

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA (“CITY”), ADOPTING AND TRANSMITTING TO THE MIAMI-DADE COUNTY BOARD OF COUNTY COMMISSIONERS, PURSUANT TO MIAMI-DADE COUNTY ORDINANCE NO. 16-138, THE CITY’S LEGISLATIVE FINDINGS REGARDING THE PRACTICALITY OF PROVIDING WORKFORCE HOUSING WITHIN THE CITY’S TERRITORIAL JURISDICTION, AND TRANSMITTING TO THE COUNTY THE CITY’S INTENT TO DEVELOP ITS OWN VOLUNTARY WORKFORCE HOUSING DEVELOPMENT PROGRAM RELIANT ON THE CITY’S LEGISLATIVE FINDINGS.

WHEREAS, on December 20, 2016, the Miami-Dade County (“County”) Board of County Commissioners (“Board”) adopted Ordinance No. 16-138, which amended the regulations for the County’s voluntary Workforce Housing Development Program, and imposes certain requirements on municipalities with regard to workforce housing; and

WHEREAS, County Ordinance No. 16-138 requires that “each municipality, and the County in the unincorporated areas, shall, at a minimum, in the exercise of their respective zoning authority, address the need for workforce housing, if any, within their respective territorial jurisdictions; in addition, each municipality may, in accordance with Section 6.02 of the [County] Charter, provide for higher standards to preserve its individual character and standards”; and

WHEREAS, pursuant to County Code Section 33-193.7(A)(2), a non-exempt municipality (such as Miami Beach) may comply with the County Ordinance by adopting

- a. a Resolution making legislative findings demonstrating that the need for workforce housing within its territorial jurisdiction is being adequately addressed, or that workforce housing would be impractical to provide due to issues such as, but not limited to, the lack of availability of or the high value of vacant land or redevelopment sites;
- b. its own voluntary or mandatory workforce housing development program reliant on its own legislative findings; or
- c. an Ordinance that adopts the standards set forth in the County’s Workforce Housing Development Program regulations; and

WHEREAS, the City has until June 30, 2017, to adopt a Resolution making findings as to the need for or practicality of providing workforce housing within its territorial jurisdiction, and indicating whether or not it intends to adopt a voluntary or mandatory workforce housing program, or already has such a program; and

WHEREAS, the City has until December 31, 2017 to adopt any Ordinance or Resolution necessary to address its need for workforce housing; and

WHEREAS, the City hereby adopts the following legislative findings regarding the practicality of providing workforce housing within the City’s territorial jurisdiction:

1. The City, which is only seven miles long and, at its widest, one mile wide, is largely built-out, and little undeveloped land is available.
2. Section 1.03(c) of the City Charter, which requires the approval of the City's voters prior to any increase in floor area ratio, constrains the City's authority to grant incentives to developments that propose workforce housing.
3. Though little undeveloped land is available, the land value of any available vacant land or potential redevelopment sites is too high to be developed for workforce housing because of the scarcity of land and high demand for land in the private real estate market.
4. These circumstances present practical challenges to the development of workforce housing in the City.

WHEREAS, notwithstanding the legislative findings above, the City intends to adopt, and is in the process of developing, a voluntary workforce housing program; and

WHEREAS, as part of the City's proposed workforce housing program, the City is exploring the creation of the following incentives to spur the development of workforce and affordable housing, including (i) reductions in the minimum and average unit size, (ii) reductions in parking requirements for workforce and affordable housing projects, (iii) the mandatory inclusion of workforce and/or affordable housing for buildings larger than 50,000 square feet, and/or (iv) a fee-in-lieu of providing workforce and/or affordable housing; and

WHEREAS, draft legislation creating workforce and affordable housing development incentives is currently before the City's Planning Board; and

WHEREAS, in addition to drafting legislation to implement a voluntary workforce housing development program, the City is undertaking certain projects to increase the availability of workforce housing through the development of City-owned properties including, for example, the Barclay Apartments; and

WHEREAS, these City-led workforce housing projects are insufficient to meet the community demand; and

WHEREAS, on March 1, 2017, the Mayor and City Commission adopted Resolution No. 2017-29758, accepting the recommendations of the Land Use and Development Committee to incentivize the private development of workforce housing in the City, and directed the City Administration to take the following measures:

1. Define workforce housing beneficiaries as those households earning up to 140% of Area Median Income (AMI);
2. Assess the potential housing demand from the City's workforce, and ensure that appropriate units are developed;
3. Expedite review and permitting for construction and rehabilitation projects providing workforce housing;

4. Develop a policy to refund application and review fees, and to defer or restructure impact fees for projects providing workforce housing, subject to the approval of the City Commission on a case-by-case basis;
5. Encourage micro-housing and mixed-tenant projects on a case-by-case basis;
6. Utilize City-owned properties to develop workforce housing (e.g., Barclay Apartments and Collins Park artist workforce housing projects);
7. Establish a long-term deed restriction program to preserve affordability on City-assisted developments;
8. Encourage mixed income/mixed use development through positive marketing efforts that accentuate its benefits to the community;
9. Research the possibility of short-term tax abatements for eligible new projects; and
10. Promote these incentives to developers; and

WHEREAS, the Mayor and City Commission hereby direct the City Clerk to transmit this Resolution to Miami-Dade County.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND THE CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby adopt and transmit to the Miami-Dade County Board of County Commissioners, pursuant to Miami-Dade County Ordinance No. 16-138, the City's legislative findings regarding the practicality of providing workforce housing within the City's territorial jurisdiction, and transmit to the County the City's intent to develop its own voluntary workforce housing development program reliant on the City's legislative findings.

PASSED AND ADOPTED this ____ day of _____, 2017.

ATTEST:

Philip Levine
Mayor

Rafael E. Granado
City Clerk

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael E. Granado 5/31/17
City Attorney Date

NK