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LEGISLATIVE ACTION

Senate

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House

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Floor: 4/AD/2R

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03/13/2026 12:37 PM

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Senator Calatayud moved the following:

Senate Amendment (with title amendment)

Delete lines 138 - 287

and insert:

Section 5. Effective January 1, 2027, subsection (7) is added to section 163.3194, Florida Statutes, to read:

163.3194 Legal status of comprehensive plan.—

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



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

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

19 2. If the applicant has proposed mitigation measures, the
20 local government may not deny an application on compatibility
21 grounds unless the denial includes written findings stating that
22 the proposed mitigation measures are inadequate and that
23 feasible mitigation measures do not exist.

24 3. A denial of an application on compatibility grounds must
25 specify with particularity the area or areas of incompatibility,
26 including applicable standards and an explanation of any
27 mitigation measures considered and declined by the applicant, or
28 the basis for determining that feasible mitigation measures do
29 not exist. References to "community character" or "neighborhood
30 feel" are not sufficient, in and of themselves, to support a
31 denial of an application on compatibility grounds.

32 4. A local government's approval of an application may
33 include requirements or conditions to mitigate or minimize
34 compatibility concerns.

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

36 1. Compatibility between uses in different future land use
37 categories, including rural, agricultural, conservation, open
38 space, mixed-use, industrial, or commercial use.

39 2. Applications for development within planned unit
40 developments or master planned communities.



41 3. Applications for development within historic districts
42 designated before January 1, 2026.

43 (e) This subsection does not require approval of an
44 application that is otherwise inconsistent with the applicable
45 local government comprehensive plan or land development
46 regulations.

47 Section 6. Effective January 1, 2027, section 553.382,
48 Florida Statutes, is amended to read:

49 553.382 Placement of certain housing.—Notwithstanding any
50 other law or ordinance to the contrary, in order to expand the
51 availability of affordable housing in this state, any
52 residential manufactured building that is certified under this
53 chapter by the department may not be denied a building permit
54 for placement ~~be placed~~ on a mobile home lot in a mobile home
55 park, on any lot in a recreational vehicle park, or in a mobile
56 home condominium, cooperative, or subdivision. Any such housing
57 unit placed on a mobile home lot is a mobile home for purposes
58 of chapter 723 and, therefore, all rights, obligations, and
59 duties under chapter 723 apply, including the specifics of the
60 prospectus. However, a housing unit subject to this section may
61 not be placed on a mobile home lot without the prior written
62 approval of the park owner. Each housing unit located on a
63 mobile home lot and subject to this section shall be taxed as a
64 mobile home under s. 320.08(11) and is subject to payments to
65 the Florida Mobile Home Relocation Fund under s. 723.06116.

66 Section 7. Effective January 1, 2027, section 553.385,
67 Florida Statutes, is created to read:

68 553.385 Zoning of off-site constructed residential
69 dwellings; parity.—



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70 (1) As used in this section, the term:
71 (a) "Local government" means a county or municipality.
72 (b) "Off-site constructed residential dwelling" means:
73 1. A manufactured building, as defined in s. 553.36,
74 intended for single-family residential use; or
75 2. A manufactured home, as defined in s. 320.01(2)(b),
76
77 which is constructed, in whole or in part, off site and is
78 treated as real property.
79 (2)(a) An off-site constructed residential dwelling must be
80 permitted as of right in any zoning district where single-family
81 detached dwellings are allowed.
82 (b) A local government may not adopt or enforce any zoning,
83 land use, or development regulation that treats an off-site
84 constructed residential dwelling differently or more
85 restrictively than a single-family, site-built dwelling allowed
86 in the same zoning district.
87 (c) This section does not prohibit a local government from
88 applying generally applicable architectural, aesthetic, design,
89 setback, height, or bulk standards, provided such standards are
90 applied uniformly to all single-family dwellings in the same
91 zoning district.
92 (d) Compatibility or design standards must be reasonable,
93 may not have the effect of excluding off-site constructed
94 residential dwellings, and, if adopted, must apply equally to
95 single-family, site-built dwellings. Such standards are limited
96 to:
97 1. Roof pitch.
98 2. Minimum square footage of livable space.



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99 3. Type and quality of exterior finishing materials.

100 4. Foundation enclosure.

101 5. Existence and type of attached structures.

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

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

105 1. The method of construction;

106 2. The location of construction; or

107 3. The presence of components constructed off site.

108 (3) A local government may not adopt or enforce any
109 ordinance, regulation, or policy that conflicts with this
110 section or s. 553.38, or that has the effect of excluding off-
111 site constructed residential dwellings. Any such ordinance,
112 regulation, or policy is void and unenforceable as applied to
113 off-site constructed residential dwellings.

114 (4) Local government regulations must be reasonable and
115 uniformly enforced without distinction as to housing type.

116
117 ===== T I T L E A M E N D M E N T =====

118 And the title is amended as follows:

119 Delete lines 19 - 65

120 and insert:

121 special exception or variance"; amending s. 163.3194,
122 F.S.; requiring local government comprehensive plans
123 and land development regulations to include factors
124 for assessing the compatibility of certain residential
125 uses; requiring land development regulations to
126 incorporate measures for mitigating or minimizing
127 potential incompatibility; requiring local government



128 staff to meet certain requirements before recommending
129 denial of certain applications on compatibility
130 grounds; prohibiting a local government from denying
131 certain applications on compatibility grounds if the
132 applicant has proposed certain measures; providing an
133 exception; requiring the denial of an application to
134 specify with particularity certain information;
135 authorizing a local government's approval of an
136 application to include certain requirements or
137 conditions; providing applicability; providing
138 construction; amending s. 553.382, F.S.; prohibiting
139 residential manufactured buildings from being denied a
140 building permit for placement on certain lots;
141 requiring housing units located on a mobile home lot
142 to be taxed in a specified manner and be subject to
143 payments to a specified fund; creating s. 553.385,
144 F.S.; defining the terms "local government" and "off-
145 site constructed residential dwelling"; requiring off-
146 site constructed residential dwellings to be permitted
147 as of right in certain zoning districts; prohibiting
148 local governments from adopting or enforcing
149 regulations that treat off-site constructed
150 residential dwellings in a specified manner; providing
151 construction; providing requirements for compatibility
152 and design standards; prohibiting a local government
153 from regulating or restricting off-site constructed
154 residential dwellings based on certain information;
155 prohibiting a local government from adopting or
156 enforcing certain ordinances, regulations, and



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157 policies; requiring local government regulations to be
158 reasonable and uniformly enforced; providing effective
159 dates.