

ATTACHMENT II – EXHIBIT A

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CHAPTER XXIV ZONING AND LAND DEVELOPMENT

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ARTICLE XXI. WORKFORCE AND HERO HOUSING DENSITY BONUS PROGRAM

Section 24-228. Workforce and Hero Housing Density Bonus Program

(A). **Intent and Purpose.**

- (1). Recognizing that a shortage of workforce and affordable housing in the City of North Miami Beach is detrimental to the general public health, safety, and welfare of the community, the City seeks to encourage the development of more such housing within the community.
- (2). The Workforce and Hero Housing Density Bonus Program is designed to incentivize development of more such housing through density equivalency factors—for the creation of affordable, workforce, and hero housing units within new or redeveloped residential and mixed-use projects.

(B). **Definitions.** The following words and terms used in this Chapter of the City of North Miami Beach Code of Ordinances related to Workforce and Hero Housing shall be given the meanings set forth in this Section. All words and terms not specifically defined in this section shall be given meaning as defined shall use their common, ordinary meanings, as the context may reasonably suggest. The reference for common, ordinary meanings shall be the latest online edition of the Merriam-Webster Dictionary.

Area Median Income (AMI). The median income for the Miami-Miami Beach-Kendall Metropolitan Statistical Area (MSA), adjusted for household size, as published annually by the U.S. Department of Housing and Urban Development (HUD).

Workforce Housing Unit. A dwelling unit affordable to households earning up to 120% of the Area Median Income.

Hero Housing Unit. A dwelling unit reserved for qualified public service professionals such as teachers, first responders, nurses, and public employees, affordable up to 140% of the AMI.

Qualified Development. A development in which at least ten percent (10%) of total proposed dwelling units are designated as workforce or hero housing units in accordance with this Article.

Density Equivalency Factor (DEF). A fractional value assigned to qualifying workforce or hero housing units for purposes of calculating residential density, as provided in accordance with this Article.

(C). **Eligibility and General Provisions.** Participation in the Workforce and Hero Housing Density Bonus Program is voluntary. All developments seeking density bonuses or fractional density recognition under this Article shall:

- (1). Comply with applicable zoning district standards and Comprehensive Plan density ceilings.
- (2). Provide recorded restrictive covenants ensuring affordability compliance for a minimum period of thirty (30) years.
- (3). Bonuses and equivalency factors may be combined with other local, state, or federal housing incentives, provided the total density does not exceed the maximum permitted under the City's adopted Comprehensive Plan.
- (4). Bonus residential density is limited to a maximum of thirty percent (30%) of the maximum allowable residential density.
- (5). A minimum of two-thirds (2/3) of all bonus residential dwelling units are required to be meeting and be restricted to workforce and hero housing.
- (6). Submit to the Director of Community Development or designee for review, an affordability plan which shall:
 - a. Contain all technical data related to current AMI, unit sizes and counts, copy of proposed restrictive covenant, and any other such documents
 - b. Be reviewed by the Technical Review of Application for Development (TRAD) Committee, which shall include the Director of the Department of Housing and Economic Development or designee.

(D). **Fractional Density Calculation for Workforce and Hero Housing Units**

- (1). **Establishment of Density Equivalency Factors.** For the purpose of calculating allowable residential density, qualifying workforce or hero housing units shall be assigned fractional equivalency values according to the following table:

Unit Type	AMI Level	Density Equivalency Factor
Studio or 1-Bedroom Workforce/Hero Unit	≤140% AMI	0.5 unit
2-Bedroom Workforce/Hero Unit	≤140% AMI	0.75 unit
3+ Bedroom Workforce/Hero Unit	≤140% AMI	1.0 unit
Market-Rate Units (any size)	—	1.0 unit

- (2). **Computation of Total Permitted Units.** The total number of dwelling units permitted on a site shall be determined by summing the products of each unit type multiplied by its Density Equivalency Factor value, not to exceed the maximum number of equivalent dwelling units allowed by the applicable zoning district.
- (3). **Rounding.** When the application of Density Equivalency Factor results in a fractional number of total dwelling units, the result shall be rounded down to the nearest whole number.

- (4). **Applicability.** Fractional density calculations shall apply to qualifying projects City-wide and shall not require the establishment of a separate overlay district.

(E). **Administrative Procedures**

- (1). Developers shall submit a Density Equivalency Calculation Table at the time of site plan or conditional use review.
- (2). Density Equivalency Calculation compliance shall be determined by the Director of Community Development or designee prior to:
 - a. Final site plan approval
 - b. Issuance of any building permit
- (3). The issuance of a Certificate of Occupancy (CO) or Temporary Certificate of Occupancy (TCO) is prohibited prior to the submission of proof of recording in the records of the Clerk of Courts of Miami-Dade County of the required restrictive covenants.
- (4). Monitoring reports shall be:
 - a. Required annually to ensure compliance with affordability covenants and occupancy standards
 - b. Submitted to the Director of Housing and Economic Development or designee

- (F). **Compliance and Enforcement.** Violations of this Article shall constitute a code enforcement violation enforceable pursuant to all applicable provisions of the Code of Ordinances of the City of North Miami Beach including but not limited to Chapter XVI Building and Housing, Chapter XXIV Land Development Regulations, and may result in revocation of any bonus entitlements granted under this Article.