



CITY OF FORT LAUDERDALE

Approved
MEETING MINUTES
CITY OF FORT LAUDERDALE
AFFORDABLE HOUSING ADVISORY COMMITTEE
FIRE STATION #2, 528 NW 2ND STREET
3RD FLOOR CONFERENCE ROOM
FORT LAUDERDALE, FLORIDA 33311
MONDAY, AUGUST 14, 2023 – 9:00 A.M.

Cumulative

Committee Members	January-December 2023		
	Attendance	Present	Absent
Margi Nothard, Chair	P	7	1
Leann Barber, Vice Chair	P	8	0
Vice Mayor Dr. Pamela Beasley-Pittman	P	8	0
Pablo Calvo (arr. 9:22)	P	3	0
William Condon	P	7	1
Willie McKay (arr. 9:11)	P	2	0
Sister Robin Merrill	P	1	2
Susan Spragg	P	8	0
Solomon Williams	A	3	2
Ryan Wipplinger	P	6	2

Staff

Avis Wilkinson, Assistant Housing and Community Development Manager / SHIP Administrator / Staff Liaison
Carla Blair, Recording Secretary, Prototype, Inc.

Communication to the City Commission

None.

I. ROLL CALL / DETERMINATION OF A QUORUM

Chair Nothard called the meeting to order at 9:04 a.m. Roll was called and it was noted a quorum was present.

It was noted that Caroline Cozzi, representing Habitat for Humanity of Broward, was present as a guest at the meeting.

II. APPROVAL OF MINUTES – July 10, 2023

Motion made by Ms. Spragg, seconded by Mr. Wipplinger, to approve. In a voice vote, the **motion** passed unanimously.

III. OLD BUSINESS

- **Affordable Housing Trust Fund Balance – Avis A. Wilkinson**

Ms. Wilkinson reported that the Affordable Housing Trust Fund balance remains at \$0.

Ms. Wilkinson introduced Caroline Cozzi, representing Habitat for Humanity of Broward, who advised that on September 9, 2023, a groundbreaking is scheduled for the BBI Village project at 9 a.m. She invited the Committee members to attend this event, which will break ground for the construction of 20 new town homes. Ms. Wilkinson stated that she would email additional information on the event to the Committee members.

- **Affordable Housing Incentive Plan**

Ms. Wilkinson explained that the Committee transmits the Plan each year to the Florida Housing Finance Corporation once it has been approved by the City Commission. Their first priority is to review the 11 affordable housing incentives created by the state and determine what the City has in place in relation to these incentives. The Committee may also make additional recommendations to improve the incentives in order to increase the availability of affordable housing options. The Committee has also added its own proposed incentive recommendations, which are listed at the end of the document. They are separate from the 11 required incentives, as not all of the Committee's recommendations are related to the incentives.

The Committee is scheduled to meet with the City Commission in October 2023. Ms. Wilkinson emphasized that the members address their recommendations at that meeting and discuss them further with the Commission.

Ms. Wilkinson pointed out that two of the 11 required incentives are mandatory: the City must offer expedited permitting for approval of development orders or permits for affordable housing, and there must be ongoing review of City policies and procedures which may increase the cost of housing. While the remaining nine incentives are not mandatory, they are included because the state feels they can be useful to cities that wish to encourage affordable housing. The City has not adopted all of the incentives, as the Committee acts in an advisory capacity only.

Ms. Wilkinson reviewed the incentives, which include:

- Expedited permitting process for approval of development orders or permits for affordable housing
- Allow fee waivers provided for the development or construction of affordable housing
- Allowance of flexibility in densities for affordable housing
- Reservation of infrastructure capacity for housing for households with very low to moderate incomes
- Affordable accessory residential units
- Reduction of parking and setback requirements for affordable housing
- Allowance of flexible lot configuration, including zero lot lines, for affordable housing

- Modification of street requirements for affordable housing
- Establishment of a process by which the City reviews all policies, procedures, Ordinances, regulations, plans, and provisions which increase the cost of housing
- Prepare an inventory of locally owned public land suitable for affordable housing
- Support of development near transportation hubs, major employment centers, and mixed-use development

Ms. Wilkinson noted that with regard to expedited permitting, the Development Services Department (DSD) has established a team dedicated to solving permitting problems, including two business coordinators who navigate the process with applicants. She emphasized that the incentives are intended to ensure that affordable housing applications receive special attention by the City. One additional recommendation proposed by the Committee was to issue a survey each year to show that affordable housing is given special priority by DSD.

Vice Chair Barber pointed out that DSD does not seem to be taking any steps at present to expedite the approval of affordable housing projects, as the team they have created is intended to expedite all projects. Ms. Wilkinson explained that this team allows applicants proposing affordable housing projects to reach out to the team to assist them with procedures. The Committee is suggesting that additional steps be taken to assist with affordable housing.

Vice Chair Barber also expressed concern that it may be difficult for the proposed survey to show that the expedited process does not specifically aid affordable housing applications, as there may be no metrics to prove this assertion. Ms. Wilkinson \ explained that a survey would open the door to showing that current methods of assisting with affordable housing are not effective.

Vice Mayor Dr. Beasley-Pittman asked if there is any tracking of digital applications and submissions. Ms. Wilkinson confirmed that this system is fully digital, and noted that affordable housing contractors have not reported any problems with that aspect of the process, as the system highlights any issues that may arise.

Chair Nothard requested clarification of what it would mean to expedite the permitting process for affordable housing applications, stating that more concrete information is needed, such as the number of days the expedited and regular processes take and the reason(s) why an application may be rejected. She was not certain that a survey would be helpful without these criteria to evaluate the process.

Ms. Wilkinson requested input from the Committee members on what they would like to see in the proposed survey. It was noted that the survey results may not show that expediting affordable housing permits is having the intended result of moving these through the system more quickly.

Ms. Wilkinson suggested that if it is the Committee's desire, the survey can be replaced by another proposal that will show whether or not the City is meeting the goal of expediting affordable housing applications.

It was determined that the revised recommendation would ask DSD to provide service level agreements, such as the number of days it takes to process an expedited affordable housing-related application. Chair Nothard advised that the Committee wants to see a full timeline reflecting how an affordable housing application is processed in comparison to a non-expedited project.

Mr. Calvo noted that if the digital system uses time stamps, it may be possible for DSD to determine the median length of time for all permitting approval, to which a small sample of affordable housing applications could be compared. He pointed out that this would mean comparing a very small subset to a much larger subset. Affordable housing developers could also be consulted for their input on the time frames for their applications.

Mr. Calvo continued that it may also be possible to determine if there are extra steps the DSD's business assistance coordinators can take to process affordable housing applications. Chair Nothard commented that this type of assistance has been extremely helpful in expediting service other cities.

Ms. Wilkinson noted that the two suggestions in lieu of the proposed survey were gathering data from DSD to determine whether or not affordable housing projects are truly expedited, as well as the recommendation for concierge-level service for affordable projects. She reiterated that the team dedicated to solving permitting problems already provides this service to a degree, although the team does not prioritize affordable housing issues over others.

Mr. Calvo commented that he did not feel DSD would dedicate the same level of care and attention to a small affordable housing project as they would to a developer bringing in a large market-rate project, even though the market-rate developer can likely afford to hire their own staff to help facilitate the permitting process. Nonprofit developers typically do not have this type of advantage.

Mr. Calvo also suggested that if DSD cannot appoint a single individual to act as point person for affordable housing applicants, it may be possible for the City to work with an outside entity, such as a large nonprofit, to determine how Staff can provide better service to nonprofit/affordable developers.

It was determined that the first suggestion would be to provide a quantifiable timeline for the expedition of affordable housing projects to determine that they are being expedited. The second suggestion would be to provide a point person with an appropriate affordable housing background, training, and customer service to facilitate the processing of affordable housing permits.

Vice Chair Barber recommended that the Committee establish a target for the degree to which they feel DSD should seek to expedite affordable housing permits. Chair Nothard agreed, but observed that it could be difficult to determine a number for this type of improvement. Mr. Condon added that a number may not be determined until it has been clarified how long the current process takes, as data may show that applications are already being expedited.

Vice Chair Barber asked if the Committee might ask DSD to propose changes to their own process which could significantly reduce approval time for affordable developments. She pointed out that DSD will know best which processes are in need of improvement. Chair Nothard commented that this information can be provided in a response to the earlier recommendations. Ms. Wilkinson recorded this suggestion as a possible annual analysis to determine the effectiveness of any processes for affordable housing projects.

Mr. Condon observed that, based upon some of the feedback the Committee may get from DSD, particularly in terms of quantifiable data, a service-level understanding or customer-level agreement could be developed, which would not carry the same potential for penalties if it is not met that a service-level agreement might have. He noted, however, that the Committee may not be able to know what this understanding might be until DSD provides them with data to show the current state of processing for affordable developments.

Chair Nothard suggested that the third recommendation include reference to the annual conducting of an analysis as well as recommendations to determine the effectiveness of the permitting process for affordable housing. Mr. Condon agreed that requesting the DSD's own recommendations could result in a more iterative process.

Ms. Wilkinson noted that another suggestion was to allow fee waivers or alternative methods of fee payment for the development and construction of affordable housing. There was also a proposal for an affordable housing impact payment to be identified and approved by the City Commission. There could also be identification of exemptions and alternatives within the ULDR for affordable projects.

Chair Nothard recalled that at a previous meeting, the Committee had briefly discussed working with other regulatory agencies which currently do not have affordable housing priorities. She cited the examples of a School Board or a utility company, and asked if this should be included as an incentive or recommendation.

Ms. Spragg noted that the state is pointing out that municipalities should be reducing or waiving fees, which is currently presented to the City Commission as an option on a case-by-case basis. Mr. Calvo noted that one suggestion is that the City can set aside funds to be automatically applied to eligible projects. Ms. Wilkinson confirmed that this could be an alternative method of payment.

Ms. Wilkinson also advised that a recent City Commission decision was to put payment in lieu of affordable housing fees into the Affordable Housing Trust Fund.

Ms. Spragg asserted that she was in favor of waiving fees in order to incentivize developers rather than paying those fees from a different fund. There was consensus to add these recommendations as proposed.

Ms. Wilkinson recalled that the previous year, the City Commission adopted an Ordinance identifying available density bonuses. She suggested that the Committee's recommendation could be for the City to promote this relatively new bonus for affordable housing. This would fit under the incentive recommending the allowance of flexibility on density for affordable housing.

Chair Nothard proposed that the Committee encourage the City Commission to implement the policies associated with the Live Local Act as one of its recommendations. It was determined that this would be added under density and similar bonuses as well as a recommendation to expedite and implement policy recommendations from the Live Local Act.

Ms. Wilkinson continued that there is currently no City policy addressing the reservation of infrastructure capacity for housing for households with very low to moderate incomes. This would guarantee that new developments for these households would meet City concurrency requirements by meeting designated levels of service. The Committee has recommended that creation of a funding source used to offset the cost of required infrastructure, including utility connection fees for new and rehabilitated affordable housing developments.

Ms. Wilkinson moved on to the incentive regarding accessory dwelling units (ADUs), advising that she had included the housing element of the City's Comprehensive Plan, which states that the City shall regularly evaluate these units as a tool for the development of affordable and attainable housing in areas of the City that are zoned for single-family uses. The City's Unified Land Development Regulations (ULDR) permits internal attached and detached ADUs by right in most residential districts, subject to specific standards. The Committee recommends allowing ADUs in all single-family zoning districts, including RS-8 and RD-15.

Chair Nothard stated that while these districts currently permit only one ADU per household, she favored a more aggressive stance that would allow up to two ADUs, increasing the minimum size from 600 sq. ft. to 750 sq. ft.

Ms. Spragg suggested that some of the recommendations for this incentive be added as additional actions, including a prefabricated homes program, a fast-tracked permitting process, and waiver of parking requirements.

Mr. Calvo addressed setback requirements for ADUs, noting that the City currently requires a minimum 5 ft. and maximum 7.5 ft. for the rear and side property lines respectively. He pointed out that these requirements should be waived along with parking requirements, suggesting zero lot lines as a possible solution. Chair Nothard noted that it is possible to request setback modifications; while this could be a cumbersome process, she felt it would be preferable than a zero lot line development, which could be objectionable to the surrounding neighborhood.

Mr. Condon suggested that an alternative solution would be to allow a minimum setback requirement but no maximum. Mr. Calvo replied that he would recommend waiving one of the rear or side setbacks without going through an approval process. The Committee did not reach consensus on the best way to proceed regarding setbacks, and the setback proposal was tabled pending additional information.

The City has passed an incentive requiring only one parking space per affordable unit, while multi-family developments may be eligible for Site Plan Level I administrative review of a parking reduction if 10% of the units are set aside as affordable. Chair Nothard noted that some Committee members had expressed concerns regarding this incentive. It was suggested that this be expanded to include “where reasonable public transportation is available.”

Chair Nothard observed that a good deal of transit-oriented development (TOD) does not include many single-family homes, while ADUs are proposed primarily in single-family residential neighborhoods. Ms. Spragg advised that there is a need to “think outside the box” and stop requiring parking. Mr. Condon felt there should be caveats to this proposal rather than a blanket waiver of parking requirements for affordable housing.

Ms. Spragg stated that if the goal is to reduce the cost of housing, waiving the parking requirement would be effective, as parking increases this cost. Mr. Condon reiterated that there should be caveats which would not prevent households from moving into affordable housing because they would not be permitted to have a car. Sr. Merrill added that this would be the potential resident’s choice.

Chair Nothard asserted that it is already inherently difficult to provide parking for an ADU. She felt if this is not offered as a market choice, the ADU cannot be considered as a viable option.

In a roll call vote, the Committee members voted 6-3 to recommend that there be no parking requirement for ADUs (Mr. Condon, Sr. Merrill, and Mr. Wipplinger dissenting).

Chair Nothard stated that in low- and very low-income developments, the current requirement of one parking space is making the building less affordable. She felt projects for households with incomes under 60% of area median income (AMI) should have no parking requirements. If there are also households earning higher percentages of AMI within the same development, these could require one parking space per unit.

Sr. Merrill was in favor of this proposal, pointing out that owning a car is expensive in South Florida. Mr. Calvo noted that some residents may have given up their cars in response to aging or disability. Mr. Wipplinger stated that he was opposed to this proposal. It was determined that this recommendation would be added to the incentive addressing parking.

Ms. Wilkinson continued that the incentive to allow flexible configuration, including zero lot lines, could be followed by the recommendation to allow zero lot line houses on a case-by-case basis.

It was noted that there is no City permission for this type of affordable development by right except in one of the City's Regional Activity Centers (RACs). Mr. Calvo asked if this development would need to go before the City Commission to obtain some of these waivers. Chair Nothard stated that this would need to be looked into to determine the required level of review.

Ms. Spragg noted that a negative response from neighbors of a property could be enough to take it before the City Commission. Chair Nothard advised that the Commission reserves the right to call up a project within 30 days of its approval by a City entity such as the Planning and Zoning Board.

The Board discussed this recommendation further, with Vice Chair Barber pointing out that approval on a case-by-case basis provides a significant level of uncertainty. She suggested allowing zero lot lines by right for affordable units. Mr. Calvo proposed that this be allowed by right for applications which undergo Site Plan I or II review.

Chair Nothard asked for a vote on removing the reference to a case-by-case basis from the recommendation. It was noted that only one member disagreed with this, and the recommendation would move forward.

Ms. Wilkinson moved on to the next incentive, which would modify street requirements for affordable housing. There is no existing City policy on this issue. The recommendation for this incentive was for DSD to vet this option on a case-by-case basis. Ms. Wilkinson explained that she had added this recommendation in order to suggest some type of policy.

Chair Nothard requested clarification of the term "street modification." It was noted that this referred to actions that can reduce development costs and allow more land to be developed as housing. The term would also allow for more flexible designs. Modifications can be related to streets, driveways, and waterway requirements, alleyways, drainage requirements, utility easements, and parking on one or both side(s) of the street.

Mr. Condon stated that he agreed this incentive should be left to the discretion of DSD, which has administrative procedures to address this type of decision. It was determined that a majority of the Committee wished to keep the recommendation.

Ms. Wilkinson moved on to the next incentive, which would establish a process by which local government reviews all policies, procedures, Ordinances, and regulations that could increase the costs of affordable housing. She reiterated that this is one of the two incentives which the City is required to address. The housing element of the City's Comprehensive Plan includes this policy.

As part of an annual evaluation, the City is required to review strategic policies and finance the action steps necessary to increase affordable housing. Ms. Wilkinson note that the recommendation for this incentive was to schedule joint workshops as needed between the City Commission, DSD, and the Affordable Housing Advisory Committee (AHAC) to discuss these and other affordable housing issues, such as policy developed by the Florida Housing Finance Corporation.

Vice Chair Barber commented that costs of affordable housing may be going up due to "new requirements," which could include items that are not entirely necessary, such as storm windows. She felt these changes occur within DSD and should be evaluated to determine the costs they would add to a project and whether or not they are truly necessary.

Mr. Calvo pointed out that there may be additional considerations behind these requirements: for example, not having storm windows could increase insurance costs. He emphasized the need to strike a balance between paying more up front and saving money over the longer term. Vice Chair Barber stated that she would recommend making decisions like this more transparent so people will be more likely to think about the costs.

It was determined that the recommendation would remain, with the clarification that any joint meeting would take place before the City Commission implements any changes.

Ms. Wilkinson moved on to the incentive recommending an inventory of locally owned public land suitable for the development of affordable housing. She advised that under the recently passed Live Local Act, the City is mandated to provide an updated inventory no later than October 1, 2023. The City Manager's Office will be responsible for this document. The proposed comments on this incentive were to continue to deed properties to the City's CRA and distribute them to nonprofit agencies for development, using the request for proposal (RFP) process. The City's Charter will not allow the City to give away properties, but does allow them to be given to the CRA, which can give them away.

Ms. Spragg suggested that the recommendation to expand the printed inventory to include CRA-owned properties could be moved to this incentive.

Mr. Condon pointed out that the City would not need to update its inventory more often than every three years, and suggested that the recommendations include updating this inventory annually. This recommendation was added.

The final incentive is for support of affordable development near transportation hubs, major employment centers, and mixed-use developments. The recommendation for this incentive was to approve policy incentives that promote development of affordable housing in these strategic locations with access to transportation services and areas with high walkability. This is listed under the housing element of the Comprehensive Plan, which states that by 2035, the City's housing and transportation index represents 45% of household income rather than the current rate of 62%. It was noted that no additional recommendations would be made under this incentive.

Chair Nothard advised that there are also some remaining recommendations that were not attached to specific incentives, such as the creation of a Homeless Advisory Committee. It was noted that the City has already created this entity.

Another proposal was to expand emergency housing to include temporary housing. Vice Chair Barber pointed out that the proposals do not deal with transitional housing. Ms. Wilkinson explained that the Committee's focus is on providing affordable housing for people to live in on a more permanent basis.

Vice Mayor Dr. Beasley-Pittman recalled that there had also been a suggestion in the past for the AHAC to work with the new committee that will focus on the needs of the homeless population. Ms. Wilkinson confirmed that there are agencies that assist households with very low incomes in finding housing. The Committee discussed this program, which provides rental vouchers, and determined that it could be discussed further at a later meeting.

Chair Nothard reminded the Board members that their joint workshop with the City Commission is scheduled for Tuesday, October 3, 2023, from 11 a.m. to 2 p.m.

Ms. Spragg stated that she had emailed a number of recommendations to Ms. Wilkinson's office, but they were not included on the list. These recommendations included researching public and private employers which employ individuals with low and moderate incomes, and offering them the opportunity to partner with the City in constructing affordable housing for their employees. Another proposal was for Staff to research and compile a list of privately owned surplus properties which could be adapted for affordable or transitional housing.

Ms. Spragg also recalled that one recommendation previously made by the Committee was to create a realistic aspirational goal for the number of new affordable housing units to be developed in Fort Lauderdale over the next three years. She felt this should be retained. She also identified community land trusts as a potential strategy to provide a permanent source of affordable housing.

The Committee members agreed by consensus to add Ms. Spragg's recommendations to the Affordable Housing Incentive Plan.

The AHAC will hold a public hearing on September 11, 2023, and will vote on the Affordable Housing Incentive Plan at that time.

IV. NEW BUSINESS

None.

V. AGENDA TOPICS FOR NEXT MEETING

None.

VI. GOOD OF THE ORDER

None.

VII. NEXT SCHEDULED MEETING DATE – September 11, 2023

VIII. ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 11:21 a.m.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]