

RESOLUTION No. 2008-186-873

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING THE INCENTIVE STRATEGIES OUTLINED BY THE AFFORDABLE HOUSING ADVISORY COMMITTEE; ADOPTING THE COMMITTEE'S RECOMMENDATION AS THE CITY'S OFFICIAL POSITION ON AFFORDABLE HOUSING; PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with Section 420.9076, Florida Statutes, the City of Miami Gardens has created an Affordable Housing Advisory Committee (AHAC), and in accordance with Florida Statutes, the Committee is comprised of representatives of various aspects of society, and

WHEREAS, the Committee has met and has made recommendations outlined in Exhibits "A" and "B" attached hereto regarding incentive strategies as well as an official position to be taken by the City Council on affordable housing, and

WHEREAS, the City Council has reviewed those recommendations and agrees with the same and would like to adopt them as its own,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, AS FOLLOWS:

Section 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas paragraphs are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

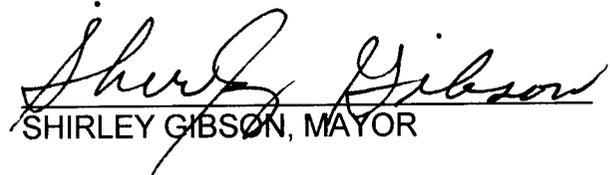
Section 2. AUTHORIZATION: The City Council of the City of Miami Gardens hereby adopts the incentive strategy of the AHAC attached hereto as Exhibit "A." In addition, the City Council would like to adopt the AHAC's recommendation for the City's

official position on affordable housing attached hereto as Exhibit "B," and- would like to make this position the City's official position.

Section 3. DIRECTIONS TO THE CITY MANAGER: The City Manager is hereby directed to take any and all steps necessary in order to implement the incentive strategies as well as the City's official position on affordable housing.

Section 4. EFFECTIVE DATE: This Resolution shall take effect immediately upon its final passage.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON SEPTEMBER 24, 2008.


SHIRLEY GIBSON, MAYOR

ATTEST:


RONETTA TAYLOR, MMC, CITY CLERK

PREPARED BY: SONJA KNIGHTON DICKENS, ESQ.
City Attorney

SPONSORED BY: DANNY CREW, CITY MANAGER

MOVED BY: Vice Mayor Watson
SECOND BY: Mayor Gibson

VOTE: 7-0

Mayor Shirley Gibson	<u> X </u> (Yes)	<u> </u> (No)
Vice Mayor Barbara Watson	<u> X </u> (Yes)	<u> </u> (No)
Councilman Melvin L. Bratton	<u> X </u> (Yes)	<u> </u> (No)
Councilman Aaron Campbell	<u> X </u> (Yes)	<u> </u> (No)
Councilman Oliver Gilbert, III	<u> X </u> (Yes)	<u> </u> (No)
Councilwoman Sharon Pritchett	<u> X </u> (Yes)	<u> </u> (No)
Councilman André Williams	<u> X </u> (Yes)	<u> </u> (No)

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City of Miami Gardens

1515NW 167th Street
Miami Gardens, Florida 33169



Mayor Shirley Gibson
Vice Mayor Barbara Watson
Councilman Melvin L. Bratton
Councilman Aaron Campbell Jr.
Councilwoman Sharon Pritchett
Councilman André Williams
Councilman Oliver Gilbert III

Agenda Cover Page

Meeting Date: **September 24, 2008**

Fiscal Impact: No **X** Yes

(If yes, explain in Staff Summary)

Funding Source: N/A 1st Reading

Contract/P.O. Requirement: Yes No

Sponsor Name/Department: **Danny Crew, City Manager**

Public hearing

Ordinance

2nd Reading

Advertising requirement:

Quasi-Judicial

Resolution **X**

Yes **X** No

RFP/RFQ/Bid # N/A

Title

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, ADOPTING THE INCENTIVE STRATEGIES OUTLINED BY THE AFFORDABLE HOUSING ADVISORY COMMITTEE; ADOPTING THE COMMITTEE'S RECOMMENDATION AS THE CITY'S OFFICIAL POSITION ON AFFORDABLE HOUSING; PROVIDING FOR DIRECTIONS TO THE CITY MANAGER; PROVIDING FOR THE ADOPTION OF REPRESENTATIONS; PROVIDING AN EFFECTIVE DATE.

Staff Summary

Background

As an entitlement City, Miami Gardens became eligible to receive State Housing Initiatives Partnership (SHIP) Funds from the Florida Housing Finance Corporation. A requirement of receiving these funds was that the City creates an Affordable Housing Advisory Committee (AHAC). The creation of this committee is required by the SHIP Act, in accordance with Rule 67-37.010 of the Florida Statute (420.9076). On April 11, 2007, the City Council approved the Ordinance that created the Affordable Housing Advisory Committee.

The AHAC is composed of nine (9) members appointed by the City Council. The current** representation of the committee is as follows:

a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing.

- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) One citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) One citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) One citizen who actively serves on the local planning agency pursuant to s. 163.3174.
- (i) One citizen who resides within the jurisdiction of the local governing body.

The Committee's specific duties include reviewing the established policies and procedures, ordinances, land development regulations, and the City's adopted Comprehensive Plan, and shall recommend specific initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value.

The Department of Community Development is responsible for providing staff oversight for the functions of the AHAC.

Committee Report

City Council will recall that a committee report was provided at the May 28, 2008 Council meeting. At that meeting, the AHAC vice-chair provided an overview of the first 4 meetings that this committee conducted. Since then, the committee met once more on July 15, 2008. At that meeting, the AHAC finalized their review of proposed incentive strategies.

Attached are the **recommended incentive strategies** for Council's review and subsequent approval. It should be noted that City's receipt of State Housing Initiative Partnership (SHIP) Program Funds requires the City to adopt incentive strategies to encourage or preserve affordable housing. You will note that the recommended incentive strategies target "workforce housing" rather than affordable housing.

Also attached is the AHAC's **recommendation for the City's official position on affordable housing**. It is this committees' understanding that City Council has requested a comprehensive report on the number of subsidized/affordable housing units within the city limits, as compared to other municipalities in Miami Dade County. We believe that this recommended position statement takes into consideration the

perceived disparity county-wide, while seeking to employ a positive tone relative to the City's position on this subject matter. Coincidentally, it should be understood that the incentive strategies being recommended are in alignment with the type of housing unit that the City should seek to promote.

In addition to the above mentioned recommendations, the AHAC is of the opinion that an alternative funding source should be identified by the City that can serve to bridge the affordability gap for the City's Workforce (Police Officers, Teachers, Nurses, Government Employees, etc.). The City's Community Development Department currently administers federal and state housing programs. However, the income limits for these programs are typically too restrictive for a significant portion of the City's Workforce. The Miami Dade SURTAX program is administered by the County's Office of Community and Economic Development. The ordinance that created the SURTAX will sunset in 2009. In the process of renewing this ordinance, it might behoove the City to request that a portion of said funds (the portion generated by transactions within the city limits) be allocated to the City for its administration of a Workforce Housing Program.

Staff Recommendation

City staff has been thoroughly involved with this committee and supports their proposed recommendations. Staff also requests that Council consider the City's need to identify alternative funding sources that will make workforce housing attainable.

Section III.

INCENTIVE STRATEGIES

III. LHAP INCENTIVE STRATEGIES *Section 420.9071(16), F.S.*

1. **Expedited Permitting Process (New Construction)**
The processing of approvals for Development Orders or Permits as defined in s. 163.3164(7) and (8) for Workforce housing projects are expedited to a greater degree than other projects.

Established Policy :

The City of Miami Gardens has implemented a process that will eliminate any delay in the review of Workforce housing development projects permit applications. These applications will be prioritized from other type of project applications in order to ensure expediting the projects. Workforce housing projects will also be subject to a review (and approval) by an independent review committee comprised of industry experts.

2. **Development Impact Fee Waiver / Exemption (New Construction)**
The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for Workforce housing.

Established Policy:

New Housing projects will receive a waiver or reduction of City impact fees when developing Workforce housing units. For the developer to secure the waiver or reduction of the impact fees, the Department of Community Development must be able to certify that the proposed housing project/unit(s) meet the criteria to qualify as Workforce housing units. Currently, that criteria requires that the units be constructed for homeownership and the income limits of the buyer be capped at 200% of Area Median Income (AMI). Such waivers or reductions must be approved by the City Council.

3. **Density Bonus**
The allowance of increase density levels for Workforce housing.

Established Policy:

Workforce housing residential and planned development projects may receive a density bonus based on an analysis of affordability, site characteristics and proposed project specifics. This analysis will be

conducted in coordination with the Department of Community Development and the Department of Planning and Zoning.

4. **Infrastructure & Utilities**

The City's formal support of Workforce Housing Projects to ensure timely provision of needed utilities.

Established Policy:

The City of Miami Gardens will provide a letter of support to developers who are constructing Workforce Housing Units. Developers may utilize this letter in hopes to "fast track" the provision of necessary utilities & infrastructure on these projects

5. **Reduction of Parking and Setback Requirements**

The reduction of parking and setback requirements for Workforce housing.

Established Policy:

Workforce housing projects are afforded an opportunity to receive a reduction in parking and setback requirements by the City of Miami Gardens. Requests for reduction of parking and setback requirements in relation to the development of Workforce housing must be developed following the standards established in the Land Development Regulations. This reduction would be applicable to single family, as well as multi-family homeownership development projects.

6. **Zero-Lot-Line and Street Requirement Allowance**

The allowance of zero-lot-line configurations for Workforce housing.

Established Policy:

The City of Miami Gardens has in its Land Development Regulations a plan for zero-lot-line development and allowances toward street requirements for affordable housing projects. The proposed project applications are reviewed by the Department of Planning and Zoning. The Department of Community Development will be responsible for certifying the extent to which the project is Workforce.

7. **Ongoing Review Process**

The establishment of a process by which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan

provisions that increase the cost of Workforce housing.

Established Policy:

The City of Miami Gardens has adopted policies which state that any regulation being proposed that could potentially increase the estimated housing cost per unit, will be reviewed by the Department of Planning and Zoning and the Department of Code Enforcement. These groups will consider the effect of the proposed activity and its effects on the cost of Workforce housing prior to their recommendation to the City Council. City Council will consider the financial impact before making its decision on adopting the proposed regulation.

8. Affordable Housing Advisory Committee

The City of Miami Gardens has established an Affordable Housing Advisory Committee to review its housing policies and procedures, ordinances, land development regulations, and adopted local government comprehensive plan of the appointing local government. They will be asked to recommend specific initiatives to encourage or facilitate Workforce housing while protecting the ability of the property to appreciate in value. The composition of this committee will be in accordance with the F.S. 420.9072 and appointed by the City's Council Members, the committee members and their terms will be adopted by way of Resolution.

If the City is unable to appoint a citizen actively engaged in these activities in connection with Workforce housing either because of the presence of a conflict of interest by prospective appointees, or any other reasonable factor, the City will appoint a citizen engaged in the activity without regard to Workforce housing, as allowed by statute.