

ORDINANCE NO. 1254

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, FLORIDA AMENDING CHAPTER 2, "ADMINISTRATION", CREATING DIVISION 14 "NORTH MIAMI AFFORDABLE HOUSING ADVISORY COMMITTEE" SETTING FORTH COMPOSITION, CRITERIA FOR APPOINTMENT, DUTIES AND AUTHORITY; PROVIDING FOR REPEAL OF SECTION 2-285 "DESIGNATION OF THE CITY'S PLANNING COMMISSION AS THE AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE AND FOR ALL OTHER PURPOSES.

WHEREAS, Section 420.9076 of the Florida Statutes requires any municipality participating in the State Housing Initiative Partnership Program, including municipalities receiving program funds through the county, to create an Affordable Housing Advisory Committee consisting of eleven committee members; and

WHEREAS, the City of North Miami does participate in the State Housing Initiative Partnership Program and is subject to the mandate of the State of Florida to create an Affordable Housing Advisory Committee; and

WHEREAS, the Mayor and City Council desire to comply with the mandate of the State of Florida in the creation of the Affordable Housing Advisory Committee.

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH MIAMI, THAT:

Section 1. Recitals Adopted. That the recitals set forth above are hereby adopted and confirmed.

Section 2. The Code of Ordinance of the City of North Miami is hereby amended by amending Chapter 2 "Administration" by creating DIVISION 14 "North Miami Affordable Housing Advisory Committee" to read as follows:

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DIVISION 14. NORTH MIAMI AFFORDABLE HOUSING ADVISORY COMMITTEE

Section 2-230.31. Creation.

Pursuant to Section 420.9076 of the Florida Statutes there is hereby created the North Miami Affordable Housing Advisory Committee.

Section 2-230.32. Composition.

The Affordable Housing Advisory Committee shall be appointed by a majority of the City Council and shall consist of eleven (11) members with the following qualifications:

- (a) One citizen who is actively engaged in the residential home building industry in connection with affordable housing; and
- (b) One citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing; and
- (c) One citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing; and
- (d) One citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing; and
- (e) One citizen who is actively engaged as a for-profit provider of affordable housing; and

(f) One citizen who is actively engaged as a not-for-profit provider of affordable housing; and

(g) One citizen who is actively engaged as a real estate professional in connection with affordable housing; and

(h) One citizen who actively serves on the local planning agency pursuant to Section 163.3174 of the Florida Statutes; and

(i) One citizen who resides within the jurisdiction of the City of North Miami, Florida; and

(j) One citizen who represents employers within the jurisdiction; and

(k) One person who represents essential services personnel, as defined in the local housing assistance plan adopted by the City of North Miami.

In the event there is no eligible candidate actively engaged in activities in connection with affordable housing, a citizen engaged in the activity without regard to affordable housing may be appointed.

Section 2-230.33 **Term.**

Each member shall hold office for a term of two (2) years, unless removed by the city council. The term shall end on the second Tuesday in June each even numbered year.

Section 2-230.34 **Meetings.**

All meetings of the North Miami Affordable Housing Advisory Committee shall be public meetings subject to Section 286.011 of the Florida Statutes and all committee records are public records pursuant to Section 119.07 Florida Statutes.

Section 2-230.35 **Duties.**

- (a) Triennially, the advisory committee shall review the established policies, procedures, ordinances, land development regulations, and adopted local government comprehensive plan and shall recommend specific actions or initiatives to encourage or facilitate affordable housing while protecting the ability of the property to appreciate in value; and
- (b) The advisory committee shall submit a report to the City Council that includes its recommendations; and
- (c) Triennially the advisory committee shall evaluate the implementation of affordable housing incentives in the following areas:
 - (1) The processing of approvals of development orders or permits, as defined in Section 163.3164(7) and (8) for affordable housing projects is expedited to a greater degree than other projects; and
 - (2) The modification of impact fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing; and
 - (3) The allowance of flexibility in densities for affordable housing; and
 - (4) The reservation of infrastructure capacity for housing for very low income persons, low income persons, and moderate income persons; and
 - (5) The allowance of affordable accessory residential units in residential zoning districts; and
 - (6) The reduction of parking and setback requirements for affordable housing; and

- (7) The allowance of flexible lot configurations, including zero lot line configurations for affordable housing; and
 - (8) The modification of street requirements for affordable housing; and
 - (9) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing; and
 - (10) The preparation of a printed inventory of locally owned public lands suitable for affordable housing; and
 - (11) The support of development near transportation hubs and major employment centers and mixed use developments.
- (d) The advisory committee recommendations may also include other affordable housing incentives.
- (e) The advisory committee may perform other duties at the request of the City of North Miami including:
- (1) providing mentoring services to affordable housing partners including developers, banking institutions, employers, and others to identify available incentives, assist with applications for funding requests, and develop partnerships between various parties; and
 - (2) the creations of best practices for the development of affordable housing in the community.

Section 2-230.36. Approval of Local Housing Incentive Strategies.

The approval of the local housing incentive strategies recommendations and review of the City's implementation of previously recommended strategies must be made

by affirmative vote of a majority of the membership of the advisory committee taken at a public hearing. Notice of the time, date, and public hearing of the advisory committee to adopt the final local housing incentive strategies recommendations must be published in a newspaper of general paid circulation in the county. The notice must contain a short and concise summary of the local housing incentives strategies recommendations to be considered by the advisory committee. The notice must state the public place where a copy of the tentative advisory committee recommendations can be obtained by interested persons.

Section 2-230.37. Staffing.

The advisory committee shall be cooperatively staffed by the City of North Miami Community Planning and Development Department to ensure an integrated approach to the work of the advisory committee.

Section 3. Repeal. Section 2-285 of Article VII of the City of North Miami's Code of Ordinances is hereby repealed.

Section 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 5. Conflict. All ordinances or parts of ordinances in conflict herewith be and the same are hereby repealed.

Section 6. Codification. It is the intention of the City Council of the City of North Miami and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of North Miami, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption on second reading.

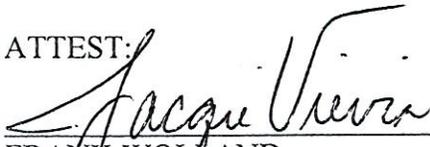
PASSED AND ADOPTED by 5-0 vote of the Mayor and City Council on first reading this 8 day of April, 2008.

PASSED AND ADOPTED by 5-0 vote of the Mayor and City Council on second reading this 22 day of April, 2008.



KEVIN BURNS
MAYOR

ATTEST:

Deputy for


FRANK WOLLAND
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



V. LYNN WHITFIELD
CITY ATTORNEY

SPONSORED BY: CITY ADMINISTRATION

Moved by: Councilman Blynn

Seconded by: Councilman Galvin

Vote:

Mayor Kevin A. Burns	<u>X</u>	(Yes)	_____	(No)
Councilperson Scott Galvin	<u>X</u>	(Yes)	_____	(No)
Vice Mayor Jacques Despinosse	<u>X</u>	(Yes)	_____	(No)
Councilperson Michael R. Blynn	<u>X</u>	(Yes)	_____	(No)
Councilperson Marie Erlande Steril	<u>x</u>	(Yes)	_____	(No)

Additions shown by underlinings. Deletions shown by ~~overstriking~~.