

AFFORDABLE HOUSING LAND USE FEE WAIVERS

ORDINANCE NO. _____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING CHAPTER 118, "ADMINISTRATION AND REVIEW PROCEDURES," ARTICLE I, "IN GENERAL," AT SECTION 118-7, "FEES FOR THE ADMINISTRATION OF LAND DEVELOPMENT REGULATIONS," TO WAIVE LAND DEVELOPMENT APPLICATION FEES FOR TO WAIVE CONCURRENCY AND MOBILITY FEES FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; AND CHAPTER 122, "CONCURRENCY MANAGEMENT AND MOBILITY FEES," ARTICLE I, "PURPOSE AND GENERAL PROVISIONS," AT SECTION 122-5, "EXEMPTIONS FROM CONCURRENCY MITIGATION AND MOBILITY FEES," AND ARTICLE III, "MOBILITY FEES," AT SECTION 122-24, "CALCULATION OF MOBILITY FEE," TO WAIVE CONCURRENCY AND MOBILITY FEES FOR NON-ELDERLY AND ELDERLY LOW AND MODERATE INCOME HOUSING; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, ; and

WHEREAS, ; and

WHEREAS, ; and

WHEREAS, the amendments set forth below are necessary to accomplish all of the above objectives.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 118, "Administration and Review Procedures," Article I, "In General," is hereby amended as follows:

Sec. 118-7. - Fees for the administration of land development regulations.

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- (e) *Design review.* Any applicant requesting a public hearing on any application for design review board approval, pursuant to sections 118-253 and 118-254, shall pay, upon submission, all applicable fees in subsection (1) through (1~~2~~4) below:

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(12) Application for public hearing and Application for design review approval fee per square foot of floor area shall be waived for non-elderly and elderly low and moderate income housing.

* * *

- (g) *Variances*. Any applicant requesting a public hearing on any application pursuant to section 118 353 shall pay, upon submission, the applicable fees in subsection (1) through (124) below:

* * *

(12) Application for public hearing and fee per variance requested shall be waived for non-elderly and elderly low and moderate income housing.

- (h) *Certificate of appropriateness*. Any applicant requesting a public hearing on any application pursuant to sections 118-562 through 118-564, shall pay, upon submission, the applicable fees in subsection (1) through (132), below:

* * *

(13) Application for public hearing and application for certificate of appropriateness fee per square foot of floor area shall be waived for non-elderly and elderly low and moderate income housing.

SECTION 2. Chapter 122, "Concurrency Management and Mobility Fees," Article I, "Purpose and General Provisions," is hereby amended as follows:

Sec. 122-5. - Exemptions from concurrency mitigation and mobility fees.

The following types of development are not required to undergo concurrency review or pay a mobility fee pursuant to this chapter:

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- (e) Non-elderly and elderly low and moderate income housing.

SECTION 3. Chapter 122, "Concurrency Management and Mobility Fees," Article III, "Mobility Fees," is hereby amended as follows:

Sec. 122-24. - Calculation of mobility fee.

- (c) The adopted mobility fee for each land use category are set forth in "Schedule A," below:

Schedule A - Mobility Fee

Mobility Fee Schedule Category/Land Use Type	Unit of Measure	Mobility Fee
Residential		
* * *		
Affordable housing	Per unit	\$ 3790 .00

SECTION 4. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith are hereby repealed.

SECTION 5. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained, that the provisions of this Ordinance shall become and be made part of the Code of the City of Miami Beach, as amended; that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 6. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED and **ADOPTED** this ____ day of _____, 2021.

Dan Gelber, Mayor

ATTEST:

APPROVED AS TO FORM AND LANGUAGE
AND FOR EXECUTION

Rafael E. Granado, City Clerk

City Attorney

Date

First Reading: March __, 2021

Second Reading: April __, 2021

Verified By: _____

Thomas R. Mooney, AICP
Planning Director