

By Senator Collins

14-01165-25

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1 A bill to be entitled
2 An act relating to adaptive reuse of land; creating
3 ss. 125.01056 and 166.04152, F.S.; requiring counties
4 and municipalities, respectively, to authorize certain
5 allowable uses for the development of adaptive reuse
6 projects; excluding developers of such projects from
7 certain land regulations and requirements; providing
8 legislative intent; requiring counties and
9 municipalities to create programs to streamline the
10 building permit and development order processes for
11 such projects; requiring counties and municipalities
12 to reduce parking requirements for such projects when
13 certain conditions are met; requiring the Adaptive
14 Reuse Public-Private Partnership Council to perform a
15 certain evaluation as it relates to the reduction in
16 parking; authorizing counties and municipalities to
17 exempt from the levy of ad valorem taxes landowners
18 and developers who provide for or develop land for
19 certain housing units in adaptive reuse projects;
20 requiring counties and municipalities to reduce impact
21 fees by a specified amount for such landowners and
22 developers; requiring counties and municipalities to
23 exempt other specified taxes for landowners and
24 developers of hotels or motels who operate as
25 multifamily property and enter into certain lease
26 agreements; requiring that adaptive reuse projects
27 comply with general law and regulations; creating ss.
28 125.01057 and 166.04153, F.S.; authorizing a board of
29 county commissioners and a municipal governing body,

14-01165-25

20251572__

30 respectively, to adopt an ordinance for transitional
31 housing for a specified purpose; establishing
32 eligibility requirements; establishing ordinance
33 requirements; creating s. 163.32025, F.S.; providing a
34 short title; providing legislative intent; authorizing
35 the Florida Housing Finance Corporation to provide
36 technical assistance to counties and municipalities;
37 defining terms; creating the Adaptive Reuse Public-
38 Private Partnership Council to facilitate and oversee
39 the development of adaptive reuse projects; providing
40 for council membership; requiring annual election of
41 the chair; providing meeting and project approval
42 process requirements; providing reporting
43 requirements; providing recordkeeping requirements;
44 requiring the council to monitor approved projects for
45 specified purposes; requiring the council to perform
46 project evaluations on a regular basis of approved
47 projects for specified purposes; prohibiting members
48 of the council from receiving compensation;
49 authorizing reimbursement for per diem and travel
50 expenses for members; requiring the council to
51 annually report specified information to the Governor
52 and the Legislature by a specified date; providing for
53 future repeal; providing an effective date.

54
55 Be It Enacted by the Legislature of the State of Florida:

56
57 Section 1. Section 125.01056, Florida Statutes, is created
58 to read:

14-01165-25

20251572__

59 125.01056 Adaptive reuse of land.-

60 (1) A county must authorize multifamily and mixed-use
61 residential as allowable uses in any area zoned for commercial,
62 industrial, or mixed use, or authorize hotels or motels to
63 operate unencumbered as a transitional housing use, when an
64 adaptive reuse project has been approved for the development of
65 land under s. 163.32025.

66 (2) Notwithstanding any other law, local ordinance, or
67 regulation to the contrary, a county may not require the
68 developer of a proposed adaptive reuse project to obtain a
69 zoning or land use change, special exception, conditional use
70 approval, variance, or comprehensive plan amendment for the
71 zoning authorized under this section.

72 (3) The Legislature intends to simplify and expedite the
73 permitting process for adaptive reuse projects that have been
74 approved for the development of land under s. 163.32025. The
75 governing body of a county shall create a program to streamline
76 the building permit and development order processes for such
77 projects in accordance with the Florida Building Code and this
78 section.

79 (4) (a) A county shall reduce parking requirements for a
80 proposed adaptive reuse project if:

81 1. Land zoned for commercial use as a hotel or motel is
82 rezoned for multifamily and mixed-use residential use. The
83 county shall reduce parking to the unit ratio of 1:0.75 for
84 studio units, 1:1 for single-bedroom units, and 1:1.25 for all
85 other dwelling units.

86 2. Land zoned for commercial use as an office building is
87 rezoned for multifamily and mixed-use residential use. There

14-01165-25

20251572__

88 must be an additional 20 percent variance or reduction in the
89 required parking spaces.

90 3. Land zoned for industrial, retail, school, religious, or
91 recreational use is rezoned for multifamily and mixed-use
92 residential use. There must be an additional 15 percent variance
93 or reduction in the required parking spaces.

94 (b) The Adaptive Reuse Public-Private Partnership Council
95 created in s. 163.32025 shall evaluate any current and future
96 impacts of a reduction in parking as part of its adaptive reuse
97 project evaluation performed under s. 163.32025 (5) (d).

98 (5) (a) A county may exempt from the levy of ad valorem
99 taxes landowners or developers who provide for or develop land
100 for housing units that are affordable as defined in s.
101 420.0004(3) in adaptive reuse projects.

102 (b) A county shall reduce impact fees to one-third of the
103 original face value for landowners or developers who provide for
104 or develop land for housing units that are affordable as defined
105 in s. 420.0004 in adaptive reuse projects.

106 (c) A county shall exempt from the levy of sales tax,
107 discretionary sales surtax, and any tourism-related tax
108 landowners or developers of hotels or motels who operate such
109 hotels or motels as multifamily property and enter into bona
110 fide written agreements with tenants for continuous residence
111 for longer than 6 months.

112 (6) Except as otherwise provided in this section, an
113 adaptive reuse project approved under s. 163.32025 must comply
114 with all applicable state and local laws and regulations.

115 Section 2. Section 125.01057, Florida Statutes, is created
116 to read:

14-01165-25

20251572__

117 125.01057 Transitional housing ordinances.-

118 (1) Notwithstanding any other provision of law, a board of
119 county commissioners may adopt an ordinance for the purpose of
120 transitional housing to increase the supply of affordable
121 housing.

122 (2) For the development of property to be eligible as
123 transitional housing under this section, all of the following
124 criteria must be met:

125 (a) The property is a hotel or motel development that
126 accommodates 50 or more units.

127 (b) There is an existing hotel or motel footprint that
128 provides for essential living space design elements, including
129 full kitchens, full bathrooms, queen-size beds or larger,
130 electrical panels, and adequate life safety and fire suppression
131 requirements.

132 (c) The units contain minimum amenities, including full
133 kitchens with stoves, Internet access, cable television or
134 streaming service, and laundry facilities.

135 (d) Any unit that is leased for 6 months or more is subject
136 to the Florida Residential Landlord and Tenant Act.

137 (e) Any unit that is subject to lease for 6 months or more
138 is assigned an individual mailbox that meets postal requirements
139 and is located in the hotel or motel lobby or a covered outdoor
140 area.

141 (f) The property development meets the requirements of the
142 Florida Building Code and the Florida Fire Prevention Code.

143 (3) An ordinance adopted under this section must:

144 (a) Be adopted under the procedures for adoption of a
145 nonemergency ordinance by a board of county commissioners

14-01165-25

20251572__

146 specified in this chapter.

147 (b) Designate the local entity under the supervision of the
148 board of county commissioners which must develop, receive, and
149 review applications and develop notices of determination of
150 eligibility.

151 (c) Require the local entity to verify that the property
152 meets the requirements of the ordinance and forward the notice
153 to the applicant. If the local entity denies the application, it
154 must notify the applicant and include reasons for the denial.

155 (d) Require the property to meet the eligibility criteria
156 specified in paragraph (2) (a).

157 (e) Require that the deadline to submit an application be
158 published on the county's website.

159 (f) Require the county to post on its website a list of
160 properties receiving the transitional housing designation for
161 the purpose of facilitating access to affordable housing.

162 Section 3. Section 163.32025, Florida Statutes, is created
163 to read:

164 163.32025 Adaptive Reuse Public-Private Partnership
165 Council.-

166 (1) This section may be cited as the "Adaptive Reuse
167 Initiative Act."

168 (2) This section is intended to promote economic
169 revitalization, address affordable housing needs, and encourage
170 sustainable development by evaluating and supporting adaptive
171 reuse projects through the redevelopment of underutilized
172 property in this state.

173 (3) The Florida Housing Finance Corporation is authorized
174 to provide technical assistance to counties and municipalities

14-01165-25

20251572__

175 to support implementation of this section.

176 (4) As used in this section, the term:

177 (a) "Affordable housing" has the same meaning as in s.
178 163.3164(3).

179 (b) "Council" means the Adaptive Reuse Public-Private
180 Partnership Council.

181 (c) "Governmental agency" has the same meaning as in s.
182 163.3164(21).

183 (d) "Local planning agency" has the same meaning as in s.
184 163.3164(30).

185 (e) "Project" means an adaptive reuse project submitted for
186 approval under this section.

187 (f) "State land planning agency" means the Department of
188 Commerce.

189 (5) (a) There is created the Adaptive Reuse Public-Private
190 Partnership Council, an advisory council as defined in s. 20.03,
191 to facilitate and oversee the process of evaluating the
192 feasibility of adaptive reuse projects.

193 (b) The council is composed of 12 members, as follows:

194 1. Four members appointed by the Secretary of Commerce.

195 2. Four members appointed by the local planning agency.

196 3. Four members appointed from private sector industries,
197 such as real estate development, architecture, construction,
198 finance, and urban planning.

199 (c) Members shall elect a chair annually.

200 (d) 1. The council shall meet at least biannually at the
201 call of the chair. The business of the council must be presented
202 to the council in the form of an agenda set by the chair and
203 must include project proposals submitted to the council.

14-01165-25

20251572__

204 2. Upon submission to the council of a project proposal,
205 the chair shall nominate six members of the council to perform a
206 project evaluation. The chair shall nominate one member to
207 prepare and submit a written report. The report must contain an
208 assessment of the viability of the project proposal, including
209 any reduction in parking pursuant to s. 125.01056(4) (a).

210 3. The council shall hold a public hearing to provide the
211 local community, stakeholders, and residents affected by the
212 proposed project the opportunity to be heard.

213 4. The council shall review and vote on each project
214 proposal based on the findings of the project evaluation and
215 public hearing. The council shall also consider the following
216 criteria:

217 a. Economic impact.

218 b. Housing affordability.

219 c. Environmental sustainability.

220 d. Community benefits.

221 e. Compliance with the Florida Building Code and the
222 Florida Fire Prevention Code.

223
224 Action by the council requires a majority vote of the members
225 present, and the chair shall cast the deciding vote.

226 (e) A majority of the members constitutes a quorum, and
227 action by a majority of a quorum shall be official.

228 (f) The chair of the council shall make a written report of
229 each meeting and submit the report to the state land planning
230 agency and local planning agency. Such report must include the
231 names of the members present and a record of the council's
232 discussions and actions taken. The state land planning agency

14-01165-25

20251572__

233 shall keep the records of the meetings on file and shall make
234 the records available to any interested person or group.

235 (g) The council shall monitor each project approved by the
236 council to ensure compliance with the approved plans, the
237 Florida Building Code, and the Florida Fire Prevention Code.

238 (h) The council shall perform project evaluations on a
239 regular basis, as determined by the chair, of approved projects
240 to assess and ensure project implementation and to address any
241 issue or problem that may arise.

242 (i) A member may not receive a commission, fee, or
243 financial benefit in connection with serving on the council.
244 Council members may be reimbursed for per diem and travel
245 expenses in accordance with s. 112.061 by the state agency that
246 the member represents. If a member is not affiliated with a
247 state agency, the member shall be reimbursed by the appropriate
248 governmental agency.

249 (j) By October 31 of each year, the council shall submit a
250 report to the Governor, the President of the Senate, and the
251 Speaker of the House of Representatives summarizing the
252 activities and outcomes of the council during the preceding
253 year.

254 (6) In accordance with s. 20.052(8), this section is
255 repealed October 2, 2028, unless reviewed and saved from repeal
256 through reenactment by the Legislature.

257 Section 4. Section 166.04152, Florida Statutes, is created
258 to read:

259 166.04152 Adaptive reuse of land.-

260 (1) A municipality must authorize multifamily and mixed-use
261 residential as allowable uses in any area zoned for commercial,

14-01165-25

20251572__

262 industrial, or mixed use, or authorize hotels or motels to
263 operate unencumbered as a transitional housing use, when an
264 adaptive reuse project has been approved for the development of
265 land under s. 163.32025.

266 (2) Notwithstanding any other law, local ordinance, or
267 regulation to the contrary, a municipality may not require the
268 developer of a proposed adaptive reuse project to obtain a
269 zoning or land use change, special exception, conditional use
270 approval, variance, or comprehensive plan amendment for the
271 zoning authorized under this section.

272 (3) The Legislature intends to simplify and expedite the
273 permitting process for adaptive reuse projects that have been
274 approved for the development of land under s. 163.32025. The
275 municipal governing body shall create a program to streamline
276 the building permit and development order processes for such
277 projects in accordance with the Florida Building Code and this
278 section.

279 (4) (a) A municipality shall reduce parking requirements for
280 a proposed adaptive reuse project if:

281 1. Land zoned for commercial use as a hotel or motel is
282 rezoned for multifamily and mixed-use residential use. The
283 county shall reduce parking to the unit ratio of 1:0.75 for
284 studio units, 1:1 for single-bedroom units, and 1:1.25 for all
285 other dwelling units.

286 2. Land zoned for commercial use as an office building is
287 rezoned for multifamily and mixed-use residential use. There
288 must be an additional 20 percent variance or reduction in the
289 required parking spaces.

290 3. Land zoned for industrial, retail, school, religious, or

14-01165-25

20251572__

291 recreational use is rezoned for multifamily and mixed-use
292 residential use. There must be an additional 15 percent variance
293 or reduction in the required parking spaces.

294 (b) The Adaptive Reuse Public-Private Partnership Council
295 created in s. 163.32025 shall evaluate any current and future
296 impacts of a reduction in parking as part of its adaptive reuse
297 project evaluation under s. 163.32025(4) (d).

298 (5) (a) A municipality may exempt from the levy of ad
299 valorem taxes landowners or developers who provide for or
300 develop land for housing units that are affordable as defined in
301 s. 420.0004(3) in adaptive reuse projects.

302 (b) A municipality shall reduce impact fees to one-third of
303 the original face value for landowners or developers who provide
304 for or develop land for housing units that are affordable as
305 defined in s. 420.0004 in adaptive reuse projects.

306 (c) A municipality shall exempt from the levy of sales tax,
307 discretionary sales surtax, and any tourism-related tax
308 landowners or developers of hotels or motels who operate such
309 hotels or motels as multifamily property and enter into bona
310 fide written agreements with tenants for continuous residence
311 for longer than 6 months.

312 (6) Except as otherwise provided in this section, an
313 adaptive reuse project approved under s. 163.32025 must comply
314 with all applicable state and local laws and regulations.

315 Section 5. Section 166.04153, Florida Statutes, is created
316 to read:

317 166.04153 Transitional housing ordinances.-

318 (1) Notwithstanding any other provision of law, a municipal
319 governing body may adopt an ordinance for the purpose of

14-01165-25

20251572__

320 transitional housing to increase the supply of affordable
321 housing.

322 (2) For the development of property to be eligible as
323 transitional housing, all of the following criteria must be met:

324 (a) The property is a hotel or motel development that
325 accommodates 50 or more units.

326 (b) There is an existing hotel or motel footprint that
327 provides for essential living space design elements, including
328 full kitchens, full bathrooms, queen-size beds or larger,
329 electrical panels, and adequate life safety and fire suppression
330 requirements.

331 (c) The units contain minimum amenities, including full
332 kitchens with stoves, Internet access, cable television or
333 streaming service, and laundry facilities.

334 (d) Any unit that is leased for 6 months or more is subject
335 to the Florida Residential Landlord and Tenant Act.

336 (e) Any unit that is subject to lease for 6 months or more
337 is assigned an individual mailbox located in the hotel or motel
338 lobby or a covered outdoor area, and such mailbox meets postal
339 requirements.

340 (f) The property development meets the requirements of the
341 Florida Building Code and the Florida Fire Prevention Code.

342 (3) An ordinance adopted under this section must:

343 (a) Be adopted under the procedures for adoption of a
344 nonemergency ordinance by a municipal governing body specified
345 in this chapter.

346 (b) Designate the local entity under the supervision of the
347 governing body of a municipality which must develop, receive,
348 and review applications and develop notices of determination of

14-01165-25

20251572__

349 eligibility.

350 (c) Require the local entity to verify that the property
351 meets the requirements of the ordinance and forward the notice
352 to the applicant. If the local entity denies the application, it
353 must notify the applicant and include reasons for the denial.

354 (d) Require the property to meet the eligibility criteria
355 specified in paragraph (2) (a).

356 (e) Require that the deadline to submit an application be
357 published on the municipality's website.

358 (f) Require the municipality to post on its website a list
359 of properties receiving the transitional housing designation for
360 the purpose of facilitating access to affordable housing.

361 Section 6. This act shall take effect July 1, 2025.