RESOLUTION R-26-033

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORDA, REGARDING THE STATE STATUTE ON AFFORDABLE HOUSING KNOWN AS THE LIVE LOCAL ACT; REGARDING ADMINISTRATIVE PROCEDURES CONCERNING THE PROCESSING OF DEVELOPMENT APPLICATIONS PERTAINING TO AFFORDABLE HOUSING TO IMPLEMENT THE LIVE LOCAL ACT; PROVIDING FOR PURPOSE AND INTENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Live Local Affordable Housing Program, established pursuant to Section 125.01055, Florida Statutes (2025) hereinafter the "Live Local Act" or the "Act", is designed to assist local governments in the State of Florida to attract, establish, and maintain affordable housing for a minimum period of thirty (30) years in furtherance of increasing the supply of affordable housing within the County.

WHEREAS, developers may obtain administrative approval of a development order as provided by the Act.

WHEREAS, through this Resolution, by providing for the establishment of administrative procedures for the processing of development applications pertaining to affordable housing to implement the Live Local Act, as may be amended, the County establishes a process for the expeditious and predictable review and approval of Affordable Housing Projects.

WHEREAS, through the establishment of the Live Local procedures this Resolution furthers the goals and objectives of the affordable housing policies established in the Manatee County Comprehensive Plan.

WHEREAS, it is in the interest of the public health, safety and welfare to provide a process to implement the Act.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissions of Manatee County, Florida, that:

Section 1. The above recitals are hereby adopted as findings of the Board of County Commissioners and incorporated herein by reference.

Section 2. The Administrative Procedures entitled: "Procedures for the Live Local Act in Manatee County" attached hereto as Exhibit "A" and incorporated herein by reference, are hereby adopted.

Section 3. The County Administrator, and his or her designee, is hereby authorized to approve and execute Land Use Restriction Agreements (LURAs') implementing the Live Local Act, in substantially the form agreement, attached hereto as Exhibit "B" and made a part hereof by reference.

Section 4. It is hereby declared to be the intention of the Board of County Commissioners that the phrases, clauses, sentences, paragraphs and sections of this Resolution, inclusive of Exhibit "A," be deemed severable, and such invalidity or unconstitutionality shall not be construed as to render invalid or unconstitutional the remaining sections, sentences, clauses, or provisions of this Resolution. In the event of a conflict with any existing resolution, this Resolution shall prevail.

Section 5. This Resolution shall take effect immediately upon its adoption.

DULY ADOPTED with a quorum present and voting by the Board of County Commissioners this 3rd day of March, 2026.

BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA

By: _____
Chairman

ATTEST: **ANGELINA COLONNESO**
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

By: _____
Deputy Clerk

EXHIBIT "A"

PROCEDURES FOR THE LIVE LOCAL ACT IN MANATEE COUNTY

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1. ***Eligibility.*** The affordable housing development project must be a multifamily project or a mixed-use residential project in which the residential component is multifamily. The project must be located within one of the County's zoning districts that permits commercial, industrial, or mixed-use.

2. ***Mixed-Use.*** For mixed-use residential projects, a minimum of 65% of the total square footage must be used for multifamily residential purposes. A minimum of 10% of the total square footage must be used for non-residential purposes.

3. ***Affordability.*** A minimum of 40% of the residential units in the affordable housing development project must be rental units that are, for a period of at least 30 years, affordable as defined in F.S. § 420.0004, hereinafter "Affordable Dwelling Unit".

4. ***Land Use Restriction Agreement (LURA).*** The Applicant shall enter into a land use restriction agreement with the County. Prior to Final Site Plan approval, a land use restriction agreement for affordability shall be either fully executed and recorded, or, at the request of the Applicant, the fully executed LURA may be held in escrow by Manatee County, and shall be recorded by the Applicant prior to the County issuance of multi-family building permit or permits. The LURA shall be recorded in the official records of Manatee County that is binding on all successors in interest and is in a form acceptable to the County Attorney. The LURA and the covenants and conditions contained therein shall run with the land and shall bind, and the

benefits shall inure to, respectfully the Owner and its successors and assigns and all subsequent owners of the Property and the Affordable Dwelling Unit or any interest therein. The agreement shall provide for the number of units which are Affordable Units to ensure that the units are retained as Affordable Units for a minimum of thirty (30) years in accordance with the Live Local Act. During the 30-year period, the owner shall submit an Annual Report to Manatee County detailing compliance with the LURA.

The County Administrator, or designee, is hereby authorized to approve and execute Land Use Restriction Agreements (LURAs) associated with Live Local.

5. ***Density.*** Density is limited to the highest density currently allowed by right in the County.

6. ***Floor Area Ratio (FAR).*** FAR for nonresidential uses is limited to 150% of the highest FAR currently allowed by right in the County.

7. ***Height.*** Building height is limited to the highest currently allowed height by right, or the highest allowed for a commercial or residential building located in the County within one mile of the affordable housing development project or 3 stories, whichever is higher. If the proposed development is adjacent to, on two or more sides, a parcel zoned for single-family residential with at least 25 contiguous single-family homes, the county may restrict the height of the proposed development to three stories or to 150% of the highest adjacent property to the proposed development, whichever is higher. The applicant must provide a narrative on the methodology for calculating allowable building height.

8. ***Setbacks.*** The property will utilize the underlying zoning setbacks, or if the property is zoned for Planned Development (PD) the setbacks will be RMF-9.

9. ***Parking.*** Parking requirements shall, upon request of an applicant, be reduced by 15% if the property:

    a. Is located within one-quarter of a mile of a transit stop that is accessible from the development;

    b. Is located within one-half mile of a major transportation hub, as defined in F.S. § 125.01055, that is accessible from the project via pedestrian-friendly means such as sidewalks or multi use trails; or

    c. Has available parking within 600 feet which may consist of options such as on-street parking, parking lots, or parking garages available for use by residents of the project.

10. ***Coastal High Hazard Area***. Any affordable housing development project must be consistent with the Comprehensive Plan regarding density in the Coastal High Hazard Area.

11. ***Excluded Areas***. The Live Local Act excludes:

    a. Airport-impacted areas as provided in Florida Statute 333.03

    b. Property defined as recreational and commercial working waterfront in Florida Statute 342.201(2)(b) in any area zoned as industrial.

12. ***Consistency with Land Development Regulations and Florida Statute.*** The development must:

    a. Satisfy all applicable Land Development Regulations;

    b. Meet the requirements of this Resolution; and

    c. Be consistent with the Comprehensive Plan, with the exception of provisions establishing allowable densities, FAR, parking, height and land use.

d. Be in compliance with the Land Development Code, with the exception of provisions establishing allowable densities, FAR, parking, height and land use.

e. Be in compliance with Florida Statutes, including Section 125.01055, as may be amended.

13. ***Livable Manatee.*** To qualify for affordable housing financial incentives related to Livable Manatee, Resolution No. R-22-158, the affordable units must be at or below 80% AMI.

14. ***Pre-application Meeting.*** The applicant shall schedule and attend a pre-application meeting with County staff (see Land Development Code Section 312.2).

15. ***Neighborhood Workshop.*** For purposes of public notification, a neighborhood workshop is required. Prior to scheduling a neighborhood workshop, the applicant shall coordinate the meeting date, time and location with Manatee County Agenda staff. The Neighborhood Workshop shall take place following the Pre-Application conference and before Sufficiency review.