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## POLICY SPOTLIGHT

# Reforming Florida's Housing Permit Process

Three key policy recommendations for procedural land use reform

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In recent years, Florida has led the nation in housing price inflation. This surge in home prices has been driven by heightened post-COVID housing demand and constrained supply due to local land use policies.

Florida's approach to zoning and land use policies has been inconsistent over time, resulting in unclear guidance and stunted growth for local governments. Some bills have proposed substantive changes to land use and zoning law, but state legislation that specifically addresses the procedural aspects of land use approvals could also promote much-needed housing supply and reduce confusion and uncertainty.<sup>1</sup>

To identify how to streamline Florida's land use framework, we met with local experts such as land use attorneys and planners. Three key recommendations emerged from these discussions. Under each one, we make practical solutions to support their implementation:

### 1. **Standardize the process for reviewing applications and appealing local government decisions.**

- Subject all land use decisions on identifiable properties to a single procedural system.
- Require local governments to appoint impartial hearing officers to make land use decisions using plans and codes with specific and objective criteria.
- Mandate review timelines and deadlines with consequences for noncompliance.
- Establish clear procedures for conducting hearings on applications.
- Develop a consistent statutory method of appeal with clear standards of review.

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<sup>1</sup> See Charles Gardner and Jacob T. Cremer, "How to Streamline Housing Permitting in Florida" (Mercatus Policy Brief, Mercatus Center at George Mason University, December 3, 2024). Scan the QR code below for the full analysis, including sources.



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**2. Hold local governments accountable for their land use planning.**

- Require local governments to plan for growth based on data from accepted sources and to include proven housing production measures in municipality plans and codes.
- Task the state land-planning agency with ensuring that local governments meet housing goals and are held accountable if they do not meet those goals.
- Withhold certain state funding from jurisdictions that fail to support housing growth.

**3. Increase the availability of by-right approvals for housing.**

- Amend the Live Local Act to apply it to all land within planned unit developments (PUDs) or similar site-plan-controlled zoning categories.
- Allow additional development opportunities on land owned by religious, charitable, and other institutional organizations.
- Allow by-right approval for up to four units on single-family lots within one mile of the central business district in municipalities with more than 100,000 people.
- Expand the Live Local Act's preemptions for density, intensity, and height to include all zoning categories that allow for multifamily-level density.
- Encourage local government buy-in to the Live Local Act's objectives through new incentives.

Standardizing review, putting teeth into local housing goals, and making new housing by-right rather than discretionary are essential steps to take Florida's land use framework reform from proposal to reality. Adopting policy recommendations like those listed above can assist Florida in overcoming regulatory uncertainty and motivating its local governments to meet the state's growing housing needs.