

RESOLUTION NO. 2025-01

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, FLORIDA, ESTABLISHING ADMINISTRATIVE PROCEDURES CONCERNING IMPLEMENTATION OF THE LIVE LOCAL ACT AND LAND DEVELOPMENT CODE FOR ADMINISTRATIVE APPROVAL OF MIXED-USE AFFORDABLE HOUSING PROJECTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on March 29, 2023, the Governor signed into law Senate Bill 102 "Live Local Act" codified as Chapter 2023-17, Laws of Florida, which is broad ranging legislation intended to streamline and incentivize affordable housing developments within the State of Florida (the "Act"); and

WHEREAS, on May 16, 2024, the Governor signed into law Senate Bill 328, codified as Chapter 2024-188, Laws of Florida, amending the Act requiring counties and municipalities, respectively, to maintain a policy on their websites a policy containing procedures and expectations for administrative approval; and

WHEREAS, on November 24, 2024, the City Commission adopted Ordinance No. 2024-15 amending the Safety Harbor Comprehensive Zoning and Land Development Code in order to establish equitable regulations for the development of mixed-use affordable housing developments as well as to implement the provisions of the Act; and

WHEREAS, on June 24, 2025, the Governor signed into law Senate Bill 1730 which was codified as Chapter 2025-172, Laws of Florida, amending Section 166.04151, Florida Statutes, related to the administrative approval of affordable housing developments authorized under the Act; and

WHEREAS, on October 20, 2025, the City Commission adopted Ordinance No. 2025-05 amending the Safety Harbor Comprehensive Zoning and Land Development Code in order to establish equitable regulations for the development of mixed-use affordable housing developments as well as to implement the provisions of the Act; and

WHEREAS, the City Commission wishes to adopt administrative procedures for administrative approval of Live Local Act developments to clarify site plan submittal and review requirements and provide for public notice consistent with the Land Development Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR, IN SESSION DULY AND REGULARLY ASSEMBLED, THAT:

SECTION 1. The above recitals are true, correct, and incorporated by reference as the findings of the City.

SECTION 2. The City of Safety Harbor hereby adopts the Live Local Act Procedures concerning Safety Harbor Comprehensive Zoning and Land Development Code Section 240 attached as Exhibit A.

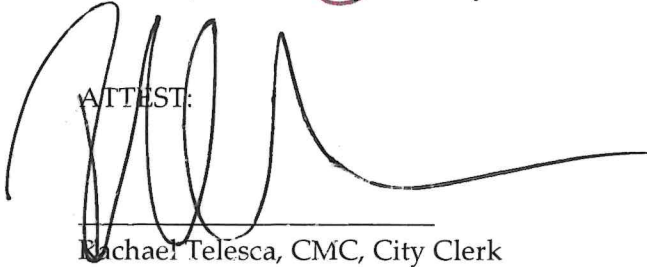
SECTION 5. This Resolution shall become effective immediately upon final passage and adoption.

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF SAFETY HARBOR THIS 15TH DAY OF DECEMBER 2025.

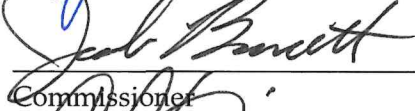
APPROVED AS TO FORM:


Sarah L. Johnston, City Attorney

ATTEST:


Rachael Telesca, CMC, City Clerk


Mayor-Commissioner


Commissioner


Commissioner


Commissioner


Commissioner

EXHIBIT A

ADMINISTRATIVE PROCEDURES

City of Safety Harbor

Live Local Act Development Administrative Procedures

APPROVED BY RESOLUTION 2025-01

BACKGROUND:

The Live Local Act (the “Act”) was first passed by the Legislature in 2023. The Live Local Act, as amended from time to time, creates state-mandated land use entitlements for eligible affordable housing developments in areas zoned for commercial, industrial, and mixed-use. The City Commission adopted Ordinance No. 2024-15 on November 4, 2025, creating new Land Development Code Section 240.00 to provide for the City’s Review of Land Development Applications under the Act. Section 240.00 was amended by Ordinance 2025-05 on October 20, 2025, to comply with changes adopted by Ch. 2025-172, Laws of Florida.

PURPOSE

The purpose of these administrative procedures is to outline the process by which an application for an Act development will be administratively reviewed in accordance with the City of Safety Harbor Land Development Code (LDC) Section 240.00.

PROCESS

Proposed Act developments shall be subject to the procedural requirements of LDC Section 240.05. The review sequence is shown on the attached flow chart.

Prior to application for site plan approval a pre-application conference with the Planning staff is recommended. The pre-application conference with the Community Development Department provides the opportunity to determine that a proposed Act development is eligible pursuant to Section 166.04151(7), Florida Statutes and Section 240 of the Land Development Code.

APPLICATION

The site plan application shall contain the information required in LDC Section 229.02, Site plan contents. In addition, the application shall contain a statement describing the proposed development and identifying the uses(s) allowable density, floor area ratio, and height requested pursuant to Section 240.03 development standards.

The application shall include a statement describing the multi-family rental units, which must include, at a minimum, the following information:

- *Affordable Housing* - The number and percentage of affordable units proposed that meet the definition of affordability in Section 420.0004, Florida Statutes, for a minimum period of thirty (30) years.
- *Mixed Use Residential Development* – A table identifying the mixture of land uses, one of which must include affordable housing and uses permitted and limited in the underlying zoning district. At a minimum sixty-five (65) percent of the total square footage of the mixed-use development must be residential (lobby, service areas and amenity areas exclusively serving the residential uses shall be considered residential square footage), but no more than ninety (90) percent of the total square footage shall be residential. At a minimum, ten (10) percent of the total square footage of the development must be nonresidential.

NOTIFICATION:

Public notification of a proposed Act development shall be provided by the City as follows:

- **Site Plan Application**
 - The City Manager shall notify the City Commission in writing at a regularly scheduled City Commission meeting that a Live Local Development Site Plan Application has been received.
 - A written notice shall be published on the City's website.
 - The written notice shall contain:
 - Location of proposed development, including parcel number.
 - Future Land Use and Zoning of the parcel(s).
 - The development proposal including the number of units; number of affordable units; and square footage of non-residential development.
 - Proposed building height.
- **Written Recommendation by the Community Development Director**
 - The City Manager shall notify the City Commission in writing at a regularly scheduled City Commission meeting that a Written Recommendation for Live Local Development Site Plan Application has been issued.
 - A written notice shall be published on the City's website.
 - The written notice shall contain:
 - Community Development Director Written Recommendation to the City Manager
 - Notice that the site plan is available for public review at City Hall in the Community Development Department.

- **City Manager Approval, Approval with Stipulations, or Denial**
 - The City Manager shall notify the City Commission in writing at a regularly scheduled City Commission meeting that Live Local Development Site Plan Application Approval, Approval with Stipulations, or Denial has been issued.
 - The written notice shall be published on the City's website.
 - The public notice shall contain:
 - A record of the City Manager's action with any supporting documentation.
 - Notice that the approved site plan is available for public review at City Hall in the Community Development Department.

LAND USE RESTRICTION AGREEMENT

A Land Use Restriction Agreement (LURA) documenting the affordable housing project's affordability, reporting and monitoring requirements, compliance with the Act, compliance with the applicable sections of the City's Land Development Code, and enforcement in a form acceptable to the City must be executed and recorded prior to issuance of permits for vertical construction of the multi-family residential projects. The LURA requires City Manager approval. Such approval may be requested concurrently with the site plan review.

ANNUAL REPORT TO STATE LAND PLANNING AGENCY

Beginning on November 1, 2026, the city shall provide an annual report to the state land planning agency in accordance with S. 166.04151 (10) (a), Florida Statutes.