

Does the proposed SB 1118 legislation hurt local community interests or safeguard private property rights against local government tyranny?

An Analysis of SB 1118

Including a review of the rival questions:

Should Florida make it easier for outside developers to overcome local opposition?

Should Florida reduce the red tape to unleash prosperity?

Should Florida allow local governments to restrict over development?

An Act Relating to Land Use and Development Regulations (ie. a bill)

<https://www.flsenate.gov/Session/Bill/2025/1118/BillText/Filed/PDF>

3,866 words

(SB 1118 the bill) Land Use and Development Regulations; Deleting language authorizing the owner of an agricultural enclave to apply for a comprehensive plan amendment; requiring a supermajority vote for the adoption of certain comprehensive plans and plan amendments; requiring that local land development regulations establish by a specified date minimum lot sizes within certain zoning districts to accommodate the authorized maximum density; specifying that certain parcels may be subject to a recreational covenant and that certain recreational facilities and amenities are not a part of a common area, etc.

Conservative Christian Club of Marion County has been asked to take a position – to oppose – proposed legislation pending in the Florida legislature and introduced by State Senator Stan McClain of Marion County FL. It is noted that the local county GOP opposes his bill. This paper analyzing the pros and cons of SB 1118 has been developed for the CCC membership in order to help them for an opinion.

This is an analysis of SB 1118. As the task of research and drafting this analysis begins, the writer has no position on this topic, but will if possible, come to a conclusion here.

This initial part of the analysis of SB 1118, legislation proposed for adoption by the Florida state legislature, has 5 sections: (1) what is it and who are its co-sponsors in the legislature and who are its biggest critics, (2) what are the arguments in favor of passage, (3) what are the arguments against its passage, (4) what do conservatives say, (5) what do liberals say.

Florida Senate Bill 1118 (SB 1118), introduced by Senator Stan McClain (Republican of Marion County), focuses on land use and development regulations. It proposes significant changes to how agricultural and rural lands are managed, allowing for administrative approval of developments without requiring amendments to local comprehensive plans. This bill has sparked considerable debate, with its implications for local governance, environmental protection, and urban planning under scrutiny.

1. What is SB 1118?

SB 1118 aims to streamline the development process by enabling landowners to bypass traditional zoning and land-use controls. It eliminates the need for comprehensive plan amendments for certain agricultural enclaves, allowing developments to proceed with administrative approval. The bill also mandates local governments to establish minimum lot sizes to accommodate maximum density within zoning districts.

In summary, SB 1118 makes it easier for property development such as “affordable housing” and business development, and easier to overcome local opposition to such development in the name of “streamlining” the process.

The bill's primary sponsor is Senator Stan McClain, a Republican representing Marion County. Its identical counterpart in the House, HB 1209, is sponsored by Representative Kevin Steele. Critics of SB 1118 include local governments, environmental advocates, and bipartisan groups concerned about the erosion of "home rule"—the ability of local governments to regulate land use. Organizations like the Marion County Republican Executive Committee and former local officials have voiced opposition, citing concerns about overdevelopment, infrastructure strain, and loss of community input.

2. Arguments in favor of SB 1118

Proponents argue that SB 1118 promotes economic growth by reducing bureaucratic hurdles for development. By simplifying the approval process, the bill is expected to attract investment and address housing shortages in Florida. Supporters also claim that it upholds property rights, allowing landowners greater flexibility in utilizing their land. Advocates suggest that the owner of a property should have more of a say in how his property can be used.

Additionally, the bill's advocates believe it will create uniformity in land-use regulations across the state, reducing inconsistencies that can deter developers. They argue that the streamlined process will expedite projects, benefiting the state's economy and addressing population growth.

3. Arguments against SB 1118

First, those who argue for expansion of housing usually mean by that, low income housing. There is plenty of housing – rental or purchase – in Florida. What they want is low-income housing to attract liberal, welfare minded voters. Why a GOP legislature would want to make it easier to develop more low income, government subsidized, cheaper, multi-family housing, is a mystery to this writer, unless you consider very high dollar gifts to campaign bank accounts. Why GOP legislators would wish to increase the number of liberal voters in conservative districts, defies logic. There is no demand for that in this area. They actually mean – but don't want to say so – they want to bring in from outside, lots more low-income tenants whose rental will be subsidized. And that's a higher priority than stopping increases in traffic and crime.

So the first argument against passage of SB 1118 is, will it help bring a lot more low income tenants to Marion County and other areas of Florida which are normally “red” districts. Will it increase traffic, accidents, burglaries and other crime? Will it allow local governments to force developers to pay some or all of the increased costs which come with higher population density – from plumbing, to secondary roads, to more police and firemen, etc.? The overwhelming fear is, yes this will happen to the detriment of those who already reside in these non-city, rural areas. If they won't live in the city, perhaps we can with the help of outside developers, bring the city to them.

Another question to raise is, how much money have the political action committees of the very wealthy developers, donated to those pushing this SB 1118? Has anyone looked?

Opponents contend that SB 1118 undermines local governance by stripping cities and counties of their ability to regulate land use. Critics argue that the bill prioritizes development over community needs, potentially leading to suburban sprawl, environmental degradation, and infrastructure challenges.

Critics argue that private property rights should not supersede people rights, and that those who live, work and play in a neighborhood or community, should have the major say in what changes should be allowed. One person, company or private industry and their interests, should not be permitted to run roughshod over the interests of an entire local community.

One person or company (or industry) and its right to earn a profit, should not be allowed to crush the larger community of residents who prefer to keep their community as it is, and may wish to reject, restrict or stop what they may call over development, rising crime, more traffic on their roads, more accidents, more problems.

Environmental groups warn that this bill could threaten sensitive ecosystems by opening rural and agricultural lands to high-density development. Critics also highlight the potential strain on roads, schools, and utilities, as developments may proceed without adequate infrastructure planning.

The argument has also been made that taking the time to force developers to pay more of the cost for the increased expenses of additional development, is the sole prerogative of those who live in the community, and if the developer does not wish to pay the increased costs for his development, then the community in which he wishes to locate his business expansion, ought to continue to have the tools available to defend their own local interests. SB 1118 helps the developers crush the locals and overcome their opposition.

While we do not know their position, SB 1118 is exactly the kind of bill that the local Chamber of Commerce would love. Called Chamber and Economic Partnership (CEP, nicknamed by conservatives CCP), they never saw a tax increase they did not endorse, support and campaign for, while claiming to be non-partisan. No wonder – they get subsidized by the GOP controlled Ocala city and Marion County governments to the tune of over half a million dollars per year. If CEP is for it, local residents better lock up their wallets and pocketbooks, this is going to cost you.

Finally, SB 1118 critics bridle at the notion that pushing their interests aside in the interest of “streamlining” development of the business of outside interests, is an outrage to the citizens who reside in the community and have no interest in being steamrolled aside. SB 1118 and its backers are basically saying, we’re for the outsiders because of money, and we’re willing to help them defeat the locals and sweep aside their interests and concerns.

4. Conservative perspectives

Conservatives are divided on SB 1118, according to google and “artificial intelligence” methods of query and search. While some support it for promoting property rights and economic growth, others criticize it for undermining “home rule,” a principle valued by many conservative communities. The Marion County Republican Executive Committee, for instance, opposes the bill, citing concerns about government overreach and local autonomy.

Contrary to what AI (usually prejudiced against conservatives) claims, most local conservatives are against giving out of town, wealthy developers more tools to overcome opposition to their growth plans to local residents.

One of those opposing passage of SB 1118 sent us a copy of their letter to State Senator Stan McClain, who introduced this bill in opposition to his proposed legislation:

I am writing to urge you to oppose SB 1118 "Land Use and Development Regulations." This bill would strip local governments of their ability to manage growth, weaken community planning, and threaten rural and agricultural lands across Florida.

If passed, SB 1118 would:

**Force local governments to approve large developments in agricultural enclaves" and so-called "infill residential areas," even if they conflict with local plans.*

**Expand the definition of agricultural enclaves, allowing large landowners to convert rural lands into sprawling developments with little oversight.*

**Prohibit local governments from managing density in optional elements of their comprehensive plans, limited their ability to guide growth responsibly.*

**Silence residents and local leaders by fast-tracking development without property community input.*

These changes benefit developers at the expense of Florida's residents, rural communities, and natural lands. Please protect local decision-making, smart growth and Florida's rural lands by voting NO on SB 1118."

(signed – by a resident of Marion County FL)

5. Liberal perspectives

Some Liberals oppose SB 1118, viewing it as a threat to environmental protection and community planning. They argue that the bill prioritizes developers over residents and weakens public input in land-use decisions. These Liberals also emphasize the potential environmental and social costs of unchecked development. This is puzzling until one remembers those most liberals have a negative knee-jerk reaction against profits and business. They are against.

Other liberals view SB 1118 more favorably, saying that it encapsulates a broader debate about balancing growth with local control and environmental stewardship. Its passage could reshape Florida's approach to land use, with far-reaching implications for communities across the state.

Another group of liberals or liberal-minded people, who seem enamored of the "Philosopher King" approach of Aristotle (also beloved by Adolph Hitler and Benito Mussolini and their Fascists), think that they know best and their ideals will provide the greatest good for the greatest number. They think you need to break a few eggs to make an omelet, and that despite the hurt to local neighborhoods and its residents, their approach is best in the long run.

This mentality crosses party lines. It is this philosophy which saw George Wallace and later Ross Perot gain such a large following that the latter was the direct cause of Bill

Clinton winning the Presidency with only 42% of the vote – the Republican failed to capture even a plurality of the votes because disgruntled conservative minded voters cast their ballot for the “not a dimes worth of difference” candidate.

This report and the group for which it was created, Conservative Christian Center, do not endorse or even excuse such frustrated voters but merely notes that when both parties fail to work in the best interests of their own constituents, it results in some upset voters who say “a plague on both houses.” But it is the “we know best” mentality which enables even supposedly conservative legislators to vote in favor of legislation like SB 1118.

Analysis

Despite a knee jerk propensity by some conservatives and business interests to favor anything which would help expand business and overcome their “growth at all costs” opponents, we could not find any clear and decisive, conservative argument favoring SB 1118 which we could find on the internet.

This analyst found a compelling anti SB 1118 argument in the principle of subsidiarity.

The principle of subsidiarity is very important for thoughtful conservatives. It is best explained in *The Thurmont Statement of Conservative Principles*:

“We think the principle of subsidiarity makes sense – that choices and decisions are best handled at the most local level possible such as state, county, town, neighborhood and family. They (liberals) prefer centralization of all decisions possible, where efficiency is greater when it is in their hands instead, and that local choice, liberty, and individual decision-making must yield to the mandate of them, the enlightened and wise, supreme central planners.”

(the finest statement of conservative principles, co-authored by one of the writers of this Analysis, to be found at FreedomLeadershipConference.org).

On the other hand, arguably, some of the worst tyrants in America are local school boards, homeowner associations and local town governments. Before the conservative reader can object to this idea, consider this question:

Under the unquestioned principle of subsidiarity (which we do not propose) does that mean if a local government (such as a Homeowner Association) prohibits the display of a Trump for President sign on the private property of a homeowner, then there can be no conservative challenge to such prohibition under the First Amendment?

Spoiler Alert. This research briefing report was developed for the Conservative Christian Club of Marion County, FL, a chapter of Tea Party Patriots and of ConservativeChristianCenter.org; at the direction of its Executive Board. After review and discussion, the CCC Executive Board voted to approve this report and to oppose SB 1118 or anything similar. This report may not be circulated or reproduced unless this information is included. Conservative Christian Club, Freedom Center Bldg. 21, 2801 SW College Road, Ocala FL 34474, (352) 309-6308. ConservativeChristianCenter.org. Excerpts from this report should state that it is the official research report of Conservative Christian Club of Marion County to explain their opposition to SB 1118.

In fact, does the Principle of Subsidiarity mean that the entirety of the Bill of Rights can be cancelled by the Homeowners Association in a particular subdivision (such as Ocala Palms subdivision) or in a city or town? Can the Association (a form of local government) prohibit your right to display a Trump sign in the window of your home (as was done there) and so trample the free speech rights you thought were a guarantee?

Lt. Col. Joseph R. Finch, (Ret., USA), who earned a Distinguished Flying Cross for his efforts as a helicopter pilot rescuing many hundreds of wounded American combatants during the Vietnam war, was victimized by his local Homeowners Association because they wanted to prohibit him from the display of a cross on his lawn. Presumably, the irony of such persecution of a hero awarded the Distinguished Flyer Cross, was lost on them.

Yes, local government can sometimes be a freedom-sucking tyrant, as were the Democrat controlled states which killed hundreds of thousands of U.S. troops defending their “right” to continue slavery in the name of states’ rights.

In the name of overriding local government’s ability to hamstring, control or merely set aside cumbersome regulations blocking or restricting property development, SB 1118 would claim to override the tyranny sometimes practiced by local government.

SB 1118 seems to represent a major clash between the principle of subsidiarity and the principle of private property or ownership rights.

SB 1118 seems to say, if a big company or wealthy individual is so nice as to be willing to invest his money in our community, we ought to help him push out of the way, any neighborhood residents who have any objections to such growth where they live. In other words, bigger government is saying to smaller government, “we’re expanding traffic and crime in your neighborhood, whether you like it or not, and home rule be damned.”

However, before we rush to agree that the principle of subsidiarity trumps all other arguments, consider this question: would that make you an advocate for the right of citizens of Alabama to own slaves before the civil war? Would you oppose the sending of federal troops to crush the southern rebellion and to abolish slavery despite “home rule” defenders led by its local (Democrat Party) defenders?

This writer has not previous to this Analysis, taken any position on SB 1118 and whether it should be passed or defeated. Conservative Christian Center, for whose leadership this research and writing was done, has had no position on SB 118 prior to this report.

Like anyone else, I’d not want to see a coal plant or garbage processing facility located in my backyard or even in my neighborhood. I’d not agree that a property owner can do anything they want without limit, regardless of objections from his neighbors and regardless how that changes the character and appearance of his neighborhood.

I’d not favor the right of property over my own rights to determine how my community and neighborhood should be developed in the future.

My wife and I moved into our house because we like the community the way it is and would like to have a say and the ability to block an outsider coming in later and changing things in a way we do not favor or like to make profits at our expense.

On the other hand, as one of the two principle authors of The Thurmont Statement of Conservative Principles, I also do recognize the sometimes clash between our individual property rights versus our right to live in communities and neighborhoods where we the residents, have the dominant say in developing rules, guidelines and restrictions for where we live, work and play and our future.

We recognize that there are limits to such “home rule” principles. One cannot merely say “but in our neighborhood we do not like free speech” and then prohibit it. Or we don’t like Catholics, and prohibit them from moving in. There are instances in which “home rule” can and should be overruled by state or national government.

In this clash of important ideals, I would come down in favor of community rule over property rights, recognizing that sometimes, there must be a case-by-case review of specific proposals to determine what rules and laws should be enacted, or rejected.

Without question I opposed the continuation of slavery, salute the (then) new Republican Party of President Abraham Lincoln in their determination to end slavery despite the local (Democrat Party) support for it in the southern states (and even some support in northern states). In that case “home rule” was overruled, by force of arms. Local sovereignty was further restricted even after what the southerners called “the war of northern aggression” by the presence of armed union troops throughout what some then called conquered lands. Southern states were not even allowed to rejoin the union and have elected representation (Senators and Congressmen) until the Republican Party majority of the north, was able to finish amending the constitution with the 14th Amendment giving the former black slaves the right to vote (not giving new babies of illegals citizenship).

So much for the idea of the principle of subsidiarity. It was not then nor is it proposed now, that no matter what, the local government and neighborhood citizens, can do whatever they want. Our Constitution’s Bill of Rights overrides local control.

Another example. I am rooting for the new Trump FBI to investigate the wrongdoing of its southern New York (ie. NYC) branch which held back the contents of Hunter Biden’s laptop. They did not merely participate in a coverup. They led it, violating federal law and FBI customs and practices to help their boss win reelection as President.

As we later learned, some 20% of Biden voters in 2020 later said that if they had read about the Hunter Biden laptop before the election they would not have voted for Biden. The local field office of the FBI in NYC helped choose the President in that year’s election by its suppression of the Hunter Biden laptop story. The locals should be prosecuted. Never mind the “principle of subsidiarity”.

I do not wish to apply the principle of subsidiarity in the wrongful prosecution of Donald Trump in several jurisdiction but prefer federal, criminal prosecutions by local wrongdoers in New York City, and other local jurisdictions.

We lack more complete information about possible benefits to the local community of SB 1118, so at this juncture we would oppose its passage. We do not endorse the Principle of Subsidiarity in all cases, lest it be used as an argument for secession and the defeat of those who followed Abraham Lincoln, who sent northern armies to crush those defending slavery as “home rule” advocates.

The principle of subsidiarity is not absolute and overarching. It must be balanced against private property rights, constitutional rights.

That balance was inadvertently referred to at a meeting of the Oak Run Republican Party in the past year. In a question and answer session for a local County Commissioner, a club member asked, “can’t you expand and give us more big box stores to shop at, but

don't give us more traffic and multi-family homes with more lower class people with more crime and more people we do not want in our neighborhood.”

Seemingly, that is the equation always ignored by the local version of the Chamber of Commerce, who never saw growth it did not cheer for and whose annual luncheon meetings at the World Equestrian Center are always a testament (as they boast) to their own skill in persuading voters to enact more tax increases and pro-growth measures.

But in the case of SB 1118, here is the decisive argument against its passage by the Florida legislature. SB 1118 sets aside the interests of those who already live here in favor of outsiders and their right to earn profits. It very much tips the scales against the locals. That's just not fair.

The Florida state government should not be helping outside monied interests crush the locals in order to make profits. That's one-sided and flat out wrong.

SB 1118 should be defeated in Committee. Any legislator who fails to speak out against SB 1118 and stop it, whether in Committee or before the full legislature, should face angry constituents who should not forget what they are trying to do to their own constituents. If it passes, community-minded conservative Christians should speak out and always hold a grudge against legislators who failed to represent them but voted to hurt them.

We have not researched the question (but we will if this passes), how many dollars have flowed into legislator reelection campaign bank accounts from monied interests who benefit by SB 1118?

Conservative-minded Christians should be angry that SB 1118 advocates would hurt them to benefit the more powerful. SB 1118 would tip the scales too far against local residents, too far in favor of outside, monied, commercial interests. No on SB 1118.

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***Approved unanimously by the
Executive Board of the Conservative Christian Club of Marion County
A chapter of Tea Party Patriots and Conservative Christian Center
Free eNewsletter write RSVP@ConservativeChristianCenter.org***

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Addendum

<https://www.ocalagazette.com/local-bipartisan-opposition-forms-against-fl-sen-mcclains-sb1118/>

Local bipartisan opposition forms against FL Sen. McClain's SB 1118

The crux of the opposition is maintaining “home rule” and a desire to preserve Marion’s farmland.

Posted March 12, 2025 | By Jennifer Hunt Murty Ocala Gazette Jennifer@ocalagazette.com

In response to what some call an “attack” on home rule, local bipartisan opposition has formed against Senate Bill 1118 filed by State Sen. Stan McClain, R-Marion, and its identical House Bill 1209 filed by Rep. Kevin Steele, R-Pasco. The bills would wrest local control of development from cities and counties across the state and open up hundreds of thousands of agricultural acres to developers without review from local governments. If passed, the new laws would supersede any local overlay zones of protection, including Marion County’s revered Farmland Preservation Area.

The bill language only provides for protection of state-mandated protection areas and lists two: “The Wekiva Study Area, as described in s. 369.316; or 2. The Everglades Protection Area, as defined in s.169 373.4592(2).”

The bills propose no restrictions on minimum lot size and assume that maximum densities per any current land development code would be automatically put into effect. The city of Ocala and the Marion County Board of County Commissioners would lose their authority to restrict the number of units per acre in a housing project.

There was still no analysis associated with either bill as of March 12. McClain’s bill has been introduced however, and it has been forwarded to the Community Affairs committee, on which he sits. It’s scheduled on that committee’s agenda for March 17, 4:00 pm, in Room 37, of the Senate Building.

McClain’s office has not responded to repeated requests for additional context as of the date this article was published.

There has been a flurry of outrage for the proposal on social media.

Cynthia Moody wrote on Facebook, “Are they trying to completely ruin Ocala???”

James Tomlinson opined in the same post, “Home Rule until there’s more incentives to not have it, I guess? How convenient.”

Even former Marion County Commissioner David Moore wrote, “This is why we need to talk with our state legislators and let them know how we feel..... Gotta be involved in order to stop government overreach.”

Brigette Smith, chair for the Marion County Republican Executive Committee, shared what it published in opposition to the bill, including: “these bills seek to undercut this key principle of home rule and the will of the electorate.”

The MCRE statement said, “It is not clear what constituency is served by these overt draft policies to negate Comprehensive Plans and community input at the County level.

Marion County is undergoing explosive growth and is now showing the “growing pains” of increased traffic/school overcrowding with projections of + \$1B in future infrastructure costs and +\$1B in school capital/maintenance expenditures. There is little need for an ‘accelerant’ bill to increase the speed and density of residential development that would remove all these aspects, and others, weaken ‘home rule’ and negate the public’s input of changes that affect the daily lives of Marion County/Florida citizens. We are all advocates for property rights, yet this allows a landowner to apply for ‘administrative approval’ of development ‘regardless of the future land use map designation of the parcel or any conflicting comprehensive plan goals, objectives or policies.’ Existing owners vested rights in farmland/rural neighborhoods need to be protected. Republicans believe in local government as what’s closest to the people!”

Diana Williams, chair of the Marion Democratic Executive Committee, said they reviewed the bill and recognize that “this legislation will significantly change the impact of Florida’s Land Use Plan and makes it easier to develop agricultural land through the ‘administrative approval’ without regard to local input.”

Williams recalled in an email to the “Gazette” memories from working for the Withlacoochee Regional Planning Council, which served five surrounding counties—Citrus, Marion, Levy, Sumter and Hernando. They worked on the Comprehensive Land Use Plan for this area and there were many, many meetings to gather grassroots input on future development ideas.

“At that time, we had a plan developed from input provided by folks living in the communities. Now it seems our legislators in Tallahassee are wrestling home rule for power and control over our communities,” she said.

Williams added, “We are the Horse Capital of the World, for now. Is the World Equestrian Center enough to keep our title when we’ve sold off all our farmland? Hoping our residents will express their discontent to our legislators and make them aware that we are not asking for their help to convert our farmland into another subdivision, we want to manage that locally. Are we finding common ‘ground’ on this issue?”