

**RESOLUTION NO. 9-2024**

**A RESOLUTION OF THE CITY OF TITUSVILLE, FLORIDA,  
AMENDING RESOLUTION NO. 25-2023 BY AMENDING POLICIES,  
PROCEDURES AND AN ADMINISTRATIVE REVIEW FEE TO  
IMPLEMENT THE FLORIDA LIVE LOCAL ACT, SECTION  
166.04151(7), FLORIDA STATUTES, AS AMENDED BY CHAPTER  
2024-188, LAWS OF FLORIDA, RELATING TO AFFORDABLE  
HOUSING; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 2023-17, Laws of Florida, known as the "Live Local Act" was approved by the Governor on March 29, 2023, and took effect on July 1, 2023 (the "Act"). The Act amended Section 166.04151, Florida Statutes. On May 16, 2024, the Act was amended by Chapter 2024-188, Laws of Florida and imposes various obligations, including the requirement for a municipality to permit mixed-use residential development as an allowable use in any area zoned for commercial, industrial, or mixed-use if at least 40 percent of the residential units in a proposed multifamily rental development are rental units that, for a period of at least 30 years, are affordable as defined in Section 420.0004, Florida Statutes; and

**WHEREAS**, the City of Titusville City Council desires to set forth procedures to implement the Live Local Act, Section 166.04151(7) and Ordinance No. 18-2024 by adopting this resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TITUSVILLE**, as follows:

**Section 1.** The City amends Resolution No. 35-2023 by amending the Live Local Affordable Housing Checklist as shown below, to implement Section 166.0415(7), F.S. (known as the Live Local Act) and Chapter 29, Special Districts and Overlays, Article VIII, Special Land Use Standards, Division 4 Affordable Housing.

**LIVE LOCAL AFFORDABLE HOUSING CHECKLIST CONSISTENT WITH  
Chapter 29 Special Districts and Overlays, Article VIII Special Land Use  
Standards, Division 4 Affordable Housing**

- \_\_\_\_\_ Project meets definition of affordable housing as defined in Section 420.0004, Florida Statutes.
- \_\_\_\_\_ Executed Site Plan Application/Submittal Acknowledgement Form at time of application submittal.
- \_\_\_\_\_ Request for expedited review. (signed request form required).
- \_\_\_\_\_ Meets the minimum 40 percent of affordable housing rental units of the residential development. Includes mixed use development in (1) mixed use, (2) commercial or (3) industrial zoning districts. (Section 166.04151 (7)(a), F.S.).
- \_\_\_\_\_ Residential density within the project shall be a maximum of the highest allowed density on any land in the city where residential development is allowed, which is currently 40 dwelling units per acre. (Section 166.04151 (7)(b), F.S.).

Declaration of Restrictive Covenant form.

Maximum height cannot be restricted below maximum height for a commercial or residential building located in the city within one (1) mile or three (3) stories, whichever is higher. (Section 166.04151 (7)(c), F.S.).

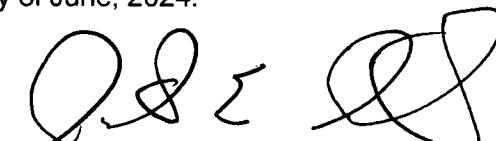
Calculation of land area designated as commercial or industrial to determine if the project shall be mixed use. The definitions utilized to determine the land area of each land use are described in Section 29-146, Development Standards.

An executed Land Use Restriction Agreement (LURA), in a form acceptable to the City, ensuring compliance with the Live Local Act development criteria and the mandatory affordability period of thirty (30) years from the issuance date of the Certificate of Occupancy of the residential use, shall be executed and submitted prior to the issuance of a building permit. Additionally, prior to issuance of a certificate of occupancy, the executed LURA shall be recorded in the public records of Brevard County.

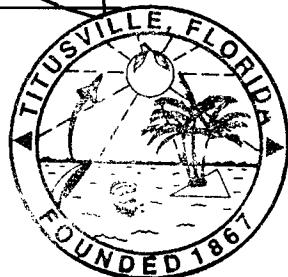
**Section 2. Fees.** Titusville City Council establishes an initial administrative review fee of \$1,155 for affordable rental housing development submitted pursuant to the Live Local Act, Section 166.04151(7), F.S. The fees shall be in addition to all other application site development and permitting fee. Furthermore, City Council establishes an administrative monitoring fee of \$500 for each compliance monitoring act performed on affordable rental housing development under the Live Local Act.

**Section 3.** This resolution shall take effect immediately upon its adoption, and shall sunset on October 1, 2033 unless otherwise extended by decision of the City Council pursuant to Florida law.

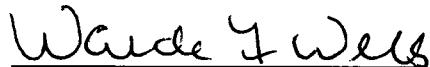
**PASSED AND ADOPTED**, this 11<sup>th</sup> day of June, 2024.



Daniel E. Diesel, Mayor



**ATTEST:**



**Wanda F. Wells, City Clerk**

CC:

Richard Broome  
Terrie Franklin  
Laurie Dargie