AN ORDINANCE OF THE MIAMI CITY COMMISSION AMENDING CHAPTER 2/ARTICLE IV/DIVISION 9 OF THE CODE OF THE CITY OF MIAMI, FLORIDA, AS AMENDED, ENTITLED "ADMINISTRATION/DEPARTMENTS/COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT", MORE PARTICULARLY BY CREATING A CITY OF MIAMI ("CITY") RESIDENT PREFERENCE REQUIREMENT FOR ALL DEVELOPMENTS RECEIVING FUNDS OR BENEFITS FROM THE CITY TO DEVELOP AFFORDABLE OR WORKFORCE HOUSING WITHIN THE CITY, AND CREATING A PREFERENCE TO CITY RESIDENTS FOR RENTAL OR SALE OF THE AFFORDABLE AND WORKFORCE HOUSING UNITS; CONTAINING A SEVERABILITY CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

Information

Department: Commissioners and Mayor  Sponsors: Mayor Tomás Regalado, Commissioner, District Three Frank Carollo, Commissioner, District Four Francis Suarez

Category: Elected Official Item

Attachments

Agenda Summary and Legislation
1132-Submittal-Commissioner Carollo-Ordinance 13491 re Affordable Housing

Body/Legislation

WHEREAS, the City of Miami ("City") is a recipient of funds from the United States Department of Housing and Urban Development ("HUD") and the State Housing Initiatives Partnership program ("SHIP") and maintains the City's own Affordable Housing Trust Fund; and

WHEREAS, said funds are largely used to develop properties for affordable and workforce housing; and

WHEREAS, the City has many planning, zoning, and building benefits available to developers to incentivize the development of affordable and workforce housing within the City, including but not limited to parking requirement exemptions, impact fee deferrals, and building permit fee deferrals; and

WHEREAS, the City Commission finds that the need for affordable and workforce housing by local residents residing in proximity to affordable and workforce housing projects is greater than the supply; and

WHEREAS, the City Commission finds that its City residents are no longer capable of affording to live within the same geographical location with the same means as years before; and

WHEREAS, the City Commission finds that long-term residency is vital to an engaged and healthy community; and

WHEREAS, the City Commission finds that City residents are currently facing a housing crisis...
WHEREAS, the City Commission finds that City residents are currently facing a housing crisis with some of the highest rents and sale prices in the nation; and

WHEREAS, the City Commission desires to assist its City residents in gaining greater access to affordable and workforce housing situated near them; and

WHEREAS, the City Commission desires to assist its residents in maintaining long-term residency by providing City residents preferences to all newly developed units assisted with any City funds or benefits for purposes of the development;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF MIAMI, FLORIDA:

Section 1. The recitals and findings contained in the Preamble to this Ordinance are adopted and incorporated as if fully set forth in this Section.

Section 2. Chapter 2/Article IV/Division 9 of the Code of the City of Miami, Florida, as amended, entitled "Administration/Departments/Community and Economic Development Department", is further amended in the following particulars: [1]

"CHAPTER 2
ADMINISTRATION
* * * *

ARTICLE IV. DEPARTMENTS
* * * *

Sec. 2-415. Notice.

Prior to the initial leasing and/or sales period, developers shall deliver written notice to the Directors of the Community and Economic Development Department and the Planning and Zoning Department, respectively, simultaneous to their regular notices of the availability of these affordable units so that City elected and appointed officials can notify residents of the City of the availability of these units. The notice shall include the number of available units, street address, and contact information for the development.

Sec. 2-416. Definitions.

Affordable Housing, solely for purposes of this Article, shall mean owner-occupied and/or rental housing with a purchase cost, value, or monthly rental, as applicable, equal to or less than the amounts established by the applicable standards for those individuals whose income is between 30 percent to 80 percent of area median income as published annually by the United States Department of Housing and Urban Development ("HUD").

City Resident(s), solely for purposes of this Article, shall mean an individual or household which has resided within the City of Miami designated boundaries for the immediate past twelve (12) consecutive months.

Preference, solely for purposes of this Article, shall mean the developer, manager, operator, or owner of units shall make all reasonable efforts to first enroll eligible City Residents prior to leasing or selling to non-City Residents.
Restricted Unit, solely for purposes of this Article, shall mean housing made only available to individuals or household families which meet the income and sale/rent qualifications respective to the applicable Area Median Income as published annually by HUD.

Workforce Housing, solely for purposes of this Article, shall mean owner-occupied and/or rental housing with a purchase cost, value, or monthly rental, as applicable, equal to or less than the amounts established by the applicable standards for those individuals whose income is between 80 percent to 140 percent of area median income as published annually by HUD.

Sec. 2-417. City Resident Preference.

a. Affordable Housing Developments.

Affordable Housing developments receiving any City benefits, including but not limited to financing, density bonuses, impact fee deferrals, parking waivers or reductions, building permit fee deferrals, or any funds provided by the City, regardless of the source of such funds, shall first provide City Residents Preference to all Restricted Units, unless otherwise prohibited by law.

b. Workforce Housing Developments.

Workforce Housing developments receiving any City benefits, including but not limited to financing, density bonuses, impact fee deferrals, parking waivers or reductions, building permit fee deferrals, or any funds provided by the City, regardless of the source of such funds, shall first provide City Residents, or those employed within the City's boundaries, Preference to all Restricted Units, unless otherwise prohibited by law.

Sec. 2-418. City Sole Local Government Lender Preference.

Notwithstanding any of the provisions in this Article, developments in which the City is the sole local government lender to develop Affordable Housing and/or Workforce Housing through financing, regardless of the source of said funds, shall provide City Residents Preference to all Restricted Units of the development.

Secs. 2-416.19 - 2-435. Reserved.

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III

Section 3. If any section, part of a section, paragraph, clause, phrase or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

Section 4. This Ordinance shall become effective thirty (30) days after final reading and adoption thereof.\[2\]

[1] Words and/or figures stricken through shall be deleted. Underscored words and/or figures shall be added. The remaining provisions are now in effect and remain unchanged. Asterisks indicate omitted and unchanged material.

[2] This Ordinance shall become effective as specified herein unless vetoed by the Mayor within ten (10) days from the date it was passed and adopted. If the Mayor vetoes this Ordinance, it shall become effective immediately upon override of the veto by the City Commission or upon the effective date stated herein, whichever is later.

Meeting History

Oct 27, 2016 9:00 AM Video City Planning and Zoning

RESULT: ADOPTED [UNANIMOUS]
MOVER: Francis Suarez, Commissioner, District Four
SECONDER: Frank Carollo, Commissioner, District Three
AYES: Keon Hardemon, Ken Russell, Wilfredo (Willy) Gort, Frank Carollo, Francis Suarez