

JOINT WORKSHOP

A Planning Commission/Council Joint Workshop was held on May 15, 2023 at 6:00 p.m. in the Council Chambers of City Hall and via GoToMeeting +1 (224) 501-3412 - Access Code: 602-090-269.

Council President Smith called the meeting to order. Roll call was taken. Present were members Lance Smith, Charles Proctor, Kenneth Burgess, Steven F. Spina, Ph.D., Mayor Melonie Bahr Monson, Christa Remington, Beth Aker, Randy Stovall, Tracy Sullivan, David Armstrong, Ellen Taylor and Rosie Paulsen. Jodi Wilkeson and Thomas Vanater were absent. City Manager William Poe and City Attorney Matthew Maggard were present.

Staff present: Planning Director Todd Vande Berg, Building Official Bill Burgess, Utility Director John Bostic, CRA Director Gail Hamilton, Public Works Director Shane LeBlanc, Public Information Officer Kevin Weiss, Senior Planner Rodney Corriveau, Historic Preservation Specialist and Community Planner Audrey McGuire and City Clerk Lori Hillman.

1. WORKSHOP ITEMS

1.1 Senate Bill 102

City Attorney Matthew Maggard narrated a PowerPoint presentation of Senate Bill 102 known as the “Live Local Act.” This bill includes a variety of housing policies to include funding and tax credits, affordable housing tax exemptions, zoning, land use and the role of local government, state housing strategy and Florida Housing Finance Corporation and Technical Assistance effective July 1, 2023.

- **Zoning, Land Use and the Role of Local Government** preempts all local government’s regulation on zoning, density and height restrictions for multi-family or mixed-used affordable housing developments that are proposed to be constructed in commercial, industrial, and light-industrial areas; prohibits local governments from imposing rent control ordinances or regulations; and requires all government owned lands appropriate for affordable housing be listed on the government’s website.

- (7)(a) A municipality must authorize multi-family 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 multi-family rental development are, for a period of at least 30 years, affordable as defined by s. 420.0004; notwithstanding any other law, local ordinance, or regulation to the contrary. A municipality may not require a proposed multi-family 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. City Attorney Matthew Maggard said Airport Zoning is not considered residential and would fall into this category.

- **When is the Live Local Act Triggered?** A multi-family residential rental development is proposed in an area zoned commercial, industrial or mixed-use and 40 percent or more of the residential units are considered “Affordable Housing” or a mixed-use residential development is proposed in an area zoned commercial, industrial or mixed-use and at least 65 percent of the total square footage must be used for residential purposes. City Attorney Matthew Maggard said mixed-use is not required to be rental and does not specify what other uses may make-up the remainder of the mixed-use (i.e, commercial, light industrial or industrial).

- **What does this mean for Zephyrhills?** The City may not require a proposed multi-family development to obtain a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendments for building height, zoning or density.

- (7)(b) A municipality may not restrict the density of a proposed development authorized under this subsection below the highest allowed density on any land in the municipality where residential development is allowed. City Attorney Matthew Maggard clarified whatever the highest density is on any parcel of land is what can be permitted here.

- (7)(c) 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 with one (1) mile of the proposed development or three (3) stories, whichever is higher. City Attorney Matthew Maggard clarified if a development is within a mile of the ACME property, it may be four (4) stories.

- (7)(d) 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 has satisfied the municipalities land development regulations for multi-family

developments in the areas zoned for such use and is otherwise consistent with the Comprehension Plan, with the exception of provisions establishing allowable densities, height and land use.

- (7)(e) A municipality must consider reducing parking requirements for a proposed development authorized under this subsection if the development is located within one-half mile of a major transit stop, as defined in the municipality's Land Development Code. City Attorney Matthew Maggard said the City does not have this definition in the City's Land Development Code so this subsection would not apply.

(7)(f) A municipality that designates less than 20 percent of the land area within its jurisdiction for commercial or industrial use, must authorize a proposed multi-family development as provided in this subsection in areas zoned for commercial or industrial use only if the proposed multi-family development is mixed-use residential. City Attorney Matthew Maggard said the mixed-use part of this would apply but not the multi-family.

A discussion ensued around the meaning of affordable housing which is generally defined as housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities. City Attorney Matthew Maggard said the City's density could be changed as long as it was in effect prior to July 1, 2023, and the City would have to decide if this would be practical and/or feasible. Senior Planner Todd Vande Berg said staff and Council have discussed changing the density for a while. He said realistically, it would require changing the Future Land Use Element in the City's Comprehensive Plan which is a four-to-five month process. The consensus is that all development will be temporarily suspended.

1.2 General Planning Update

Recording inaudible.

1.3 Residential Development

Recording inaudible.

CITIZEN COMMENTS

N/A

Meeting adjourned: 7:58 p.m.
Submitted by Lori L. Hillman