

Live Local Act (LLA) Provisions Pursuant to Florida Statutes § 166.04151(7)(a-i) and Local Implementation

1. LLA Provision (a):

A municipality must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use 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 § 420.0004. Notwithstanding any other law, local ordinance, or regulation to the contrary, a municipality may not require a proposed multifamily development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for the building height, zoning, and densities authorized under this subsection. For mixed-use residential projects, at least 65 percent of the total square footage must be used for residential purposes.

A proposed development located within ¼ mile of a proposed military installation identified in Florida Statute § 163.3175(2) may not be administratively approved.

Local Implementation:

- The affordability commitment, compliance, and monitoring processes shall be compliant with the requirements of the LLA.
- LLA only applies to rental developments.
- LLA developments are Permitted in the Following Zoning Districts: CO, CRO, CN, CCG-1, CCG-2, CRO-S, CN-S, CCG-S, CCG-2M, CCG-1M, CCBBD, RO, IBP, IL, and IH.
- 420.0004, F.S. “Affordable” means that monthly rents or monthly mortgage payments including taxes, insurance, and utilities do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households as indicated in subsection (9), subsection (11), subsection (12), or subsection (17).
 - i. (9) “Extremely-low-income persons” means one or more natural persons or a family whose total annual household income does not exceed 30 percent of the median annual adjusted gross income for households within the state. The Florida Housing Finance Corporation may adjust this amount annually by rule to provide that in lower income counties, extremely low income may exceed 30 percent of area median income and that in higher income counties, extremely low income may be less than 30 percent of area median income.
 - ii. (11) “Low-income persons” means one or more natural persons or a family, the total annual adjusted gross household income of which does not exceed 80 percent of the median annual adjusted gross income for households within the state, or 80 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA)

or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

- iii. (12) “Moderate-income persons” means one or more natural persons or a family, the total annual adjusted gross household income of which is less than 120 percent of the median annual adjusted gross income for households within the state, or 120 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.
- iv. (17) “Very-low-income persons” means one or more natural persons or a family, not including students, the total annual adjusted gross household income of which does not exceed 50 percent of the median annual adjusted gross income for households within the state, or 50 percent of the median annual adjusted gross income for households within the metropolitan statistical area (MSA) or, if not within an MSA, within the county in which the person or family resides, whichever is greater.

2. **LLA Provision (b):**

A municipality may not restrict the density of a proposed development authorized under this subsection below the highest currently allowed density on any land in the municipality where residential development is allowed under the city’s land development regulations (Zoning Code).

- Nothing in this subsection precludes a municipality from granting a bonus, variance, conditional use, or other special exception to height, density, or floor area ratio in addition to the height, density, and floor area ratio requirements in this subsection.
- Nothing in this subsection precludes a proposed development authorized under this subsection from receiving a bonus for density, height, or floor area ratio pursuant to an ordinance or regulation of the jurisdiction where the proposed development is located if the proposed development satisfies the conditions to receive the bonus except for any condition which conflicts with this subsection. If a proposed development qualifies for such bonus, the bonus must be administratively approved by the municipality and no further action by the governing body of the municipality is required.

Local Implementation:

- The maximum allowed density is 60 DU/Acre. (HDR)
- “Highest allowed density” does not include the density of any building that met the requirements of the LLA or the density of any building that has received any bonus, variance, or other special exception for density provided in the city’s land development regulation as an incentive for development.

- Development density is limited pursuant to the Land Use Category Description density provisions for portions of the site located within the Coastal High Hazard Area (CHHA). Density may be clustered outside the CHHA.

3. LLA Provision (c):

A municipality may not restrict the floor area ratio of a proposed development authorized under this subsection below 150 percent of the highest currently allowed floor area ratio on any land in the municipality where development is allowed under the city's land development regulations. For purposes of this paragraph, the term "highest currently allowed floor area ratio" does not include the floor area ratio of any building that met the requirements of this subsection or the floor area ratio of any building that has received any bonus, variance, or other special exception for floor area ratio provided in the city's land development regulations as an incentive for development. For purposes of this section, the term "floor area ratio" includes floor lot ratio.

Local Implementation: COJ uses lot coverage and impervious surface ratio.

4. LLA Provision (d):

A municipality may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher. For purposes of this section, the term "highest currently allowed" does not include the height of any building that met the requirements of this section or the height of a building that has received any bonus, variance, or other special exception for height provided in the city's land development regulations as an incentive for development.

If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use that is within a single-family residential development with at least 25 contiguous single-family homes, the city may restrict the height of the proposed development to 150 percent of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property provided in the city's land development regulations, or 3 stories, whichever is higher. For the purposes of this paragraph, the term "adjacent to" means those properties sharing more than one point of a property line but does not include properties separated by a public road.

Local Implementation:

- While each site will be subject to a review to determine the commercial and residential zoning districts located within one mile of the subject site, most sites will be located within 1 mile of either CCG or CCBD zoned land. The currently permitted maximum height in each of these zoning districts is as follows:

- i. *CGC = 60 feet*
- ii. *CCBD North Brookly District = 90 feet*
- iii. *CCBD Lavilla District = 75 feet*
- iv. *CCBD Cathedral District = 65 feet*
- Development shall comply with airport height restrictions set forth in Section 656, Part 10, Ordinance Code.
- Development located in local historic districts or local landmarks sites are subject to review for compliance with the district guidelines.

5. LLA Provision (e):

A proposed development authorized under this subsection must be administratively approved and no further action by the governing body of the municipality is required if the development satisfies the municipality’s land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan, except for provisions establishing allowable densities, height, and land use. Such land development regulations include, but are not limited to, regulations relating to setbacks and parking requirements.

Each municipality shall maintain on its website a policy containing procedures and expectations for administrative approval pursuant to this section.

Local Implementation:

- Land Development Regulations – use most compatible with proposed development of either RMD-D or RHD-B
- Relief from zoning requirements and requests for zoning deviations shall not be permitted for LLA projects. (Possible exceptions for parking deviations where the % of affordable units and the affordability classification pursuant to § 420.0004, F.S. meet certain standards).
- Although qualifying developments are not subject to use, density, or height restrictions beyond those provided in the statute, they are subject to all other land development regulations, including but not limited to environmental regulations, traffic engineering reviews, and concurrency. Fla. Stat. § 125.01055(7)(g)
- Additional zoning requirements that apply to LLA development include, but are not limited to, the following:
 - i. Active recreation shall comply with Section 656.420, Ordinance Code.
 - ii. Buffering and landscape standards shall comply with Section 656.1216, Ordinance Code.
 - iii. Chapter 656, Part 4, Ordinance Code requirements shall apply, as applicable to specific uses.

- iv. Chapter 307, Ordinance Code provisions for local historic districts and landmarks shall apply as applicable.

6. LLA Provision (f):

A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within $\frac{1}{4}$ mile of a major transit stop, as defined in the municipalities land development code, and the major transit stop is accessible from the development.

A municipality must reduce parking requirements by at least 20 percent for a proposed development authorized under this subsection if the development:

- a. Is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe, pedestrian-friendly means, such as sidewalks, crosswalks, elevated pedestrian or bike paths, or other multimodal design features.
- b. Has available parking within 600 feet of the proposed development which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the proposed development. However, a municipality may not require that the available parking compensate for the reduction in parking requirements.

A municipality must eliminate parking requirements for a proposed mixed-use residential development authorized under this subsection within an area recognized by the municipality as a transit-oriented development or area, as provided below:

(h) A proposed development authorized under this subsection which is located within a transit-oriented development or area, as recognized by the municipality, must be mixed-use residential and otherwise comply with requirements of the city; regulations applicable to TOD or area except for use, height, density, floor area ratio, and parking as provided in this section or as otherwise agreed to by the city and the applicant for development.

For the purposes of this paragraph, the term “major transportation hub” means any transit station, whether bus, train, or light rail, which is served by public transit with a mix of other transportation options.

Local Implementation:

- Pursuant to Section 656.1402, Ordinance Code, a major transit stop shall be defined as follow:
 - i. *Premium transit station* means a transit station served by either a fixed guideway service, such as BRT, rail, or the Skyway/U²C, or a station serving as a mobility hub. Premium transit stations provide service at higher-speed and higher-frequency than typical transit stops, usually with service frequencies at 15 minutes or less. Premium transit stations also

include more infrastructure and amenities to serve higher passenger activity. Amenities can include on-board amenities, such as seating, comfort, and cleanliness; station design features, such as real-time passenger information, shelters, and lighting; and other features, such as reliability, service frequency, and parking.

- Parking reduction considerations shall be based on the Institute of Transportation Engineers (ITE) Code 223 - Income Limits, at either 0.99 space per unit or 0.54 spaces per bedroom.
- Market rate units and non-residential uses shall not be granted parking reductions.

7. LLA Provision (g):

A municipality that designates less than 20% of the land area within its jurisdiction for commercial or industrial use must authorize a proposed multifamily development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multifamily development is mixed-use residential.

Local Implementation:

- As of August 2023, the City of Jacksonville designated 33% of the land area for commercial use, and 13% for industrial use.
- Mixed-use residential development is required on land zoned for industrial use, with a minimum of 10% of industrial uses allowed within the IL Zoning District.
- Single-use or mixed-use residential is permitted on land zoned for commercial use.
- Non-residential uses shall be limited to those permitted by right in the applicable zoning district.

8. LLA Provision (i):

Except as otherwise provided in this subsection, a development authorized under this subsection must comply with all applicable state and local laws and regulations.

Local Implementation:

- Applicable local laws and regulations include, but are not limited to the following:
 - i. Multi-family development must connect to JEA water and sewer.
 - ii. Development within a local historic district or on a locally designated landmark shall be subject to compliance with Chapter 307, Ordinance Code.
- Development located within a flood zone shall comply with Chapter 652, Ordinance Code, including no development within the Floodway plus a 25 ft buffer.
- Development density is limited pursuant to the Land Use Category Description density provisions for portions of the site located within the Coastal High Hazard Area (CHHA). Density may be clustered outside the CHHA.

- Development shall comply with the requirement of the Land Development Procedures Manual (LDPM).
- Development within an airport environ shall comply with Chapter 656, Part 10, Ordinance Code.

9. LLA Provision (k):

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.
- Airport -impacted areas as provided in s. 333.03, F.S.

Local Implementation:

- LLA development shall not occur within the IW zoning or the Mayport Village Working Waterfront District.
- Recreational and commercial working waterfront - means a parcel or parcels of real property that provide access for water-dependent commercial activities or provide access for the public to the navigable waters of the state. Recreational and commercial working waterfronts require direct access to or a location on, over, or adjacent to a navigable body of water. The term includes water-dependent facilities that are open to the public and offer public access by vessels to the waters of the state or that are support facilities for recreational, commercial, research, or governmental vessels. These facilities include docks, wharfs, lifts, wet and dry marinas, boat ramps, boat hauling and repair facilities, commercial fishing facilities, boat construction facilities, and other support structures over the water.

10. **LLA Provision:** Any development authorized under LLA must be treated as a conforming use even after the expiration of the LLA and the development’s affordability period. If at any point during the development’s affordability period the development violates the affordability period requirements, the development must be allowed a reasonable time to cure such violations. If the violation is not cured within a reasonable time, the development must be treated as a nonconforming use.

11. **LLA Provision:** Applications, written requests, or notice of intent to utilize LLA which has been received by the city by July 1, 2024 may proceed under LLA provisions as they existed at the time of submittal (pre 2024 LLA update effect date). Revised applications, written requests, or notice of intent to account for changes made by this act must be accepted by the city.

12. **LLA Provision (l):** Live Local Expires on October 1, 2033

Local Process for Review and Approval of LLA Developments

An LLA Affordable Housing Application for affordable multi-family and mixed-use residential rental projects shall be submitted to the Planning and Development Department for review and approval. Civil plans can be submitted through the Electronic Civil Plan Review system (Jacksonville.gov - [Development Services Division](#)) after the application is approved by the Planning and Development Department, subject to any conditions of approval of the application. A copy of the approved LLA Affordable Housing Application must be uploaded with the civil plan submittal.