



February 4, 2026

Via Email Delivery

The Honorable Judson Sapp
Florida House of Representatives
1301 The Capitol
402 South Monroe Street
Tallahassee, FL 32399-1300

Re: **HB 927 Local Land Planning and Development**
2/5/2026 agenda, House Intergovernmental Affairs Subcommittee

Dear Representative Sapp:

On behalf of the Florida League of Cities and the municipalities we represent, I am writing to share our comments and concerns regarding the Proposed Committee Substitute (PCS) for HB 927.

Cities appreciate your engagement on permitting efficiency and local government staffing challenges, and we recognize that the PCS reflects an effort to refine and clarify provisions intended to improve permitting timelines. However, as currently drafted, the PCS raises significant constitutional, legal, operational, and fiscal concerns for municipalities that extend well beyond streamlining review processes. In particular, the bill substantially restructures local land-use decision-making authority by limiting core local government planning, oversight, and approval functions—either through broad preemption or by placing determinative weight on private preapplication review—thereby significantly constraining the scope of local government review and discretion that would ordinarily occur after preapplication review is completed.

The Florida League of Cities is actively engaged with stakeholders and remains committed to working collaboratively to address these concerns as the bill continues to move through the legislative process.

Threshold Concern: Preapplication Review Becoming Determinative

A central concern is that, although the PCS is framed around the use of qualified contractors for *preapplication* review, it significantly constrains the scope of local government review and discretion that would ordinarily occur *after* that review is completed. Once a qualified contractor submits an affidavit of compliance, the PCS limits subsequent approval actions to largely ministerial functions, effectively elevating a preapplication process into a determinative approval mechanism. This departs from the traditional role of preapplication review as a nonbinding, advisory step and raises concerns regarding due process, public participation, and the appropriate allocation of governmental decision-making authority.

Quasi-Judicial Authority

The PCS raises concerns to the extent they could be read to expand the role of qualified contractors beyond technical or ministerial review and into land-use approvals that have historically been reserved to elected bodies or appointed boards acting in a legislative or quasi-judicial capacity. These include discretionary approvals such as rezonings, variances, special exceptions, and other land-use decisions that, under long-standing Florida law, require notice, public hearings, sworn testimony, and findings supported by competent, substantial evidence.



This concern is not directed at purely ministerial permits or technical plan review, but rather at those provisions that appear to constrain or bypass the exclusive authority of a governing body or quasi-judicial board to make discretionary land-use determinations. To the extent the PCS requires or compels approval of applications based on a qualified contractor's affidavit while limiting a governing body's ability to independently evaluate the record, weigh evidence, or exercise discretion in these quasi-judicial contexts, it risks converting inherently discretionary decisions into mandatory approvals driven by private determinations. This raises serious concerns regarding unlawful delegation of legislative and quasi-judicial authority and the erosion of established due-process protections.

Breadth of State Preemption

The PCS contains broad express-preemption language that voids local ordinances, charter provisions, comprehensive plan elements, and administrative practices deemed duplicative of or more stringent than state law. This is not a procedural clarification but rather these preemptions reach deeply into local government substantive land-use regulation traditionally exercised under chapter 163, Florida Statutes.

As a result, locally tailored environmental and natural-resource protections—such as coastal construction control line standards, groundwater and aquifer recharge protections, wetland buffer requirements, and limitations on septic systems near sensitive water bodies—could be preempted even where those measures are embedded in adopted comprehensive plans and land development regulations and are intended to implement the policy framework of the Community Planning Act.

Ongoing Stakeholder Engagement

The Florida League of Cities has prepared and shared proposed amendment concepts with stakeholders to address these concerns while preserving the PCS's goal of improving efficiency. We remain actively engaged in discussions and committed to working collaboratively to identify targeted refinements.

Conclusion

While the League supports reasonable and targeted efforts to improve permitting efficiency and address staffing challenges, we believe the PCS would benefit from further refinement to preserve legislative and quasi-judicial discretion, due-process protections, and locally adopted planning frameworks. We look forward to continuing to work with you, your staff, and other stakeholders as the bill advances to develop balanced, workable solutions that improve efficiency while maintaining public accountability and sound growth-management principles.

Thank you for your consideration, and we welcome the opportunity to continue this dialogue.

Sincerely,



David Cruz
Legislative Counsel
Florida League of Cities, Inc.