



SB 328:
AFFORDABLE HOUSING

Senator Alexis Calatayud and
Representative Vicki Lopez



SB 328: Affordable Housing

- Provides both Live Local Act (LLA) enhancements and increased affordable housing development through changes:
 - *zoning regulations;*
 - *density restrictions;*
 - *property tax exemptions;*
 - *airport zoning provisions; and*
 - *additional funding for the Florida Hometown Hero Program.*
- Changes designed to streamline and enhance the affordability and accessibility of housing in Florida.
- Amendments -
 - Clarify procedures, adjust requirements, and provide more flexibility for developers while maintaining the Act's core objectives.

Preemption of Local Zoning Regulations

Purpose: Preempts certain local zoning regulations to expedite the development of affordable housing.

Details: Clarifies that local governments cannot restrict the floor area ratio (FAR) of qualifying developments below the highest allowed ratio in their jurisdiction.

- Removes potential hurdles for developers, making it easier to achieve desired densities for affordable housing projects.

Height Preemption

Purpose: Provides more clarity and flexibility in determining height restrictions for qualifying developments.

Details: Modifies height preemption provisions, especially when a qualifying development is adjacent to parcels zoned for single-family use.

- Ensures that height restrictions are reasonable and appropriate based on the surrounding residential context.
- Better integration of new developments within existing neighborhoods.

Clarification of Density, Height, and FAR

Purpose: Eliminates confusion regarding allowable densities and other development parameters.

Details: Specifies that a local government's density, height, and FAR calculations should not include bonuses, variances, or special exceptions

- Simplifies compliance requirements for developers
- Ensures consistency in applying development standards.

Parking Reduction Requirements

Purpose: Encourages transit-oriented and sustainable development practices.

Details: Modifies parking reduction requirements for qualifying developments, particularly those near transportation hubs.

- Allows reduced parking requirements in these strategic locations.
- Promotes transit-oriented development.
- Reduces reliance on private vehicles.

Procedures for Military Installation Areas

Purpose: To establish clear procedures for developments near military installations.

Details: Prohibits certain qualifying developments within a quarter-mile of a military installation from utilizing administrative approval processes.

- Helps protect military operations
- Ensures that developments in these sensitive areas are subject to thorough review and oversight.

Treatment of Qualifying Developments

Purpose: Provides ongoing benefits for qualifying developments beyond their affordability period.

Details: Mandates that developments authorized under the LLA must be treated as conforming uses even after the expiration of affordability periods.

- Ensures continuity and stability for affordable housing projects over the long term.

Ad Valorem Property Tax Exemptions

Purpose: Simplifies and clarifies tax exemption processes for affordable housing developments.

Details: Adjusts requirements for setting aside units for income-limited individuals in Florida Keys developments

- Clarifies Florida Housing Finance Corporation (FHFC) duties in certifying tax exemptions.
- Provides more straightforward guidelines for property appraisers and developers seeking tax incentives.

Florida Hometown Hero Program

Purpose: Streamlines documentation requirements and allocates funding for housing programs.

Details: Removes documentation requirements for borrowers under the Hometown Hero Program

- Appropriates \$100M in state funds to FHFC for the program.
- Enhances access to housing assistance for eligible individuals.