



City of Coral Gables

Implementation Order of the City Manager

Implementing Order No.: 2024-001

Title: Implementation of the Live Local Act (Florida Statute 166.04151)

Effective: 12/17/24

AUTHORITY:

Chapter Law 2023-17 and 2024-188 (amending and enacting various Florida Statutes related to affordable housing)

PURPOSE

The purpose of this policy is to establish a process for qualifying developments to seek review and approval for affordable housing projects consistent with recent changes to State Law.

APPLICABILITY

A property owner that seeks to develop an affordable housing project pursuant to Florida Statute 166.04151 (Live Local Act) must satisfy the following conditions:

- The property must be located in a Mixed-Use zoned district
- At least 40% of the units must be affordable for a minimum period of 30 years
- At least 65% of the total square footage must be residential

ENTITLEMENTS

Per Florida Statute 166.04151, the proposed project must satisfy the above conditions to be eligible for the following:

- The project may build to the highest density permitted in any part of the city where residential development is allowed provided it otherwise complies with the Zoning Code
- The project may build to the highest currently allowed height of any residential or commercial property within one mile of the project, or up to three stories whichever is greater. Mediterranean bonus is not factored into this calculation.
- The project shall not build beyond 150% of the highest currently allowed Floor Area Ratio (FAR) of MX zoning
- If the proposed project is in the area of single-family residential as further outlined in Florida Statute 166.04151, the proposed project shall be in compliance with those provisions, including any applicable height restrictions

- The project may reduce the minimum parking requirements up to 20% when: 1) within ½ mile of a major transportation hub, which are the MetroRail stations; 2) has available parking within 600 feet; and 3) is accessible to transit and parking by safe, pedestrian-friendly means
- The project may apply for the Coral Gables Mediterranean Design bonus per Section 5-200 of the Zoning Code
- The Zoning Code applies to all aspects of the project except for use, density, Floor Area Ratio (FAR), building height, and allowed parking reduction (if applicable). (e.g. minimum unit size, setbacks, open space, mix of uses, etc.)

APPLICATION PROCESS

1. A Preapplication Meeting is required with the Planning & Zoning Division prior to submitting an application for initial review of the overall project information and identify the necessary documentation to be filed with the application(s).
2. The following documentation shall be submitted to the Development Review Committee (DRC) for review:
 - The Supporting Information as required on the Development Review Committee (DRC) Application Form, accessible at: <https://www.coralgables.com/department/development-services/applications-forms-and-general-information>.
 - A specific purpose survey demonstrating the 1-mile distance, with a brief analysis of the comparator site (its zoning, availability for bonus height, if sought, etc.).
 - Easily visible notes on the zoning legend indicating that proposed Live Local Act project is per Florida Statute 166.04151, specifically where the proposed project deviates from the zoning's height, density, Floor Area Ratio (FAR), use, or parking.
 - A table, with a diagram, indicating the ratio of 65%+ residential to any other use
 - An Affordability Report with proposed or expected rental rates for proposed affordable residential units (40% of units must target households making up to 120% of the area median income. The cost (including utilities) for such a unit cannot exceed 30% of the tenant's income, and will vary based on household size.)
 - Affidavit confirming a 30-year commitment to provide affordable housing
3. After the applicant is able to address all the applicable DRC comments, the proposed building design shall be submitted to the Board of Architects (BOA) for design review and approval, as well as any other required Boards review and processes.
4. For approval of a Building Site greater than 20,000 square feet per Section 2-201(D)(1) of the Zoning Code, the Planning and Zoning Board (PZB) shall review and make a recommendation to the City Commission for consideration of a mixed-use site plan approval. Pursuant to Florida Statute 166.04151, the proposed use, density, Floor Area Ratio (FAR), building height, and allowed parking reduction (if applicable) will not be considered in the public review process.
5. Prior to the Building Site approval, the affordable housing covenant shall be reviewed and approved by the City Attorney's Office.
6. All applicable DRC, BOA, PZB, and other Board fees apply.

ONGOING COMPLIANCE REQUIREMENTS

After completion of the proposed project, the following shall be required:

- Annual affordability review / affidavit requirement
- Covenant for 40% affordable units reporting requirements (audited)

APPROVED BY:



Amos Rojas, Jr.

City Manager

12/17/2024

Date