

SECTION 7.A.0 LIVE LOCAL ACT (LLA)

Section 7.A.01 Introduction

The Live Local Act (LLA), Ch. 2023-17, Laws of Florida, went into effect on July 1, 2023, and was amended pursuant to Ch. 2024-188. LLA allows streamlined development of affordable multifamily rental housing for households earning up to 120% Area Median Income (AMI) through zoning, density, floor area ratio, and height relief. Timely development is supported through expedited building permitting and development order processes. Developers wishing to utilize the provisions afforded through Section 125.01055(7) of the LLA may do so with limited administrative benchmarks as specified and as permitted in those sections of the St. Johns County Comprehensive Plan and Land Development Code not in conflict with or otherwise preempted by statute. The preemption in Section 125.01055(7) will expire on October 1, 2033.

Section 7.A.02 Eligible Housing Types

Multi-Family and Mixed Use rental units are eligible housing types under Section 125.01055(7), Florida Statutes.

- A. Multi-Family rental housing may include apartments, townhomes, and condominium developments.
- B. Mixed Use residential rental units developed under Section 125.01055(7) will reflect design principles applicable to Mixed-Use developments including, but not limited to an integration of multiple uses including commercial, proximity to employment centers, social services or public facilities, and pedestrian connectivity.

Section 7.A.03 Assurances of Affordability

Multi-Family and Mixed-Use residential rental units developed per Section 125.01055(7) are subject to the following requirements:

- A. At least forty percent (40%) of the residential rental units must be affordable as defined in Section 420.0004, Florida Statutes, for a period of at least thirty (30) years;
- B. If developed as a Mixed-Use project, at least sixty-five percent (65%) of the square footage is used for residential purposes.
- C. The Developer shall provide deed restrictions, approved by the County Administrator or designee, in writing, which shall be recorded with the Clerk of the Circuit Court of St. Johns County, ensuring affordability prior to issuance of the first certificate of occupancy.
- D. Annual reporting will be required to ensure compliance according to section A of this part. Properties found not in compliance with this Section will be considered a zoning violation pursuant to Section 125.01055(8), F.S.

- E. Any development authorized under Sec. 125.01055(7) shall be treated as a conforming use after October 1, 2033 and after the conclusion of the development's affordability period, pursuant to Section 125.01055(8), F.S.

Section 7.A.04 Development Criteria

Multi-Family and Mixed-Use residential rental units developed according to LLA will adhere to the following requirements per 125.01055(7) Florida Statutes:

- A. Zoning

Developments meeting the affordability conditions of Section 7.A.03.A and 7.A.03.B are allowed in any area zoned for commercial, industrial, or mixed use without a zoning or land use change, special exception, conditional use approval, variance or comprehensive plan amendment for the building height, zoning or densities authorized by Section 125.01055(7).

- B. Density

Density is allowed at the highest currently allowed density on any unincorporated land where residential development is allowed, as dictated by the St. Johns County Comprehensive Plan pursuant to Sec. 125.01055(7)(b), F.S.

- C. Floor Area Ratio

Floor Area Ratio (FAR) is allowed up to 150% of the highest currently allowed FAR on any unincorporated developable land in St. Johns County, as dictated by the St. Johns County Comprehensive Plan pursuant to Sec. 125.01055(7)(c), F.S.

- D. Height

1. Structures may achieve height no greater than the highest currently allowed for a commercial or residential building located within the County's jurisdictional limits within one (1) mile of the proposed development or three (3) stories, whichever is higher, pursuant to 125.01055(7)(d), F.S.
2. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential use which is within a single-family residential development with at least 25 contiguous single-family homes, structure height may not exceed 150% of the tallest building on any property adjacent to the proposed development, the highest currently allowed height for the property as dictated by the St. Johns County Comprehensive Plan, or 3 stories, whichever is higher.

- E. Notwithstanding the preemptions provided in Section 125.01055(7), proposed developments must comply with all other applicable county comprehensive plan provisions and land development regulations.

- F. Developments proposed under FS 125.01055(7):
1. May not be located near a runway within one-quarter of a mile laterally from the runway edge and within an area that is the width of one-quarter of a mile extending at right angles from the end of the runway for a distance of 10,000 feet of any existing airport runway or planned airport runway identified in the current Northeast Florida Regional Airport Master Plan; or
 2. May not be located within any airport noise zone identified in the federal land use compatibility table or in a land-use zoning or airport noise regulation adopted by St. Johns County; or
 3. May not exceed maximum height restrictions identified in the St. Johns County Airport Overlay District.

Section 7.A.05 Applicable Development Standards

Multi-Family and Mixed-Use residential units developed according to Section 125.01055(7) will follow minimum design standards for RG-2 Multi-Family Dwellings according to Land Development Code Article VI Design Standards and Improvement Requirements. Mixed use non-residential development will follow development standards according to the underlying Future Land Use Map designation. If the property is located in a Planned Unit Development (PUD), more restrictive design standards shall apply.

A. Parking

Reduced parking requirements may be considered if the proposed development is located within one-quarter mile of a transit stop and such transit stop is accessible from the development.

Section 7.A.06 Review and Approval Process

Applicants are encouraged to schedule a pre-application meeting with Growth Management Department staff or request a confirmation letter to ensure project eligibility according to F.S. 125.01055(7).

If a Multi-Family or Mixed Use residential project is developed according to F.S. 125.01055(7) the Live Local Affidavit must be approved by the Growth Management Department prior to submission of an Application for Construction Plan Approval.

Prior to issuance of the first certificate of occupancy a complete Live Local Compliance and Monitoring Agreement must be approved by the Planning and Zoning Division of the St. Johns County Growth Management Department.