

MEMORANDUM

Agenda Item No. 7(A)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

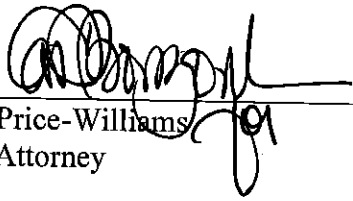
DATE: (Second Reading 10-3-19)
June 18, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Ordinance relating to the
Infill Housing Initiative
Program; amending sections
17-121, 17-122 and 17-125
of the Code; including in the
program privately-owned
properties located outside
of the infill target areas

Ordinance No. 19-93

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Daniella Levine Cava and Co-Sponsor Chairwoman Audrey M. Edmonson.



Abigail Price-Williams
County Attorney

APW/smm

Memorandum



Date: October 3, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over a horizontal line.

Subject: Fiscal Impact Statement for Ordinance Relating to the Infill Housing Initiative Program

The proposed ordinance relating to Infill Housing Initiative Program (Program) amends sections of the Code to include privately-owned vacant, dilapidated or abandoned properties located outside of the infill target areas in the program. Infill developers may apply to the County to receive certain benefits of the Program. If implemented, there is no fiscal impact to the County.

A handwritten signature in black ink, appearing to read "M. Kemp", written over a horizontal line.

Maurice L. Kemp
Deputy Mayor

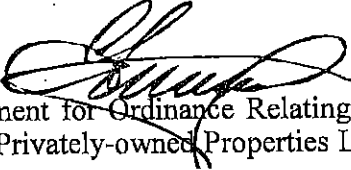
Fis04519 (191484)

Memorandum



Date: October 3, 2019

To: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor 

Subject: Social Equity Statement for Ordinance Relating to the Infill Housing Initiative
Program, Including Privately-owned Properties Located Outside the Infill Target
Areas

This ordinance relates to the Infill Housing Initiative Program and proposes to amend sections 17-121, 17-122 and 17-125 of the Code, including in the program privately-owned vacant, dilapidated or abandoned properties located outside of the infill target areas.

The proposed change to the ordinance would potentially increase the number of infill lots available to develop into affordable homes within Miami-Dade County. Adopting these changes supports the mission of the Infill Housing Initiative program to redevelop urban neighborhoods by eliminating the blight of vacant lots and creating more affordable homeownership opportunities for low- and moderate-income residents.

A handwritten signature in black ink, appearing to read "M. Kemp", written over a horizontal line.

Maurice L. Kemp, Deputy Mayor



MEMORANDUM
(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 3, 2019

FROM: Abigail Price-Williams
County Attorney

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

- "3-Day Rule" for committees applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor's report for public hearing
- No committee review
- Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)
10-3-19

ORDINANCE NO. 19-93

ORDINANCE RELATING TO THE INFILL HOUSING INITIATIVE PROGRAM; AMENDING SECTIONS 17-121, 17-122 AND 17-125 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; INCLUDING IN THE PROGRAM PRIVATELY-OWNED PROPERTIES LOCATED OUTSIDE OF THE INFILL TARGET AREAS; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

WHEREAS, the Board of County Commissioners (“Board”) created the Miami-Dade County Infill Housing Initiative Program pursuant to Ordinance No. 01-47, as amended and codified in chapter 17, article VII of the Code of Miami-Dade County (“infill housing program”); and

WHEREAS, the purpose of the Infill Housing Program is to increase the availability of affordable homes for very low, low and moderate income persons (“qualified households”), maintaining a stock of affordable housing, redeveloping urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, equitably distributing homeownership opportunities currently within certain infill target areas as defined below, and generating payment of ad valorem taxes; and

WHEREAS, the infill housing program further encourages the redevelopment of vacant, dilapidated or abandoned property through the sale or transfer of County properties to qualified developers and the inclusion of privately owned vacant, dilapidated or abandoned properties; and

WHEREAS, through the infill housing program developers are required to build single family homes to be sold to qualified households; and

WHEREAS, the infill housing program permits private property owners to include their properties in the infill housing program, which allows the County to increase the supply of affordable housing that is available to the residents of the County; and

WHEREAS, currently the infill housing program only permits the inclusion of privately owned properties that are located within an infill target area and that are suitable for the development of no more than four single family homes, attached or detached; and

WHEREAS, the Code defines the term infill target areas as “[t]he areas of the County designated as the Urban Infill Target Area (UIA), as defined in Section 33G-3(26) of the Code, and the Targeted Urban Areas (TUA), as defined in Section 30A-129(2) of the Code. In addition, Infill Target Areas shall include those portions of Neighborhood Revitalization Strategy Areas not otherwise covered under the UIA and TUA; and any geographic locations in Miami-Dade County which are designated by the Federal Government as empowerment zones shall be included in the definition of TUA at the time of such designation;” and

WHEREAS, this Board believes that restricting the location of privately owned properties to the infill target areas also limits the number of affordable housing units that can be built in the County through the infill housing program; and

WHEREAS, accordingly, this Board desires to amend the infill housing program to also permit the inclusion of privately owned vacant, dilapidated or abandoned properties located outside of the infill target areas,

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 17-121 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 17-121. Title; Purpose.

This article shall be entitled, "The Infill Housing Initiative Program." Its purpose is to increase the availability of affordable homes for very low, low and moderate income persons, maintain a stock of affordable housing, redevelop urban neighborhoods by eliminating the blight of vacant lots and dilapidated or abandoned properties, to equitably distribute homeownership opportunities within >>, and in some cases outside of<< the Infill Target Areas, and generate payment of ad valorem taxes. The Infill Housing Initiative Program shall encourage the redevelopment of vacant, dilapidated or abandoned property through the sale or conveyance of County property to qualified developers and the inclusion of privately owned vacant, dilapidated or abandoned properties located ~~[[in]]~~ >>within and outside of<< the Infill Target Areas. The community development corporations and developers shall be required to develop affordable single-family homes to be sold to very low, low and moderate income eligible person or eligible households. Although the Infill Housing Initiative Program is primarily designed to create affordable homeownership of single-family homes, the County under limited circumstances may at its sole discretion permit developers to rent these homes to qualified very low, low or moderate income families.

Section 2. Section 17-122 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 17-122. Definitions.

* * *

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

- (i) *Infill Parcel.* A parcel of surplus County-owned land included on the County’s affordable housing inventory list established in accordance with Section 125.379, Florida Statutes, or privately owned land, which is located within >>or outside of any<< ~~[[infill-target-area]]~~ >>Infill Target Area<< and is suitable for the development of no more than four single family homes (attached or detached).

* * *

Section 3. Section 17-125 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:

Sec. 17-125. Development.

- (a) *Private Property Owners.* The County may encourage private property owners to redevelop their properties as infill housing through forgiveness of County liens as identified in section 17-126 of this article or through the availability of construction loans. Subject to the availability of funding, the County may provide construction loans to private property owners who are determined to be eligible for such funding. In order to participate in the Infill Housing Initiative Program, each private owner authorized to participate in the Infill Housing Initiative Program shall abide by all the pre-development, development, and qualifying an eligible household described herein. The County Mayor or County Mayor’s designee shall approve a Private Property Owner to develop their private property~~[[;]]~~ located ~~[[in]]~~ >>within or outside of<< the Infill Target Areas, for the Infill Housing Program and allow the maximum amount of time provided by the Program to develop and sell such property. If not, the Private Property Owner will not be eligible to receive program incentives and the lot may be removed from the Infill Program. Each Private Property Owner shall record in the public records one or more covenants or declarations of restrictions in a form approved by the County as set forth in Section 17-124(d).

* * *

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word “ordinance” may be changed to “section,” “article,” or other appropriate word.

Section 6. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED: October 3, 2019

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Terrence A. Smith

Prime Sponsor: Commissioner Daniella Levine Cava
Co-Sponsor: Chairwoman Audrey M. Edmonson