

By Senator Martin

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1 A bill to be entitled
2 An act relating to land use and zoning; amending s.
3 70.001, F.S.; providing applicability of provisions
4 related to protection of private property rights;
5 creating s. 163.31773, F.S.; defining the terms
6 "single-family hybrid use" and "single-family owner
7 use"; authorizing a local government to provide for
8 certain residential land uses in its comprehensive
9 plan and land development regulations; authorizing a
10 local government to prohibit single-family hybrid use
11 while allowing single-family owner use within a land
12 use category; providing applicability; providing an
13 effective date.

14
15 WHEREAS, homeownership enhances community stability,
16 economic prosperity, and civic engagement, and

17 WHEREAS, this state acknowledges the substantial public
18 benefits of increased homeownership, such as improved public
19 welfare and economic resilience, and

20 WHEREAS, evolving housing needs require adaptable policy
21 frameworks that promote both inclusivity and economic diversity
22 within communities, and

23 WHEREAS, distinguishing between single-family hybrid use
24 and single-family ownership use for land use and land
25 development regulation purposes addresses the diverse needs and
26 preferences of this state's residents, and

27 WHEREAS, there is currently no mechanism in state law to
28 ensure that rezoning land for the development of single-family
29 homes will provide opportunities for owner occupation of such

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30 single family homes, necessitating action by the Legislature,
31 NOW, THEREFORE,

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33 Be It Enacted by the Legislature of the State of Florida:

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35 Section 1. Paragraph (c) is added to subsection (10) of
36 section 70.001, Florida Statutes, to read:

37 70.001 Private property rights protection.—

38 (10)

39 (c) This section does not apply to any actions taken by a
40 local government under s. 163.31773.

41 Section 2. Section 163.31773, Florida Statutes, is created
42 to read:

43 163.31773 Single-family home ownership categories; land use
44 and zoning; applicability.—

45 (1) As used in this section, the term:

46 (a) "Single-family hybrid use" means a type of residential
47 land use wherein there is no limitation on the number of single-
48 family homes that may be owned by a person.

49 (b) "Single-family owner use" means a type of residential
50 land use wherein single-family homes are intended for owner
51 occupation and the owner of any such home and any persons
52 affiliated with such owner, not including family members, do not
53 in the aggregate own more than three single-family homes in the
54 local jurisdiction. For purposes of this paragraph, a "person
55 affiliated with such owner" means any person that has any
56 connection with the owner through an ownership interest, legal
57 or beneficial interest, or contractual relationship.

58 (2) (a) A local government may provide for single-family

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59 owner use and single-family hybrid use in the future land use
60 element of its comprehensive plan and in its land development
61 regulations.

62 (b) A local government may prohibit single-family hybrid
63 use within a land use category while allowing single-family
64 owner use within that land use category in the future land use
65 element of its comprehensive plan and in its land development
66 regulations.

67 (3) This section does not apply to:

68 (a) A property owned or developed by a state or local
69 governmental entity.

70 (b) A developer engaged in the construction and sale of new
71 homes while such homes are unoccupied.

72 Section 3. This act shall take effect July 1, 2025.