

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Community Affairs

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BILL: CS/SB 948

INTRODUCER: Community Affairs Committee and Senator McClain

SUBJECT: Local Government Land Development Regulations and Orders

DATE: January 29, 2026

REVISED: 1/29/26

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hackett	Fleming	CA	Fav/CS
2.			JU	
3.			RC	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 948 creates the “Florida Starter Homes Act,” a framework for preempting how local governments approach single-family residential zoning.

Under the bill, a local government may not adopt land development regulations that govern lots on residential real property unless such adoption is the least restrictive means of furthering a compelling governmental interest. If a lot on residential real property is connected to a public water and sewer system, a local government must follow certain restrictions on development regulations, including height and density minimums, parking and lot size maximums, and the ability to develop up to a quadruplex on single-family lots, including those split into up to 8 lots.

The bill introduces a new framework for the application for and approval of development applications, including development permits, orders, and plats. The framework includes strict timelines and penalties, and results in administrative approval on all residential development without input.

The bill offers specific legal guidelines for adjudication of a suit against a local government in violation of the new framework, and entitles a prevailing plaintiff to attorney fees and costs. The bill also waives sovereign immunity for any local government to the extent liability is created by the bill.

The bill provides that, in addition to existing powers, a neighborhood improvement district may plan, finance, or complete structural safety or building compliance improvements.

The bill also provides for the placement of manufactured housing on any lot in a recreational vehicle park, and provides for parity in regulations for off-site constructed residential dwellings (compared to on-site construction) in local government zoning, land use, and development regulations.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

### **The Community Planning Act**

Adopted in 1985, the Local Government Comprehensive Planning and Land Development Regulation Act,<sup>1</sup> also known as Florida's Growth Management Act, was significantly revised in 2011, becoming the Community Planning Act.<sup>2</sup> The Community Planning Act governs how local governments create and adopt their local comprehensive plans.

Local comprehensive plans must include principles, guidelines, standards, and strategies for the orderly and balanced future land development of the area and reflect community commitments to implement the plan. The Community Planning Act intends that local governments manage growth through comprehensive land use plans that facilitate adequate and efficient provision of transportation, water, sewage, schools, parks, recreational facilities, housing, and other requirements and services.<sup>3</sup> A housing element is required as part of every comprehensive plan in the state. Among other things, the housing element must address "the creation or preservation of affordable housing to minimize the need for additional local services and avoid the concentration of affordable housing units only in specific areas of the jurisdiction."<sup>4</sup>

Municipalities established after the effective date of the Community Planning Act must adopt a comprehensive plan within three years after the date of incorporation.<sup>5</sup> The county comprehensive plan controls until a municipal comprehensive plan is adopted.<sup>6</sup>

The comprehensive plan is implemented via land development regulations. Each county and municipality must adopt and enforce land development regulations, such as zoning or other housing-related ordinances, which are consistent with and implement their adopted comprehensive plan.<sup>7</sup>

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<sup>1</sup> See ch. 85-55, s. 1, Laws of Fla.

<sup>2</sup> See ch. 2011-139, s. 17, Laws of Fla.

<sup>3</sup> Section 163.3161(4), F.S.

<sup>4</sup> Section 163.3177(6)(f)1.g., F.S.

<sup>5</sup> Section 163.3167(3), F.S.

<sup>6</sup> *Id.*

<sup>7</sup> Section 163.3202, F.S.

### ***Comprehensive Plan Amendments***

Development that does not conform to the comprehensive plan may not be approved by a local government unless the local government amends its comprehensive plan first. State law requires a proposed comprehensive plan amendment to receive two public hearings, the first held by the local planning board, and subsequently by the governing board.<sup>8</sup>

Any affected person may challenge whether a plan or plan amendment complies with the Act by petitioning the Division of Administrative Hearings (DOAH) for a formal hearing.<sup>9</sup> An administrative law judge must hold a hearing in the affected local jurisdiction on whether the plan or plan amendment is in compliance.<sup>10</sup> In challenges filed by an affected person, the comprehensive plan or plan amendment shall be determined to be in compliance if the local government's determination of compliance is fairly debatable. If the administrative law judge recommends that the amendment be found in compliance, the judge shall submit the recommended order to the state land planning agency for a final order in its favor.<sup>11</sup>

### **Issuing Development Orders and Permits**

Under the Community Planning Act, a development permit is any official action of a local government that has the effect of permitting the development of land including, but not limited to, building permits, zoning permits, subdivision approval, rezoning, certifications, special exceptions, and variances.<sup>12</sup> A development order is issued by a local government and grants, denies, or grants with conditions an application for a development permit.<sup>13</sup>

Within 30 days after receiving an application for approval of a development permit or development order, a municipality or county must review the application for completeness and issue a letter indicating that all required information is submitted or specify any areas that are deficient. If the application is deficient, the applicant has 30 days to address the deficiencies by submitting the required additional information.<sup>14</sup>

Within 120 days after the municipality or county has deemed the application complete, or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing, the county must approve, approve with conditions, or deny the application for a development permit or development order.<sup>15</sup> Both the applicant and the local government may agree to a reasonable request for an extension of time, particularly in the event of an extraordinary circumstance.<sup>16</sup> An approval, approval with conditions, or denial of the application for a

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<sup>8</sup> Sections 163.3174(4)(a) and 163.3184, F.S.

<sup>9</sup> Section 163.3184(5)(a), F.S.

<sup>10</sup> Section 163.3184(5)(c), F.S.

<sup>11</sup> Section 163.3184(5)(e), F.S.

<sup>12</sup> Section 163.3164(16), F.S.

<sup>13</sup> See ss. 125.022, 163.3164(15), and 166.033, F.S.

<sup>14</sup> Sections 125.022(1) and 166.033(1), F.S.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

development permit or development order must include written findings supporting the county's decision.<sup>17</sup> However, these timeframes do not apply in an area of critical state concern.<sup>18</sup>

When reviewing an application for a development permit or development order, not including building permit applications, a county or municipality may not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing.<sup>19</sup>

If a county or municipality makes a request for additional information from the applicant and the applicant provides the information within 30 days of receiving the request, the county or the municipality must:

- Review the additional information and issue a letter to the applicant indicating that the application is complete or specify the remaining deficiencies within 30 days of receiving the information, if the request is the county or municipality's first request.<sup>20</sup>
- Review the additional information and issue a letter to the applicant indicating that the application is complete or specify the remaining deficiencies within 10 days of receiving the additional information, if the request is the county or municipality's second request.<sup>21</sup>
- Deem the application complete within ten days of receiving the additional information or proceed to process the application for approval or denial unless the applicant waived the county or municipality's time limitations in writing, if the request is the county or municipality's third request.

Before a third request for information, the applicant must be offered a meeting to attempt to resolve outstanding issues.<sup>22</sup> If the applicant believes the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the applicant can request the county or municipality proceed to process the application for approval or denial.<sup>23</sup> If denied, the county or municipality is required to give written notice to the applicant and must provide reference to the applicable legal authority for the denial of the permit.<sup>24</sup>

Once an application is deemed complete, a county or municipality must approve, approve with conditions, or deny the application within 120 days or 180 days for applications that require final action through a quasi-judicial hearing or a public hearing.<sup>25</sup>

## Platting

In Florida law, a "plat" is a map or delineated representation of the subdivision of lands. It is a complete and exact representation of the subdivision and other information, in compliance with state law and any local ordinances.<sup>26</sup> Generally, platting is required whenever a developer wishes

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<sup>17</sup> *Id.*

<sup>18</sup> *Id.*

<sup>19</sup> Sections 125.022(2) and 166.033(2), F.S.

<sup>20</sup> Section 125.022(2)(b) and Section 166.033(2)(b), F.S.

<sup>21</sup> Section 125.022(2)(c) and Section 166(2)(c), F.S.

<sup>22</sup> Sections 125.022(2) and 166.033(2), F.S.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> Section 177.031(14), F.S.

to subdivide a large piece of property into smaller parcels and tracts. These smaller areas become the residential lots, streets, and parks of a new residential subdivision.<sup>27</sup>

State law establishes consistent minimum requirements for the platting of lands but also authorizes local governments to regulate and control platting.<sup>28</sup> Prior to local government approval, the plat must be reviewed for conformity with state and local law and sealed by a professional surveyor and mapper employed by the local government.<sup>29</sup>

Before recording a plat, it must be approved by the appropriate local government administrative authority. The authority must provide written notice in response to a submittal within seven days acknowledging receipt, identifying any missing documents or information required, and providing information regarding the approval process including requirements and timeframes.<sup>30</sup>

Unless the applicant requests an extension, the authority must approve, approve with conditions, or deny the submittal within the timeframe identified in the initial written notice. A denial must be accompanied by an explanation of why the submittal was denied, specifically citing unmet requirements. The authority or local government may not request or require an extension of time.<sup>31</sup>

### **Sovereign Immunity**

Sovereign immunity is “[a] government’s immunity from being sued in its own courts without its consent.”<sup>32</sup> The doctrine had its origin with the judge-made law of England. The basis of the existence of the doctrine of sovereign immunity in the United States was explained as follows: A sovereign is exempt from suit, not because of any formal conception or obsolete theory, but on the logical and practical ground that there can be no legal right as against the authority that makes the law on which the right depends.<sup>33</sup>

Article X, s. 13 of the Florida Constitution authorizes the Legislature to enact laws that permit suits against the State and its subdivisions, thereby waiving sovereign immunity. Currently, Florida law allows tort lawsuits against the State and its subdivisions<sup>34</sup> for damages that result from the negligence of government employees acting in the scope of their employment, but limits payment of judgments to \$200,000 per person and \$300,000 per incident.<sup>35</sup> This liability

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<sup>27</sup> Harry W. Carls, Florida Condo & HOA Law Blog, *Why is a Plat so Important?* (May 17, 2018), <https://www.floridacondo-hoalawblog.com/2018/05/17/why-is-a-plat-so-important/>.

<sup>28</sup> Section 177.011, F.S.

<sup>29</sup> Section 177.081(1), F.S.

<sup>30</sup> Section 177.071(2) F.S.

<sup>31</sup> Section 177.071(3) F.S.

<sup>32</sup> BLACK’S LAW DICTIONARY (11th ed. 2019).

<sup>33</sup> *Cauley v. City of Jacksonville*, 403 So. 2d 379, 381 (Fla. 1981) (quoting *Kawananakoa v. Polyblank*, 205 U.S. 349, 353 (1907)).

<sup>34</sup> Section 768.28(2), F.S., defines “state agencies or subdivisions” to include “executive departments, the Legislature, the judicial branch (including public defenders), and the independent establishments of the state, including state university boards of trustees; counties and municipalities; and corporations primarily acting as instrumentalities or agencies of the state, counties, or municipalities, including the Florida Space Authority.”

<sup>35</sup> Section 768.28, F.S.

exists only where a private person would be liable for the same conduct.<sup>36</sup> Harmed persons who seek to recover amounts in excess of these limits may request that the Legislature enact a claim bill to appropriate the remainder of their court-awarded judgment.<sup>37</sup> Article VII, s. 1(c) of the Florida Constitution prohibits funds from being drawn from the State Treasury except in pursuance of an appropriation made by law. However, local governments and municipalities are not subject to this provision, and therefore may appropriate their local funds according to their processes.

### **Placement of Manufactured Housing**

Section. 553.382, F.S., allows any residential manufactured building<sup>38</sup> certified under ch. 553, F.S., by the Florida Department of Business and Professional Regulation to be placed on a mobile home lot located in a mobile home park, recreational vehicle park, mobile home condominium, mobile home cooperative, or mobile home subdivision, notwithstanding any contrary local law or ordinance. Once placed on such a lot, the unit is treated as a mobile home for purposes of ch. 723, F.S., meaning all rights, obligations, and duties under the Mobile Home Park Tenancy Law, including prospectus requirements and resident protections, apply. Placement of a residential manufactured building requires the prior written approval of the park owner.

### **Neighborhood Improvement Districts**

A neighborhood improvement district (NID) (also known as a “safe neighborhood improvement district”) is a district located in an area in which more than 75 percent of the land is used for residential purposes or for commercial, office, business, or industrial purposes and where there is a plan to reduce crime through environmental design, environmental security, defensible space techniques, or community policing innovations.<sup>39</sup>

A NID can be one of four types of districts:

- A Local Government NID,<sup>40</sup>
- A Property Owners’ Association NID,<sup>41</sup>
- A Special NID,<sup>42</sup> or
- A Community Redevelopment NID.<sup>43</sup>

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<sup>36</sup> Section 768.28(1), F.S.

<sup>37</sup> Section 768.28(5)(a), F.S. *See also*, s. 11.066, F.S., which states that state agencies are not required to pay monetary damages under a court’s judgment except pursuant to an appropriation made by law.

<sup>38</sup> “Manufactured building” means a closed structure, building assembly, or system of subassemblies, which may include structural, electrical, plumbing, heating, ventilating, or other service systems manufactured in manufacturing facilities for installation or erection as a finished building or as part of a finished building, which shall include, but not be limited to, residential, commercial, institutional, storage, and industrial structures. The term includes buildings not intended for human habitation such as lawn storage buildings and storage sheds manufactured and assembled offsite by a manufacturer certified in conformance with this part. This part does not apply to mobile homes. *See* s. 553.36(13), F.S.

<sup>39</sup> Section 163.503(1), F.S.

<sup>40</sup> Section 163.506, F.S.

<sup>41</sup> Section 163.508, F.S.

<sup>42</sup> Section 163.511, F.S.

<sup>43</sup> Section 163.512, F.S.

A NID must be created through the adoption of a planning ordinance by the governing body of the applicable municipality or county pursuant to the applicable procedure in ss. 163.506, 163.508, 163.511, or 163.512.<sup>44</sup> Each NID must register with the Department of Commerce within 30 days of formation and provide the district's name, location, size, type, and any other information required by the Department of Commerce.<sup>45</sup>

Unless preempted by ordinance, a NID can:

- Enter into contracts and agreements and sue and be sued as a body corporate.
- Have and use a corporate seal.
- Acquire, own, convey, or otherwise dispose of, lease as lessor or lessee, construct, maintain, improve, enlarge, raze, relocate, operate, and manage property and facilities of whatever type to which it holds title and grant and acquire licenses, easements, and options with respect thereto.
- Accept grants and donations of any type of property, labor, or other thing of value from any public or private source.
- Have exclusive control of funds legally available to it, subject to limitations imposed by law or by any agreement validly entered into by it.
- Cooperate and contract with other governmental agencies or other public bodies.
- Contract for services of planning consultants, experts on crime prevention through community policing innovations, environmental design, environmental security, or defensible space, or other experts in areas pertaining to the operations of the board of directors or the district.
- Contract with the county or municipal government for planning assistance, and for increased levels of law enforcement protection and security, including additional personnel.
- Promote and advertise the commercial advantages of the district so as to attract new businesses and encourage the expansion of existing businesses.
- Promote and advertise the district to the public and engage in cooperative advertising programs with businesses located in the district.
- Improve street lighting, parks, streets, drainage, utilities, swales, and open areas, and provide safe access to mass transportation facilities in the district.
- Undertake innovative approaches to securing neighborhoods from crime, such as crime prevention through community policing innovations, environmental design, environmental security, and defensible space.
- Privatize, close, vacate, plan, or replan streets, roads, sidewalks, and alleys, subject to the concurrence of the local governing body and, if required, the state Department of Transportation.
- Prepare, adopt, implement, and modify a safe neighborhood improvement plan for the district.
- Identify areas with blighted influences, including, but not limited to, areas where unlawful urban dumping or graffiti are prevalent, and develop programs for eradication thereof.
- Subject to referendum approval, make and collect special assessments pursuant to ss. 197.3632 and 197.3635 to pay for improvements to the district and for reasonable expenses of operating the district, including the payment of expenses included in the district's budget,

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<sup>44</sup> Section 163.504, F.S.

<sup>45</sup> Section 163.5055(1), F.S.

subject to an affirmative vote by a majority of the registered voters residing in the district. Such assessments shall not exceed \$500 for each individual parcel of land per year. Notwithstanding the provisions of s. 101.6102, the referendum to approve the special assessment shall be by mail ballot.<sup>46</sup>

If approved at a referendum, a Local Government NID or Special NID may be authorized to levy an ad valorem tax of up to 2 mills annually.<sup>47</sup> A Property Owners' Association NID may collect assessments related to common areas within the district.<sup>48</sup> A Community Redevelopment NID may use the community redevelopment trust fund created pursuant to s. 163.387, F.S., for specified purposes.<sup>49</sup>

Section 163.504, F.S., was amended in 2024,<sup>50</sup> to provide that a NID may not be created on or after July 1, 2024, however, any NID in existence before July 1, 2024, may continue to operate as provided in part IV of ch. 163, F.S. As of August 2025, 21 districts represented four of the five types of NIDs: Local Government NID (18 districts); Property Owners' Association NID (1); Special NID (1); Preservation and Enhancement NID (1); and Community Redevelopment NID (0).<sup>51</sup>

### III. Effect of Proposed Changes:

#### Florida Starter Homes Act

The bill creates s. 163.3254, F.S., the "Florida Starter Homes Act." The bill presents a framework for preempting how local governments approach single-family residential zoning and development approval.

Under the bill, a local government may not adopt land development regulations that govern residential lots<sup>52</sup> unless such adoption is the least restrictive means of furthering a compelling governmental interest. Exceptions include preventing or abating nuisances, enforcing license or existing permits, or enforcing requirements of federal law or judicial determination.

If a lot on residential real property is connected to a public water and sewer system, or will be connected as part of a lot split plan or subdivision plan, a local government may not:

- Require a minimum lot size greater than 1,200 square feet;
- Prevent the lot from being developed as a townhouse, duplex, triplex, or quadruplex;
- Require greater setbacks than 0 feet side, 10 rear, or 20 front;

<sup>46</sup> Section 163.514, F.S.

<sup>47</sup> Sections 163.506(1)(c) and 163.511(1)(b), F.S.

<sup>48</sup> Section 163.508(3)(c), F.S.

<sup>49</sup> Section 163.512(1)(c), F.S.

<sup>50</sup> See ch. 2024-136, Laws of Fla.

<sup>51</sup> Office of Program Policy Analysis and Government Accountability, *Neighborhood Improvement District Performance Reviews Capping Report*, p. 4, August 4, 2025, available at <https://oppaga.fl.gov/Documents/ContractedReviews/Capping%20Report%20for%20the%20Neighborhood%20Improvement%20District%20Performance%20Reviews.pdf> (last visited Jan. 29, 2026).

<sup>52</sup> Defined by the bill to mean a lot zoned for residential use or on which at least one of the following is an existing or lawful use: single-family attached or detached home, duplex, triplex, or quad-plex. The term does not include a lot located within an area of critical state concern.



- Require minimum dimensions of a lot to exceed 20 feet;
- Require more than 30 percent of the lot area to be reserved for open space or permeable surface;
- Require a maximum building height less than three stories or 35 feet above grade;
- Require a maximum floor area ratio of less than 3;
- Require the property owner to occupy the property;
- Require a minimum size greater than the requirements of the Florida Building Code; or
- Require a more restrictive residential density.

Under the bill, local governments must allow a lot to front or abut a shared space instead of a public right-of-way. Local governments may not require a minimum number of parking spaces greater than one per residential dwelling unit for lots 4,000 square feet or less, or any minimum parking for lots within one-half mile of a permanent public transit stop such as bus, commuter rail, or intercity rail system. A local government must also allow the development of a lot split<sup>53</sup> by right<sup>54</sup> without imposing regulations not applied to other developments.

The bill introduces a new framework for the application for and approval of development applications, including development permits, orders, and plats. Upon receipt of an application, a local government must confirm receipt and review for completeness within 10 business days. A deficient applicant has 60 business days to address deficiencies. A local government must administratively approve an application within 20 business days without further action or approval. Denial of an application must include written findings in support. Failure to follow these procedures within certain time frames results in the application being deemed approved regardless of underlying merit or completeness. Failure by the local government to follow timelines results in a 100 percent refund of application fees.

Land development regulations applying to historic properties may not vary based on lot splits, except as it applies to building design elements regulations otherwise permitted by law, or prohibiting the demolition or alteration of a structure individually listed in the National Register of Historic Places or a contributing structure in such a historic district.

A property owner or housing association may maintain a cause of action for damages for regulations adopted in violation of the bill. In such a proceeding the bill offers specific legal guidelines for adjudication, and entitles a prevailing plaintiff to attorney fees and costs.

The bill waives sovereign immunity for any local government to the extent liability is created by the bill.

The bill does not prohibit the governing documents of a condominium association, a homeowners' association, or a cooperative, or any deed restrictions established before July 1,

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<sup>53</sup> Defined by the bill to mean the division of a parcel into no more than eight lots. Compare with existing law on platting, which defines subdivision as the division of land into three or more lots. Section 177.031(18), F.S.

<sup>54</sup> Defined by the bill to mean administrative approval as a matter of right by a local government of a development application that objectively complies with applicable zoning regulations and for which the local government may not impose a public hearing or other discretionary regulation.

2026. Moving forward such documents recorded are void and unenforceable to the extent that they conflict with the bill.

The bill also amends ss. 125.022, 166.033, and 553.382, F.S., to provide that procedures for a local government approving a development permit, order, or plat for a residential lot must follow the application procedures established by the bill.

### **Miscellany**

The bill amends s. 163.514, F.S., regarding the powers of safe neighborhood improvement districts, to empower districts to plan, finance, or complete structural safety or building compliance improvements, including improvements required under state or local structural recertification programs,<sup>55</sup> if such improvements are approved by a majority vote of either the district's residents, or an advisory council composed of residents of the district, if such council has been established.<sup>56</sup>

The bill amends s. 553.382, F.S., to provide that a manufactured home may be placed on any lot in a recreational vehicle park, rather than only on a mobile home lot in a recreational vehicle park.

The bill creates s. 553.385, F.S., to provide that an off-site constructed residential dwelling must be permitted as of right in any zoning district where single-family detached dwellings are allowed. Local governments may not adopt or enforce zoning, land use, or development regulations which treat off-site constructed residential dwellings differently or more restrictively than a single-family site-built dwelling allowed in the same district. A local government may adopt compatibility standards limited to roof pitch, square footage, type and quality of exterior, foundation enclosure, existence and type of attached structures, setbacks, dimensions, and orientation.

The bill takes effect July 1, 2026.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

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<sup>55</sup> Such as repairs required pursuant to a mandatory structural milestone inspection under s. 553.899, F.S.

<sup>56</sup> Pursuant to s. 163.506(3), F.S.,

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

**Single Subject**

Article III, section 6 of the State Constitution requires every law to “embrace but one subject and matter properly connected therewith.” The purpose of this requirement is to prevent logrolling, which combines multiple unrelated measures in one bill in order to secure passage of a measure that is unlikely to pass on its own merits.<sup>57</sup> The Florida Supreme Court has held that the single subject clause contains three requirements: first, each law must embrace only one subject; second, the law may include any matter that properly connected with the subject; and third, the subject must be briefly expressed in the title.<sup>58</sup> The subject matter to consider when determining whether a bill embraces a single subject is the bill title’s subject, and the test is whether the bill is designed to accomplish separate objectives with no natural or logical connection to each other.<sup>59</sup>

The bill is entitled an act “related to local government land development regulations and orders.” Section 4 of the bill, pertaining to the powers of neighborhood improvement districts, may not bear the natural or logical connection to the rest of the bill required to meet the single subject requirement in the State Constitution.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Due to the unknown impacts on development as well as individual property rights for current landowners, the private sector impact of the bill is indeterminate.

C. Government Sector Impact:

The bill will have an indeterminate, negative fiscal impact as local governments reconfigure their entire framework of single family residential zoning and development approval. The waiver of sovereign immunity for damages caused by violations of the bill further exposes local governments to potential negative fiscal impact.

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<sup>57</sup> *Santos v. State*, 380 So.2d 1284 (Fla. 1980).

<sup>58</sup> *Franklin v. State*, 887 So. 1063, 1072 (Fla. 2004).

<sup>59</sup> See *Ex parte Knight*, 41 So. 786 (Fla. 1906); *Brd. of Public Instruction of Broward Cnty. v. Doran*, 224 So.2d 693 (Fla. 1969).

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends sections 125.022, 166.033, 163.514, 177.071, and 553.382 of the Florida Statutes.

This bill creates sections 163.3254 and 553.385 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on January 27, 2026:**

The committee substitute:

- Amends various definitions, including the addition of “by right” to describe an administrative approval process without discretion;
- Amends the deletions of application and approval processes in favor of a narrower direction that those applications related to residential lots follow the framework introduced by the bill;
- Revises the Starter Homes Act to include an exception to preemption related to historic properties to allow regulations related to building design elements;
- Revises the application of the Starter Homes Act to apply to condominium or homeowners’ associations and deed restrictions if voluntarily adopted;
- Amends the retroactivity provision to assert that the bill is remedial in nature;
- Introduces a new section permitting neighborhood improvement districts to plan, finance, and complete structural safety or building compliance improvements under certain circumstances;
- Introduces a new section permitting the placement of manufactured residential buildings on any lot in a recreational vehicle park; and
- Introduces a new section requiring a local government to permit an off-site constructed residential dwelling by right in any zoning district where single-family detached dwellings are allowed, permitting the regulation of certain building standards.

**B. Amendments:**

None.