



# Live Local Standard Operating Procedures

Senate Bill 328 also known as the Live Local Amendment Act was signed into law on May 20, 2024, repeals and replaces, Senate Bill 102 also known as the "Live Local Act" ("LLA") which was signed into law effective July 1, 2023,

Precludes local governments' ability to apply their use, height, and density requirements and hearing processes to certain multi-family and mixed-use affordable housing developments. Importantly, LLA doesn't preempt other applicable local laws and regulations.

LLA requires local governments to administratively approve development projects.

# Live Local Amendment Changes

- Amends the phrase “if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of at least 30 years, affordable as defined in s. 420.0004” to “if at least 40 percent of the residential units in a proposed multifamily development are rental units that for a period of at least 30 years, affordable as defined in s. 420.0004.”
  - This amended phrase opens the possibility for split multifamily ownership and rental development as long at least 40% of the total units are rental and affordable.
- Provides that local governments cannot limit the floor area ratio of a proposed development below 150% of the highest currently allowed floor area ratio on any land where residential development is allowed in the jurisdiction under the jurisdiction’s land development regulations.
- Reduces the buffer for local governments to “consider” reducing parking requirements from ½ mile of a “major transit stop” to ¼ mile of a “transit stop.”
- Requires local government to reduce parking requirements by 20% for proposed developments within ½ mile of a “major transportation hub” that have available parking within 600 feet of the proposed development and eliminates parking requirements for a proposed mixed-use residential development within an area recognized as a transit-oriented development or area.
- Clarifies that developments authorized with the preemption are treated as a conforming use even after the sunset of the preemption statute (2033) and the development’s affordability period unless the development violates the affordability term. If a development violates the affordability term, the development will be treated as a nonconforming use.

# Live Local Criteria

- Where at least forty percent (40%) of the residential units in a proposed multifamily development are rental units that are affordable in a rental agreement (as defined in section 420.0004 Fl. St.) for a period of at least thirty (30) years; or
- If developed as a mixed-use project, at least sixty-five percent (65%) of the square footage is used for residential purposes (of which forty percent (40%) are affordable as defined in section 420.0004 Fl. St.); and are located within commercial, industrial, or mixed-use zoning districts. FS 166.04151(7a)

# Live Local Impact on Local Gov't

- Local governments are required to allow projects to develop at the highest allowed density on any land within the local government where residential density is allowed. FS 166.04151(7b)
- Local governments cannot restrict height below the highest allowed for a commercial or residential development within the city limits and within one (1) mile of the proposed development or 3 stories whichever is higher. FS 166.04151(7c)
- Local governments must consider reducing parking for developments near a major transit stop. FS 166.04151(7e)
- Notwithstanding the provisions of the law, projects must comply with all other local land development regulations. FS 166.04151(7g)
- This subsection does not apply to property defined as recreational and commercial working waterfront in s. 342.201(2)(b) in any area zoned as industrial. FS 166.04151(7h)

# City Applicable Zoning Districts

- RPO Residential Professional Office
- C-1 Neighborhood Commercial
- C-2 General Commercial
- M-1 Light Industrial
- M-2 Heavy Industrial
- FBC Form Based Code
- GCC Gateway Corridor Commercial
- GCN Gateway Corridor Neighborhood

# City Applicable Density and Height Requirements

## Density

- The City's most intensive future land use category that allows residential density is Mixed Use Reynolds Park, which allows up to 40 units to the acre by right. This will be the density permitted for qualifying developments.

## Allowable Height

- Pursuant to FS 166.04151(7c) a municipality may not restrict height below the highest allowed for either commercial or residential development within the city limits and within one (1) mile of the qualifying development, or three (3) stories, whichever is higher. Sec. 117-6 provides the permitted maximum heights for all zoning districts, with heights ranging from 54' and tiered back one foot for every foot in height to 70'

## Floor Area Ratio

- The floor area ratio of a proposed development cannot be limited to below 150% of the highest currently allowed floor area ratio on any land where residential development is allowed.

# Other Applicable Standards for Development

**Mixed-Use Projects** – Except for the residential density and allowable height standards described above, the following shall apply to mixed-use qualifying developments:

- A mixed-use development requesting to utilize LLA must provide at a minimum ten percent (10%) of the project as non-residential. This would be measured as a percentage of the total square footage proposed for residential and non-residential uses.
- For the residential portion of a mixed-use development, development shall comply with the provisions set forth in section 117-566 of the Gateway Corridor Commercial Zoning District except for the requirement in section 117-566(2)(a) requiring additional lot area for more than two dwelling units.
- Non-residential portions of a mixed-use development shall comply with the requirements of the underlying zoning district.

**Single Use Projects (Residential Single Use only)** Except for the residential density and allowable height standards described above, the following shall apply to single use qualifying developments:

- Developments shall utilize the provisions set forth in section 117-566(2) of the Gateway Corridor Commercial District except for the requirement in section 117-566(2)(a) requiring additional lot area for more than two dwelling units.

**Other Development Standards** (such as but not limited to Stormwater, landscaping etc)

- Shall comply with the applicable requirements set forth in the Land Development Code

# Process for approval

- Site Plan
- Project Narrative
- Land Use Restriction Agreement (LURA)
- Administrative Approval



# Recommendation

- Staff recommends approval of Resolution #: R-11-2024 regarding standard operating procedures to implement the requirements set forth in Senate Bill 328 “The Live Local Amendment Act”, repealing and replacing Resolution #: R-21-2023.

## **Recommend Motion**

- Motion to approve Resolution #: R-11-2024 and to repeal and replace Resolution #: R-21-2023 establishing standard operating procedures to implement the requirements set forth in Senate Bill 328, “The Live Local Amendment Act” relating to Affordable Housing Regulations.