



# City of Eustis

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TO: EUSTIS CITY COMMISSION

FROM: Tom Carrino, City Manager

DATE: October 5, 2023

RE: Resolution Number 23-89: Live Local Act Pending Legislation - Notice to the public of a pending ordinance and directing staff to develop and process for adoption an ordinance to provide for certification of compliance of affordable housing projects and other potential land development regulations addressing affordable housing, mixed-use and multi-family projects to address the impacts of Chapter 2023-17, Laws of Florida, known as the "Live Local Act."

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## **Background:**

Recent amendments to state law as set forth in Chapter 2023-17, Laws of Florida, will preempt some provisions of the City's local comprehensive plan, zoning and land development regulation provisions for certain mixed-use projects and multi-family projects having at least 40 percent of residential units within a project being affordable housing units for at least a 30-year period.

Chapter 2023-17, Laws of Florida, does not articulate how a proposed development is intended to evidence compliance with the affordable housing requirements necessary to benefit from the preemptions afforded under the new law, including prior to issuance of a building permit or certificate of completion, or at any time during the minimum 30-year period provided for in the new law nor does the new law set forth any penalties for non-compliance and such should be required in order to ensure that the purpose of Chapter 2023-17, Laws of Florida, is achieved.

The Resolution provides notice to the public and directs staff to prepare and process an ordinance creating city code and/or land development regulations, as applicable, to require evidence of and ensure compliance with the affordable housing criteria as needed for a development to benefit from the preemptions afforded under Chapter 2023-17, Laws of Florida, and other land development regulations addressing affordable housing, mixed-use and multi-family projects.

The proposed ordinance is to be considered and adopted within six (6) months of adoption of this Resolution. By adoption of this Resolution, the City Commission is implementing the Pending Ordinance Doctrine which places property owners and developers on notice that changes will be forthcoming and that they should not rely on existing local laws when making development or purchase decisions.

## **Fiscal Impact:**

N/A

## **Attachment:**

Resolution Number 23-89