



CITY OF BELLE ISLE, FL

Planning and Zoning Meeting

September 26, 2023

To: Planning and Zoning Board
From: Planning Department
Subject: CS/SB 102 - Building, Zoning, and Land Development

Background: On July 1, 2023, the Live Local Act became state law, affecting the zoning and permitting process for cities and counties to review and approve affordable housing developments for ten years. During the City Council meeting on July 18, 2023, Commissioner Randy Holihan requested that the Planning and Zoning Board and City Staff review the current land development code regarding the Act.

City staff has begun researching the new law by following local planning discussions held by the Florida American Planning Association and the East Central Florida Regional Council and reviewing any new policy and code developments by local municipalities. The City's website, under the Planning and Zoning webpage, references the LLA statute and a brief overview of the permitting process for affordable housing development applications.

Based on the Future Land Map provided by RVI Planning, the combined total of the commercial and industrial land area represents 12.3 percent of Belle Isle. Under this new law, if a municipality has less than 20 percent of the land dedicated to commercial and industrial use, the affordable housing project must be approved as a mixed-use residential development. The City does not currently have a mixed-use zoning district. The new law impacts the city code requirements for density, height, and zoning use should they meet the affordable housing state requirements. Under section 54-4 (b), the code allows a high-density residential of 10.1 to 12 units per acre, and section 54-4 (c), allows commercial and professional office uses as 0.5 floor-to-area ratio. Under section 50-73 (a) the maximum height allowance for residential zones is 35 feet, commercial zones (C-1) are limited to 35 feet, and commercial zones (C-2 and C-3) are limited to 50 feet.

Important Zoning and Administrative Considerations per the Live Local Act:

1. Section 5 – 166.04151 Affordable Housing, subsections (6) and (7) a-i
2. Section 26 – 420.0003 State Housing Strategy, subsections (1), (2), and (3)
3. Section 38 – 553.792 Building Permit Application to Local Government

Staff Recommendation: For city staff to research and develop code and policy updates for the Board to consider to address the new Act. Staff recommendations include, but are not limited to:

1. Create definitions for mixed-use residential, urban infill, major transit stops, manufactured homes, and tiny homes.
2. Enact policy to ensure that affordable housing development(s) maintain its "affordability" status yearly for at least 30 years.
3. Establish architectural design guidelines or an overlay district for mixed-use developments.

- a. Example: The City of Winter Park outlines Architectural Design Guidelines for their Central Business District and adopted a new zoning district and comprehensive plan amendment for an Orange Avenue Overlay District.
4. Create an ordinance with application requirements for a site plan submission for an affordable housing project.

Alternatives: None

Attachments:

1. City Council Agenda Item Cover Sheet (July 18th, 2023) –

Update Florida League of Cities CS/SB 102 - Building, Zoning, and Land Development

2. East Central Florida Regional Planning Council –

Live Local Act Breakdown

3. The Florida Senate – CS/SB 102 – Housing (Summary)

<https://www.flsenate.gov/Committees/BillSummaries/2023/html/3068>

4. CS/SB 102 – Bill Text

<https://www.flsenate.gov/Session/Bill/2023/102/BillText/er/PDF>

5. RVi Planning – Overview of Belle Isle Future Land Use Map

6. City of Winter Park – Planning and Transportation Staff Report

7. City of Winter Park – Ordinance No. X – Amending Chapter 58 of LDC