



City of Coral Gables Planning and Zoning Staff Report

Applicant: City of Coral Gables
Application: **Zoning Code Text Amendments – Live Local Act Parking Reductions**
Public Hearing: Planning and Zoning Board
Date & Time: **January 10, 2024; 6:00 – 9:00 p.m.**
Location: City Commission Chambers, City Hall,
405 Biltmore Way, Coral Gables, Florida 33134

1. APPLICATION REQUEST

The City of Coral Gables is requesting review and consideration of the following:

An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The request requires three public hearings, including review and recommendation by the Planning and Zoning Board, and 1st and 2nd Reading before the City Commission.

2. BACKGROUND INFORMATION

As legislated by Senate Bill No. 102, Staff has prepared a Zoning Code text amendment for the City Commission to consider parking reduction requirements for affordable housing located near major transit stops.

On March 28, 2023, Florida Governor Ron DeSantis signed Senate Bill No. 102 under Chapter 2023-17, Law of Florida. The Bill, otherwise known as the Live Local Act, became effective on July 1, 2023. The Live Local Act states a municipality cannot require a proposed mixed-use development with mixed-use zoning to receive a zoning or land use change, special exception, conditional use approval, variance, or comprehensive plan amendment for building height, zoning, and density if the proposed mixed-use development delivers a minimum of 40% affordable housing. Under the Live Local Act provisions, proposed developments can have the highest allowable density allowed in the municipality and the highest allowable height for a commercial development within 1 mile of the proposed development.

The Live Local Act also requires a municipality to consider reducing parking requirements for a proposed mixed-use development if the proposed development is located within one-half mile of an accessible, major transit stop. The proposed ordinance includes a definition for major transit stop as a "Metrorail station or the intersection of two or more major bus or trolley routes with frequencies of service intervals of 15 minutes or less during the morning and afternoon or peak commute periods."

The City of Coral Gables aims to comply with the State's newly adopted regulations. Staff has drafted a zoning code text amendment to consider parking reductions for proposed affordable housing developments that meet the 40% affordable housing threshold within one-half mile of a major transit stop that has an accessible route for a ¼ mile walking distance.

3. PROPOSED ZONING CODE TEXT AMENDMENT

The proposed Zoning Code text amendments are provided below in ~~strike through~~/underline format.

ARTICLE 10. PARKING AND ACCESS

Section 10-112. Miscellaneous parking standards.

D. The City Commission shall consider a parking reduction for affordable housing developments as defined in the Live Local Action, Ch. 2023-17, Laws of Florida under the following conditions:

1. The development is located within a half-mile of a major transit stop.
2. For purposes of this subsection D, a major transit stop shall be defined as a Miami-Dade County Metrorail Station or the intersection of two or more major bus or trolley routes with frequencies of service intervals of 15 minutes or less during the morning and afternoon peak commute periods.
3. The development is within one-quarter (1/4) mile walking distance and accessible to the transit stop. For the purpose of this subsection D, accessible means having access to a connected network of sidewalks, ramps, crossings and other pedestrian features.
4. In considering whether a development should receive a parking reduction as authorized by this subsection D, the City Commission shall consider the impact of the parking reduction for the subject development and its compatibility with the surrounding area.
5. Where the requirements of subsection D are met, the City Commission may reduce the parking requirements for a qualifying development as follows:
 - a. a 5% reduction for developments with a building site area of 20,000 square feet or greater.
 - b. a 10% reduction for developments with a building site area between 10,000 square feet and less than 20,000 square feet.
 - c. a 15% reduction for developments with a building site area under 10,000 square feet.
 - d. the City Commission may, in its discretion, grant greater parking reductions for developments with a building site of less than 6,000 square feet.

4. REVIEW TIMELINE / PUBLIC NOTICE

City Review Timeline

The submitted applications have undergone the following City reviews:

REVIEW COMMITTEES AND BOARDS	DATE
Planning and Zoning Board	01.10.24
City Commission – 1 st Reading	01.09.24
City Commission – 2 nd Reading	01.23.24

The following has been completed to solicit input and provide notice of the Application:

PUBLIC NOTICE	DATE
Legal advertisement	12.28.23
Posted agenda and Staff report on City web page/City Hall	01.05.24

5. FINDINGS OF FACT

In accordance with Section 14-212.5 of the Zoning Code, the Planning and Zoning Board shall not recommend adoption of, and the City Commission shall not adopt, text amendments to the Zoning Code unless the text amendment:

Standard	Staff Evaluation
a. Promotes the public health, safety, and welfare.	The intent of the proposed amendment is to comply with the Live Local Action Bill, Florida’s Senate Bill No. 102, Ch. 2023-17, Laws of Florida. This amendment provides zoning requirements for parking reductions for affordable housing developments. Reducing the number of parking and vehicular trips promotes public health, safety, and welfare measures. This legislation promotes accessibility, walkability, and the use of public transit.
b. Does not permit uses the Comprehensive Plan prohibits in the area affected by the text amendment.	The proposed amendment does not permit uses the Comprehensive Plan prohibits in the affected area.
c. Does not allow densities or intensities in excess of the densities and intensities which are permitted by the future land use categories of the affected property.	The proposed text amendment to allow the City Commission to reduce parking requirements for qualifying affordable housing developments does not affect the densities or intensities of any future land use category.
d. Will not cause a decline in the level of service for public infrastructure which is the subject of a concurrency requirement to a level of service which is less than the minimum requirements of the Comprehensive Plan.	The proposed text amendment will not cause a decline in the level of service for public infrastructure. Each proposed development will be reviewed by Staff to meet the concurrency requirements.
e. Does not directly conflict with any objective or policy of the Comprehensive Plan.	The proposed amendment does not directly conflict with any objective or policy of the Comprehensive Plan. The proposed amendment meets Policy MOB-1.1., Policy MOB-1.1.2., Policy MOB-1.1.4., Policy MOB-3.1.1., Policy MOB-3.1.2., Policy FLU-1.11.1., Policy HOU-1.1.4., and Policy CIE-1.3.3.

Consistency Evaluation of the Comprehensive Plan (CP) Goals, Objectives and Policies

This section provides those CP Goals, Objectives and Policies applicable to the Application and the determination of consistency:

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
1	Objective MOB-1.1. Provide solutions to mitigate and reduce the impacts of vehicular traffic on the environment, and residential streets in particular with emphasis on alternatives to the automobile including walking, bicycling, public transit and vehicle pooling.	Complies
2	Policy MOB-1.1.2. Encourage land use decisions that encourage infill, redevelopment and reuse of vacant or underutilized parcels that support walking, bicycling and public transit use.	Complies
3	Policy MOB-1.1.4. Support incentives that promote walking, bicycling and public transit and those that improve pedestrian and bicycle access to/and between local destinations	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	such as public facilities, governmental facilities, schools, parks, open space, employment centers, downtown, commercial centers, high concentrations of residential, private/public schools, University of Miami and multimodal transit centers/stations.	
4	<p>Policy MOB-3.1.1. The City shall research various parking strategies and policies for consideration and possible adoption that may include one or more of the following:</p> <ul style="list-style-type: none"> • Additional opportunities for visible/clear signage identifying public parking facilities or opportunities to “intercept” vehicle parking patrons. • Wayfinding signage to direct “pedestrian parkers” to their destinations. • Quality pedestrian connections between the parking facility and the initial destination and secondary destination(s), and City trolley. • Creation of an online real-time access to parking location and occupancy information. • Performance based pricing within high demand areas. • Support a “park once” effort, whereas parking patrons become a “pedestrian” of “transit rider” between the City’s downtown, adjoining retail centers, business attractors, employment centers and the University of Miami. • Continue research on the use of shared parking for destinations for public facilities or the overall parking system. 	Complies
5	<p>Policy MOB-3.1.2. Management of existing public facilities or future public facilities shall be based on a Level of Service (LOS) that provide parking for short term users (i.e., visitors) within 500 feet of their initial destination and beyond 500 feet for long term users.</p>	Complies
6	<p>Policy FLU-1.11.1. Maintain and enforce effective development and maintenance regulations through site plan review, code enforcement, and design review boards and committees.</p>	Complies
7	<p>Policy HOUS-1.1.4. By 2011, the City shall amend its zoning code to provide for affordable/attainable housing programs to address the City’s fair share of regional affordable housing needs. This may include partnerships between the City and other local governments, affordable housing agencies, etc. The City shall examine a multi-pronged approach to address the City’s fair share of affordable housing which may include the following:</p> <ul style="list-style-type: none"> • Set-aside or unit delivery requirements. • Inclusionary zoning incentives. • Linkage fees. • Creation of affordable housing trust fund. • Affordable housing credits. • Waiver of City building fees, impact fees, etc. • Initiation of an expedited building permit and/or development review system. • Utilization of federal, state, regional and county programs including but not limited to the following: Florida’s State Housing Initiatives Partnership (SHIP), federal Community Development Block Grants (CDBG), and federal affordable housing tax credits. <p>As a part of the amendments, the City shall include principles and criteria for locating affordable/attainable housing that promotes access to a broad range of housing</p>	Complies

REF. NO.	COMPREHENSIVE PLAN GOAL, OBJECTIVE AND POLICY	STAFF REVIEW
	<p>opportunities with a full complement of urban services through cooperation and coordination with the private sector, surrounding local governments and Miami-Dade County. Such principles shall include:</p> <ul style="list-style-type: none"> • Accessible to public transit. • Close proximity or readily accessible to employment centers, medical services, retail centers, social services, and/or governmental services. • Accessible to public parks, recreation areas, and/or open space systems. <p>The Workforce/Affordable Housing Study for the City of Coral Gables (revised 2006) attached as an Appendix shall be the background data and analysis for the completion of the above amendments.</p>	

Staff’s Findings: Based upon the Findings of Facts provided herein, Staff finds the Application satisfies the provisions of the Zoning Code provides the authority to comply with the Live Local Act. This granted authority is consistent with the goals, objectives, and policies of the Coral Gables Comprehensive Plan.

Per Policy MOB-1.1., Policy MOB-1.1.2., Policy MOB-1.1.4., Policy MOB-3.1.1., and Policy MOB-3.1.2., parking reductions for proposed developments with more than 40% affordable housing and accessible to major transit will help provide solutions to alleviate the impacts of vehicular traffic and promote walking, biking, and use of public transit between local destinations. Furthermore, parking reductions for proposed affordable housing near accessible, major transit stops meets Policy HOUS-1.1.4. The requirement of Live Local Act supports the City to meet this Policy of the Comprehensive Plan by providing a range of housing opportunities accessible to urban services, public transit, public amenities, and employment opportunities.

Staff finds that all five of these criteria are **satisfied**.

6. STAFF RECOMMENDATION

The Planning and Zoning Division recommends **approval**.

7. ATTACHMENTS

- A. Legal advertisement published.
- B. PowerPoint Presentation.

Please visit the City’s webpage at www.coralgables.com to view all Application plans and materials, notices, applicable public comments, minutes, etc. The complete Application and all background information also is on file and available for examination during business hours at the Planning and Zoning Division, 427 Biltmore Way, Suite 201, Coral Gables, Florida 33134.

Respectfully submitted,



Jennifer Garcia, AICP, CNU-A
 Planning Official
 City of Coral Gables, Florida

An argument over ski masks ends with 3 men shot and an arrest, Miami cops say

BY OMAR RODRÍGUEZ ORTIZ AND DAVID J. NEAL
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A Wednesday shooting involving 31 shots fired and three men hit started as an argument over ski masks and a teenager boy, one of the shot men told Miami police.

That person's account is

the only one in the arrest report describing why Jesus Falu, 32, was charged with attempted murder, shooting a deadly missile and criminal mischief causing damage between \$200 and \$1,000.

The account of Falu, who was shot in the leg and allegedly waived his right to remain silent, is redacted. The third man

involved in the shooting near Northwest 12th Street and First Avenue in Over-town had been shot in the chest and was intubated, a tube in his trachea to make sure he gets oxygen, at Jackson Memorial Hospital's Ryder Trauma Center.

The report says when officers got to the area around 12:25 a.m., they found Falu under a black

Chevrolet Silverado pickup truck with his tan 9mm Sig Sauer handgun. The other two men, neither of whom is named, were nearby. One had put his black 9 mm Glock on top of a nearby car. Like Falu, he'd suffered a leg wound.

That's the man who spoke to police at the hospital and gave an account the report says is backed up by

videos from a nearby surveillance camera and city of Miami Real Time Crime Center video.

He told police he and his pal "like to wear ski masks just for fashion." They entered Arena Supermarket, 1201 NW First Pl., where Falu began criticizing them for wearing the ski masks in front of his 17-year-old son. The argu-

ment increased in intensity until Falu revealed his Sig Sauer. The two ski mask wearers left the store and began walking west on 12th Street, followed by Falu.

Falu, the report said, pulled out a gun and pointed it at the head of the unarmed ski mask wearer. The armed ski mask wearer pulled out his gun and the 9 mm bullets began flying.

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PEDRO PORTAL pportal@miamiherald.com

Veteran Kenneth Heller, 78, stands in front of his house in North Miami.

FROM PAGE 11A

WISH BOOK

the living room.

"ILLUSIONS OF GRANDEUR"

Heller prefers to talk about better days, like learning to water ski in Biscayne Bay after he first moved to Florida or taking Spanish classes in Mexico as a teenager. He graduated from the University of Florida and went on to law school at Samford University in Alabama. By his own admission, Heller wasn't the most dedicated law student. Instead, he spent his time "fooling around" and "living the high life." He eventually dropped out and joined the Marine Corps in 1968 — at the height of the Vietnam War — in hopes of seeing the world.

"You've got to understand, I had illusions of grandeur," Heller said. "Besides, it was either join up or get drafted."

Heller never did go to Vietnam. He said he broke his elbow and a knee during training and was eventually discharged. He returned to Florida and went to work at a Zayre department store in Miami before eventually going back to law school in Alabama and graduating in 1975.

Heller moved around over the ensuing decade. He got married, had two children and got divorced.

He moved back to his North Miami home in 1987 to take care of his mother. A year later, in 1988, the law firm that he worked at was sold off, and he soon became his mother's full-time caregiver. She passed away in 1999.

HOLDING ONTO THE FAMILY HOME

It's been nearly 25 years since his mother passed away, and Heller is hoping to fix up his family home while dealing with a long list of health challenges. He struggles with hearing and vision deficits, as well as congestive heart failure. Getting around can also be difficult; Heller wears braces on both of his legs and uses a walker.

He has help from his friend Victoria Sanchez who stays with him at times. Sandi Dioli Kumm, who works for the North Miami Foundation for Senior Citizens' Services, stops by often. She said that Heller needs help paying to repair his roof and purchasing some small appliances, like a toaster oven.

"It's the family home. Everybody else has gone through two and three ownerships, but he's held onto it," said Kumm, who nominated Heller for Wish Book, a Miami Herald/eNuevo Herald program that raises money

from the community to help needy people identified by nonprofit agencies. "We're trying to work to rectify some of these issues that are just overwhelming for a man in his late 70s."

"He wants to stay in his home and we want to make sure he can do so safely," she said.

Heller said that he's been encouraged by some friends to sell the home, but insisted that he wants to stay put.

"I'm trying to hold onto this house," he said. "It's where I belong."

Max Greenwood:
@KMaxGreenwood

How to help

To help this Wish Book nominee and the more than 100 other nominees who are in need this year:

To donate, use the coupon found in the newspaper or pay securely online through www.MiamiHerald.com/wishbook

For more information, call 305-376-2906 or email Wishbook@MiamiHerald.com

The most requested items are often laptops and tablets for school, furniture, and accessible vans

Read all Wish Book stories on www.MiamiHerald.com/wishbook

FROM PAGE 11A

SHARK FIN

before-and-after shots of the same injured shark.

"In the summer of 2022, 10 silky sharks were tagged with satellite tags for a separate study. Shortly after, a silky shark was spotted with its dorsal fin cut up — in the exact shape of where a satellite tag would be," Black wrote in a Dec. 14 Instagram post.

"We never expected to see the shark again. Fast forward to summer 2023 and sure enough this silky shark returned to Jupiter. He was spotted by (two photographers) who were able to capture multiple images for me of this newly healed dorsal fin."

Schellenberg and photographer John Moore both contributed their images to aid in the research, she said.

The identity of the silky shark was confirmed with the help of a National Oceanic and Atmospheric Administration (NOAA) dart tag that was present before and after the fin regenerated, she said.

Silky sharks — named for their smooth-looking

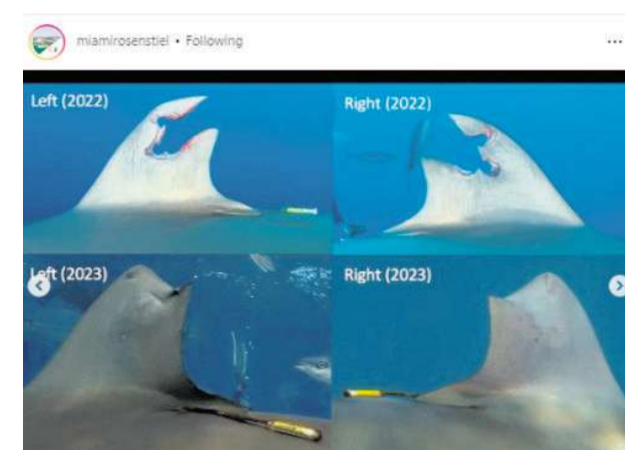
skin — are native to the Gulf of Mexico and Florida's Atlantic coast and can reach up to 10 feet in length, the Florida Museum of Natural History reports.

Their size makes silky sharks a potential threat to humans, but their "oceanic habits make contact with humans a relative rarity," the museum says. They prefer "the edges of continental shelves and over deepwater reefs," the museum notes.

"This newfound insight into tissue regeneration and wound healing underscores the importance of further research to understand how they respond to traumatic injury in the face of mounting environmental challenges," Black wrote.

"Additionally, this study exemplifies the power of collaboration between researchers and the public, including photographers and divers, to expand the scope of research studies and bridge the gap between science and society."

Mark Price: 704-358-5149,
@markprice_obs



Instagram screenshot

A new study by a University of Miami PhD student reports a silky shark was able to regenerate much of its damaged dorsal fin.



City of Coral Gables, Florida Notice of Public Hearing HYBRID MEETING on Zoom platform

City Public Hearing Dates/Times	Local Planning Agency/Planning and Zoning Board Wednesday, January 10, 2024, 6:00 p.m.
Location	City Commission Chamber, City Hall 405 Biltmore Way, Coral Gables, FL 33134


PUBLIC NOTICE is hereby given that the City of Coral Gables, Florida, Local Planning Agency (LPA)/Planning and Zoning Board (PZB) will conduct Public Hearing on the following:

- A Resolution of the City Commission of Coral Gables, Florida granting conditional use approval pursuant to Zoning Code Article 14, "Process," Section 14-203, "Conditional Uses" for a walk-up counter as an accessory use to Sanguich, a restaurant, on property legally described as Track A, Plaza Coral Gables, also generally known as 111 Palermo Ave, Suite 103, Coral Gables, Florida; including required conditions; providing for a repealer provision, severability clause, and an effective date.
- Ordinance of the City Commission of Coral Gables, Florida providing for a text amendment to Appendix A "Site Specific Zoning Regulations," Section A-94 "Snapper Creek Lakes" of the City of Coral Gables Official Zoning Code to include all types of accessory uses in the rear yard ground coverage calculation, to remove outdated Section A-94-2, and to provide consistency with the Snapper Creek Lakes' protective covenants by increasing various setbacks; providing for severability, repealer, codification, and an effective date.
- An Ordinance of the City Commission amending Article 9 "Art in Public Space" of the City Zoning Code in order to amend certain procedures related to the Art in Public Places waiver process and options; providing for a repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- An Ordinance of the City Commission amending Section 14-103.3. "Meeting; Panel Review; Full by Full Board; Conflict Resolution Meeting; Special Master Quasi-Judicial Hearing" in order to amend certain procedures related to the conflict resolution and Special Master Quasi-Judicial Process for appeals of decisions by the Board of Architects; providing for repealer provision, severability clause, codification, enforceability, and providing for an effective date.
- An Ordinance of the City Commission providing for text amendments to Article 2, "Zoning Districts," Section 2-201, "Mixed Use 1, 2 and 3 (MX1, MX2 and MX3) Districts" and Article 3, "Uses," Section 3-209, "Live work minimum requirements," of the City of Coral Gables Official Zoning Code to allow a reduction of storefront transparency on frontages facing single-family and multi-family uses, providing for repealer provision, severability clause, codification, and providing for an effective date.
- An Ordinance of the City Commission providing for text amendments to Article 15, "Notices," Section 15-102, "Notice," of the City of Coral Gables Official Zoning Code to amend requirement for the Applicants Required Public Information Meeting to occur prior to review by the Board of Architects, providing for repealer provision, severability clause, codification, and providing for an effective date.
- An Ordinance of the City Commission of Coral Gables, Florida providing for text amendments to the City of Coral Gables Official Zoning Code (Zoning Code), amending Article 10, "Parking and Access," Section 10-112 "Miscellaneous Parking Standards," creating provisions for considering reduction of parking requirements for affordable housing located near a major transit stop as required by the Live Local Act, Ch. 2023-17, Laws of Florida; providing for repealer provision, severability clause, codification, and providing for an effective date.

The Planning and Zoning Board will be holding its board meeting on Wednesday, January 10, 2024, commencing at 6:00 p.m. Pursuant to Resolution No. 2021-118, the City of Coral Gables has returned to traditional in-person meetings. However, the City Commission has established the ability for the public to virtually provide sworn testimony or public comments (non-sworn and without evidentiary value). Any individual who wishes to provide sworn testimony virtually must have their video on and must be sworn in.

Members of the public may join the meeting via Zoom at (<https://zoom.us/j/83788709513>). In addition, a dedicated phone line will be available so that any individual who does not wish (or is unable) to use Zoom may listen to and participate in the meeting by dialing: (305) 461-6769 Meeting ID: 837 8870 9513. The public may comment on an item using the City's E-Comment function which may be found on the City's website at: (<https://coralgables.granicusideas.com/meetings>) once the meeting's agenda is published, or by sending an email to planning@coralgables.com prior to the meeting.

The meeting will also be broadcasted live for members of the public to view on the City's website (www.coralgables.com/cgvt) as well as Channel 77 on Comcast.



Wish Book

Grant a wish and make a difference!

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miamiherald.com/wishbook

For more information, please call
305-376-2906.

Make your check payable to Herald Charities, Inc. and mail to:
Herald Charities, Inc., PO Box 260518 Miami, FL 33126

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I would like my donation to be in memory of _____
or in honor of _____


If you do not want your donation acknowledged in the paper, please check here.


Herald Charities, Inc. is a separately incorporated 501 (c) (3) charitable organization. All donations to Herald Charities, Inc. are tax deductible as allowed by law. Herald Charities, Inc. has complied with the registration requirements of Chapter 496, Florida Statutes, the Solicitations of Contributions Act. A COPY OF THE OFFICIAL REGISTRATION AND FINANCIAL INFORMATION MAY BE OBTAINED FROM THE DIVISION OF CONSUMER SERVICES BY CALLING TOLL-FREE 1-800-435-7352 WITHIN THE STATE. REGISTRATION DOES NOT IMPLY ENDORSEMENT, APPROVAL, OR RECOMMENDATION BY THE STATE.

For more than 40 years, the Miami Herald Holiday Wish Book profiles some of South Florida's neediest individuals and families, as nominated by their social services case workers — children, the elderly, the hungry and the ailing.

Once all eligible nominees' wishes have been fulfilled, Herald Charities Inc. may use funds for other charitable purposes.

Over the years, Miami Herald readers have responded generously, helping more than 50,000 people in our community with their most pressing concerns. You can help too, by granting a special wish and making the holidays brighter for someone in need.



<p style="text-align: center;">CHAPTER 2023-17</p> <p style="text-align: center;">Committee Substitute for Senate Bill No. 102</p> <p>An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property</p> <p style="text-align: center;">1</p> <p style="text-align: center;">CODING: Words stricken are deletions; words <u>underlined</u> are additions.</p>	<h1 style="font-size: 2em; color: #4F812E;">Live Local Act</h1> <hr style="width: 80%; margin: 0 auto;"/> <p style="font-size: 1.2em; color: #4F812E;">SENATE BILL 102</p> <p style="font-size: 1.2em; color: #4F812E;">PLANNING & ZONING BOARD</p> <p style="font-size: 1.2em; color: #4F812E;">JANUARY 9, 2024</p> 
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1

LIVE LOCAL ACT

- LIVE LOCAL ACT (SENATE BILL No. 102, CHAPTER 2023-17, LAW OF FLORIDA) SIGNED ON MARCH 28, 2023, AND EFFECTIVE ON JULY 1, 2023
- INTENDED TO ADDRESS THE STATE’S AFFORDABLE HOUSING CRISIS
- +/- **\$811M** TOTAL FOR AFFORDABLE HOUSING:
 - STATE APARTMENT INCENTIVE LOAN PROGRAM (SAIL) - \$259M
 - STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM (SHIP) - \$252M
 - FLORIDA HOMETOWN HERO PROGRAM - \$100M
 - NEW INFLATION RESPONSE PROGRAM - \$100M
 - LIVE LOCAL TAX DONATION PROGRAM - \$100M

2

2

LIVE LOCAL ACT



City must authorize development if 40% affordable (120% AMI or below)

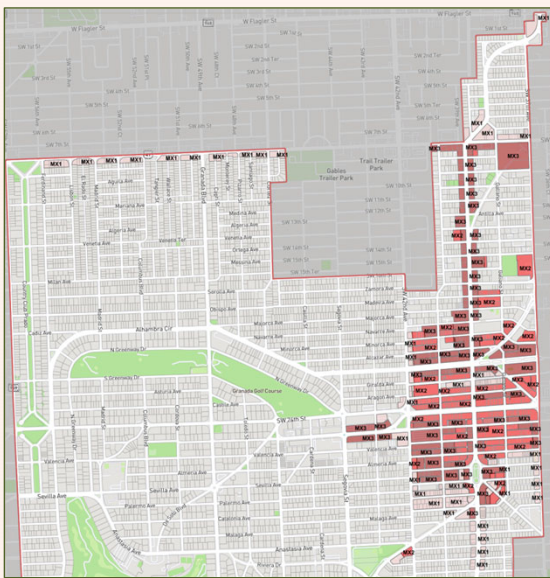
446 (7) (a) A municipality must authorize multifamily and mixed-
447 use residential as allowable uses in any area zoned for
448 commercial, industrial, or mixed use if at least 40 percent of
449 the residential units in a proposed multifamily rental
450 development are, for a period of at least 30 years, affordable
451 as defined in s. 420.0004. Notwithstanding any other law, local
452 ordinance, or regulation to the contrary, a municipality may not
453 require a proposed multifamily development to obtain a zoning or
454 land use change, special exception, conditional use approval,
455 variance, or comprehensive plan amendment for the building
456 height, zoning, and densities authorized under this subsection.
457 For mixed-use residential projects, at least 65 percent of the
458 total square footage must be used for residential purposes.

Development is only authorized in Mixed-Use districts

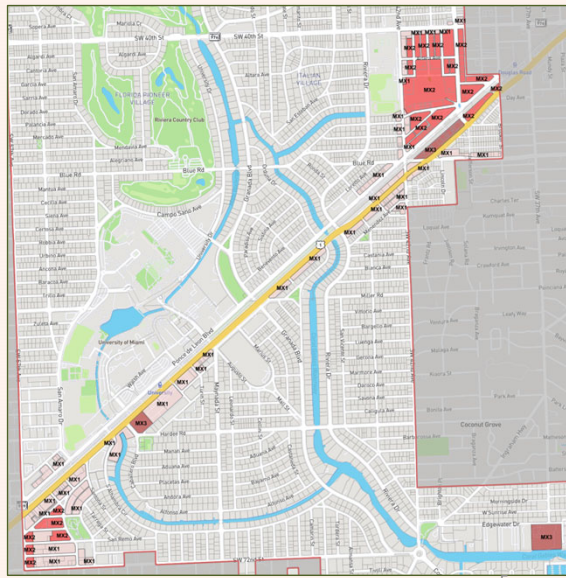
4

4

APPLICABLE TO MIXED-USE DISTRICTS



North Coral Gables



South Coral Gables

5

5

WHAT IS AFFORDABLE?

420.0004 Definitions:

“Affordable” means that **monthly rents** or monthly mortgage payments including taxes, insurance, and utilities **do not exceed 30 percent of that amount which represents the percentage of the median adjusted gross annual income for the households [in Miami Dade County]**

Florida Statutes, Chapter 420, Section 0004 Definitions

WHAT IS AFFORDABLE?

The screenshot shows the Florida Housing Finance Corporation website. The main content is a table titled "2023 Income Limits and Rent Limits" for Miami-Dade County. The table is organized by percentage category (20% to 140%) and by the number of persons in the household (1 to 10) and the number of bedrooms in the unit (0 to 5). A median income of 74,700 is also listed.

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Miami-Dade County	20%	14,460	16,520	18,580	20,640	22,300	23,960	25,600	27,260	28,896	30,547	361	387	464	536	599	660
(Miami-Miami Beach- Kendall HMFA)	25%	18,075	20,650	23,225	25,800	27,875	29,950	32,000	34,075	36,120	38,184	451	484	580	670	748	825
	28%	20,244	23,128	26,012	28,896	31,220	33,544	35,840	38,164	40,454	42,766	506	542	650	751	838	925
	30%	21,690	24,780	27,870	30,960	33,450	35,940	38,400	40,890	43,344	45,821	542	580	696	805	898	991
	33%	23,859	27,258	30,657	34,056	36,795	39,534	42,240	44,979	47,678	50,403	596	638	766	885	988	1,090
	35%	25,305	28,910	32,515	36,120	39,025	41,930	44,800	47,705	50,568	53,458	632	677	812	939	1,048	1,156
	40%	28,920	33,040	37,160	41,280	44,600	47,920	51,200	54,520	57,792	61,094	723	774	929	1,073	1,198	1,321
	45%	32,535	37,170	41,805	46,440	50,175	53,910	57,600	61,335	65,016	68,731	813	871	1,045	1,207	1,347	1,486
	50%	36,150	41,300	46,450	51,600	55,750	59,900	64,000	68,150	72,240	76,368	903	968	1,161	1,341	1,497	1,651
	60%	43,380	49,560	55,740	61,920	66,900	71,880	76,800	81,780	86,688	91,642	1,084	1,161	1,393	1,610	1,797	1,982
	70%	50,610	57,820	65,030	72,240	78,050	83,860	89,600	95,410	101,136	106,915	1,265	1,355	1,625	1,878	2,096	2,312
	80%	57,840	66,080	74,320	82,560	89,200	95,840	102,400	109,040	115,684	122,189	1,446	1,549	1,859	2,147	2,396	2,643
Median: 74,700																	
	120%	66,760	99,120	111,480	123,840	133,900	143,760	153,600	163,560	173,376	183,283	2,169	2,323	2,787	3,220	3,594	3,964
	140%	101,220	115,640	130,060	144,480	156,100	167,720	179,200	190,620	202,272	213,830	2,530	2,710	3,251	3,757	4,193	4,625

www.floridahousing.org/owners-and-managers/compliance/rent-limits

LIVE LOCAL ACT

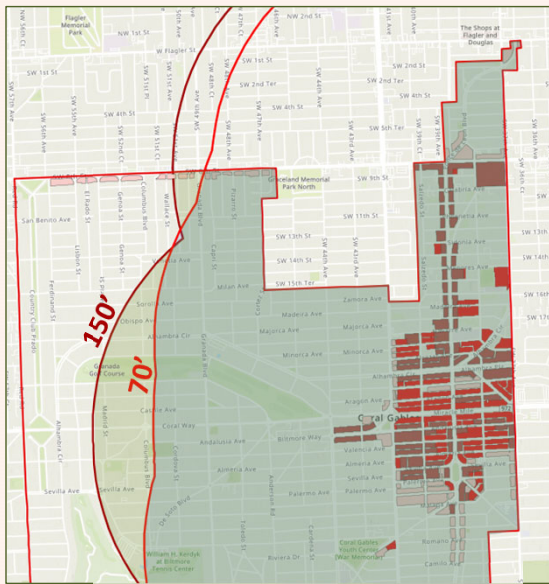


Act automatically approves height to highest height within 1 mile

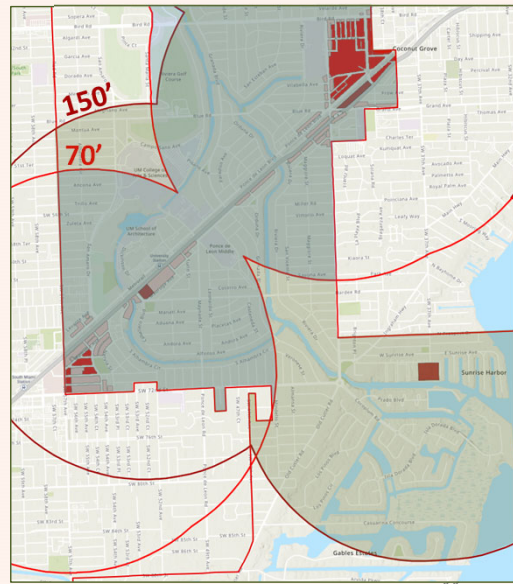
373 (g) Except as otherwise provided in this subsection, a
374 development authorized under this subsection must comply with
375 all applicable state and local laws and regulations.

465 highest currently allowed height for a commercial or residential
466 development located in its jurisdiction within 1 mile of the
467 proposed development or 3 stories, whichever is higher.

LIVE LOCAL ACT – 1-MILE RADII



North Coral Gables



South Coral Gables

LIVE LOCAL ACT



Density is analyzed City-wide

459 (b) A municipality may not restrict the density of a
 460 proposed development authorized under this subsection below the
 461 highest allowed density on any land in the municipality where
 462 residential development is allowed.

LIVE LOCAL ACT - DENSITY



Section 2-200 Mixed Use Districts Table

Use categories		MX1		MX2		MX3	
A Lot occupation							
1	Building Site Area Minimum (square feet)	2,500	10,000	2,500	10,000	2,500	10,000
2	Building Site Width Minimum (feet)	25	100	25	100	25	100
3	Ground Coverage Minimum	NA	NA	NA	NA	NA	NA
4	Open Space Minimum	10%	10%	10%	10%	5%	10%
B Density							
1	Density (DU/Acre)	125	125	125	125	125	125
2	Unit Size Minimum (square feet)	900	900	900	900	900	900
3	Floor Area Ratio (FAR)	3.0	3.0	3.0	3.0	3.0	3.0
4	FAR Med. Bonus I	3.2	3.2	3.2	3.2	3.2	3.2
5	FAR Med. Bonus II	3.5	3.5	3.5	3.5	3.5	3.5
C Setback minimums (feet)							
1	Principal Front	0	0	0	0	0	0
2	Side Interior	0	0	0	0	0	0
3	Side Street	0	0	0	0	0	0
4	Rear	10	10	10	10	10	10
5	Rear at Alley	0	0	0	0	0	0
6	Waterway	35	35	35	35	35	35
D Stepback minimums (feet)							
1	Stepback Front	NA	10	NA	10	NA	10
2	Stepback Side	NA	15	NA	15	NA	15
3	Stepback Side Street	NA	10	NA	10	NA	10
4	Stepback Rear	NA	10	NA	10	NA	10
5	Stepback Rear at Alley	NA	3	NA	3	NA	3
E Building height maximums (stories/feet)							
1	Principal Building	45	45	45	70	45	70
2	Mediterranean Bonus I	NA	5 stories /63.5	5 stories /63.5	7 stories /83.5	5 stories /63.5	7 stories /83.5
3	Mediterranean Bonus II	NA	6 stories /77	6 stories /77	8 stories /97	6 stories /77	8 stories /97

LIVE LOCAL ACT



Administrative approval for density, height, and land use

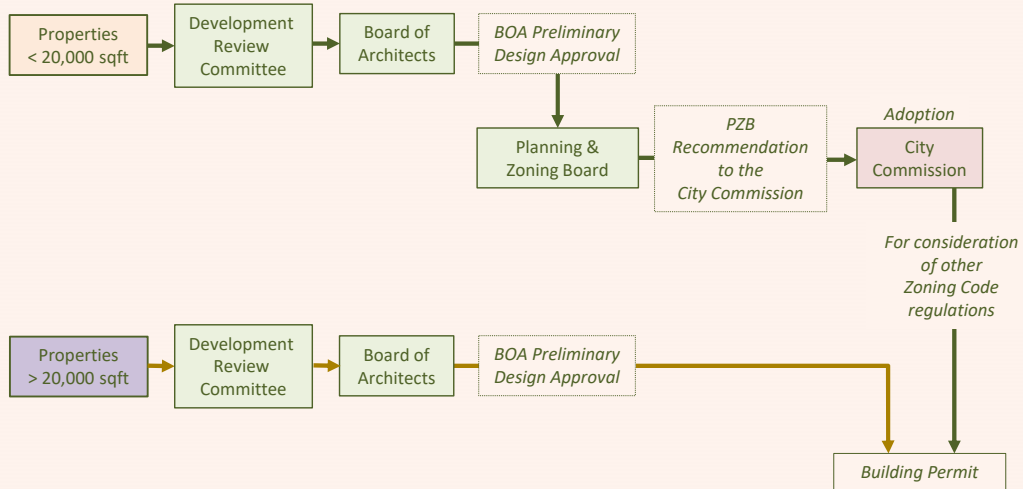
349 (d) A proposed development authorized under this subsection
 350 must be administratively approved and no further action by the
 351 board of county commissioners is required if the development
 352 satisfies the county's land development regulations for
 353 multifamily developments in areas zoned for such use and is
 354 otherwise consistent with the comprehensive plan, with the
 355 exception of provisions establishing allowable densities,
 356 height, and land use. Such land development regulations include,
 357 but are not limited to, regulations relating to setbacks and
 358 parking requirements.

373 (g) Except as otherwise provided in this subsection, a
 374 development authorized under this subsection must comply with
 375 all applicable state and local laws and regulations.

14

14

LIVE LOCAL ACT APPROVAL PROCESS



15

LIVE LOCAL ACT - SUMMARY



Use

Mixed-use with multifamily rental in commercial, industrial, or mixed-use zones without a zoning or land use change

Density

Highest density allowed on any land in the City

Height

Highest *currently allowed* height within 1-mile of proposed

Preemption of local zoning regulations regarding Use, Density, and Height

16

16

LIVE LOCAL ACT



Parking reductions must be considered

478 (e) A municipality **must consider reducing parking**
479 requirements for a proposed development authorized under this
480 subsection if the development is located within one-half mile of
481 a major transit stop, as defined in the municipality's land
482 development code, and the major transit stop is accessible from
483 the development.

... and the local government can define "major transit stop."

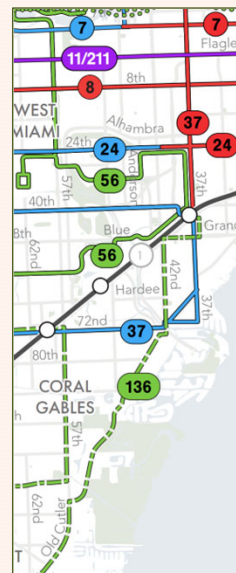
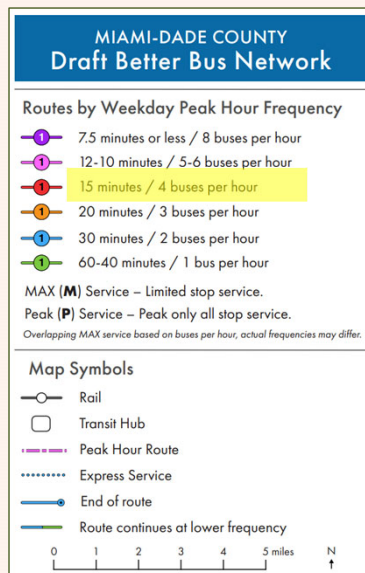
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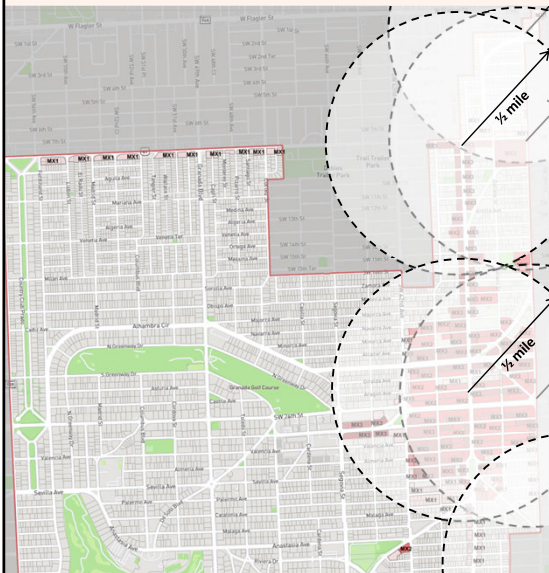
LIVE LOCAL ACT - PARKING

“Major Transit Stop” means *the Metrorail station* or the intersection of *two or more major bus or trolley routes* with frequencies of *service intervals of 15 minutes* or less during the morning and afternoon peak commute periods

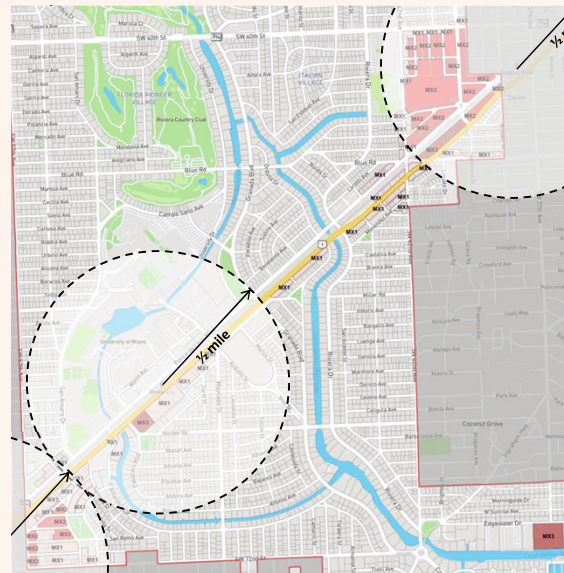
LIVE LOCAL ACT - PARKING



LIVE LOCAL ACT - PARKING



North Coral Gables



South Coral Gables

20

LIVE LOCAL ACT - PARKING

1. 1/2 mile of a major transit stop
2. Accessible route within one-quarter (1/4) mile walking distance
3. Commission considers the impact of the parking reduction and its compatibility with the surrounding area.
4. May reduce the parking requirements:
 - a. 5% reduction for 20,000 square feet or greater
 - b. 10% reduction for between 10,000 square feet and 20,000 square feet
 - c. 15% reduction for under 10,000 square feet
 - d. City Commission may grant greater parking reductions for less than 6,000 square feet

25

CHAPTER 2023-17

Committee Substitute for Senate Bill No. 102

An act relating to housing; providing a short title; amending s. 125.0103, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 125.01055, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, counties in approving certain housing developments; providing for future expiration; amending s. 125.379, F.S.; revising the date by which counties must prepare inventory lists of real property; requiring counties to make the inventory lists publicly available on their websites; authorizing counties to use certain properties for affordable housing through a long-term land lease; revising requirements for counties relating to inventory lists of certain property for affordable housing; providing that counties are encouraged to adopt best practices for surplus land programs; amending s. 166.04151, F.S.; revising applicability for areas of critical state concern; specifying requirements for, and restrictions on, municipalities in approving applications for certain housing developments; providing for future expiration; amending s. 166.043, F.S.; deleting the authority of local governments to adopt or maintain laws, ordinances, rules, or other measures that would have the effect of imposing controls on rents; amending s. 166.0451, F.S.; revising the date by which municipalities must prepare inventory lists of real property; requiring municipalities to make the inventory lists publicly available on their websites; authorizing municipalities to use certain properties for affordable housing through a long-term land lease; revising requirements for municipalities relating to inventory lists of certain property for affordable housing; providing that municipalities are encouraged to adopt best practices for surplus land programs; amending s. 196.1978, F.S.; providing an exemption from ad valorem taxation for land that meets certain criteria; providing applicability; providing for future repeal; defining terms; providing an ad valorem tax exemption for portions of property in a multifamily project if certain conditions are met; providing that vacant units may be eligible for the exemption under certain circumstances; specifying percentages of the exemption for qualified properties; specifying requirements for applying for the exemption with the property appraiser; specifying requirements for requesting certification from the Florida Housing Finance Corporation; specifying requirements for the corporation in reviewing requests, certifying property, and posting deadlines for applications; specifying requirements for property appraisers in reviewing and granting exemptions and for improperly granted exemptions; providing a penalty; providing limitations on eligibility; specifying requirements for a rental market study; authorizing the corporation to adopt rules; providing applicability; providing for future repeal; creating s. 196.1979, F.S.; authorizing local governments to adopt ordinances to provide an ad valorem tax exemption for portions of property

1
CODING: Words ~~stricken~~ are deletions; words underlined are additions.

Live Local Act

SENATE BILL 102

PLANNING & ZONING BOARD
JANUARY 9, 2024

