



# Live Local Act Breakdown

Provided by the East Central Florida Regional Planning Council

## Housing Policies from the Live Local Act (LLA)

- o Allows cities and counties (C&C) to approve affordable housing developments, including **mixed-use residential developments (MU)**, on any land zoned for commercial or industrial use so long as at least 10% of units are affordable.
- o Requires C&C to allow **multifamily (MF)** and MU as allowable uses in any area zoned for **commercial, industrial, or MU** if at least 40% of the units are affordable for at least 30 years. For MU projects, at least 65% of the total sq. ft. must be for residential purposes.
  - The C&C may not require the project to obtain a **zoning or land use change**, variance, or comp. plan amendment for zoning, height, or density.
  - A C&C may not restrict the **density** of the project below the highest allowed density on any land in the C&C where residential development is allowed.
  - A C&C may not restrict the **height** of the project below the highest currently allowed height for a commercial or residential building located within 1 mile of the project or 3 stories, whichever is higher.
  - The project must be approved if it satisfies the C&C's land development regulations for MF projects in areas zoned for such use and is otherwise **consistent with the comp. plan**, with the exception of regulations for densities, height, and land use.
  - The C&C must consider reducing **parking requirements** for the project if it is within a half mile of a major transit stop.
  - A C&C with less than 20% of its land designated for **commercial or industrial** uses is required to approve a MF project as a MU project.
- o By October 1, 2023, and every three years thereafter, C&Cs must create an **inventory of all lands** it owns that are "Appropriate for use as affordable housing".
  - Requires **independent districts** within C&Cs to also develop a similar inventory.
  - Requires C&Cs to make their inventories **publicly available** on its website.
- o Requires C&Cs to maintain on its website a policy on procedures and **expedited processing of building permits** and/or development orders required by law to be expedited.
- o Requires each manager of conservation lands to include in its land management plan identified **conservation lands** that may be appropriate for transfer to a C&C and used for affordable housing.
- o Within **10 days** of an applicant submitting a development application to a C&C, If the C&C does not provide notice that the applicant has not submitted the properly completed application, the application will be automatically deemed **completed and accepted**.

## PREEMPTIONS

**PROHIBITS LOCAL GOVERNMENTS FROM IMPOSING RENT CONTROLS**

## Housing Investments

- \$259M for the State Apartment Incentive Loan (SAIL) Program
- \$252M for the State Housing Initiatives Partnership (SHIP) Program
- \$100M for the newly codified Hometown Heroes Program
- \$100M for an Inflation Response Program
- \$100M for a Live Local Tax Donation Program

## Housing Incentives

- New option for C&Cs to provide tax exemptions for projects with at least 50 units, and at least 20% are affordable to households at or below 60% AMI
- Property tax incentives for non-profit owned land, leased for a minimum of 99 years and made affordable to households up to 120% AMI
- Property tax exemption for MF projects with more than 70 affordable units for households up to 120% AMI
- New sales tax refund on building materials used for affordable housing projects

# Policy Takeaways for Local Governments to Consider

## Comprehensive Planning and Land Development Regulations (LDR)

- Assess existing LDRs and Comp. Plan elements (FLUE) to assess the extent to which specified residential developments can be built in regard to density and height. Also consider priority land use regulations to apply to proposed housing developments that are not preempted to the State.
  - Consider how local parking requirements can be amended to facilitate new and existing development.
- Ensure policies include definitions supported by LLA: mixed-use residential, urban infill, major transit stop, manufactured homes, tiny homes, accessory dwelling units, etc.
- Use policy to support innovative housing funded by the SAIL program, which focuses on supporting seniors, disabled groups, individuals aging out of foster care, military personnel, and rural areas.
- Use Housing Element to:
  - Develop new policies to support the implementation and enforcement of programs that support affordable housing, such as inclusionary housing, first of right refusal, and density bonuses.
  - Enable tenant protection policies that buffer the impacts of rising rents on residents, such as a just cause eviction ordinance, landlord registries, rental assistance programs, and eviction education to better understand the eviction process.
  - Support homeownership stabilization programs and services that house people and keep them housed while enhancing neighborhoods, such as down payment assistance, home rehabilitation, etc.

## Managing Surplus Lands

- In developing the required inventory of government-owned lands that can be used for affordable housing and related policy resolution, consider best practices in managing surplus lands:
  - Define eligibility criteria for the receipt or purchase of surplus lands.
  - Use ground leases for long-term affordability or transfer property to a Community Land Trust (CLT).
  - Support the creation of inventories for special districts, like CRAs, housing authorities, water districts, etc.
- Consider creating a CLT or Housing Trust Fund to support housing development on publicly-owned lands.
- Utilize technical assistance for managing surplus lands that is made available through the Affordable Housing Catalyst Program and other state and regional resources.

## New State Housing Strategy Guidelines to Apply to Local Housing Policies

- The following four policy areas constitute the goals of the revised State Housing Strategy. The State will take on duties to implement that State Housing Strategy such as: administering effective TA and capacity building programs; maintain statewide data on housing needs and production through the Shimberg Center for Housing Studies; maintaining a website for connecting residents with affordable housing resources, setting guidelines for the roles of the Office of Program Policy Analysis and Government Accountability in monitoring affordable housing activities in the state:
  - Every five years, conduct case study analysis on affordable housing strategies from other states, best practices research on housing policies enacted in the State, and an evaluation of state housing programs' compliance with state policy and effectiveness in reaching affordable housing goals.
- *Housing production and rehabilitation programs* - develop local incentives for affordable housing, enable infill and mixed use development, and support modern concepts like resilient housing, 3-D printed homes, tiny homes, and accessory dwelling units.
  - Contends that state funds should only be available to C&Cs that provide incentives or financial assistance for affordable housing, and that funds should not be made available to C&Cs whose comp. plans are not compliant with chapter 163 of F.S. or to projects that do not comply with the C&C's comp. plan.
- *Public-private partnerships* - enable data creation/sharing, maximize receipt of TA and housing incentives.
- *Preservation of housing stock* - expand housing rehabilitation programs and neighborhood stabilization programs.
- *Unique housing needs* - support rural housing, fair housing, and the economic dignity of all residents.

## Mixed Use Development and Environmental Factors

- The LLA prioritizes mixed-use development and the placement of homes closer to jobs, so consider:
  - Incorporating principles like Complete Streets that support walkability into local policies and plans.
  - Working with local transit authorities to strengthen local transit services to affordable housing projects.
  - Developing a Brownfield Program that is capable of assessing and revitalizing potential brownfields in commercial and industrial areas where housing development is proposed.
  - Consider the impact that projects may have on health determinants, like water quality and park access.
  - To provide for quality and equitable utility services for all households, consider the Florida Job Growth Grant Fund, which the LLA expands to support the construction of infrastructure for affordable housing projects.