



January 26, 2026

*Via Email Delivery*

The Honorable Stan McClain  
The Florida Senate  
312 Senate Office Building  
404 South Monroe Street  
Tallahassee, FL 32399-1100

Re: SB 948 Local Government Land Development Regulations and Orders  
01.27.26 Agenda, Community Affairs Committee

Dear Chair McClain:

On behalf of the Florida League of Cities, I write to offer some broad comments on SB 948. The bill requires local governments to allow duplexes, townhomes, tri- and quad-plexes on any residential lot, regardless of context or location. It reduces all minimum lot sizes to 1,200 square feet (an almost 80% reduction in average minimum lot sizes), eliminates or substantially reduces lot setbacks, open space, and lot permeability requirements. The bill requires administrative approval for all residential development. It requires that local land use regulations meet the highest legal scrutiny required of any government action.

The League must respectfully oppose the bill. It forces an extremely proscriptive, state-imposed zoning code on every residential area of the state, replacing context-appropriate requirements. Lot sizes, setbacks, open space requirements, building height, and floor area ratios are fundamental components of municipal land use codes that allow communities to balance growth with infrastructure capacity, environmental compatibility, and neighborhood stability. By restricting these tools, the bill effectively rewrites local codes without local input, public hearings, or consideration of consistency with the local comprehensive plan and state land planning objectives. The bill is in stark contrast with sections 163.3177 and 163.3184, Florida Statutes, which direct local governments to adopt land development regulations consistent with their comprehensive plans and allow for public involvement in planning decisions.

Notably, the broad application of this state-imposed zoning code will override any consideration of site conditions, service availability, storm- and flood-water management, water body protection, emergency evacuation, and infrastructure capacity. It will result in the transformation of ex-urban and suburban areas into densities typically reserved for urban cores. It affords no consideration of impacts to agricultural resources, habitat, springsheds, lake protection zones, and tree canopy preservation. These zoning mandates may work in dense urban cores, but they are not universally suitable for all residential areas across an entire municipality.

The bill mandates administrative approval for all residential development, meaning this urban transformation will occur in the dark and out of the public eye. Thousands of Florida residents volunteer their time to participate in the development and implementation of their local comprehensive plan. This bill sends the message that their efforts have been wasted and their opinions are of no consequence.



Finally, the bill upends hundreds of years of legal precedent by subjecting land development regulations to the strictest legal scrutiny possible: they must serve a compelling government interest. This standard has, until now, been reserved for government regulations that infringe upon freedom of speech and religion. Scores of duly adopted, uniformly applicable land use regulations will be litigated under this new standard because the bill also awards attorney fees and costs to plaintiffs. The legal risks and uncertainties created by this change will reverberate for years.

As we have discussed, the League would like to work with you on developing a targeted urban infill policy that facilitates a variety of housing types while preserving local flexibility in meeting state-mandated planning objectives as expressed in the Community Planning Act. SB 948 goes far beyond urban infill, offers no flexibility, and conflicts with statutory planning mandates. The League respectfully requests that you reconsider the bill's scope and breadth.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca O'Hara', with a long horizontal flourish extending to the right.

Rebecca O'Hara  
Deputy General Counsel  
Florida League of Cities, Inc.

cc: Members of the Senate Community Affairs Committee