General Session:

Live Local Act & State Property Tax Legislation

Updates on Implementation, Projects, and Policy

July 10, 2026

Today's Panelists:

Ryan McKinless
Policy Analyst
Florida Housing Coalition
mckinless@flhousing.org

Zach Summerlin
Policy Director
Florida Housing Finance Corporation (FHFC)
Zach.Summerlin@floridahousing.org

Checking in on Florida's Live Local Act at Year 3

Agenda

Goals for today:

- How do the different pieces of Live Local work?
  - Land use tools, tax exemptions, and funding
  - Legislative updates for 2026
- Three years in! How are the provisions of Live Local being used?
  - FHFC implementation
  - Data, impacts, and case studies
  - Live Local as a tool to enhance outcomes in affordable rental development
- Local implementation and "Live Local fatigue"

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LIVE LOCAL: HOW DOES IT WORK?

Getting back to the basics and reviewing how Live Local legislation has evolved since 2023

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State Housing Strategy

- Key Policies
  - Housing production and rehabilitation programs
  - Public-private partnerships
  - Preservation of housing stock
  - Unique housing needs

- Florida Housing Finance Corporation Initiatives
  - Hometown Heroes Program
  - Additional SAIL-like Funding
  - Live Local Program Tax Credit
  - Multifamily Middle Market Certification
  - 99-year (Year 1) Property Tax Exemption

Section 420.0003, Florida Statutes

Live Local 4.0

HB 1389

2023

- Live Local Act enacted (**SB 102**)

2024

- Land use mandate amended by **SB 328**
- New Opt-Out for Multifamily Middle Market (MMM) in **SB 7074**

2025

- Land use mandate amended again by **SB 1730**

2026

- Land use mandate amended again by **HB 1389**
- MMM Opt-Out amended by **HB 1389**

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Live Local 4.0

Background on the current LLA Land Use Mandate

Land Use

What it Does:

- Qualifying multifamily and mixed-use affordable housing developments are allowed by right in areas zoned for commercial, industrial, or mixed-use (including PUDs).

To qualify, a development must:

- Be located in an eligible zone district
- Reserve at least 40% of units as affordable to households earning up to 120% of AMI for at least 30 years
- Be multifamily or mixed-use, with at least 65% of the building used for residential purposes (if mixed-use)

What is a qualified project entitled to?

- Favorable entitlements for density, height, floor area ratio, use, parking, and administrative approval.

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Live Local 4.0

Additional amendments to the Live Local Land Use Mandate

Land Use

1

Expanded Eligibility

Property owned by counties, municipalities, or school districts now qualify

2

YIGBY Expansion

Qualifying religious institution property now eligible (>3 acres; active house of worship 10+ years; worship use must continue post-development)

3

Height Protection

Localities cannot restrict eligible height via setbacks / stepbacks, or impose rules more restrictive than underlying zoning

4

Farm Exemption

Farms and farm operations are explicitly excluded from commercial / industrial classifications

5

Open Space & Conservation Exemptions

Excludes open space districts, areas of critical state concern, and conservation easements

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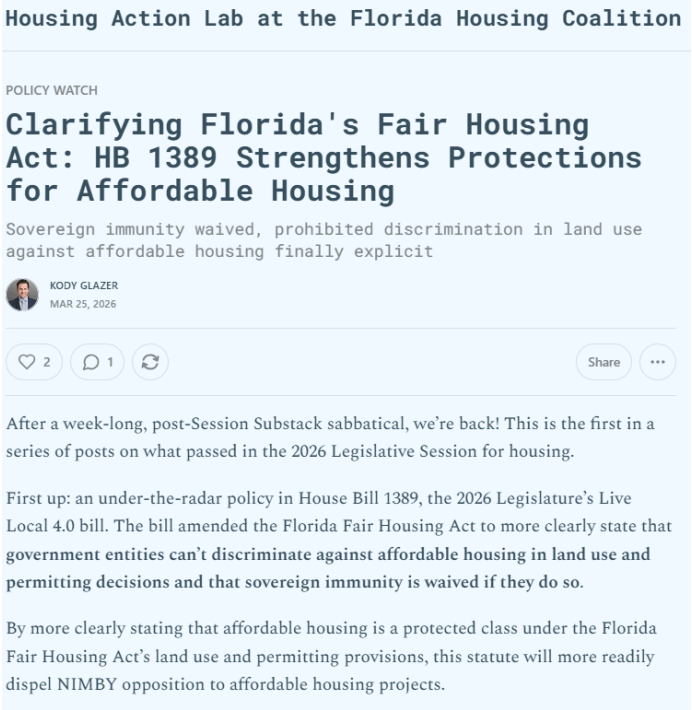
Live Local 4.0

Amendments to the Florida Fair Housing Act

HB 1389

- **Anti-discrimination in land use:** Explicitly prohibits discrimination against affordable housing in land use and permitting decisions.
    - Affordable housing = any development that is rented or sold at an "affordable" rate to households up to 120% AMI
- **Sovereign immunity waiver:** Waives sovereign immunity for governmental entities that violate the Florida Fair Housing Act (to address a recent 4th DCA case).



Housing Action Lab at the Florida Housing Coalition

POLICY WATCH

Clarifying Florida's Fair Housing Act: HB 1389 Strengthens Protections for Affordable Housing

Sovereign immunity waived, prohibited discrimination in land use against affordable housing finally explicit

KODY GLAZER
MAR 25, 2026

♡ 2 💬 1 Share

After a week-long, post-Session Substack sabbatical, we're back! This is the first in a series of posts on what passed in the 2026 Legislative Session for housing.

First up: an under-the-radar policy in House Bill 1389, the 2026 Legislature's Live Local 4.0 bill. The bill amended the Florida Fair Housing Act to more clearly state that **government entities can't discriminate against affordable housing in land use and permitting decisions and that sovereign immunity is waived if they do so.**

By more clearly stating that affordable housing is a protected class under the Florida Fair Housing Act's land use and permitting provisions, this statute will more readily dispel NIMBY opposition to affordable housing projects.

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Updates to Florida's YIGBY (Yes-in-God's-Backyard) Laws

Two Overlapping Tools

Land Use

2025 Local Option (SB 1730)

Gave local governments the ***option*** to allow affordable housing on religious institution land, even when that land is not zoned for homes.

2026 State Mandate (HB 1389)

Requires localities to approve multifamily and mixed-use affordable housing on qualifying land through the LLA's land use mandate

Key Takeaway: The local option and state mandate overlap but apply differently — knowing which tool governs a specific parcel is critical to effective implementation.

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Mandatory YIGBY

House Bill 1389 (2026) – signed by the Governor on 6/26/2026

Land Use

- HB 1389 expands the Live Local Act's land use mandate for affordable housing in commercial, industrial, and mixed-use areas to include **qualifying land owned by religious institutions.**
- **Qualifying land:**
  - Owned by a religious institution
  - Has a house of worship
  - Larger than 3 acres
  - House of worship must be active for at least 10 years prior to application (and continue after housing developed)
  - At least 40% of homes must be affordable rentals to households up to 120% AMI
- **Entitlements:**
  - Multifamily and mixed-use housing **by-right**
  - Live Local Act's standards regarding density, height, floor area ratio, parking, and administrative approval

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YIGBY At a Glance

Two laws, two tracks. Here's how they compare.

SB 1730 (2025) + HB 1389 (2026)

YIGBY = Yes In God's Backyard

Where the optional tool remains effective:

- Parcels 3 acres or smaller
- Land contiguous to the house of worship
- Land with a house of worship active for fewer than 10 years
- Single-family housing
- Situations where religious institution wants to convey the affordable housing property

	Optional YIGBY SB 1730 (2025)	Mandatory YIGBY HB 1389 (2026)
Required by the state?	No – local option. Localities can choose to use it, but aren't required.	Yes – state mandate. Localities must approve qualifying projects.
Who qualifies? *Which properties can use this?*	Religious institution-owned land containing a house of worship, or contiguous to one	Religious institution-owned land with a house of worship for 10+ years; must be >3 acres; house of worship must stay active
What can be built?	Any housing type — rentals, for-sale, apartments, single-family. Flexible.	Multifamily apartments or mixed-use buildings only.
Affordability *How many homes at what incomes must be affordable?*	At least 10% affordable (<120% AMI). Localities may target lower AMIs or require higher % of affordable units.	At least 40% must be affordable rentals (<120% AMI).
How long do the homes stay affordable?	Local government decides.	At least 30 years – set by state law.
Local Control *What can localities decide?*	Full discretion.	State overrides use, height, density, floor area ratio, parking, and approval process.

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Multifamily Middle Market Certification

- Encourages new or recently constructed market rate multifamily rental developments to offer affordable and workforce units
- FHFC provides a certification, then property owners work with their local property appraiser to obtain the exemption.
- While a certificate from FHFC is required in order to receive the exemption, it does not guarantee that an exemption will be issued.

Section 196.1978(3), Florida Statutes

Multifamily Middle Market Certification

- 2024 Outcomes
  - 121 developments received a certification representing 33,125 total units (15,092 market rate units were converted to be affordable for moderate income households)
  - 2,002 units committed to serve households at or below 80% AMI
  - 13,090 units committed to serve households between 80.01 and 120% AMI

- 2025 Outcomes
  - 273 developments received a certification representing 71,736 total units (35,621 market rate units were converted to be affordable for moderate income households)
  - 5,980 units committed to serve households at or below 80% AMI
  - 29,641 units committed to serve households between 80.01 and 120% AMI

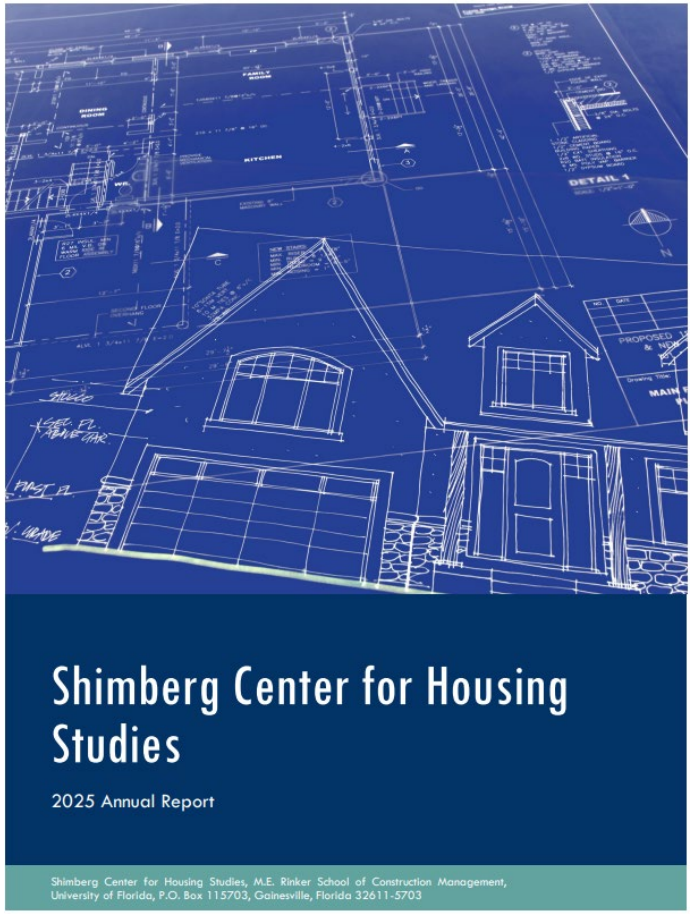
More Information

Changes to the Multifamily Middle Market (MMM) Opt-Out

The Opt-Out

Property Taxes

- In 2024, the Legislature allowed qualifying taxing authorities to **opt-out** of the **75% property tax exemption** for units affordable to **80-120% AMI**.
- **Note:** The **100% exemption** for units serving households at **80% AMI and below** remains mandatory — no opt-out available.
- Opt-out eligibility based on whether the taxing authority is in a county that had a surplus of 0-120% AMI units per the most recent **Shimberg Center Annual Report.**



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Changes to the Multifamily Middle Market (MMM) Opt-Out

HB 1389 (2026)

Property Taxes

- **Stricter opt-out threshold:** A taxing authority may only opt out if its county had a surplus of 0-120% AMI units for **each of the previous 3 years,** per Shimberg Center Annual Reports
- **Earlier exemption trigger:** Properties with a building permit issued on or after 7/1/2026 are exempt from opt-out ordinances enacted within the next 4 years, locking in the exemption earlier in the development process

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Local Option Property Tax Exemption – new s. 196.1979, Florida Statutes

Property Tax

- Grants local governments the option to enact an ordinance providing property tax exemptions to certain affordable housing developments.
- Eligible developments:
  - 50 or more units that set aside at least 20% of the units as affordable to households at or below 60% AMI
- **Jacksonville**, **St. Petersburg**, **St. Lucie County**, and **Leon County** are the only jurisdictions statewide to enact this optional exemption so far.

99-Year Affordability Property Tax Exemption for FHFC-Funded Properties – s. 196.1978(4)

Property Tax

- Enacted in 2024
- Multifamily properties that:
  1. Contain more than 70 units affordable to households at or below 80% AMI;
  2. Be subject to a recorded land use restriction agreement with FHFC to keep the property affordable to households at or below 120% AMI for 99 years
- 100% exemption for each affordable unit
- How can this exemption affect your HFA?

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99-year Property Tax Exemption

- 60 developments have received LURAs specifically for the 99-year tax exemption

Section 196.1978(4), Florida Statutes

Innovative SAIL funding initiatives – the basics:

The Live Local Act (2022) dedicated a new stream of SAIL funding to be administered by the Florida Housing Finance Corporation (FHFC) over a period of 10 years, starting with fiscal year 2023-2024.

- Expected total allocation of $150 million per year ($1.5 billion over 10 years), subject to splits provided in F.S. 420.50871
- Designed to serve as loans or gap financing for affordable housing projects
- Funding awards are issued via FHFC's competitive Request for Applications (RFA) process.

Additional SAIL-like Funds

- To be used for “innovative projects that provide affordable and attainable housing for persons and families working, going to school or living in the state.”
- Funds are designed to…
  - Both redevelop an existing affordable housing development and the construction of a new development within close proximity;
  - Address urban infill;
  - Provide for mixed use spaces, such as retail, office, institutional, or other appropriate commercial or nonresidential uses;
  - Provide housing near military installations in this state.;
  - Propose using or leasing public lands;
  - Address the needs of young adults who age out of the foster care system;
  - Meet the needs of elderly persons; and
  - Provide housing to meet the needs in areas of rural opportunity.

Section 420.50871, Florida Statutes

Additional SAIL-like Funds

- Funding Allocated (since 2023)
  - $442,184,219 in SAIL-like funds
  - $543,957,595 leveraged Local Bond financing
  - Large Counties: $259,846,821
  - Medium Counties: $126,522,398
  - Small Counties: $55,815,000
- Development Statistics
  - 6,283 total units
  - 800+ ELI units
  - 2,000+ units below 50% AMI
  - 3,000+ units between 50.01-80% AMI
- Demographic Info
  - 11 developments set aside 10% of their units to serve Youth Aging Out of the Foster Care System
  - 11 developments have created mixed-use opportunities for their communities (with 4 serving elderly households)
  - 21 developments have utilized local government assistance to create housing through urban infill
  - 7 developments will provide housing near 7 different military installations around the state

More Information

Live Local Program Tax Credit

- Gives businesses the opportunity to contribute to a direct account that provides low-interest loans for the development of quality affordable rental housing that can benefit a community's workforce, families, and elders with low-to-moderate incomes
- A special focus of this program is designed to assist in developing large-scale projects of significant regional impact.
- To date, $96M has been committed to help create 4 developments (1,663 units) that are integrated into an existing formal plan of Significant Regional Impact (“master plan”) supported by multiple governmental entities that in which the primary focus includes a substantial civic, education, and/or health care use.

Section 420.50872, Florida Statutes

More Information

LIVE LOCAL: HOW IS IT WORKING?

Data and case studies to show how Live Local has worked in practice throughout Florida

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Tracking the Live Local Land Use Mandate

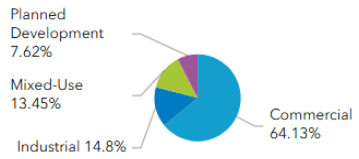
*as of July 1, there are **at least** 24 LLA projects under construction*

Live Local Act Mapping Dashboard

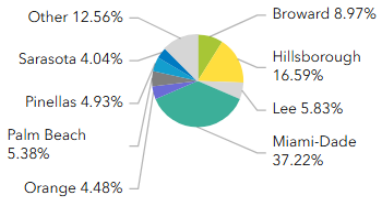
Filter by Project Status
All

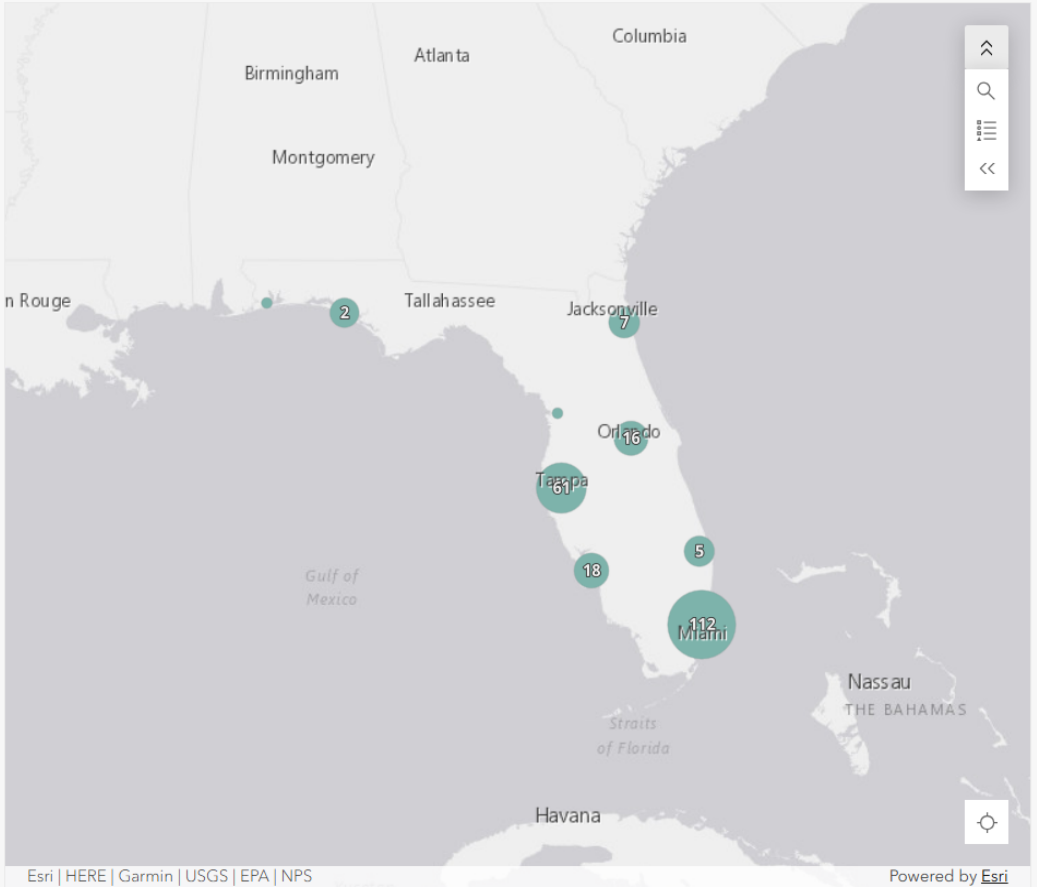
223	66.8k
Total Proposed Projects	Total Proposed Units
24	**9.4k**
Projects Under Construction	Units Under Construction

Projects by Zoning Category



Projects by County





Search...

500 Art Lofts
Address: 501 Southwest Second Avenue, south of the New River
Units: 290

Caspia Apartments
Address: 705 Redbud Lane
Units: 336

Bal Harbour Shops
Address: 9700 Collins Ave
Units: 528

Baron Landings
Address: generally north of 6801 S Kanner Highway, north of SE Cove Road and south of SE Salerno Road on the rear portion of the property which was formerly part of the "Golf World" outdoor recreational use
Units: 308

Clara Wynwood
Address: 2601 NW 6th Avenue
Units: 154

Deco Northwood
Address: 2900 to 3100 Broadway/U.S. 1
Units: 167

Green Tower
Address: 1121 W. Church St.
Units: 260

[Link to FHC's LLA Tracker]

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Live Local Act – Land Use Case Studies

LLA as a tool to enhance affordable housing development

Tranquility at Saint Andrews – Panama City, FL:

- One of the first LLA land use projects to break ground in June 2025
- 84 units
  - 73 units at or below 60% AMI
  - 9 units at or below 40% AMI
  - 2 Market Rate units
- Public funding sources: 9% HC (RFA 2023-201)
- *LLA enabled development commercially-zoned land while allowing the highest density multifamily zoning code (R5) to develop the property.*

Photo provided by Timshel Development Group

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Live Local Act – Land Use Case Studies

LLA as a tool to enhance affordable housing development

Egret Landing – Jacksonville, FL:

- 88 units (at or below 60% AMI)
- Public funding sources: 4% HC, SAIL, tax-exempt bonds (Duval County), loan from the City
- *LLA allowed the development of commercially-zoned land*

Screenshot from Birdsong Housing Partners website

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Live Local Act – Land Use Case Studies

LLA as a tool to enhance affordable housing development

Ekos at Creekside– Collier County, FL:

- 160 units (30-80% AMI)
- Public funding sources: 4% HC, SAIL, MMRN, (RFA 2023-213)
- Long-term land lease with the County
- *LLA unlocked greater height (70 ft.) and density (21 units/acre) than otherwise allowed.*

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How Local Governments are Treating Live Local

Reviews are mixed

Sarasota County Sued Over Efforts To Block Live Local Projects

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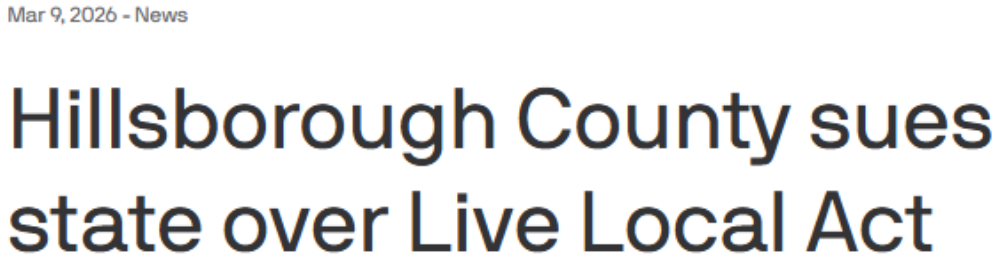
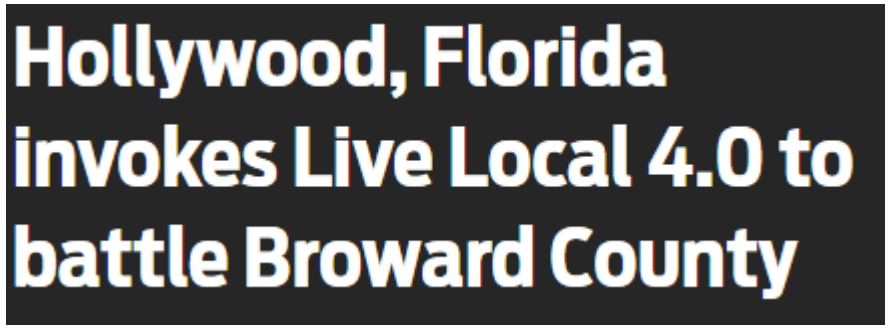


Mar 9, 2026 - News

Hillsborough County sues state over Live Local Act

Commercial Real Estate

Florida attorney general supports Bal Harbour Shops in Live Local Act battle



Hollywood, Florida invokes Live Local 4.0 to battle Broward County

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How Local Governments are Treating Live Local

Many local governments are engaged and informative

Jurisdiction	Link to information on proposed projects
Miami Beach	https://www.miamibeachfl.gov/city-hall/planning/approved-live-local-act-applications/
Largo	https://www.largo.com/live_local_act.php
Hillsborough County	https://assets.contentstack.io/v3/assets/blteea73b27b731f985/blt840de14b8badd081/LLA%20Project%20Status%20and%20Location.pdf
Sarasota County	https://www.scgov.net/government/planning-and-development-services/affordable-housing/live-local-act
Boynton Beach	https://www.boynton-beach.org/653/Live-Local-Act
Wellington	https://www.wellingtonfl.gov/2354/Live-Local-Act-Information
Tampa	https://www.tampa.gov/document/live-local-projects-april-2026-175831
Sarasota (City)	https://sarasota.maps.arcgis.com/apps/instant/countdown/index.html?appid=5a331a319f02444e818fbac3f099050d

Hometown Heroes Program

- Codified in Statute in 2023
  - Down payment assistance and closing costs equaling 5% of the first mortgage amount (up to $35,000)
  - Eligible borrowers must be employed full-time by a Florida-based employer* with incomes at or below 150% AMI

Section 420.5096, Florida Statutes

- Outcomes (since 2022)
  - 25,629 loans awarded
  - $399M in down payment assistance disbursed
  - $15,569: average down payment assistance provided
  - $321,200: average home purchase price
  - $7.9B leveraged in first mortgage loans
  - 717: average credit score

More Information

- Questions

- Contact Information
  - Zach Summerlin, Policy Director & Supportive Housing Coordinator
    Florida Housing Finance Corporation
    zach.summerlin@floridahousing.org
    850.488.4197

  - Ryan McKinless, Policy Analyst
    Florida Housing Coalition
    mckinless@flhousing.org