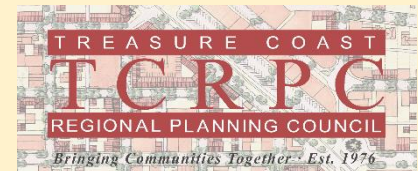


LIVE LOCAL ACT of 2023 (aka SB 102)

State Housing Strategy – Statement of Legislative Intent

It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory commitment to accomplish this goal. [420.0003(1) – pg. 66 SB102]



SENATE BILL 102

Pre-emptions of Local Government Authority

- A. May approve affordable on existing commercial or industrial zoning if at least 10% of units are affordable (not new)(not a pre-emption)
- B. Must authorize multi family and mixed use residential in commercial or mixed-use zoning if at least 30% of units are affordable
- C. No rent control allowed
- D. Property tax exemption for affordable housing (includes a mandatory program and an optional program)

Other Aspects of Interest

- A. Revisions to the State Housing Strategy
- B. Funding

Pre-emptions of Local Government Authority

- A. County may approve affordable on existing commercial or industrial zoning if at least 10% of units are affordable (not new)(not a pre-emption)
1. Affordable is per F.S. 420.0004 i.e. income at 30% to 120% of AMI
 2. For Martin County, AMI is \$84,500; thus \$23,500 to \$101,400 for a family of 4
 3. Note that lower limit is calculated differently per 420.0004 therefore not 30%
 4. Not a new provision – in the Statutes since 2020
 5. Not a pre-emption. It is new flexibility for local governments
 6. Identical provisions for municipalities
 7. See 125.01055(6) on pg. 11 of SB 102

Pre-emptions of Local Government Authority

- B. County must authorize multi family and mixed use residential in commercial or mixed-use zoning if at least 30% of units are affordable
1. May not require a land use or zoning change or a comprehensive plan amendment
 2. May not restrict density below the “highest allowable density” on any unincorporated land in the county where residential development is allowed
 3. May not restrict height below the “highest currently allowed height” for commercial or residential development within “its jurisdiction” within 1 mile of the proposed development OR 3 stories – whichever is higher
 4. Must administratively approve the proposed development without action by the Board of County Commissioners if it meets land development regulations – including parking and setbacks for example
 5. Must consider reduced parking requirement if development is within ½ mile of a “major transit stop” and the stop is accessible to the development
 6. Development must comply with all other state and local laws
 7. In effect for 10 years
 8. Identical provisions for municipalities
 9. See 125.01055(7)(a) on pgs. 11-13 of SB 102

Pre-emptions of Local Government Authority

C. No rent control allowed. See 125.0103(2) on pg. 10 of SB 102

D. Property tax exemptions

1. Optional program for exemption of property taxes levied by that jurisdiction. Developments need to have more than 50 dwelling units (of which 20% must be affordable). If less than 100% of the units are affordable, then 75% of the value is exempt from property taxes. If all units are affordable, then 100% of the value is exempt. Program last for 4 years but can be renewed by ordinance.
2. Mandatory program for exemption of property taxes. Developments need to have more than 70 affordable dwelling units. If they are affordable to residents making between 80% and 120% of AMI, then 75% of the value is tax exempt. If they are affordable to residents making less than 80% of AMI, then 100% of the value is tax exempt. Program lasts until December 31, 2059.
3. See 196.1978(1) and (3) on pgs. 22-28 of SB 102

State Housing Strategy – as amended in SB 102

It is the intent of this act to articulate a state housing strategy that will carry the state toward the goal of ensuring that each Floridian has safe, decent, and affordable housing. This strategy must involve state and local governments working in partnership with communities and the private sector and must involve financial, as well as regulatory commitment to accomplish this goal. [420.0003(1) – pg. 66 SB102]

1. Incentives

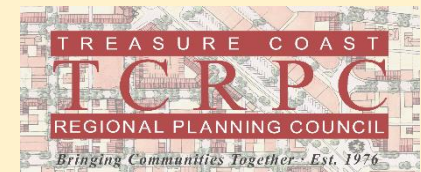
2. Innovative Solutions

- (a) state, local, and school board land
- (b) urban infill, redevelopment of commercial into mixed use
- (c) maximize land use efficiency with higher density and height
- (d) mixed income projects
- (e) modern housing like tiny homes and accessory dwelling units

3. State Funding Should Only Go To Local Gov'ts with Incentives or Financial Assistance

4. Interlocal Agreements Encouraged

5. Infill, minimize sprawl. “Housing available to the state’s workforce should prioritize proximity to employment and services.” [420.003(2)(a) – pgs. 67 and 68 SB 102]



1. Preservation of Housing Stock
2. Recognize Unique Housing Needs
 - (a) promote the “self-sufficiency and economic dignity” of the people of this state
 - (b) promote a wide range of housing options
 - (c) “the important contribution of public housing to the well-being of citizens in need shall be acknowledged through efforts to continue and bolster existing programs”
3. Shimberg Center at University of Florida to develop statewide data on housing needs
4. OPPAGA to study program effectiveness in other states and in Florida [420.003(2)(c,d) and (3) – pgs. 69 and 71 SB 102]

SENATE BILL 102

Funding

- A. \$150M annually for 10 years from General Revenue service charge on Documentary Stamp taxes - directed to SAIL
- B. \$100M annual Tax Donation program – directed to SAIL
- C. \$100M to Hometown Hero program. Down payment assistance minimum \$10,000 up to 5% of first mortgage, maximum of \$35,000 . Zero interest loan. Any full-time employee of Florida based company, household income up to 150% of state or local median income
- D. \$252M to SHIP
- E. \$109M to SAIL + \$150M above
- F. \$100M for inflation protection on previously approved projects
- G. Includes infrastructure supporting affordable housing in eligibility for Job Growth Grant Fund

FY 2022 Income Limits Summary

Selecting any of the buttons labeled "Click for More Detail" will display detailed calculation steps for each of the various parameters.

FY 2022 Income Limit Area	Median Family Income Click for More Detail	FY 2022 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Port St. Lucie, FL MSA	\$84,500	Very Low (50%) Income Limits (\$) Click for More Detail	28,000	32,000	36,000	40,000	43,200	46,400	49,600	52,800
		Extremely Low Income Limits (\$)* Click for More Detail	16,800	19,200	23,030	27,750	32,470	37,190	41,910	46,630
		Low (80%) Income Limits (\$) Click for More Detail	44,800	51,200	57,600	64,000	69,150	74,250	79,400	84,500

NOTE: Martin County is part of the **Port St. Lucie, FL MSA**, so all information presented here applies to all of the **Port St. Lucie, FL MSA**.

The **Port St. Lucie, FL MSA** contains the following areas: Martin County, FL; and St. Lucie County, FL.