 residential development" means the development of one or more
60 parcels that are no more than 100 acres in size within a future
61 land use category that allows a residential use, as well as any
62 zoning district that allows a residential use, and which parcels
63 are contiguous with residential development on at least 50
64 percent of the parcels' boundaries. For purposes of this
65 paragraph, the term "contiguous" means touching, bordering, or
66 adjoining along a boundary and includes properties that would be
67 contiguous if not separated by a roadway, railroad, canal, or
68 other public easement.

69 (8) A local government may not adopt local land
70 development regulations to condition, delay, or deny the
71 approval of a proposed development for residential use on the
72 grounds that the development is not compatible if the
73 development is located adjacent to, or across a public right-of-
74 way from, an existing residential development within the same
75 land use category.

76 **Section 3.** The Office of Program Policy Analysis and
77 Government Accountability (OPPAGA) shall conduct a study to
78 identify the effect of removing the Urban Development Boundary
79 (UDB) or similar boundaries in Miami-Dade County and other
80 counties.

81 (1) The study shall:

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

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

86 (c) Analyze whether local counties can still protect the
87 environment and water quality without having a UDB or a similar
88 boundary within their jurisdiction.

89 (2) By October 1, 2026, OPPAGA shall submit the results of
90 the study to the President of the Senate and the Speaker of the
91 House of Representatives.

92 **Section 4.** This act shall take effect July 1, 2026.