



# ORDINANCE # 03-2025

## ESTABLISHING:

## Exhibit C

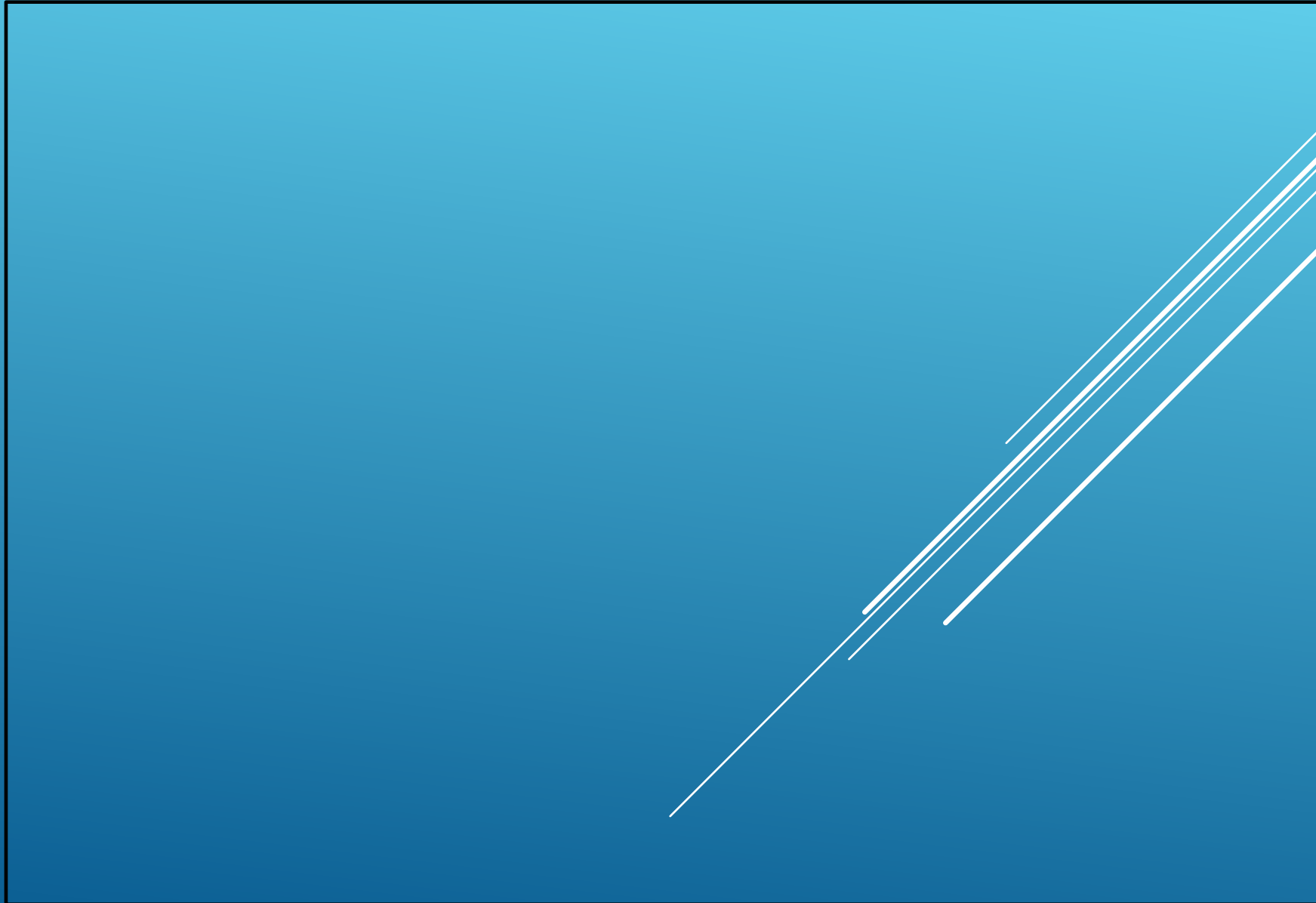
## "CHAPTER 65 WORKFORCE HOUSING"

### *ADDRESSING THE LIVE LOCAL ACT*

- ▶ The "Live Local Act" (LLA), F.S. Chapter 166.04151, which was passed by the State Legislature in 2023 and amended in 2024, created a State program to encourage the construction of rental housing projects in which a minimum of 40 % of the units are "affordable" , and pre-empted local control in certain areas of zoning regulation.
- ▶ The Town's proposed new Chapter 65 has been prepared in response to the act by establishing "Workforce Housing" regulations to insure the welfare of future tenants and neighborhoods, consistent with the Comprehensive Plan. The regulations are applicable to any affordable housing project.
- ▶ The proposed Ordinance addresses all prior feedback received from the Town Commission and has been reviewed and approved by the Town Attorney.



LLA: MUST ALLOW QUALIFIED PROJECTS IN DISTRICTS THAT PERMIT COMMERCIAL, INDUSTRIAL OR MIXED USE, AS WELL AS CHURCH SITES





# MAXIMUM ALLOWABLE HEIGHTS



## ADDRESSING THE LIVE LOCAL ACT - PROPOSED TOWN ORDINANCE (NEW CHAPTER 65)

TOWN CONCERNS with LLA ACT F.S. Chapter 166.04151 (7)	RESPONSE: PROPOSED ORDINANCE (Chapter 65 of the Town Code)
Creates potential <u>inconsistencies with the Comprehensive Plan</u>	Creation of Chapter 65 to the Town Code - regulations to address LLA to insure consistency with Comprehensive Plan Policies, such as:  <u>Policy 5.4:</u> Utilize such techniques as distance requirements, buffering, landscaping, lower-intensity development, and scale-down requirements to provide appropriate transitions between uses and districts of different intensities, densities, and functions.
<u>Location:</u> Town must allow in any district where commercial, industrial, or mixed use are allowed and on sites of houses of worship.	Specific regulations to address potential incompatibilities such as <ul style="list-style-type: none"> <li>• Buffering from adjacent Industrial uses – min. 40 ft. + district requirements</li> <li>• Minimum open space/recreation</li> <li>• Analysis or industrial impacts within 300 ft. of project</li> <li>• Limitations on area to calculate density – sites with houses of worship</li> </ul>
<u>Height:</u> Stipulates allowable height shall be highest allowed in the municipality within 1 mile of proposed site.	While State Statute for height must be followed, the ordinance <b>does not</b> allow any bonus height waivers.
<u>Density:</u> LLA project entitled to the maximum density allowed in the Town.	Maximum density is 48 du /acre, <u>which</u> is allowed in 3 zoning districts. Ordinance <b>does not</b> provide for bonus density.

TOWN CONCERNS WITH LLA F. S. Chapter 166.04171 (7)	RESPONSE; PROPOSED ORDINANCE (Chapter 65 "Workforce Housing")
<p>Affordable Income Levels: Requires 40% units be "affordable".</p> <ul style="list-style-type: none"> <li>Defines affordable to say that rent or mortgage cannot exceed 30 % of monthly household income, but doesn't differentiate between income levels <ul style="list-style-type: none"> <li><u>Concern that a developer will only choose the top affordable income.</u></li> </ul> </li> </ul>	<p><u>Provides Specifics on Workforce Housing</u></p> <ul style="list-style-type: none"> <li>❖ Affordable to be synonymous with <u>workforce</u> housing.</li> <li>❖ Creates five income levels within workforce housing. (Rental programs use 4, Ownership 3). Provides definitions and income ranges of the various categories the Town will use, which mirror the County's workforce housing program. The one exception is the Town's addition of the upper levels of the "very low" income category. Ranges based on the current Palm Beach County median family income of \$104,000.</li> <li>❖ To insure that a developer doesn't only use the highest income level in the affordable category, <u>the Town's ordinance provides that affordable rental units be equally allocated among the four specified income level ranges in workforce housing of very low, low, moderate, and upper moderate.</u> Any project proposing units for sale must provide for the three income levels of moderate, upper moderate, and middle as set out in the ordinance.</li> </ul>

<p>TOWN CONCERNS with LLA ACT</p> <p>F.S. Chapter 166.04151 (7)</p>	<p>RESPONSE: PROPOSED ORDINANCE</p> <p>(Chapter 65 of the Town Code)</p>
<p><u>No minimum criteria for affordable units</u> Concern that affordable units will not be of the same quality as the market units.</p>	<p><u>PROJECT REQUIREMENTS</u></p> <ul style="list-style-type: none"> <li>❖ Mandates that affordable units are substantially similar to market units regarding quality and are interspersed throughout the project.</li> <li>❖ Requirements to help mitigate the impact of any adjacent incompatible uses and provide for the health and safety of residents living in a LLA project. <ul style="list-style-type: none"> <li>- <i>Includes protections such as buffering and setbacks, and the provision of usable open space</i></li> <li>- <i>Impact review of adjacent uses</i></li> </ul> </li> <li>❖ Provides requirements to mitigate impacts of LLA projects proposed for sites owned by religious institutions in residential neighborhoods.</li> </ul>
<p>Requires that regulations that allow multi-family be used. Not specific.</p>	<p>Uses C-3 District regulations, as they include design requirements and are more detailed than the R-2.</p>
<p>Mandates that LLA projects must be approved administratively, eliminating public hearing and public input process.</p>	<p>Ordinance requires that a Public Workshop be held, with notice to the public</p> <p>Sets out a process for the administrative review for the LLA projects, as any other project is reviewed by staff. Workshop meeting with notice to all properties within 300 feet <i>(or as otherwise established by the Town Commission – Staff is also working on a separate town-wide noticing policy)</i></p>

TOWN CONCERNS WITH LLA F. S. Chapter 166.04171 (7)	RESPONSE; PROPOSED ORDINANCE (Chapter 65 "Workforce Housing")
Mandates that demolition approval of any structure on a LLA site must be approved administratively, including any locally designated historic structures	The administrative approval of the demolition of any locally designated historic structure is required to follow the Town's historic preservation ordinance regarding criteria to consider. The Community Development Department is authorized to act on behalf of the Historic Preservation Board.
Requires affordable units to remain for 30 years.  Limited requirements on monitoring.	<p><u>ACCOUNTABILITY</u></p> <ul style="list-style-type: none"> <li>❖ Requires submittal of a Sustainable Workforce Housing Plan (SWHP) that provides specific detail regarding the program being utilized, financing and details of the workforce units, including rental ranges, location, etc. This is to be submitted along with the site plan.</li> <li>❖ Requires a monitoring plan, annual monitoring reports for duration of affordable units and sets out enforcement</li> </ul> <p>Requirements of Town Chapter 65 would also apply to any project that is proposing "affordable" housing under <u>any</u> federal, state or local developer funding/financial assistance program</p>



# TOWN OF LAKE PARK WORKFORCE HOUSING ORDINANCE

## WORKFORCE HOUSING CATEGORIES






# TOWN OF LAKE PARK WORKFORCE HOUSING ORDINANCE INCOME AND RENTAL LIMITS BY FAMILY SIZE



## WHAT HAPPENS IF WE DO NOTHING AND DON'T ESTABLISH A WORKFORCE HOUSING ORDINANCE?

IN PART, THE TOWN WOULD BE IN VIOLATION OF OUR COMPREHENSIVE PLAN THAT REQUIRES ADEQUATE MITIGATION FROM ADJACENT PROPERTIES. FURTHERMORE, THE TOWN WOULD NOT HAVE ADEQUATE GUIDELINES TO INSURE THAT A PROPOSED LIVE LOCAL PROJECT IS DESIGNED, MONITORED AND MANAGED IN A WAY THAT PROTECTS THE COMMUNITY'S HEALTH & WELFARE.

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THANK-YOU!