

MEMORANDUM

CIOIC
Substitute
Agenda Item No. 2(A)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: February 10, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to file an application in the next available cycle to amend the Comprehensive Development Master Plan (CDMP) to require the County to maintain a minimum 10-year land supply of single-family residential in an amount consistent with the calculated demand and to establish a methodology to determine the relative demand for single-family and multi-family residential units, and to consider authorizing broader use of accessory dwelling units and greater density or lot-splitting within single-family residential areas in furtherance of maintaining an adequate supply of such land

This substitute differs from the original version in that it directs the County Mayor or designee to file an application to amend the Comprehensive Development Master (CDMP) to maintain a minimum 10-year land supply of single-family residential units in an amount consistent with calculated demand and to establish a methodology to determine the relative demand for single-family and multi-family residential units, rather than to require that single-family units constitute at least 25 percent of the County's 10-year residential land capacity. In addition, the substitute directs that the application also consider additional means of maintaining an adequate residential land supply, including by authorizing broader use of accessory dwelling units and greater density or lot-splitting within single-family residential areas. Finally, it makes conforming changes to the title.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Jose "Pepe" Diaz.



Geri Bonzon-Keenan
County Attorney

GBK/uw



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: March 1, 2022

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No.

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.

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR DESIGNEE TO FILE AN APPLICATION IN THE NEXT AVAILABLE CYCLE TO AMEND THE COMPREHENSIVE DEVELOPMENT MASTER PLAN (CDMP) TO REQUIRE THE COUNTY TO MAINTAIN A MINIMUM 10-YEAR LAND SUPPLY OF SINGLE-FAMILY RESIDENTIAL IN AN AMOUNT CONSISTENT WITH THE CALCULATED DEMAND AND TO ESTABLISH A METHODOLOGY TO DETERMINE THE RELATIVE DEMAND FOR SINGLE-FAMILY AND MULTI-FAMILY RESIDENTIAL UNITS, AND TO CONSIDER AUTHORIZING BROADER USE OF ACCESSORY DWELLING UNITS AND GREATER DENSITY OR LOT-SPLITTING WITHIN SINGLE-FAMILY RESIDENTIAL AREAS IN FURTHERANCE OF MAINTAINING AN ADEQUATE SUPPLY OF SUCH LAND

WHEREAS, the County's Comprehensive Development Master Plan (CDMP) includes an Urban Development Boundary (UDB) depicted on the Land Use Plan (LUP) map to distinguish the area where urban development may occur through the year 2030 from areas where it should not occur; and

WHEREAS, the CDMP's Land Use Element further provides that adequate countywide development capacity will be maintained within the UDB by increasing development densities or intensities inside the UDB, or by expanding the UDB when the need for such change is determined to be necessary through the CDMP review and amendment process; and

WHEREAS, the County conducts a development capacity analysis to ascertain the amount of land available for future residential growth inside of the UDB, with demand for residential units determined on the basis of projected population growth and persons per household data provided by the U.S. Census Bureau; and

WHEREAS, capacity of land within the UDB is determined by assessing the development potential of vacant land and the redevelopment potential of underdeveloped parcels; and

WHEREAS, CDMP Policy LU-8F provides that the UDB should contain developable land having capacity to sustain projected countywide residential demand for a period of 10 years; and

WHEREAS, based on the County’s current land supply analysis, there is sufficient residential capacity within the UDB to accommodate projected population growth beyond 2040; and

WHEREAS, however, the methodology for this calculation considers residential supply on a countywide basis, without particularized consideration of the residential supply in subareas and subregions of the County; and

WHEREAS, the County’s land supply methodology also does not distinguish among types of residential units, treating single-family dwellings as interchangeable with multi-family buildings in determining the residential land supply available; and

WHEREAS, as the County Mayor’s recently released Final Urban Expansion Area Report (the “Report”) indicates, “[w]hile there is sufficient overall capacity inside the UDB to accommodate projected countywide population growth, the supply of single-family residential uses in the County is projected to be depleted by 2024”; and

WHEREAS, this is a matter of significant concern because, as the Report acknowledges, “single family residential (including detached single family and townhomes) comprises approximately 87 percent of the residential land area” within the County; and

WHEREAS, Policy LU-1F of the CDMP’s Land Use Element requires the County to avoid the creation of monotonous development by vigorously promoting the inclusion of a variety of housing types in the County’s residential communities; and

WHEREAS, a diverse housing mix, including both single-family and multifamily uses at varying densities, is vital to ensuring that County residents will be able to remain in Miami-Dade County through all stages of life; and

WHEREAS, the Report opines that the County should look towards facilitating “a sufficient mix of housing options, particularly for families”; and

WHEREAS, it remains true that many people, particularly families, continue to prefer and seek out single-family residential housing and, thus, it is incumbent upon the County to ensure an adequate supply of that particular housing type well beyond 2024; and

WHEREAS, to achieve this goal and ensure an adequate supply of single-family residential land is available well into the future, the County should require ~~[[that at least 25 percent of the 10-year residential supply is comprised of single-family residential]]¹~~ >>that the CDMP include a minimum supply of single-family residential land, with periodic reevaluation of that requirement to ensure maintenance of such supply beyond its currently expected depletion year of 2024; and

WHEREAS, the CDMP should include uniform standards for determining the relative demand for single-family and multi-family residential units based on appropriate metrics and data, such as, for example, building permit issuance over the prior five years in South Florida as analyzed by the Census Bureau; and

WHEREAS, in furtherance of ensuring that an adequate supply of single-family residential land is maintained, the County should consider, among other things, authorizing broader use of accessory dwelling units and greater density or lot-splitting within single-family residential areas;<< and

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double arrowed<< are added.

WHEREAS, accordingly, this Board wishes to consider an amendment to Policy LU-8F and any other appropriate CDMP policies to >>accomplish these purposes,<< ~~[[require that the County maintain a 25 percent single-family residential land supply]]~~ to the extent consistent with other applicable CDMP policies and goals, including, but not limited to, those pertaining to the avoidance of urban sprawl, the maintenance of sufficient affordable and workforce housing supplies, and the prioritization of development around rapid transit corridors and urban centers; and

WHEREAS, section 2-116.1 of the Code authorizes this Board to direct the filing of an application to amend the CDMP, and the Board wishes to do so in furtherance of the above-referenced purposes,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The foregoing recitals are approved and are incorporated herein.

Section 2. This Board hereby directs the County Mayor or designee to file an application to amend the CDMP in the next available cycle to require ~~[[that single-family attached and detached units constitute at least 25 percent of the County's 10-year residential land capacity, to the extent consistent with other applicable CDMP policies and goals.]]~~ >>the County to maintain a minimum 10-year land supply of single-family residential attached and detached units in an amount consistent with the calculated demand and to establish a methodology to determine the relative demand for single-family and multi-family residential units. The CDMP amendment shall provide for periodic reevaluation of the amount of single-family residential land required to ensure maintenance of an appropriate supply of single-family residential land beyond 2024, when it is currently expected to be depleted. The application shall also consider additional means of maintaining an adequate supply of single-family residential land, including authorizing broader

use of accessory dwelling units and greater density or lot-splitting within single-family residential areas.<< The application should also provide for the amendment of any other portions of the CDMP necessary to effectuate >>these changes<< ~~[[this change]]~~.

The Prime Sponsor of the foregoing resolution is Chairman Jose “Pepe” Diaz. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

| | |
|---------------------------------------|------------------------|
| Jose “Pepe” Diaz, Chairman | |
| Oliver G. Gilbert, III, Vice-Chairman | |
| Sen. René García | Keon Hardemon |
| Sally A. Heyman | Danielle Cohen Higgins |
| Eileen Higgins | Joe A. Martinez |
| Kionne L. McGhee | Jean Monestime |
| Raquel A. Regalado | Rebeca Sosa |
| Sen. Javier D. Souto | |

The Chairperson thereupon declared the resolution duly passed and adopted this 1st day of March, 2022. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS
HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

James Eddie Kirtley
Dennis A. Kerbel

