



STAFF REPORT

CITY OF GREEN COVE SPRINGS, FLORIDA

TO: Planning and Zoning Commission **MEETING DATE:** October 24, 2023
FROM: Michael Daniels, AICP, Planning & Zoning Director
SUBJECT: Resolution establishing standard operating procedures to implement the requirements set forth in Senate Bill 102, "The Live Local Act relating to Affordable Housing Regulations.

BACKGROUND

The purpose of this policy is to provide the city's interpretation of LLA, identify the process for implementation, and provide additional development standards which may apply to applications seeking administrative approval pursuant to LLA. For ease of reference and to avoid redundancy throughout this memorandum, a development seeking approval through LLA will be referred to as a "qualifying development or qualifying developments". On March 29, 2023, Governor Ron Desantis signed into law Senate Bill 102, also known as the "Live Local Act" ("LLA"). This bill took effect on July 1, 2023, and precludes local governments' ability to apply their use, height, and density restrictions 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:
 - Where at least forty percent (40%) of the residential units are affordable in a rental agreement (as defined in section 420.0004 Fl. St.) in a rental agreement for 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)
- 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 three (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)

STAFF RECOMMENDATION

Staff recommends approval of Resolution #2023-21 regarding standard operating procedures to implement the requirements set forth in Senate Bill 102 which are available for use as affordable housing.

Recommended Motion:

Motion to recommend approval to City Council of Resolution #2023-21 establishing standard operating procedures to implement the requirements set forth in Senate Bill 102, “The Live Local Act relating to Affordable Housing Regulations.