Workforce/Infill Housing Development Program

Article XIIA of Chapter 33, as amended June 4, 2019.

August, 2019

MIAMI-DADE COUNTY

Miami-Dade County Department of
Regulatory and Economic Resources

What is Workforce Housing?

- **Workforce Housing:** Housing affordable to households whose income is within 60% to 140% of the County's median family income as reported by HUD.
- 60% to 140% of the median area income for a family of four represents $50,820 to $118,580.
- The Department of Housing and Community Development (PHCD) publishes the Income Limits Table annually with median area income adjusted for family size.

Median Income Adjusted for Family Size					
Family Size	**60%**	**80%**	**100%**	**120%**	**140%**
1	$35,580	$47,440	**$59,300**	$71,160	$83,020
2	$40,680	$54,240	**$67,800**	$81,360	$94,920
3	$45,780	$61,040	**$76,300**	$91,560	$106,820
4	**$50,820**	**$67,760**	**$84,700**	**$101,640**	**$118,580**
5	$54,900	$73,200	**$91,500**	$109,800	$128,100
6	$58,980	$78,640	**$98,300**	$117,960	$137,620
7	$63,060	$84,080	**$105,100**	$126,120	$147,140
8	$67,140	$89,520	**$111,900**	$134,280	$156,660

Source: 2019 Mortgage and Income Limit Table published by PHCD.

What is Infill Housing?

- The purpose of the Miami-Dade County Infill Housing Initiative Program is to increase the availability of affordable homes for households with incomes up to 140 percent of the median area income through the redevelopment of dilapidated or abandoned property located in Infill Target Areas.
- The adopted ordinance provides incentives available to properties subject to the Infill Housing Initiative Program and other Miami-Dade County affordable housing programs, such as the Documentary Surtax Program, the State Housing Initiatives Partnership (SHIP), HOME, and housing created in accordance with sections 125.379 and 125.38 of the Florida Statutes.
- Additionally, the ordinance amends sections of the current Workforce Housing Development Program regulations to clarify and simplify the standards for development of nonconforming residential lots and to expand the Director's authority to administratively approve requests for limited adjustments to include up to a 10 percent reduction of the required lot width.

Background

•2016 Ordinance No. 16-138 amended the Workforce Housing Program

•The new Workforce Housing Program provides greater incentives and a streamline administrative process for approving the following types of projects:

- Projects with 20 units or more
- Projects with 20 units or less
- Single lot or non-conforming lots

•2019 Ordinance No. 19-52 amended the Workforce Housing Program to clarify and simplify the standards for development

ORDINANCE 19-52

THIS ORDINANCE WAS AMENDED APPLYING THE FOLLOWING WORKFORCE HOUSING PROVISIONS TO THE MIAMI-DADE COUNTY INFILL HOUSING INITIATIVE PROGRAM .

An eligible property may be developed in accordance with the following enumerated provisions of this article without being subject to any other provisions of this article:

1. Nonconforming residential lot provisions set forth in section 33-193.7(B)(3);

2. Administrative Site Plan Review (ASPR) standards and process set forth in section 33-193.10;

3. Intensity standards and administrative adjustment process set forth in section 33-193.11;

4. Design criteria and development parameters set forth in Section 33-193.12

Ordinance 19-52

- The total number of dwelling units permitted on an eligible property may exceed the permitted maximum density allowed in the underlying zoning district in accordance with the foregoing provisions, provided that the density shall not exceed the maximum allowable density bonuses set forth in the CDMP.
- Severable use rights, as provided in chapter 33B, shall not be used in conjunction with the density or intensity standards enumerated above.
- To be eligible for development in accordance with this section, applicants shall provide proof of deed or other binding instrument acceptable to the Director demonstrating that the subject property is subject to an eligible affordable or workforce housing program.

Projects with 20 Units or More (WHU'S)

- Approved through an Administrative Site Plan Review (ASPR) – 21-day process (33-193.10)
- Density Bonuses (33-193.7(B)(1))
  - A 5% density bonus for a 5% Workforce Housing Unit (WHU) set-aside.
  - Up to a maximum 25% density bonus may be granted for a WHU set-aside of 10%.

WHU Set-Aside	Density Bonus	Type of Set-Aside
5%	5%	Mandatory
6%	9%	Bonus
7%	13%	Bonus
8%	19%	Bonus
9%	21%	Bonus
10%	25%	Bonus

- Option to sell or transfer the density bonus with certificate of portability. (33-193.8(1)(c))
- Alternatives to on-site construction of WHUs (Monetary contribution, off-site construction, land conveyance, rehabilitation of existing properties, or a combination) (33-193.8)
- Intensity & design standards (Allows higher density, a mix of housing types, and flexibility in design (33-193.11))
- May qualify for a Road Impact Fee deferral or exemption (33.E6.1)
  - 2-year deferral program for WHUs at or below 80% of the median
  - Exemption for WHUs below 80% of the median income

Projects with 20 Units or More (WHU's)

Requirements

- Required mix of workforce housing (Sec33-193.7(B)(1))
  - 25% of the WHUs shall target the 60% to 79% median family income range.
  - 50% of the WHUs shall target the 80% to 110% median family income range.
  - A 3% density bonus for developments targeting all the WHUs to the 60% to 79% median.
- 20 year control period
- Equity Share
  - 0-5 years 100%
  - 6-10 years 50%

Sample

RU-1	100 units (7,500 sq. ft. each unit)
RU-1 with Workforce units	100 units + 25 bonus units (25% density bonus) = 125 (5,000 or 7,500 sq. ft. each unit)
	10% Workforce housing = 10 units

Projects with 20 Units or Less

(except for individual single family, duplex lots) *(Sec 33-193.7(B)(2)*

- Requires a Pre-Permit Submittal Review (PPSR)

- May participate in the Workforce Housing Program by:
  - Setting aside 100% of the units for workforce housing or
  - Providing one of the alternatives in lieu of on-site construction of WHUs.

- Approved at time of permit review Sample

RU-1	10 units (7,500 sq. ft. each unit)
RU-1 with Workforce	10 units + 2.5 bonus units (25% density bonus) = 13 units (5,000 or 7,500 sq. ft. each unit)
	100% Workforce housing = 13 units
	Or Alternatives

Alternatives to on-site construction of WHUs (Monetary contribution, off-site construction, land conveyance, rehabilitation of existing properties, or a combination) (33-193.8)

Single Family, Duplex or Legally Non-Conforming Lot

•Requires a Pre-Permit Submittal Review

•May participate in the Workforce Housing Program by:

- Setting aside 100% of the units for workforce housing or
- Providing one of the alternatives in lieu of on-site construction of WHUs.

Alternatives to on-site construction of WHUs (Monetary contribution, off-site construction, land conveyance, rehabilitation of existing properties, or a combination) (33-193.8)

•Approved at time of permit review

<u>Great Home Design</u> (allows no more than 3 units on a single lot)

- RU-1 may allow a duplex (min 5000 sq ft) – (example only)
- RU-2 may allow a triplex (min 7500 sq ft) – (example only)
- Must have the appearance of a single structure
- Can build on a legal non-conforming lot without a public hearing

Intensity Standards

- Allows smaller lots, mix of housing type, and flexible design (33-193.11)

Sample project

CDMP Density: Low Density Residential (2.5 to 6 du/ac - gross)

Total Acreage: 4.87

Existing requirements for RU-1

Allowable CDMP Density: 4.87 (Acreage) x 6 du/ca (CDMP Density) = 29.22 units

RU-1: Single Family Residential (7,500 sq. ft. net) = **20 units**

Total **20 units**

WH requirements 25% Density Bonus

Allowable units with Bonus: 29.22 units + 7.305 (25% density bonus units) = 36.5 units

RU-1 WH: Single Family Residential (5,000 sq. ft. net) = 8 units

RU-1 WH2: Two-Family Residential (7,500 sq. ft. net with 2 units ,each 3,750 sq. ft.) = 28 units

Total **36 units**

Intensity Bonus Derived from Future Land Use Plan Categories

Comprehensive Development Master Plan (CDMP) Land Use Categories

- ESTATE DENSITY (EDR) 1-2.5 DU/AC
- ESTATE DENSITY W/ DENSITY INCREASE 1
- LOW DENSITY (LDR) 2.5-6 DU/AC
- LOW DENSITY W/ DENSITY INCREASE 1
- LOW-MEDIUM DENSITY (LMDR) 6-13 DU/AC
- LOW-MEDIUM DENSITY W/ DENSITY INCREASE 1
- MEDIUM DENSITY (MDR) 13-25 DU/AC
- MEDIUM DENSITY W/ DENSITY INCREASE 1
- MEDIUM-HIGH DENSITY (MHDR) 25-60 DU/AC
- HIGH DENSITY (HDR) 60-125 DU/AC

Administrative Adjustments

(Can be completed through the Administrative Site Plan Review Process, or Pre-permit Submittal Process)

Single-family residence, duplex, triplex, townhouse, and accessory residential uses in RU and EU districts:

- Each setback may be reduced by up to 50 percent of the underlying district regulations.
- Lot coverage may be increased by up to 10 percent over the lot coverage permitted by the workforce housing intensity standards.
- Lot frontage for residential uses may be reduced by up to 10 percent of the requirements set forth in section 33-193.11(A)

Multi-family residential uses located in RU-3M; RU-4L; RU-4M; RU-4; RU-4A; RU-5 zoning districts.

- Each setback may be reduced by up to 25% of that required by the underlying district regulations.

REQUIRED AGREEMENTS FOR WHUs

- **Declaration of Restrictions** at time of zoning approval encumbering the development (33-193.13) Requires the following:
  - Total number of market rate units and WHUs
  - Type of units (for sale or rental)
  - Location of WHUs if it is a sales project. Inventory of WHUs if it is a rental project.
  - Construction schedule specifying how WHUs will be built concurrently to WHUs.
  - Density bonus transfer agreement (Certificate of Portability), if applicable.
  - Commitment to providing alternatives to on-site construction of WHUs, if applicable

- **Workforce Housing Agreement** after ASPR approval encumbering individual units
  Agreement must be approved prior to platting or building permit. (33-193.14). Requires the following:
  - Sales or rental price, as well as eligibility standards
  - Control period – WHUs must remain affordable for 20 years
  - Shared equity agreement if the unit is sold during the control period, the following portion of the equity shall be paid to the County:
    - 0-5 years – 100% equity sharing
    - 6-10 years – 50% equity sharing
  - Condo conversion restrictions
    - Renters shall be given right of first refusal to purchase, followed by the County.
  - Right of first refusal. If the County does not accept, the owner may make a monetary contribution in lieu of the units.

Alternatives to On-site Construction of WHUs

May satisfy on-site construction of all of the required WHUs or of a portion of WHUs by one of the following alternatives (33-193.8):

1. Off-site construction of WHUs within a 2-mile radius of primary site
2. Monetary contribution to the affordable housing trust fund established in Chapter 17,
3. Rehabilitation of existing property to WHUs. Must be located within:
   - A 3-mile radius of the proposed market rate site; or
   - The County's Urban Infill Area; or
   - A transit corridor area
4. Conveyance of land that is suitable in size, location, and physical condition for WHUs. The land shall be:
   - developable; and
   - zoned residential or in a zoning that allows residential uses; and
   - unencumbered and environmentally clean; and
   - a value not less than the in-lieu monetary contribution
5. Combination of off-site construction of WHUs and monetary contributions.

Process

- ASPR (20 units or more) or PPSR (20 units or less) approval & zoning covenant
- Letter of Satisfaction from PHCD & Housing Agreement
- Plat approvals, if required
- Permit Approval, Construction and Certificate of Occupancy
- Qualification of Homebuyers/Renters
- Monitoring for compliance

Eligible Properties (Housing Programs)

Properties in the unincorporated area subject to:

- Infill Housing Initiative Program (Chapter 17, article VII)
- Documentary Surtax Program
- State Housing Initiatives Partnership (SHIP)
- HOME Investment Partnerships Program (HOME)
- Affordable or workforce housing created in accordance with sections 125.379 or 125.38, Florida Statutes

Infill Development Standards

- Nonconforming Residential Lots [33-193.7(B)(3)]

Nonconforming residential lots. Applicants with legally-established nonconforming residential lots may develop said lots pursuant to section 33-35.

Sec. 33-35 states that development on a legally established, nonconforming lot that does not meet the lot frontage, lot width, lot depth and/or lot area requirements of the applicable zoning district shall be permitted, provided that the development otherwise complies with the applicable requirements of this chapter.

Infill Development Standards

•Administrative Adjustment of Lot Frontage [33-193.11(D)(3)]

Administrative Adjustments. Notwithstanding any other provision in this chapter to the contrary, the Director shall have the authority to approve requests for limited adjustments from setback, lot coverage, and building spacing through the Administrative Site Plan Review process as follows:

Lot frontage for residential uses may be reduced by up to 10 percent of the requirements set forth in section 33-193.11(A).

For example-

RU-1 Minimum lot frontage is 50 feet.

RU-1 lot with 10% reduction:

50 feet - (.10 x 50 = 5 feet) = 45 feet.

PAYMENT IN LIEU (WHUs)

Formula for Less than 20 Units

(Total Units x Contribution in Lieu for MSA)/ 20 = Total Contribution in Lieu

Example: Contribution in Lieu for single family $41,087 MSA 2.4

(6 units x $41,087 = $246,522) / 20 = **$12,326 Total Contribution**

Formula for More than 20 Units

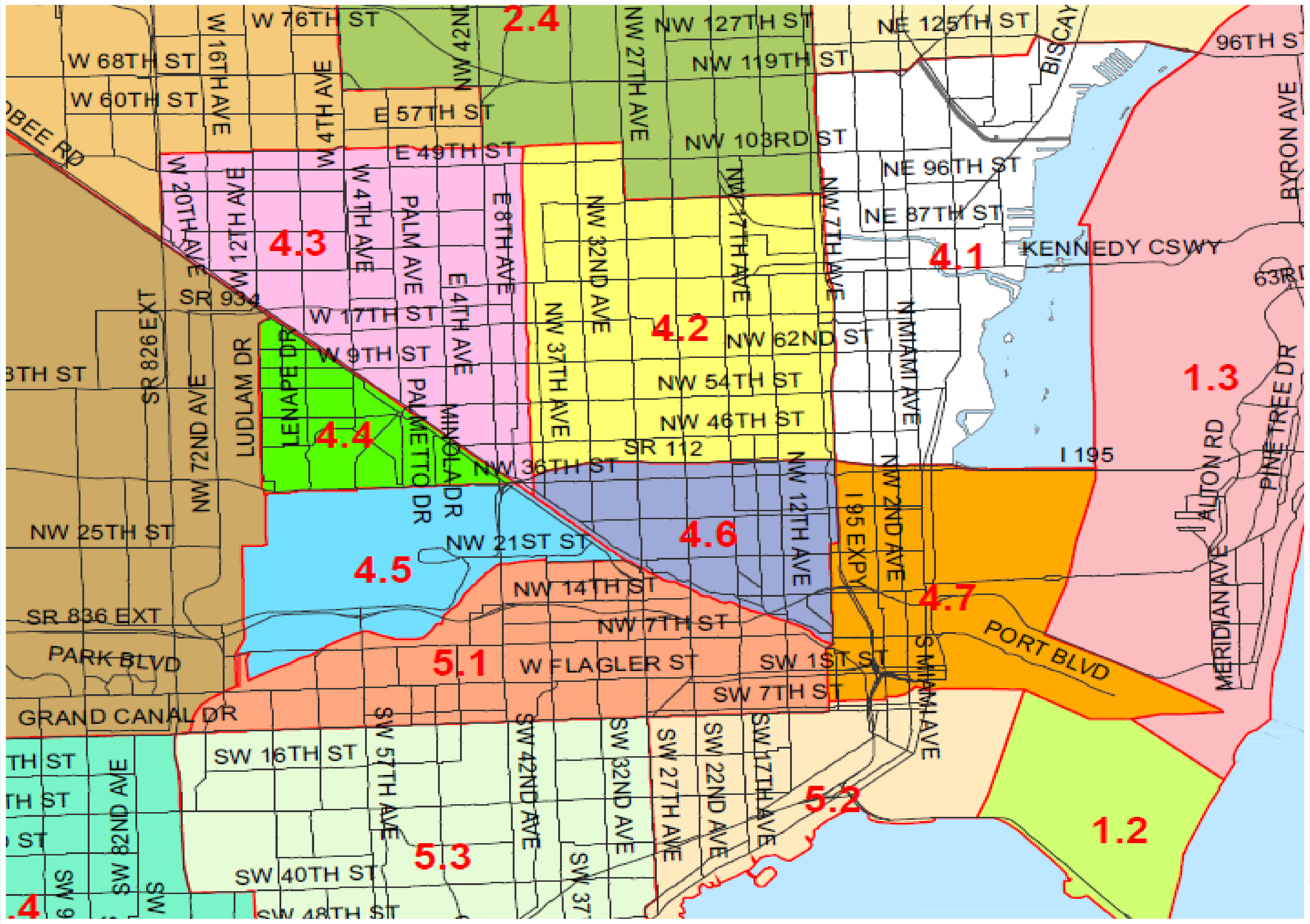
(Workforce Housing Units x Contribution in Lieu for MSA = Total Contribution in Lieu

Example: Contribution in Lieu for single family $41,087 MSA 2.4

(10 units x $41,087 = **$410,870 Total Contribution**

Minor Statistical Area (MSA) Map

Sample Map



MIAMI-DADE COUNTY

Miami-Dade County Department of Regulatory and Economic Resources

Payment in Lieu Schedule

Example Schedule

Payment in Lieu Schedule based on Residential Properties Sold in Year 2016 Inside the UDB *

Miami-Dade County

	Multi-family			Single Family		
MSA	Mean	Median	In Lieu Payment	Mean	Median	In Lieu Payment
1.1	1,330,652	735,000	151,087	3,149,222	2,400,000	171,087
1.2	1,169,299	815,000	151,087	3,664,749	3,000,000	171,087
1.3	972,504	398,000	151,087	2,122,271	1,232,834	171,087
2.1	429,222	220,000	101,087	375,635	247,500	128,587
2.2	193,622	114,950	20,000	237,002	224,600	105,687
2.3	131,778	107,000	20,000	192,062	198,500	79,587
2.4	113,650	96,500	20,000	159,638	160,000	41,087
3.1	148,720	140,000	21,087	320,647	295,000	171,087
3.2	273,050	237,250	118,337	519,033	423,700	171,087
4.1	419,486	220,000	101,087	468,259	370,000	171,087
4.2	481,570	329,500	151,087	130,223	127,000	40,000
4.3	212,114	130,000	20,000	263,403	260,000	141,087
4.4	695,846	138,000	20,000	388,206	367,450	171,087

Source: Miami-Dade County Property Appraiser GIS layer.

Prepared by Miami-Dade County, Department of Regulatory and Economic Resources, Planning Research and Economic Analysis, April 2017.

* The sold properties included in this analysis were those where the property ownership transfers are identifed by the Miami-Dade County Property Appraiser's Office with a Qualification Code of 01 or 02; meaning transfers qualified as arms' length and are included in sales ratio analysis.

INCOME AND RENT LIMITS (Revised annually)

HUD release: 4/24/2019
Implement on or before 6/7/2019
Effective: 4/24/2019
FHFC Posted: 5/2/2019

2019 Income Limits and Rent Limits
Florida Housing Finance Corporation
Multifamily Rental Programs (except HOME and SHIP) and CWHIP Homeownership Program

County (Metro)	Percentage Category	Income Limit by Number of Persons in Household										Rent Limit by Number of Bedrooms in Unit					
		1	2	3	4	5	6	7	8	9	10	0	1	2	3	4	5
Miami-Dade County	**20%**	**11,860**	**13,560**	**15,260**	**16,940**	**18,300**	**19,660**	**21,020**	**22,380**	**23,716**	**25,071**	**296**	**317**	**381**	**440**	**491**	**542**
(Miami-Miami Beach-	25%	14,825	16,950	19,075	21,175	22,875	24,575	26,275	27,975	29,645	31,339	370	397	476	550	614	678
Kendall HMFA;	**28%**	**16,604**	**18,984**	**21,364**	**23,716**	**25,620**	**27,524**	**29,428**	**31,332**	**33,202**	**35,100**	**415**	**444**	**534**	**616**	**688**	**759**
Miami-Fort Lauderdale-	30%	17,790	20,340	22,890	25,410	27,450	29,490	31,530	33,570	35,574	37,607	444	476	572	660	737	813
West Palm Beach MSA)	**33%**	**19,569**	**22,374**	**25,179**	**27,951**	**30,195**	**32,439**	**34,683**	**36,927**	**39,131**	**41,367**	**489**	**524**	**629**	**726**	**810**	**895**
	35%	20,755	23,730	26,705	29,645	32,025	34,405	36,785	39,165	41,503	43,875	518	556	667	770	860	949
	40%	**23,720**	**27,120**	**30,520**	**33,880**	**36,600**	**39,320**	**42,040**	**44,760**	**47,432**	**50,142**	**593**	**635**	**763**	**881**	**983**	**1,085**
	45%	26,685	30,510	34,335	38,115	41,175	44,235	47,295	50,355	53,361	56,410	667	714	858	991	1,105	1,220
	50%	**29,650**	**33,900**	**38,150**	**42,350**	**45,750**	**49,150**	**52,550**	**55,950**	**59,290**	**62,678**	**741**	**794**	**953**	**1,101**	**1,228**	**1,356**
	60%	35,580	40,680	45,780	50,820	54,900	58,980	63,060	67,140	71,148	75,214	889	953	1,144	1,321	1,474	1,627
	70%	**41,510**	**47,460**	**53,410**	**59,290**	**64,050**	**68,810**	**73,570**	**78,330**	**83,006**	**87,749**	**1,037**	**1,112**	**1,335**	**1,541**	**1,720**	**1,898**
Median: 54,900	80%	47,440	54,240	61,040	67,760	73,200	78,640	84,080	89,520	94,864	100,285	1,186	1,271	1,526	1,762	1,966	2,170
	120%	**71,160**	**81,360**	**91,560**	**101,640**	**109,800**	**117,960**	**126,120**	**134,280**	**142,296**	**150,427**	**1,779**	**1,906**	**2,289**	**2,643**	**2,949**	**3,255**
	140%	83,020	94,920	106,820	118,580	128,100	137,620	147,140	156,660	166,012	175,498	2,075	2,224	2,670	3,083	3,440	3,797

Family Income Chart Analysis (Revised annually) (WHU'S ONLY)

INCOME CHART ANALYSIS FOR MORTGAGE FAMILY SIZE OF TWO (2)

Area Median Income (AMI%)	Area Median Income ($ Amt)	Estimated Purchase Price
60%	$40,680	$106,900
80%	$54,240	$142,500
100%	$67,800	$178,300
120%	$81,360	$213,900
140%	$94,920	$249,600

INCOME CHART ANALYSIS FOR MORTGAGE FAMILY SIZE OF FOUR (4)

Area Median Income (AMI%)	Area Median Income ($ Amt)	Estimated Purchase Price
60%	$50,820	$133,650
80%	$67,760	$178,180
100%	$84,700	$232,700
120%	$101,640	$267,300
140%	$118,580	$311,865

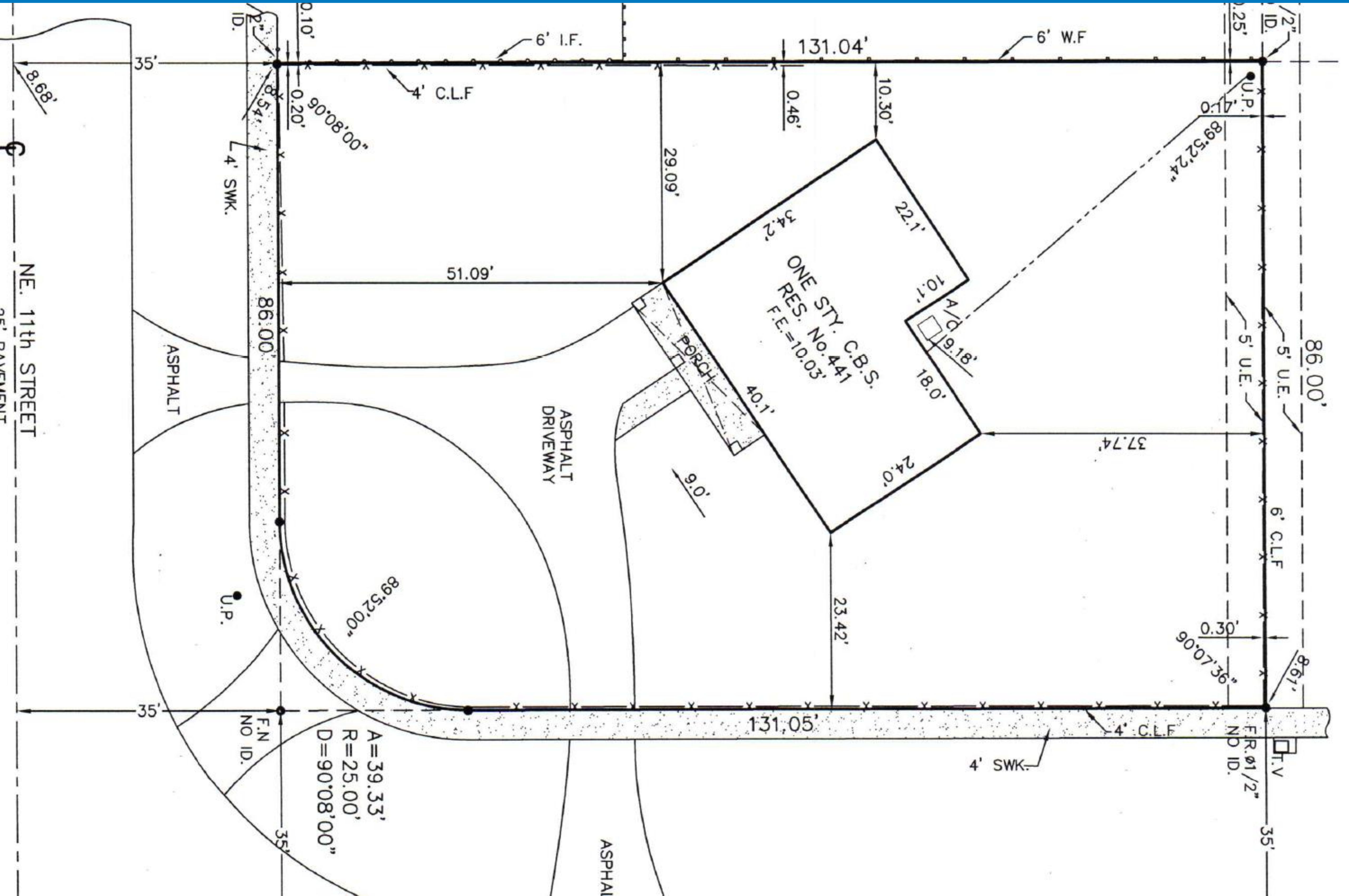
INCOME CHART ANALYSIS FOR MORTGAGE FAMILY SIZE OF SIX (6)

Area Median Income (AMI%)	Area Median Income ($ Amt)	Estimated Purchase Price
60%	$58,980	$154,900
80%	$78,640	$206,718
100%	$98,300	$258,500
120%	$117,960	$310,200
140%	$137,620	$361,900

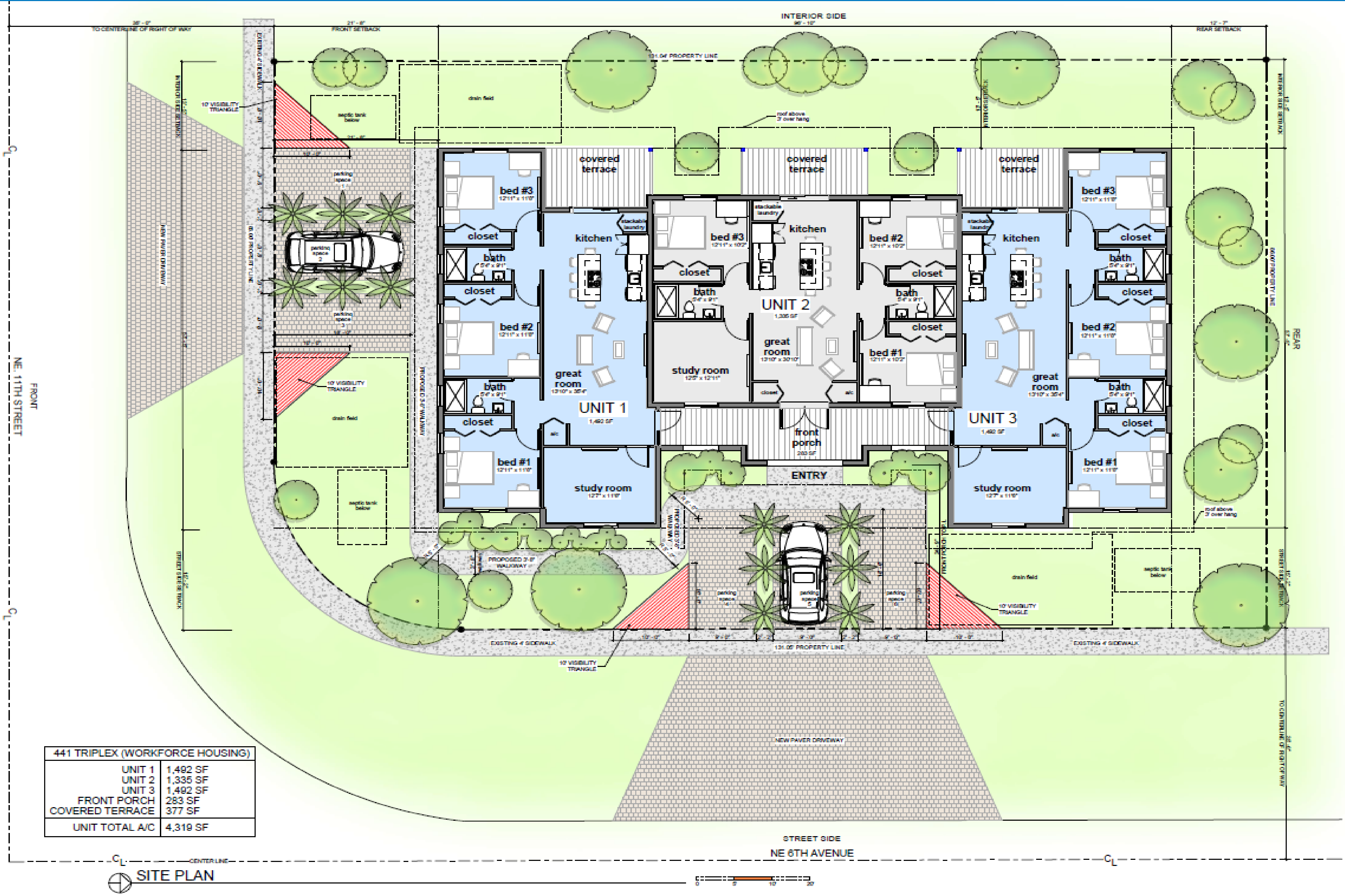
INCOME CHART ANALYSIS FOR MORTGAGE FAMILY SIZE OF EIGHT (8)

Area Median Income (AMI%)	Area Median Income ($ Amt)	Estimated Purchase Price
60%	$67,140	$176,570
80%	$89,520	$235,200
100%	$111,900	$294,290
120%	$134,280	$353,150
140%	$156,660	$412,000

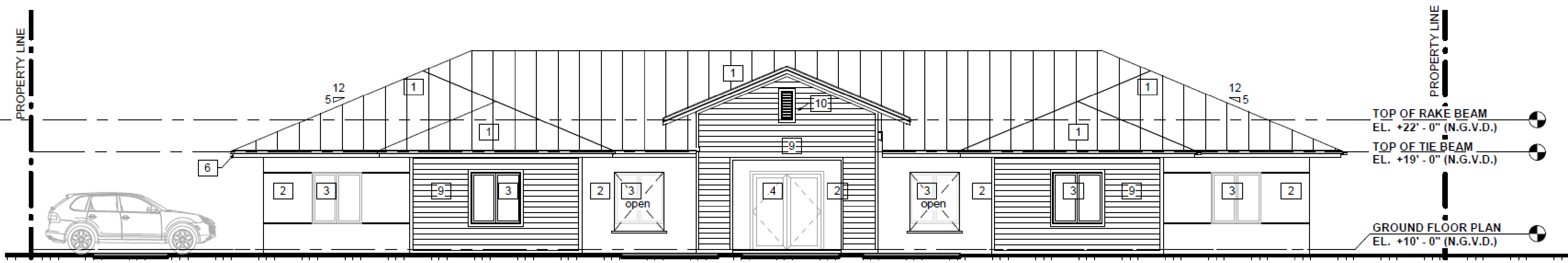
WHU Plan Example - Existing



WHU Plan Example - Proposed



Front Elevation WHU Example - Proposed



1 East Elevation (Entry) 1/8" = 1'-0"

Front Elevation WHU Example - Proposed

1 A2 PROPOSED FRONT FACADE
3/16" = 1'-0"

2 A2 PROPOSED REAR FACADE
3/16" = 1'-0"

THANK YOU!