



CITY OF FORT LAUDERDALE

Approved
MEETING MINUTES
CITY OF FORT LAUDERDALE
AFFORDABLE HOUSING ADVISORY COMMITTEE
914 SISTRUNK BOULEVARD, SUITE 100
2ND FLOOR CONFERENCE
FORT LAUDERDALE, FLORIDA 33311
MONDAY, AUGUST 12, 2024 – 9:00 A.M.

Cumulative

Committee Members	2024 Attendance	Present	Absent
Leann Barber, Chair		P	8 0
Susan Spragg, Vice Chair	P	8	0
Commissioner Dr. Pamela Beasley-Pittman <i>(represented by Jeannette Fray)</i>	P	5	3
Pablo Calvo	A	5	3
William Condon	P	6	2
Mindy Figueroa	A	5	1
Willie McKay	P	6	2
Roderick Newkirk	P	6	2

Staff

Avis Wilkinson, Assistant Housing and Community Development Manager/Staff Liaison
Rachel Williams, Housing Manager

Communication to the City Commission

None.

I. ROLL CALL / DETERMINATION OF A QUORUM

Chair Barber called the meeting to order at 9:08 a.m. Roll was called and it was noted a quorum was present.

II. APPROVAL OF MINUTES – July 8, 2024

Motion made, and duly seconded, to approve. In a voice vote, the **motion** passed unanimously.

III. OLD BUSINESS

- **Affordable Housing Trust Fund Update**

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

- **Habitat BBI Village Update**

Ms. Williams stated that a retaining wall on the Habitat for Humanity of Broward County BBI Village property failed to pass a water retention test and must be demolished and rebuilt. This has delayed the project. Because Habitat for Humanity is a Community Housing Development Organization (CHDO), some Community Development Block Grant (CDBG) funds are available to them. Staff will request these funds from the City Commission in September 2024.

Ms. Williams continued that the roadways surrounding the BBI Village project will be private, and Habitat for Humanity has asked the City if they can take over the public infrastructure on the property. The development agreement for the project has addressed this issue.

- **Communication to City Commission Update – AHAC Attendance requested at the City Commission August 20, 2024 Conference Agenda Meeting**

Ms. Wilkinson recalled that in July 2024, the Affordable Housing Advisory Committee (AHAC) requested a joint meeting with the City's Homeless Advisory Committee (HAC) through a communication to the City Commission. She encouraged the Committee members to attend the City Commission's August 20, 2024 Conference Agenda meeting to confirm their interest in this joint meeting. The Conference Agenda meeting will begin at 1:30 p.m. Information on the meeting time and location will be transmitted to the Committee members.

- **Update of CRA Speaker Clarence Woods, CRA Manager will present at the AHAC October 14 meeting instead of the September 9th meeting**

Ms. Wilkinson advised that Community Redevelopment Agency (CRA) Manager Clarence Woods will attend the AHAC's October 14, 2024 meeting. He will discuss CRA projects, the use of tax increment financing (TIF) funds, and the potential sunset of the City's CRA.

- **Draft Affordable Housing Incentive Plan Review and Discussion**

Ms. Wilkinson explained that she added the Committee members' comments and information from the previous meeting to the draft Affordable House Incentive Plan. She recommended that the draft document be condensed upon review, and thanked the members for their work on the Incentive Plan.

Ms. Wilkinson reviewed the Plan's recommendations with the Committee, noting that the document will be presented for a public hearing at the September 9, 2024 regular meeting. The public hearing will be advertised in the local newspaper. At that hearing, the Committee members will vote on the incentives. Copies of the Plan are available to the public through the Office of Housing and Community Development.

Ms. Wilkinson noted that two of the Plan's incentives are required by State Statute: the expediting of the permitting process for affordable housing development, and the establishment of a process by which local government reviews and considers policies, procedures, Ordinances, regulations, and provisions that may affect the cost of affordable housing. She recalled that a document including these types of Ordinances and other regulations was previously sent to the members.

Ms. Wilkinson reviewed the two required incentives, pointing out that as of January 1, 2024, all permits must be submitted electronically to the City. The Development Services Department (DSD) no longer accepts paper applications or plans. There is also a Staff team dedicated to solving permitting problems and providing a customer-based approach to navigating different processes, which include but are not limited to zoning, permitting, business tax receipts (BTRs), and infrastructure.

The Staff team works closely with DSD to ensure that permitting is an efficient process and assist developers with their questions. DSD has committed to completing all initial permits and reviews for affordable housing within 30 days.

Ms. Wilkinson noted that Committee member Ms. McKay recommended that the City assign some of these Staff members solely to expediting of affordable housing over all other housing permits. This is consistent with the intentions of the State Housing Initiative Partnership (SHIP).

Another of the recommendations would modify impact fee requirements by proposing reductions, waiver fees, and alternative methods of fee payment for affordable housing. Unified Land Development Regulations (ULDR) Section 47 provides for the identification and approval of exemptions from impact fees by the City Commission. Alternative methods of payment include bonds, fees in lieu, and other sources deposited into the Affordable Housing Trust Fund.

The next recommendation proposes flexibility in densities for affordable housing. In September 2022, the City Commission adopted Ordinance C-22-18, which amended the City's ULDR to create incentive-based zoning regulations that support affordable and workforce housing by using new incentives such as density bonuses, flexibility units, and a 100% density increase in the underlying Future Land Use, not to exceed 50 dwelling units per acre for parcels with a Future Land Use of Residential. Properties with a Future Land Use of Non-Residential may have up to 100 dwelling units per acre. There are no density limitations for parcels with a Future Land Use of Regional Activity Center (RAC).

Bonus density would be distributed according to a ratio between affordable and market-rate units. Affordable projects seeking to meet density requirements would be subject to Site Plan Level III review and also require a 30-year deed restriction to ensure affordability.

The Committee also recommends promoting the use of new density bonus incentives for developers under Florida's Live Local Act and its policy recommendations. These policies would allow housing to be developed in commercial zoning districts.

Ms. Wilkinson further clarified income levels according to AMI, explaining that households earning 120% of AMI are considered to have moderate incomes. Households earning 80% or lower of AMI are considered low-income, and those earning 60% or below are classified as having very low incomes. The SHIP program provides assistance to households earning up to 140% of AMI.

The next recommendation calls for the reservation of infrastructure capacity for housing provided to households earning very low or moderate incomes. This refers to households earning no more than 100% of AMI. This policy is intended to guarantee that new affordable development will meet City concurrency requirements by meeting designated levels of service (LOS) for certain types of infrastructure. At present, there is no policy to reserve this infrastructure capacity.

The next recommendation would reduce overall development costs and create a funding source, including grants, to affordable housing developers. These grants would offset requirements for infrastructure improvements related to water, sewer, stormwater, street lighting, and sidewalks. They would also provide connection fee waivers for new and rehabilitated affordable housing development.

The decision-making process for infrastructure improvements would prioritize housing for households with very low, low, and moderate incomes. It would also prioritize underserved neighborhoods. The City's land use planning process would establish a framework and assurance that infrastructure will be available for these income groups. A report would be prepared which outlines existing City infrastructure issues and compares current and excess infrastructure capacity to forecasted demand. The City would also be asked to prepare a report for AHAC to determine if there are any existing infrastructure capacity issues, including roadways, street lighting, public transit, water supply, wastewater and stormwater, flood protection, drainage, and solid waste.

The next recommendation would waive the filing fee to reduce overall development costs, offset the cost of required infrastructure improvements, and provide utility connection fee waivers related to new and rehabilitated affordable housing.

Chair Barber observed that providing a density incentive for affordable housing, but not including housing for households with very low incomes in this incentive, was inconsistent. She felt the recommendations did not adequately address very low income housing incentives. Ms. Wilkinson advised that this can be added to the incentive recommendation addressing bonus density if it is the Committee's wish. It was determined that the recommendation would add a category for households earning up to 25% of AMI.

Mr. Newkirk asked how the public would be notified that affordable units will be included in a development. He pointed out that this can be a source of frustration within local communities, and emphasized the need for affordable units to be advertised within Broward County communities so qualifying households can access them.

Ms. Wilkinson agreed that there can be a communication issue, particularly for senior citizens who may have limited abilities to access opportunities online or by phone. She acknowledged that there is no quick fix for this issue, although there are efforts to make opportunities known through a variety of organizations, including churches and other forms of outreach, as well as flyers and other notifications within specific communities.

It was proposed that the recommendations include an incentive for organizations to work together to share information with the broader community. Ms. Wilkinson noted that the U.S. Department of Housing and Urban Development (HUD) mandates that at least 15% of funds from the HOME program go toward CHDOs, which are community-based entities that act in partnership with other affordable housing organizations.

The next recommendation is to allow accessory dwelling units (ADUs) to be constructed in residentially zoned districts so they can be used toward affordable housing. The City's ULDR permits ADUs by right within most of its residential districts, subject to use-specified standards.

Ms. Wilkinson continued that the Committee recommends the following with regard to ADUs:

- A development educational guide for homeowners on how to add ADUs to increase the supply of affordable housing units
- Develop pre-approved low-cost model plans for ADUs to convert part of an existing house or garage, make an addition to the house, or add a freestanding unit
- Remove restrictions that limit the viability of ADUs in most single-family and multi-family zoning districts, including zoning restrictions, lot size, setbacks, and parking requirements
- Develop a fund that provides grants for building or renovating ADUs

Chair Barber cautioned that it is misleading to suggest that the ULDR permits ADUs by right in most residential districts, as there are restrictions that limit the development of these units. Ms. Wilkinson proposed that the recommendation's language be modified to state that ADUs are currently permitted subject to specific standards.

Mr. Newkirk addressed the payment-in-lieu option offered to developers, which allows them to opt out of providing affordable units by paying a fee. He asserted that the fee for this option should be significantly higher than its current level of \$10,000 per unit. Ms. Wilkinson advised that this is addressed under a different recommendation which proposes a payment of \$500,000 per unit.

Mr. Condon addressed the removal of restrictions that can limit an owner's ability to construct an ADU, suggesting that more detailed information be included so an owner cannot build any type of ADU they may want. He proposed that the language refer to revising rather than removing existing restrictions.

Ms. Wilkinson continued that Section 47-20 of Ordinance C-18-45 was amended in 2018 to provide standard ratios of one parking space per affordable dwelling unit in any zoning district that permits residential development. Affordable developments may count on-street parking toward their parking requirements, which would ensure that on-street parking is an asset to the surrounding community. Multi-family developments are eligible for Site Plan Level I administrative parking reductions, contingent upon 10% of the units within that development being set aside as affordable for no less than 30 years and are below 120% of median family income (MFI). The Committee's recommendation would reduce parking requirements to zero where public transportation is available and where affordable units are designated for households earning 60% or below of AMI.

Ms. Figueroa expressed concern that this could be difficult for households where an individual may work outside City limits. Chair Barber stated that this option would allow a landlord or property manager to decide for themselves whether or not to provide parking: a tenant who owns a car may wish to choose another unit. The units that do not offer parking spaces would come at a lower price. Vice Chair Spragg proposed adding a geographical limit to the area in which public transportation must be available, such as within a one-quarter mile walking distance.

Ms. Wilkinson continued that the next recommendation suggests allowing zero lot line configurations for affordable housing. The recommendation is to allow multi-family housing in areas of the City where affordable housing should be considered, permitting multi-family housing solutions such as duplexes, town homes, and small apartment buildings in areas where public transportation is available and additional parking would not be required.

Other considerations affecting density are restrictions placed on building setbacks and lot requirements. At present, Fort Lauderdale has a side yard requirement of 14.5 ft., which is consistent with the requirements of other municipalities. ULDR Section 47-1838 allows for configuration of zero lot line exceptions for single-family dwellings. Building density could be maximized by allowing multiple units to be constructed with flexibility in lot line configuration, such as increasing lot line setbacks when building height exceeds 24 ft.

Lot line restrictions also affect an owner's ability to build ADUs. Ms. Wilkinson suggested that the recommendation's language state zoning requirements for affordable housing construction should be evaluated on a case-by-case basis, possibly allowing lesser setbacks when a neighboring building is set back at least 7 ft. from the lot line. The AHAC's recommendation is to include all construction types, not only single-family detached homes, which would increase the City's ability to create more density for affordable housing without significantly increasing construction costs. The setbacks for

buildings taller than 24 ft. would be removed or increased. ADUs would follow the same setback requirements as sheds and garages, which are 3 ft.

The next recommendation addresses the City's Master Plan requirement for on-street parallel parking to maximize all street frontage, improve public safety, reduce unnecessary paved areas, and increase parking for businesses and neighbors. ULDR Section 47-20.2 allows affordable housing parking requirements to be reduced to one parking space per unit. The Committee's recommendation is to seek street modifications through administrative procedures, granted on a case-by-case basis, to remove unnecessary walkways, sidewalks, alleys, and other paved area requirements and considering allowing affordable housing developments to plan for parking on only one side of the street. On-site parking requirements for affordable units would be reduced from one space to 0.5 spaces per unit.

Ms. Figueroa expressed concern for households that need to access public transportation, suggesting that they consider recommending the implementation of bus shelters near affordable housing that provide some protection from weather conditions. She emphasized the importance of providing an incentive for individuals to use public transportation rather than their own cars.

Chair Barber proposed including language that encourages the City to implement transportation plans that would facilitate the creation of affordable housing. Mr. Condon pointed out that the County and not the City provides public transportation. Ms. Wilkinson noted that language could be added which would encourage the City to consider its alternatives, such as shuttle service.

Mr. Newkirk pointed out that some City transportation services, such as Circuit, are only available in specific areas of Fort Lauderdale which do not include urbanized areas. He emphasized that expanding these services could also have a positive effect on the City's economy. Chair Barber suggested that language be included which recommends the reassessment of Fort Lauderdale's public transportation requirements in response to the reduction of parking requirements, and seeking solutions that improve access and connections to public transportation.

Ms. Wilkinson continued that the next recommendation addresses the establishment of a process by which local government considers options, such as policies, procedures, regulations, and provisions, which affect the cost of housing. As part of an annual evaluation, the City must review and consider revising strategies, policies, financing, and action steps necessary to achieve affordable goals. AHAC's recommendation is that the City continue to maintain an inventory of locally public-owned land that is suitable for affordable housing. It was determined that this proposal was included under another recommendation.

Mr. Newkirk stated that he had recommended raising the payment in lieu for affordable housing from \$10,000 to \$500,000 per unit. Mr. Condon observed, however, that the

proposed amount is likely to be too high for the City Commission to entertain, and suggested that \$50,000 per unit might be a more actionable figure. It was noted that the original payment in lieu enacted by Broward County had been \$43,000 but was reduced to \$10,000.

Ms. McKay requested clarification of how the Committee could be sure the City is annually considering its affordable housing policies and regulations. Mr. Condon suggested that the Committee should receive a report to this effect.

Mr. Condon advised that the Committee's concern is that the annual review of policies is being done by the City, and proposed that the City provide an annual synopsis to the AHAC of the review and revisions of its policies, financing, and action steps.

It was determined that the AHAC's recommendation would be to change the developer's payment in lieu fee per unit from \$10,000 to \$50,000, with the payment in lieu to be deposited into the Affordable Housing Trust Fund.

Ms. Wilkinson continued that the next recommendation addresses the inventory of City-owned properties that may be suitable for the development of affordable housing. In 2021, the City Commission adopted a Resolution declaring 71 such properties to be surplus under the City's Charter. These properties may be deeded by the City to its CRA for disposition through the request for proposal (RFP) process for affordable housing bids.

The most recent list of these properties was required through the Live Local Act enacted in 2023. The City determined that there were no changes to the existing list at that time, which meant a new surplus list was not generated in response to that legislation. City Commission Agenda Memo 21.0417 called for the zoning of surplus properties for mixed-use residential development, as well as limiting those properties to parcels located in the unified flex zone district and meeting minimum land size requirements under Florida Statutes.

The Committee's recommendation included expanding the criteria for residential development, expanding the preliminary list of local parcels to increase CRA properties, and sharing of the preliminary list of properties with the AHAC. Staff would annually review the preliminary list under the expanded criteria and present the updated list to the AHAC. Once adopted by the City Commission, the list would be published on the City's website.

Ms. Wilkinson continued that the City-owned properties would continue to be transferred to the CRA, which would use the RFP process to distribute them to nonprofit agencies, including CHDOs.

The final recommendation addresses support for development near transportation hubs and major employment centers with mixed-use development. It proposes including policies and incentives promoting the development of affordable housing at strategic

locations which offer access to transportation services in areas within the City that have high “walkability.”

The Committee’s recommendation would promote transit-oriented development (TOD) to foster vibrant, equitable, and sustainable urban environments that support the development of affordable housing and create mixed-use communities.

Chair Barber proposed changing the word “promote” to a more measurable term. Ms. Wilkinson advised that while this language reflects the City’s Comprehensive Plan, the AHAC can make a more strongly worded recommendation.

Chair Barber asserted that the Committee would like to see the City create a Comprehensive Plan with milestones that will help the City achieve its goals related to the housing and transportation index from 62% to 45% by the year 2035.

Mr. Newkirk expressed concern with the 10-year time frame for the City to achieve its goals. Mr. Condon proposed adding specific milestones for the achievement of individual goals over the 10-year horizon.

Ms. Figueroa addressed the need for greater education, empowerment, and engagement of the City’s communities with respect to affordable housing. She emphasized the need for a marketing aspect, as discussed earlier. Ms. Wilkinson encouraged the Committee members to email her with their written responses to the proposed incentive recommendations so they can be incorporated into the document.

- **Public Hearing for the AHAC Incentive Report will be September 9th, 2024**
- **Comments and talking points received from members re: recommendations for City’s funding for affordable housing for Commissioner Pittman requested 5.13.24**
- **Affordable Housing Master Plan**

Vice Chair Spragg recalled that at a previous meeting, Committee member and City Commissioner Dr. Pamela Beasley-Pittman had requested input from the Committee regarding funds in the City’s budget related to affordable development. She explained that her response was a request that the City Commission fund studies and reports related to affordable housing. These may include the identification of parcels and buildings that could be adapted into affordable housing, creation of an Affordable Housing Master Plan, updating of Affordable Housing Trust Fund policies, housing market studies, and consideration of employers whose employees’ salaries are at the low to moderate range of AMI.

- **Affordable Housing Trust Fund Revenue Projection Report**

- **Affordable Housing Trust Fund Policy and Procedure**

Vice Chair Spragg continued that another consideration which would not affect the City's budget could be the quarterly compilation of an Affordable Housing Trust Fund revenue projection. This would be presented to the AHAC beginning in the fourth quarter and could help to create a realistic goal for the number of affordable housing units in the City.

Another proposal was having the City place some amount of funding from its operating revenues into the Affordable Housing Trust Fund. This would create a more permanent source that is not based on payments in lieu. Vice Chair Spragg recommended a contribution of \$5 million annually, increasing 10% each year.

Vice Chair Spragg continued that if the City's Northwest CRA is allowed to sunset, 15% of its tax increment financing (TIF) could go into the Affordable Housing Trust Fund. A percentage of incremental property tax growth attributed to new development could also provide a dedicated and sustainable revenue source. Community land trusts could also be used to develop a bond program. Emergency housing could be included as temporary housing.

The City may also lobby the State Legislature and the Governor's Cabinet to work with insurance companies to reduce insurance premiums for developments with affordable housing units. They can also encourage legislation which would provide funding to residents to pay their property insurance premiums and/or special assessment fees. Ms. Wilkinson noted that the City already takes the latter action.

Vice Chair Spragg also proposed lobbying the state to adjust the formula by which SHIP funds are allocated. At present, 65% of these funds go toward homeowner programs. She recommended reducing this percentage to 50% and allocating more funds toward rental properties.

- **Discussion / recommendations for improved communications and education for residents and community organizations and businesses regarding affordable housing shared at April meeting**

Vice Chair Spragg concluded that an increase in community education and outreach should also target first-time home buyers.

IV. NEW BUSINESS

- **Review, Discussion, and Vote to approve FY 24-25 SHIP Proposed Budget**

Ms. Wilkinson recalled that the City receives annual funding from the state's SHIP program. These funds are allocated for the following uses:

- Administrative costs: \$143,292
- Emergency housing repairs (not related to disaster funds): \$131,438

- Special needs housing: \$301,522
- Rental development: \$200,000
- New construction: \$203,407
- Rental assistance for the elderly (aged 62 or older): \$38,531
- Purchase assistance without rehab: \$75,000
- Rapid re-housing: \$44,699
- Owner-occupied rehabilitation: \$295,031

Ms. Wilkinson emphasized that the City does not use any monies in the Affordable Housing Trust Fund for any of the purposes listed above. The City advertises these uses to the public in the local newspaper.

Motion made by Vice Chair Spragg, and duly seconded, that we adopt this. [The **motion** was approved by consent.]

V. GOOD OF THE ORDER

- **Next Scheduled Meeting Date: September 9, 2024 – AHAC Public Hearing for AHAC Incentive Report**

Ms. Wilkinson strongly encouraged all the Committee members to attend the September 9, 2024 meeting, at which the final public hearing for the AHAC Incentive Plan will be held.

VI. ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 11:25 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.]