



Miami-Dade County Board of County Commissioners

Office of the Commission Auditor

Unincorporated Municipal Service Area
Committee Meeting

July 12, 2016

2:00 P.M.

Commission Chamber

Research Division

Office of the Commission Auditor

111 NW First Street, Suite 1030

Miami, Florida 33128

305-375-4354

Unincorporated Municipal Service Area Committee
July 12, 2016 Meeting
Research Notes

Item No.	Research Notes													
1G1 161269	ORDINANCE RELATING TO ZONING; AMENDING REGULATIONS GOVERNING NONCONFORMING USES, STRUCTURES, AND LOTS FOR THE NORTH CENTRAL URBAN AREA DISTRICT AND THE STANDARD URBAN CENTER DISTRICT REGULATIONS; AMENDING SECTIONS 33-284.99.54 AND 33-284.89.2 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE													
Notes	<p>The proposed ordinance amends Sections 33-284.99.54 and 33-284.89.2 of the Miami-Dade County Code amending the nonconforming section of the North Central urban Area District in order to cross-reference the nonconforming section of the Standard Urban Center District regulations.</p> <p>In addition, the proposed ordinance amends the non-conforming section of the Standard Urban Districts Regulations in the Code to allow legally existing single-family, duplexes and mobile home parks to remain without having to conform to the Standard urban Center Regulations under certain conditions.</p> <p><u>Fiscal Impact Statement:</u> There is no anticipated fiscal impact to the County with the implementation of the proposed ordinance as additional staffing resources are not required.</p> <p><u>Social Equity Statement:</u> There is no specific social equity benefit or burden anticipated with the enactment of the proposed ordinance. The proposed ordinance creates consistency and standardizes existing nonconforming regulations across all urban centers. Additionally, owners of single-family homes, duplexes and mobile home parks within the urban centers may now repair their properties as they were legally established (under the respective zoning categories) even if not in use for an undetermined period of time or after significant damage without having to conform to current regulations.</p> <table border="1" style="width: 100%; margin-top: 10px;"> <thead> <tr> <th colspan="3" style="background-color: #d9ead3;">Code Comparison Chart</th> </tr> <tr> <th colspan="3" style="background-color: #d9ead3;">Sections 33-284.99.54 and 33-284.89.2</th> </tr> <tr> <th style="background-color: #d9ead3;">Section</th> <th style="background-color: #d9ead3;">Current</th> <th style="background-color: #d9ead3;">Proposed</th> </tr> </thead> <tbody> <tr> <td style="vertical-align: top;">Sec. 33-284.99.54. - <i>Non-conforming Structures, Uses, and Occupancies.</i></td> <td style="vertical-align: top;">Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the NCUAD that either (1) was existing as of the date of the district boundary change on the property to NCUAD or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the NCUAD that is discontinued for a period of at least six months, or is superseded by a lawful structure, use, or occupancy permitted under this chapter, or that incurs damage to an extent of 50 percent or more of its market value, shall be subject to Section 33-35(c) of this code. It is further provided, however, that no lawfully existing single-family home use or mobile home park use shall be subject to Section 33-35(c) of this code, even if it is discontinued for a period of six months or</td> <td style="vertical-align: top;">Non-conforming structures, uses, and occupancies shall be governed by the provisions of Section 33-284.89.2 of this chapter.</td> </tr> </tbody> </table>		Code Comparison Chart			Sections 33-284.99.54 and 33-284.89.2			Section	Current	Proposed	Sec. 33-284.99.54. - <i>Non-conforming Structures, Uses, and Occupancies.</i>	Nothing contained in this article shall be deemed or construed to prohibit a continuation of a legal nonconforming structure, use, or occupancy in the NCUAD that either (1) was existing as of the date of the district boundary change on the property to NCUAD or (2) on or before said date, had received final site plan approval through a public hearing pursuant to this chapter or through administrative site plan review or had a valid building permit. However, any structure, use, or occupancy in the NCUAD that is discontinued for a period of at least six months, or is superseded by a lawful structure, use, or occupancy permitted under this chapter, or that incurs damage to an extent of 50 percent or more of its market value, shall be subject to Section 33-35(c) of this code. It is further provided, however, that no lawfully existing single-family home use or mobile home park use shall be subject to Section 33-35(c) of this code, even if it is discontinued for a period of six months or	Non-conforming structures, uses, and occupancies shall be governed by the provisions of Section 33-284.89.2 of this chapter.
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	<p>Sec. 33-284.89.2. - <i>Nonconforming Lots, Uses and Structures.</i></p>	<p>more or incurs damage to the roof or structure to an extent of 50 percent or more of its market value.</p> <p>B. Nonconforming Lots, Uses and Structures.</p> <p>2. Nonconforming Uses.</p> <p>a. A legally established nonconforming use may continue. Expansions to a structure containing a nonconforming use shall require Administrative Site Plan Review [see Subsection (C)] below.</p> <p>b. If a nonconforming use is discontinued for a period of more than one year, the use may not be reestablished. A use shall be considered discontinued once the activities or commerce, essential to the continuation of the use are abandoned. Discontinuance due to acts of force majeure shall not constitute abandonment, provided that a good faith effort is made to reestablish the use.</p> <p>c. Expansions of nonconforming single-family and two-family residences shall be permitted and shall not require Administrative Site Plan approval, provided that the project complies with the Building Placement Standards for single-family detached or duplex lots set forth in Section 33-284.85 of this article.</p> <p>3. Nonconforming Structures.</p> <p>a. To prevent changes in regulation from unduly burdening property owners, legally established, nonconforming structures may continue to be used and maintained. Expansions, repairs, alterations, and improvements to nonconforming structures shall be permitted only in accordance with the following provisions:</p> <p>i. Internal and external repairs, alterations, and improvements that do not increase the square footage of the nonconforming structure shall be permitted and shall not be subject to the requirements of this article.</p>	<p>B. Nonconforming Lots, Uses and Structures.</p> <p>2. Nonconforming Uses.</p> <p>a. A legally established nonconforming use may continue. Expansions to a structure containing a nonconforming use shall require Administrative Site Plan Review [see Subsection (C)] below.</p> <p>b. If a nonconforming use is discontinued for a period of more than one year, the use may not be reestablished. A use shall be considered discontinued once the activities or commerce, essential to the continuation of the use are abandoned. Discontinuance due to acts of force majeure shall not constitute abandonment, provided that a good faith effort is made to reestablish the use.</p> <p>c. Expansions of nonconforming single-family and two-family residences shall be permitted and shall not require Administrative Site Plan approval, provided that the project complies with the Building Placement Standards for single-family detached or duplex lots set forth in Section 33-284.85 of this article.</p> <p>3. Nonconforming Structures.</p> <p>a. To prevent changes in regulation from unduly burdening property owners, legally established, nonconforming structures may continue to be used and maintained. Expansions, repairs, alterations, and improvements to nonconforming structures shall be permitted only in accordance with the following provisions:</p> <p>i. Internal and external repairs, alterations, and improvements that do not increase the square footage of the nonconforming structure shall be permitted and shall not be subject to the requirements of this article.</p> <p>ii. Expansions to a nonconforming structure shall be permitted as follows:</p> <p>(a) If the total square footage of the proposed improvement is less than fifty (50) percent of</p>

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	<p>ii. Expansions to a nonconforming structure shall be permitted as follows:</p> <p>(a) If the total square footage of the proposed improvement is less than fifty (50) percent of the structure's net square footage at the time it became nonconforming, the improvement shall require Administrative Site Plan Review [see Subsection (C) below].</p> <p>(b) If the total square footage of the proposed improvement is equal to or exceeds fifty (50) percent of the structure's net square footage at the time it became nonconforming, the entire structure and site improvements shall be brought into compliance with current regulations.</p> <p>(c) Once the cumulative total of additional square footage of improvements equals to fifty (50) percent of the structure's net square footage at the time it became nonconforming, no additional expansions shall be permitted and the entire structure and site improvements shall be brought into compliance with current regulations.</p> <p>(d) For the purposes of this article, net square footage shall refer to the square footage indicated on the building permit or determined through equivalent evidence.</p> <p>b. If a nonconforming structure is damaged by fire, flood, explosion, wind, war, riot or any other act of force majeure, repairs shall be subject to the following provisions:</p> <p>i. If the repair/replacement cost is less than fifty (50) percent of the value of the structure based upon the average of two (2) independent appraisals, the structure may be reconstructed up to the same building height and within the same building footprint existing prior to the damage, provided that an application for final building permit has been submitted within twelve (12) months of the date of such damage unless extended by the Board of County Commissioners.</p>	<p>the structure's net square footage at the time it became nonconforming, the improvement shall require Administrative Site Plan Review [see Subsection (C) below].</p> <p>(b) If the total square footage of the proposed improvement is equal to or exceeds fifty (50) percent of the structure's net square footage at the time it became nonconforming, the entire structure and site improvements shall be brought into compliance with current regulations.</p> <p>(c) Once the cumulative total of additional square footage of improvements equals to fifty (50) percent of the structure's net square footage at the time it became nonconforming, no additional expansions shall be permitted and the entire structure and site improvements shall be brought into compliance with current regulations.</p> <p>(d) For the purposes of this article, net square footage shall refer to the square footage indicated on the building permit or determined through equivalent evidence.</p> <p>b. If a nonconforming structure is damaged by fire, flood, explosion, wind, war, riot or any other act of force majeure, repairs shall be subject to the following provisions:</p> <p>i. If the repair/replacement cost is less than fifty (50) percent of the value of the structure based upon the average of two (2) independent appraisals, the structure may be reconstructed up to the same building height and within the same building footprint existing prior to the damage, provided that an application for final building permit has been submitted within twelve (12) months of the date of such damage unless extended by the Board of County Commissioners.</p> <p>ii. If the repair/replacement cost is equal to or exceeds fifty (50) percent of the building's value based upon the average of two (2) independent appraisals, the building and site improvements shall be brought into compliance with current regulations.</p>

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	<p>ii. If the repair/replacement cost is equal to or exceeds fifty (50) percent of the building's value based upon the average of two (2) independent appraisals, the building and site improvements shall be brought into compliance with current regulations.</p> <p>iii. Routine internal and external maintenance, repairs and material replacement such as re-roofing, painting, window or door replacement, mechanical equipment repair and replacement, plumbing and electrical maintenance, and similar repair, maintenance and replacements shall be permitted and shall not be subject to the requirements of this Article.</p> <p>c. If a nonconforming building is deemed to be unsafe pursuant to Chapter 8 of this Code, and demolition is required, the building shall be rebuilt in accordance with current regulations.</p> <p>d. In addition to the requirements of this section, all repairs, improvements and expansions to a nonconforming building shall comply with the Florida Building Code.</p>	<p>iii. Routine internal and external maintenance, repairs and material replacement such as re-roofing, painting, window or door replacement, mechanical equipment repair and replacement, plumbing and electrical maintenance, and similar repair, maintenance and replacements shall be permitted and shall not be subject to the requirements of this Article.</p> <p>c. If a nonconforming building is deemed to be unsafe pursuant to Chapter 8 of this Code, and demolition is required, the building shall be rebuilt in accordance with current regulations.</p> <p>d. In addition to the requirements of this section, all repairs, improvements and expansions to a nonconforming building shall comply with the Florida Building Code.</p> <p>4. Notwithstanding any other provision to the contrary, a lawfully existing single-family or two-family home use or mobile home park use may be repaired without being brought into compliance with current regulations, even if it is discontinued for a period of six months or more or incurs damage to the roof or structure to an extent of 50 percent or more of its market value.</p>
<p>1G2 161357</p>	<p>ORDINANCE RELATING TO ZONING; MODIFYING PROCESS FOR APPLICATIONS TO AMEND MAPS, ALSO REFERRED TO AS REGULATING PLANS, GOVERNING ALL URBAN CENTER AND URBAN AREA DISTRICT REGULATIONS IN THE UNINCORPORATED AREA; PROVIDING THAT SUCH MAPS OR PLANS, AND ASSOCIATED LEGAL DESCRIPTIONS, SHALL BE MAINTAINED ON FILE WITH THE DEPARTMENT OF REGULATORY AND ECONOMIC RESOURCES; AUTHORIZING SUCH MAPS OR PLANS TO BE AMENDED BY RESOLUTION, RATHER THAN BY ORDINANCE; AMENDING DEFINITIONS; DELETING FROM THE CODE THE MAPS OR PLANS AND CERTAIN LEGAL DESCRIPTIONS FOR THE DOWNTOWN KENDALL URBAN CENTER DISTRICT, NARANJA COMMUNITY URBAN CENTER DISTRICT, GOULDS COMMUNITY URBAN CENTER DISTRICT, PRINCETON COMMUNITY CENTER URBAN DISTRICT, PERRINE COMMUNITY URBAN CENTER DISTRICT, OJUS URBAN AREA DISTRICT, CUTLER RIDGE METROPOLITAN URBAN CENTER DISTRICT, LEISURE CITY COMMUNITY URBAN CENTER DISTRICT, MODEL CITY URBAN CENTER DISTRICT, NORTH CENTRAL URBAN AREA DISTRICT, PALMER LAKE METROPOLITAN URBAN CENTER DISTRICT, BIRD ROAD CORRIDOR URBAN AREA DISTRICT, AND COUNTRY CLUB URBAN AREA DISTRICT; AMENDING ARTICLE I, ARTICLES XXXIII(I) THROUGH XXXIII(V), AND ARTICLE XXXVI OF CHAPTER 33 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE AND AN EFFECTIVE DATE [SEE ORIGINAL ITEM UNDER FILE NO. 161270]</p>	
<p>Notes</p>	<p>The proposed ordinance:</p> <ul style="list-style-type: none"> • Modifies the process for applications to amends maps, or regulating plans, governing all Urban Center and Urban Area Districts in the unincorporated area; • Provides that such maps or plans, and associated legal descriptions, be maintained on file with the Department of Regulatory and Economic Resources; • Authorizes such maps or plans to be amended by resolution, rather than by ordinance; and 	

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	<ul style="list-style-type: none"> Deletes from the Code the maps or plans and certain legal descriptions for the Downtown Kendall Urban Center District, Naranja Community Urban Center District, Goulds Community Urban Center district, Princeton Community Center Urban District, Perrine Community Urban Center District; Ojous Urban Area District, Cutler Ridge Metropolitan Urban Center District, Leisure City Community Urban Center District, Model City Urban Center District, North Central Urban Area District, Palmer Lake Metropolitan Urban Center District, Bird Road Corridor Urban Are District and County Club Urban Area District. <p><u>Fiscal Impact Statement:</u> There is no fiscal impact to the County with the implementation of this proposed ordinance as additional staffing resources are not required.</p> <p><u>Social Equity Statement:</u> There is no specific social equity benefit or burden that can be determined at this time. However, applicants seeking changes to a set of Regulating Plans will benefit from the time savings associated with going before the BCC with a resolution as opposed to an ordinance.</p> <p><u>Background:</u> The County’s Zoning Code (Chapter 33 of the County Code), provides for unique zoning districts, the “urban center districts,” that are intended to be moderate- to high-intensity design-unified areas that contain a concentration of different urban functions integrated both horizontally and vertically.</p> <p>Establishment of an urban center district is a two-step process: first, the BCC adopts an ordinance, through its standard legislative process, that sets forth the boundaries of the urban center, the land use plan designating the uses permitted on each property, and other regulating plans and regulations applicable to that urban center district; and second, the BCC holds a quasi-judicial zoning hearing on a district boundary change, to rezone each of the underlying properties to the urban center district. Once the district boundary change is completed, each individual property within the urban center bears a zoning designation of “urban center district,” but the specific land use category that defines the permitted uses and other development parameters applicable to a particular property are set forth only in the regulating plan maps in the Zoning Code. Changing the land use category or other regulating plan applicable to a particular property within the urban center is currently similar to the two-step process used to establish the district, in that: (1) such an amendment requires a change to the regulating plans set forth in the urban center ordinance itself, which is a legislative act; but (2) it also requires a quasi-judicial hearing because it involves the zoning of a specific property.</p> <p>Through Ordinance No. 13-119, the BCC created a hybrid process to allow a regulating plan applicable to a particular property to be rezoned in a quasi-judicial hearing on an ordinance amending Chapter 33.</p> <p><u>Additional Information on Relevant Legislation:</u> On July 7, 2005, the BCC adopted Ordinance 05-143 establishing Article XXXIII(K) of the Zoning Code, the County’s Standard Urban Center District Regulations. The Standard Urban Center District provides the regulatory framework that guides the development within the Comprehensive Development Master Plan (CDMP) designated urban centers and mixed-use corridors and that also constitutes the modern, form-based portion of the County’s Zoning Code. The adoption of Standard Urban Center District Regulations has been followed by the BCC’s establishment of the area-specific urban center districts which include those addressing the areas of Cutler Ridge, Goulds, Leisure City, Model City, Naranja, North Central, Ojus, Perrine, and Princeton.</p>
<p>1G3 160214</p>	<p>RESOLUTION RELATING TO ANNEXATION REQUEST OF THE CITY OF FLORIDA CITY; PROVIDING THAT ACTION BE TAKEN PURSUANT TO SECTION 20-7(B) OF THE CODE OF MIAMI-DADE COUNTY TO EITHER DIRECT THE COUNTY ATTORNEY TO PREPARE THE APPROPRIATE ORDINANCE, BALLOT LANGUAGE AND INTERLOCAL AGREEMENT TO EFFECTUATE THE ANNEXATION REQUEST, DENY THE ANNEXATION REQUEST OR TO DEFER THE ANNEXATION REQUEST</p>

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Notes	<p>The proposed resolution provides for the following, pursuant to Chapter 20-7 (B) of the Miami-Dade County Code (Code), and following the required public hearing:</p> <ul style="list-style-type: none">• Denies the requested boundary change as presented by the City of Florida City (City);• Approves the boundary change and direct the County Attorney to prepare an appropriate ordinance and any additional agreements accomplishing the proposed boundary change; or• Defers such requested boundary change for further consideration at a subsequent meeting. <p>The proposed annexation area is approximately 775 acres or 1.21 square miles and is generally bounded on the north by SW 352 Street, on the south by SW 382 Street, on the east by SW 180 Avenue and on the west by SW 192 Avenue. The annexation consists of an area of which the majority lies outside the Urban Development Boundary.</p> <p><u>Fiscal Impact/Funding Source:</u></p> <p>The Preliminary 2015 Roll taxable value of the annexation area is \$6,256,316. The area generates an estimated \$109,831 in revenue. The County spends an estimated \$434,350 per year providing services to the area. Therefore, the net revenue gain to the Unincorporated Municipal Service Area (UMSA) budget is an estimated \$324,519.</p> <p>At the FY 2015-16 City millage rate of 7.1858 mills, the ad valorem revenue attributable to the area is \$42,709. At the FY 2015-16 UMSA millage rate of 1.9283 mills, the ad valorem revenue attributable to the area is \$11,461. The expected tax increase for annexation area is \$31,248. Based on the City’s millage rate of 7.1858 mills, the average property owner would pay an additional \$135 in property taxes should the annexation be approved, which is calculated by dividing the total tax increase by the number of properties.</p> <p>Pursuant to Section 20-8.1 and 20-8.2 of the Code, the County retains all franchise fees and utility tax revenues of the area upon annexation. For the proposed annexation, franchise fees of an estimated \$9,973 and utility taxes of an estimated \$34,809 will be retained by the County.</p> <p><u>Background:</u></p> <p>On September 6, 2011, the City submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the BCC at the September 20, 2011 meeting and was forwarded to the Office of Management and Budget (OMB) for review and further processing, as required by the Code. The Planning Advisory Board (PAB) held a public hearing on February 22, 2012, where the City presented the application and amended the boundaries at the meeting. The PAB recommended approval of the application. After the amended boundaries were studied by staff, the annexation included areas that were not contiguous. Staff requested that the City amend the application to have contiguous boundaries. As a result, the City amended the boundaries to comply, through City Resolution No. 12-61, and the application with the amended boundaries was reviewed by the PAB, which recommended approval of the annexation.</p> <p>The amended boundaries resulted in the annexation area having more than 250 resident electors, therefore, the City was required to obtain petitions from 20 percent of the 326 resident electors indicating consent of the resident electors to the annexation. On March 19, 2015 the Elections Department certified 74 petitions for the area satisfying the 20 percent petition requirement. Should the BCC approve the annexation a vote of the resident electors in the annexation area will be required.</p> <p><u>Charter Considerations</u></p> <p>On November 6, 2012, Section 6.04 B of the Miami-Dade County Charter was amended to require that the BCC consider whether commercial areas are included in the boundaries of the proposed areas to be annexed for the mere benefit of increasing the tax base of the annexing municipality.</p> <p>The proposed annexation area is comprised of 188 real property folios: 52 agricultural parcels; one (1) commercial parcel; one (1) governmental parcel; one (1) institutional parcel; one multi-family parcel; 103 single-</p>

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	<p>family parcels; and 29 vacant parcels. The City owns a large parcel on the southernmost boundary of the annexation.</p> <p>Code Considerations Pursuant to Section 20-7 of the Code, staff is to provide the BCC and the PAB with the following information for consideration of the annexation.</p> <p>The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.</p> <ul style="list-style-type: none"> • Does the area divide a Census Designated Place (an officially or historically recognized traditional community)? <ul style="list-style-type: none"> ○ <i>The proposed annexation area is not within and does not divide a Census Designated Place.</i> • Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area? <ul style="list-style-type: none"> ○ <i>No adjacent unincorporated areas having a majority of ethnic minority or lower income residents have petitioned to be included in the annexation areas.</i> • Is the area, or does it create, an unincorporated enclave area (an area surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County? <ul style="list-style-type: none"> ○ <i>The proposed annexation area is not an enclave nor does it create an unincorporated enclave.</i> • Are the boundaries logical (consisting of natural, built, or existing features)? <ul style="list-style-type: none"> ○ <i>The boundaries are mostly logical and generally follow City limits or rights-of-way. The proposed annexation area is generally bounded on the north by SW 352 Street, on the west by SW 192 Avenue, on the south by theoretical SW 384 Street, and on the east by theoretical SW 180 Avenue.</i> • The existing and projected property tax cost for the municipal-level service to the average homeowners in the area - currently as unincorporated and as included as part of the annexing municipality. <p><i>The 2015 Preliminary Taxable Value within the annexation area is \$6,256,316. At the current Florida City millage rate (7.1858 mills), the ad valorem revenues attributable to the annexation area would be \$42,709. At the current UMSA millage rate (1.9283 mills), the ad valorem revenues attributable to the annexation area would be \$11,461. The expected tax increase to the area if the annexation is approved would be \$31,248. The average property owner would pay an additional \$135 if this annexation is approved.</i></p> <table border="1" data-bbox="565 1381 1190 1648"> <thead> <tr> <th colspan="3">Existing and Projected Property Tax Cost City of Florida City Annexation FY 2015-16</th> </tr> <tr> <th></th> <th>Millage Rate</th> <th>Millage times Taxable Value</th> </tr> </thead> <tbody> <tr> <td>City of Florida City</td> <td>7.1858</td> <td>\$42,709</td> </tr> <tr> <td>Unincorporated Area</td> <td>1.9283</td> <td>\$11,461</td> </tr> <tr> <td>Increase</td> <td>5.2576</td> <td>\$31,248</td> </tr> </tbody> </table> <ul style="list-style-type: none"> • Relationship of the proposed annexation area to the Urban Development Boundary of the County's Comprehensive Development Master Plan. <p><i>The 2015 UDB of the County's Comprehensive Development Master Plan runs along Lucille Drive, traversing the northern portion of the proposed annexation area. Consequently, approximately 95 percent (733 acres) of the proposed annexation area is located outside the UDB.</i></p>	Existing and Projected Property Tax Cost City of Florida City Annexation FY 2015-16				Millage Rate	Millage times Taxable Value	City of Florida City	7.1858	\$42,709	Unincorporated Area	1.9283	\$11,461	Increase	5.2576	\$31,248
Existing and Projected Property Tax Cost City of Florida City Annexation FY 2015-16																
	Millage Rate	Millage times Taxable Value														
City of Florida City	7.1858	\$42,709														
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	<ul style="list-style-type: none"> • What is the impact of the proposal on the revenue base of the unincorporated area, and on the ability of the County to efficiently and effectively provide services to the remaining adjacent unincorporated areas? <ul style="list-style-type: none"> ○ <i>The Preliminary 2015 Taxable Value of the annexation area is \$6,256,316. The area generates an estimated \$109,831 in revenue. The County spends an estimated \$434,350 per year providing services to the area. Therefore, the net revenue gain to the UMSA budget is an estimated \$324,519 (Exhibit 2).</i> ○ <i>Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues of the area upon annexation. For the proposed annexation, franchise fees of an estimated \$9,973 and utility taxes of an estimated \$34,809 will be retained by the County.</i> • What is the fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000? <ul style="list-style-type: none"> ○ <i>There are 760 residents in the proposed annexation area. The per capita taxable value is \$8,232.</i> • Is the annexation consistent with the Land Use Plan of the County's Comprehensive Development Master Plan? <ul style="list-style-type: none"> ○ <i>Yes, the annexation is consistent with the Land Use Plan of the County's Comprehensive Development Master Plan. It is important to note that the majority of the annexation lies outside the Urban Development Boundary and the area will be governed by the County's Comprehensive Development Master Plan. Any amendments to the Urban Development Boundary or uses outside the Urban Development Boundary will require County approval. All municipal decisions outside the Urban Development Boundary shall be consistent with the County's Comprehensive Development Master Plan.</i>
<p>2A 161591</p>	<p>RESOLUTION ADOPTING THE POLICY THAT A COMMUNITY LAND TRUST IS NECESSARY IN MIAMI-DADE COUNTY IN ORDER TO FURTHER THE DEVELOPMENT AND RETENTION OF PERMANENT AFFORDABLE HOUSING AND COMMITTING TO THE ESTABLISHMENT OF A PERMANENT COMMUNITY LAND TRUST IN MIAMI-DADE COUNTY; ESTABLISHING A PILOT COMMUNITY LAND TRUST PROJECT MANAGED BY AN ORGANIZATION WITH THE NECESSARY AND RELEVANT EXPERTISE WITH THE GOAL OF PRODUCING AT LEAST 100 UNITS OF AFFORDABLE HOUSING WITHIN FIVE YEARS; DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO RECOMMEND WHICH ORGANIZATION WILL BE SUPPORTED TO BE THE COMMUNITY LAND TRUST FOR MIAMI-DADE COUNTY AND TO CREATE PROGRAM GUIDELINES FOR THE PILOT PROGRAM, TO FIND SEED MONEY, REAL PROPERTY, OR A COMBINATION OF THE TWO, TO SUPPORT THE PILOT PROGRAM, AND TO CONSULT AND/OR PARTNER WITH EXISTING LOCAL COMMUNITY LAND TRUST AGENCIES; AND DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO PREPARE AND SUBMIT REPORTS AS PRESCRIBED HEREIN</p>
<p>Notes</p>	<p>The proposed resolution provides for the following:</p> <ul style="list-style-type: none"> • Adopts the policy that a Community Land Trust is necessary in Miami-Dade County in order to further the development of affordable housing; • The Community Land Trust must be a non-profit organization, which may be a coalition of organizations, created to hold land for the benefit of the community and preserve affordability for individuals within the community; • The Community Land Trust must maintain affordability of its properties for the benefit of the community; develop, in accordance with law, land use plans for the properties owned by the Community Land Trust to determine their best long-term uses; and identify and incorporate mixed-income and mixed-use opportunities where possible to help the Community Land Trust serve the lowest income households -- those which are Extremely Low- to Low Income -- while still making the project feasible;

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	<ul style="list-style-type: none"> • Any real property conveyed by the County to the Community Land Trust will be conveyed by a deed with restrictions and a reverter providing for the reversion, upon written notice by the County and at no cost to the County, of the property in the event it is not utilized as affordable housing; • Establishes a pilot Community Land Trust Program with the goal of assisting in the production and retention of at least 100 units of affordable housing within five years of development of the pilot program; • The County Mayor or County Mayor’s designee is directed to recommend to the BCC a Community Land Trust organization which will participate in the pilot program; • The County Mayor or County Mayor’s designee is further directed to establish program guidelines for the pilot program consistent with the parameters set forth by resolution, to find seed funding for the pilot program of an amount sufficient to accomplish the goal of the pilot program, and/or real property to be allocated or conveyed to the Community Land Trust participating in the pilot program with capacity to immediately develop affordable housing, and return to the BCC within 180 days with a report describing the pilot program, the seed funding to be used, and the real property to be conveyed; and • The County Mayor or County Mayor’s designee is directed to consult with and/or partner with existing local Community Land Trust organizations, non-profit organizations philanthropic foundations and local universities which specialize in housing policy including but not limited to South Florida Community Land Trust, Inc., Miami Homes for All, the South Florida Community Development Coalition, the University of Miami Office of Civic Engagement, in order to develop Miami-Dade County’s pilot Community Land Trust Program. <p>Background:</p> <p>A Community Land Trust is a non-profit organization whose primary purpose is to hold legal and equitable title to and/or lease land or units, including but not limited to condominium units, for the purpose of preserving the long-term affordability of housing created for Extremely Low- to Moderate-Income Households. When a Community Land Trust does not own the underlying land in a setting such as a condominium unit, it will maintain the affordability of resale restricted condominiums or other forms of affordable housing by means of an affordability covenant incorporated within or otherwise made a part of the deed to one or more dwelling units within the regime. A Community Land Trust may also include among its purposes the acquisition of property for future development, as permitted by applicable law.</p> <p>A Community Land Trust separates ownership of the land from ownership of the housing units in order to bring housing costs down and permanently preserve land for use as affordable housing. A Community Land Trust sells or rents housing units to income-eligible households at an affordable price, while retaining ownership of the land; in homeownership, the land is then made available to the homeowner/renter through a long-term lease, such as a 99-year lease. A Community Land Trust reduces the price of the homes, making them more affordable for Extremely Low- to Moderate-Income Households and ensures that the homes remain affordable in perpetuity.</p> <p>A homeowner who purchases a home from the Community Land Trust retains a long-term leasehold interest in the land and ownership of the improvements, which enables the homeowner to build equity in the home and to pass the home to heirs. A renter who rents a home from the Community Land Trust will have access to quality, stable, affordable rental housing, which limits displacement due to rising housing costs and expands social and economic opportunity for the renters.</p> <table border="1" data-bbox="284 1738 1474 1898"> <thead> <tr> <th colspan="2" data-bbox="284 1738 1474 1774">Additional Information on Relevant Legislation</th> </tr> </thead> <tbody> <tr> <td data-bbox="284 1774 597 1898"> Ordinance No. 01-47 <i>3/20/2001</i> </td> <td data-bbox="597 1774 1474 1898"> Created the Infill Housing Initiative. The purpose of the Infill Housing Initiative was to increase the availability of affordable homes for low and moderate income persons, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, and generate payment </td> </tr> </tbody> </table>	Additional Information on Relevant Legislation		Ordinance No. 01-47 <i>3/20/2001</i>	Created the Infill Housing Initiative. The purpose of the Infill Housing Initiative was to increase the availability of affordable homes for low and moderate income persons, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, and generate payment
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		<p>of ad valorem taxes. The Infill Housing Initiative was to encourage the sale or transfer of vacant, dilapidated or abandoned properties to qualified community development corporations or qualified developers. Ordinance No. 01-47 also required community development corporations and developers to build affordable homes to be sold or rented to low and moderate income persons.</p>
	<p>Resolution No. R-306-03 <i>4/8/2003</i></p>	<p>Directed the County Manager, through the Miami-Dade Housing Agency, to develop recommendations for the implementation of a Community Land Trust including but not limited to:</p> <ul style="list-style-type: none"> • The appropriate steps for Miami-Dade County to establish a countywide community land trust and/or community-based community land trusts, including but not limited establishing or collaborating with an established nonprofit organization engaged in the business of developing affordable housing in Miami-Dade County; • The appropriate steps to determine the availability of land and acquisition of land, including appropriate timelines; • The appropriate financing and funding mechanisms available through local, state and federal agencies and programs to provide a revenue stream for community land trust organizations; • The available financing mechanisms available through local, state, and federal agencies to finance development, acquisition or rehabilitation of existing properties, and the clearing of all liens including but not limited to bond financing, tax credits, incremental property tax recapture and general Fund commitment; • The advantages/disadvantages of home ownership versus rental-type community land trusts; • The ordinance changes, if any, Miami-Dade County needs to implement to establish community land trusts; • The other relevant matters that will be considered for the development and implementation of a community land trusts. <p>Additionally, R-306-03 directed the County Manager, through the Miami-Dade Housing Agency, to prepare said recommendations in writing for presentation to the Economic Development and Human Services Committee within ninety (90) days.</p> <p>During the Economic Development and Human Services Committee meeting on March 5, 2003, R-306-03 was discussed as follows:</p> <ul style="list-style-type: none"> • <i>The Assistant County Manager noted the Land Trust would address issues currently being handled by the county's Infill Task Force and that the Land Trust would help the county find additional resources to fund a developer's expenses relating to clearing of the title when acquiring property from the county for infill development, as well as provide resources for the development and purchase of other available land.</i> • <i>The Miami-Dade Housing Agency Director clarified that this resolution asked the County Manager to come back with recommendations for the implementation of a Community Land Trust.</i> • <i>The Committee asked if this could be accomplished through the Housing Finance Authority (FHA) or the Miami-Dade Community</i>

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		<p><i>Development Council (CDC) and requested the county manager's report examine all of the existing options for addressing infill housing.</i></p> <ul style="list-style-type: none"> • <i>The Committee also requested that a report be prepared addressing the benefits to homeowners of purchasing their home through a Community Land Trust and whether socio-economic factors were considered when determining the geographic placement of infrastructure.</i>
	<p>Resolution No. R-1434-06 <i>12/19/2006</i></p>	<p>Directed the County Manager to develop recommendations for the implementation of a Community Land Trust (CLT) including but not limited to:</p> <ul style="list-style-type: none"> • The appropriate steps for Miami-Dade County to establish a countywide CLT and/or community-based CLT, including but not limited to establishing or collaborating with an established nonprofit organization, such as the Miami-Dade Housing Finance Authority and Miami-Dade Affordable Housing Foundation, Inc., engaged in the business of developing affordable housing in Miami-Dade County and working with other affordable housing organizations, such as 1000 Friends of Florida, Inc.; • The appropriate steps to determine the availability of County and privately owned land and acquisition of land, including appropriate timelines; • The available financing mechanisms available through local, state and federal agencies to finance development, acquisition or rehabilitation of existing properties, including but not limited to bond financing, tax credits and General Fund commitment; • The appropriate financing mechanisms available through local, state and federal agencies and programs to provide a revenue stream for CLT organizations; • The advantages and disadvantages of homeownership versus rental-type CLTs; • The enactment of or amendment to existing ordinances to establish a CLT; and • The other relevant matters that will be considered for the development and implementation of a CLT. <p>R-1434-06 further directed the County Manager to prepare said recommendations in writing to be presented to the Community Empowerment and Economic Revitalization Committee within ninety (90) days.</p> <p><i>During the Community Empowerment and Economic Revitalization Committee meeting on November 27, 2006 the Committee explained that R-1434-06 responded to a directive given to the County Manager to develop recommendations to establish and implement a Community Land Trust.</i></p>
	<p>Mayoral Report <i>6/5/2007</i></p>	<p>In response to the directive in R-1434-06, a report was issued regarding the Community Land Trusts. The report provided the following recommendations:</p> <ul style="list-style-type: none"> • The County could collaborate with the Miami-Dade Affordable Housing Foundation, Inc. to establish a CLT. The Miami-Dade Affordable Housing Foundations, Inc. is a private 501(c)(3) not-for-profit organization, which has been certified by the Treasury Department as a community development financial institution with

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		<p>lending authority. The Housing and Finance Authority (HFA) is a part of the County, and was created by the Board pursuant to state statute to allow the County to exercise bond authority for single family mortgages and multi-family rental construction lending. The HFA along with other County agencies engaged in housing development and programming could lend assistance during the implementation stage.</p> <ul style="list-style-type: none"> • Sources of donated county land could include transfer of multi-family parcels and single-family lots through the county's Infill Housing Program. The CLT would be responsible for seeking and acquiring privately-held properties. • Available financing for acquisition, development or rehabilitation or existing and new structures can be provided through: <ul style="list-style-type: none"> ○ Miami-Dade GOB funds ○ HOME ○ CDBG ○ SHIP ○ Surtax ○ Tax Increment Financing (potential source) ○ FHFC Pre-Development Loans ○ Gifts of land (government and/or private) ○ Federal Home Loan Bank Affordable Housing Program ○ Private lending institutions • Additional sources from rental housing: <ul style="list-style-type: none"> ○ Multi-Family Bond Program ○ FHFC Pre-Development Loans ○ FHFC – Tax Credit Program (CLT ownership of land with improvements owned by limited partnership) ○ FHFC Sail Program • Operating costs (pass-through costs relating to property taxes, insurance and other assessments; administrative costs): <ul style="list-style-type: none"> ○ Initial seed money (2-3 years of operating support) by local government and cash/in-kind support of local supporters) ○ Earned development fees ○ Ground lease fees (usually insufficient) ○ Rental income (if operating such properties) ○ Government grants of general revenue ○ Foundation grants ○ HOME (CHDO destination – special HUD exemption for CLTs) ○ CDBG ○ Individual donors and grass-root fundraising • Homebuyer Assistance: <ul style="list-style-type: none"> ○ Single-Family Bond Program ○ SHIP ○ Surtax ○ HOME • The BCC could, by resolution, endorse the creations of a countywide CLT, commit to coordinating the establishment of the CLT, and pledge support to the start-up of the CLT in the form of land and financial support.

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		<ul style="list-style-type: none"> House Bill 1151 would exempt land owned by CLTs from ad valorem taxation and the present cash value of the structures built upon that land would be restricted to an amount determined by the resale formula found in the ground lease.
<p><u>Additional Information on Infill Housing Program:</u></p> <p>The Infill Housing Program provides incentives to encourage qualified developers to build affordable housing within the infill target areas. These incentives include free land for qualified developers, forgiveness of County liens and citations on Miami-Dade private lots (for non-for-profit owners), deferral of County liens, deferral and/or refund of impact fees, and assistance in the form of second mortgages for qualified buyers.</p> <p>The Infill Housing Program has established goals to increase the availability of affordable homes for low and moderate income qualified households; provide a stock of affordable housing; redevelop urban neighborhoods by eliminating the blight of vacant dilapidated or abandoned properties; equitably distribute homeownership opportunities within the infill target areas; and in doing so, generate payment of ad valorem taxes. The Infill Housing Program is for new construction of single family homes.</p> <p>Low-income households are defined as being those qualified households whose total annual adjusted gross income is 80 percent or less than the median annual adjusted gross income for qualified households within the metropolitan statistical area (MSA) or (if not within a MSA), within Miami-Dade County, whichever is greater as defined by HUD.</p> <p>Moderate-income households are defined as those qualified households whose total annual adjusted gross income is greater than 80 percent and less than 140 percent of the median annual adjusted gross income for qualified households within the metropolitan statistical area (MSA) or (if not within a MSA), within Miami-Dade County, whichever is greater as defined by HUD.</p> <p>The area median income for Miami-Dade County is \$48,100¹.</p>		

¹ <http://www.miamidade.gov/housing/income-limits.asp>