



City of Fort Lauderdale Affordable Housing Advisory Committee

2024 Affordable Housing Incentive Report

**Prepared for:
The Florida Housing Finance Corporation**

**Prepared by: Housing & Community Development for the
Affordable Housing Advisory Committee**

Affordable Housing Advisory Committee Report to
City of Fort Lauderdale Commissioners

SHIP Affordable Housing Incentive Strategies

SUBMITTED TO: FLORIDA HOUSING FINANCE CORPORATION

DATE SUBMITTED:

BACKGROUND

As a recipient of State Housing Initiatives Partnership funds, the City of Fort Lauderdale established an Affordable Housing Advisory Committee on June 17, 2008, as required by the Florida Statutes, Sec. 420.9076. Upon appointment of the AHAC members and every three years after, the AHAC is responsible for reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of the City of Fort Lauderdale's housing activities that impact the production of affordable housing. Further, the AHAC is specifically directed by the SHIP Statute to consider and evaluate the implementation of the incentives set out at Florida Statutes, Sec. 420.9076 (a) - (k). Based on the AHAC evaluation, it may recommend to local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles which would encourage production of affordable housing.

As approved by the City of Fort Lauderdale Commissioners, the recommendations are used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan Housing Element.

I. COMMITTEE COMPOSITION

The City of Fort Lauderdale appointed or re-appointed members to the Committee. Florida Statutes, Sec. 420.9076(2) lists the categories from which committee members must be selected. Each AHAC must have a locally elected official from the county or municipality participating in the SHIP program. The locally elected official must be a city or County Commissioner. The elected official will count as a member of the AHAC for purposes of meeting the number of members requirements.

Florida Statutes, Sec. 420.9076 (2) lists the categories from which committee members must be selected. There must be at least eight committee members with representation from at least six of the following categories:

- (a) Citizen who is actively engaged in the residential home building industry in connection with affordable housing.**
- (b) Citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.**
- (c) Citizens who are representative of those areas of labor actively engaged in home building in connection with affordable housing.**
- (d) Citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.**

- (e) Citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) Citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) Citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) Citizen who is actively serving on the local planning agency pursuant to Florida Statutes, Sec. 163.3174.
- (i) Citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) Citizen who represents employers within the jurisdiction.
- (k) Citizen who represents essential services personnel, as defined in the local housing assistance plan.

Appointed AHAC Committee members are included here, along with their category affiliation:

	Name	Category	Appointed Date
1	Leann Barber-Chair	Advocate for low-income persons in connection with affordable housing	9/7/2022
2	William Condon	One who is actively engaged as an advocate for low-income persons in connection with affordable housing	5/7/2022
4	Commissioner Pamela Beasley Pittman	Locally Elected Official	12/25/2023
5	Susan Spragg-Vice Chair	Resides in the City	2/18/2023
6	Willie McKay	Advocate for low-income persons in connection with affordable housing.	6/20/2023
7	Arminda Figueroa	At large	2/20/2024
8	Roderick Newkirk	One who is actively engaged as an advocate for low-income persons in connection with affordable housing	11/7/2023

AHAC's meetings are held monthly at the City of Fort Lauderdale City Hall, located at Fire Station #2, 528 2nd Street 3rd Floor Conference Room. Effective November 2023 AHAC will meet at 914 Sistrunk Boulevard, Suite 100, 2nd Floor Conference, Fort Lauderdale, Florida 33311.

II. Public Hearing:

The Public Hearing was held on September 9th, 2024, at 914 Sistrunk Blvd, Suite 103, Fort Lauderdale, Florida 33311.

The following is a summary of the public comments received:

<u>Name of Commenter</u>	<u>Comments</u>
None	

None

The SHIP program mandates that all municipalities receiving SHIP funds establish local initiatives that foster affordable housing development. To guide advisory committees, the SHIP Statute provides eleven affordable housing incentives; each strategy must be considered by the AHAC. Florida Statutes, Sec. 420.9076 (4):

- (a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.
- (b) All allowable fee waivers provided for the development or construction of affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
- (e) Affordable accessory residential units.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) 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.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

Two incentives are required to be adopted: item (a) for expedited permitting and item (i) for a process of ongoing review.

III. AFFORDABLE HOUSING RECOMMENDATIONS

City staff provided the Committee with a copy of the FHFC Affordable Housing Incentive Strategies Guidebook, the City's Comprehensive Plan Housing Element, and 2023 Affordable Housing Incentive.

Each AHAC members was assigned the Affordable Housing Incentive of their choice to review and formulate recommendations to the City of Fort Lauderdale Commission that may encourage production of affordable housing.

The AHAC, from its review, consideration, evaluation, and recommendations, submits this report to the ty of Fort Lauderdale Commission and to Florida Housing Finance Corporation, which details the resulting recommendations.

The following is the summary of the discussion of the required 11 incentives and the recommendations for each:

A. Incentive: The processing of approvals of development orders or permits, as defined in s. 163.3177(6)(f)3, for affordable housing projects is expedited to a greater degree than other projects.

Review Synopsis:

Ordinance C-98-64 was implemented. Effective January 1, 2024, all permits must now be submitted digitally (meaning paperless) The Development Services Department (DSD) will no longer accept paper permit applications or plans.

DSD has a team of employees dedicated to solving permitting problems called the Permit Solutions Team which provides a customer approach to navigating the process, including but not limited to zoning, permitting, business tax and construction. This Team works closely with DSD to ensure permitting is hassle-free & efficient & can assist every type of customer. DSD is committed to complete all initial permit reviews within 30 days or less of receipt of permit application.

AHAC Recommendations:

1. The City of Fort Lauderdale should combine their three (3) sources of expediting permits; DSD Building Services & the Review Process Sec. 29-5 under Ordinance #C98.64) under one umbrella using the Permit Solution Team designating a few of those team members solely for the purpose of expediting affordable housing over the other housing permits.

B. Incentive: The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

Review Synopsis:

Per the Unified Land Development Regulations, Section 47-38.4-Exemptions, alternative affordable housing impact-fee payment methods can be identified and approved by the City Commission.

AHAC Recommendations:

1. Utilize alternative methods of fee payments for affordable housing including TIF funds, in lieu fees and other sources deposited into an Affordable Housing Trust Fund for fee waivers.
2. Consider reduction or elimination of impact fees for qualified Affordable Housing Projects.

C. Incentive: The allowance of flexibility in densities for affordable housing.

Review Synopsis:

On September 22, 2022, The City Commission adopted Ordinance No. C-22-18 amending the City of Fort Lauderdale, Florida Unified Land Development Regulation (ULDR) to create incentive-based zoning regulations that support affordable/workforce housing using new affordable/workforce housing incentives including density bonuses as follows:

Bonus Flexibility Units

Incentives

100% density increase of the underlying Future Land Uses permitted density, not to exceed 50 dwelling units per acre for parcels with a Future Land use of Residential, 100 dwelling units per acre for nonresidential Future Land Use designated parcels, and no density limitation for parcels with Future Land Use of RAC.

Requirements

Bonus Flexibility Units are distributed as follows:

- 120% of MFI: 1 Affordable Housing Unit = 6 Market Rate Units
- 80% of MFI: 1 Affordable Housing Unit = 9 Market Rate Units
- 50% of MFI: 1 Affordable Housing Unit = 19 Market Rate Units
- Site Plan Level III (PZB)
- 30-year deed restriction
- ULDR Section 47-28.3. F

AHAC Recommendations:

Promote the utilization of the new density bonuses incentives for developers to build affordable housing in Fort Lauderdale.

Expedite and implement the Live Local Act policy recommendations.

Allow housing in commercial zoning districts per the Live Local policy.

Add 30% of MFI: 1 Affordable Housing Unit = 25 Market Rate Units

D. Incentive: The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

Review Synopsis:

The reservation of infrastructure capacity purpose is to make sure there is a reservation to guarantee the new development will meet City concurrency requirements by meeting designated levels of service for certain types of infrastructure. The City of Fort Lauderdale can assist affordable housing developments in reserving infrastructure capacity.

Currently there is no City policy.

AHAC Recommendation:

1. Waive the filing fee to reduce overall developer cost and create a funding source to provide grants to affordable housing developers to use to offset the cost of required infrastructure improvements (i.e., water, sewer, stormwater, street lighting and sidewalks) and provide utility connection fee waivers related to new and rehabilitated affordable housing developments.
2. In City decision-making for infrastructure improvements, make very low-low and moderate income and underserved neighborhoods a priority. Include in the City's land use planning.
 - a. Framework an assurance that infrastructure will be available for these groups.
3. Prepare report outlining City existing infrastructure issues. Describe how current excess capacity compares with forecasted demand by housing development and construction in the pipeline for affordable and market rate housing.
4. Have City prepare a report for AHAC determining if there any existing infrastructure capacity issues, either hard (i.e. roadways, street lighting, public transit, water supply, wastewater, stormwater, flood protection, drainage/flood, sewer, solid waste) or soft (i.e. parks, community centers, schools, libraries, broadband). If there are no current capacity issues, describe how current excess capacity compares with forecasted demand by housing development and construction in the pipeline, both market rate and affordable/workforce housing. When AHAC obtains this infrastructure related information from the city, it will further review the strategy in 2025.
5. Waive the filing fee to reduce overall developer cost and create a funding source to provide grants to affordable housing developers to use to offset the cost of required infrastructure improvements and provide utility connection fee waivers related to new and rehabilitated affordable housing developments.

E. Incentive: The allowance of accessory residential units in residential zoning districts.

Review Synopsis:

Per the current Housing Element of the Advance Comprehensive Plan the City shall regularly evaluate accessory dwelling unit regulations as a tool to promote affordable and attainable housing in areas of the City where zoned for single- family use as appropriate. Where permitted, the City shall set specific standards and conditions regarding the design, size and occupancy, among other conditions as necessary, to ensure quality development and maintenance of neighborhood standards as appropriate.

The city's unified development code permits internal, attached, and detached accessory dwellings by right in most residential districts, subject to use-specific standards (§47-19.2. A)

AHAC Recommendations:

Accessory Dwelling Units either stand alone or attached, offer fast low-cost affordable housing that addresses these issues. Develop the ADU as a viable solution for adding to the supply of housing units.

AHAC makes the following recommendations:

1. Develop an educational Guide for Homeowners about how to add ADUs to help increase the supply of affordable housing units.
2. Develop pre-approved low-cost model plans for ADU(s) to convert part of an existing house or a garage, make an addition to the house or garage, or add a freestanding unit.
3. Review and revise restrictions that limit the existence or viability of ADUs in all single family and multi-family zones including zoning restrictions, lot size, setbacks and parking requirements.
4. Develop a fund that gives grants for building or renovating ADUs.

F. Incentive: The reduction of parking and setback requirements for affordable housing.

Review Synopsis:

Per Section 47-20 of Ordinance C-18-45 was amended on December 18, 2018, to provide a standard parking ratio for affordable housing units; one (1) parking space per dwelling unit. An affordable housing development may request a parking reduction in any zoning district that permits a residential development. Affordable housing developments will be allowed to count on-street parking toward its parking requirement. This will ensure that the on-street parking is an asset to the surrounding community by providing improved parking and pedestrian conditions.

Multifamily Developments are eligible for a Site Plan Level I (Administrative) parking reduction, contingent upon 10% of units within a development being set aside as affordable, for no less than 30 years, at or below 120% of the MFI.

AHAC Recommendations:

1. Reduce the parking requirement to zero for affordable housing units where there is public transportation available within a half mile.
2. Reduce the parking requirement to zero for affordable housing for persons at or below 60% of AMI.

G. Incentive: The allowance of flexible lot configurations, including zero-lot line configurations for affordable housing.

Review Synopsis:

Per Sec. 47-18.38-Single family dwelling: Zero-lot-line, single family detached units can request zero lot line site configurations through a Site Plan Level III application process.

Building density on limited available lots and lot sizes are dependent on restrictions placed by the city through zoning requirements. One of the most significant restrictions is zoning requirements in areas where only single-family detached homes can be built. This places a restriction on creating more housing density. Multiple family housing solutions can include duplex, townhomes, or small apartment buildings. This makes sense in areas located near public transportation where additional parking would not be required. (recommendation F)

Another significant factor affecting building density are the restrictions placed on building setbacks and lot line requirements. Currently Fort Lauderdale has a side yard restriction of 14 combined feet between both sides. This is consistent with other cities including Tampa and Charlotte. Fort Lauderdale Sec 47-18.38 allows for consideration of zero lot line exceptions for single family detached dwellings only. Building density can be maximized by allowing multiple family units to be constructed with flexibility in lot line configurations. The zoning code for lot line and setbacks is increased when the height of the building exceeds 24 feet.

The lot line restrictions also affect the ability of homeowners to build ADUs on their property – Fort Lauderdale requires the 14 feet combined side yard setback and 10 feet rear yard setback. Other accessory buildings (sheds, garages) only require 3 feet (except when on a corner lot).

AHAC Recommendation:

The zoning requirements for affordable housing construction should be evaluated on a case-by-case basis. There are cases where zero set back should be allowed or consider 3 feet setback like for fences and other accessory buildings i.e: when the neighboring dwelling has at least 7 feet set back from the side lot line. The recommendation should include all construction types, not just single-family detached homes. It is through allowing multiple family dwellings that will greatly increase the city's ability to create more density for affordable housing without significantly increasing construction costs. The increase of setbacks for buildings greater than 24 feet tall should be removed or increased. ADUs should follow the same setback zoning as sheds and garages (3 feet).

H. Incentive: The modification of street requirements for affordable housing.

Review Synopsis:

The City's Master Plans require on-street parallel parking spaces to be maximized on all street frontages and the narrowing of travel lanes to increase public safety, reduce unnecessary paved areas, and increase communal parking for businesses and neighbors.

Per Section 47-20.3 Reductions and exemptions, the number of required onsite parking spaces can be reduced by the number of on-street parking spaces that abut the site.

Per Section 47-20.2- Parking and loading zone requirements, affordable housing parking requirements have been reduced to one parking space per unit.

AHAC Recommendation:

1. Address street modifications through administrative procedures granted on a case-by-case basis by Development Services as they review the details of each project.
2. Remove unnecessary walkways, sidewalks, alleys and other paved area requirements.
3. Consider allowing affordable housing developments to plan for parking on only one side of the street. This reduces the required width for the road, which reduces paved area and its accompanying drainage and water retention area requirements. By designing parking on one side of the street, rather than no street parking, a developer avoids a design that devotes too much space to parking in a garage, carport, or elsewhere on the lot.
4. Change on-site parking requirements for affordable housing communities from 1 per unit regardless of unit size to .5 parking spaces per bedroom.

I. Incentive: 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.

Review Synopsis:

The Housing Element of the Comprehensive Plan states in Policy HS 1.3.6: Review policies, procedures, ordinances, regulations or plans that would increase the cost of housing as required by Florida Statutes. Policy HS 1.1.1d of the Housing Element states as a part of an annual evaluation, the City including the Building Services, Urban Planning and Design and City Commission shall review and, at minimum, annually revise strategic policies, financing, and action steps necessary to achieve affordable housing goals.

AHAC Recommendation:

Prepare a synopsis of the strategic review and revisions of strategic policies, financing, and action steps to the AHAC.

Planning department and other departments should review the (LHAP) Local Housing Assistance Plan Policies, ordinances, regulations and plan provisions that may increase the cost of housing.

If an item is increasing the housing costs an analysis must be done to determine the impact. This analysis is done by the department that generated the legislation with the subsequent of the Planning Department and other affiliated departments.

Developers should pay more than the \$10,000 in lieu of fee per unit. Developers in lieu of fee should be changed to \$50,000 per unit.

J. Incentive: The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Review Synopsis:

On May 18, 2021, the City Commission adopted Resolution #21-98 approving an Affordable Housing Surplus list of 71 properties.

The properties can be declared for surplus under City Charter 8.04 at 75% of the appraised value. Bids tailored for affordable housing will be given priority. Qualified nonprofits and community-based organizations as identified in the annual certified Community Housing Development Organization (CHDO) list will be given priority under this process.

The properties can be deeded to the Community Redevelopment Agency (CRA) and the CRA will use a Request for Proposal (RFP) for Affordable housing bids.

A new list of surplus properties was required to be developed by October 1, 2023, per state mandate; the City determined that there was no change to the current list and a new surplus list was not needed.

Continue an analysis of potential properties as they are purchased by the City.

AHAC Recommendations:

1. Document, review and make recommendations, if needed, to the process by which the City Manager's office reviews city-owned property, declares it as surplus or excess, and determines its suitability for affordable housing.

Rationale:

The last inventory prepared utilizing criteria utilized noted in CAM 21-0417, calling for the property to be zoned for residential or mixed use residential. In addition, it limited those parcels to those within the Unified Flex Zone District and meeting the minimum land size. FS 166.04151 calls for affordable housing development on any parcel zoned for **commercial or industrial use** notwithstanding any other law or ordinance to the contrary, in addition to residential use. This allows housing units to be developed in those zones without the need for a zoning change or comprehensive plan amendment. There could be several small adjoining parcels that when taken together could be large enough for development. Recommend expanding the criteria to address this item.

2. Create new inventory of locally owned public lands suitable for affordable housing as per state mandate by October 1, 2023. Expand the **preliminary list** of locally owned public lands to include CRA properties, as well as other parcels that are underutilized, and share preliminary list with AHAC. Staff will then review the preliminary list by applying the suitability criteria and **update the inventory list annually**, presenting at the AHAC meeting where AHAC is finalizing its incentive strategies. Ensure that a public hearing is held, and CAM memo is prepared outlining the process of how the city came to that decision. If no parcels are identified as appropriate for affordable housing and the inventory list contains no properties, indicate so in the CAM memo and its adoption by resolution of the Commission. Once adopted, publish on City website.

3. Continue to deed properties to CRA and use an RFP process to distribute to non-profit agencies including CHDOs for affordable housing.

K. Incentive: The support of development near transportation hubs and major employment centers and mixed-use developments.

Review Synopsis:

City approved Ordinance amending the City of Fort Lauderdale Unified Land Development Regulation to include policy incentives to promote development of affordable housing along strategic locations with access to transportation services and areas of high walkability within the City of Fort Lauderdale. Per the Housing Element of the Comprehensive Plan Policy HS 1.1.3 states: City of Fort Lauderdale shall strive to achieve a reduction of housing and transportation costs such that, by 2035, the Housing and Transportation Index represents 45% of household income from a current index of 62%.

AHAC Recommendation:

1. City to create a comprehensive plan with milestones to achieve their goals of Housing and Transportation Index from 62% to 45%.
2. To promote Transit-Oriented Development (TOD) to foster vibrant, equitable, and sustainable urban environments to support the development of affordable housing creating mixed-use communities where residents can live, work and play within a short distance.

New Recommendations for 2024

1. Have City Commission fund the cost of the following studies/reports related to affordable housing, and complete by 1Q 2025:

- a) Conduct a study of privately owned vacant/nonutilized/underutilized both improved and unimproved properties that could be adapted for affordable housing or transitional housing. Work in collaboration with community stakeholders to create viable proposals to create affordable housing. Identified properties can include Those with excess land, buildings, parking areas, such as churches, religious institutions, and schools, hotel/motel properties, shopping centers, malls and strip centers, medical facilities, office buildings. (AHAC Joint Workshop with City Commission on October 17, 2023, recommendation)
- b) Engage a consultant to create an Affordable Housing Master Plan for Fort Lauderdale to identify existing and future housing needs. (Recommendation made at AHAC Meeting June 10, 2024)
- c) Engage a consultant to review and update Fort Lauderdale's Affordable Housing Trust Fund Policies and Procedures. (Recommendation made at AHAC Meeting June 10, 2024)
- d) Engage a consultant to perform a housing market study for Fort Lauderdale to identify existing and future housing needs. (Recommendation made at AHAC Meeting June 10, 2024)
- e) Engage a consultant to conduct a study of public and private employers with employees at low and midrange AMI (Area Median Income) having difficulty securing affordable housing and explore options and partnerships to construct affordable housing for those employees. (AHAC Joint Workshop with City Commission on October 17, 2023, recommendation)

2. Have staff develop a format and compile information for an Affordable Housing Trust Fund Revenue Projection Report and provide to AHAC quarterly beginning with 4Q 2024.

3. (M) Create realistic goals for the number new affordable housing units to be developed in the city over the next three years. Create process to track progress, create report(s) and publicize results quarterly, beginning with 4Q 2024.

4. (M) While the City does a good job of sourcing state and federal funds and grants, it does not put one dollar toward affordable housing from general revenues. The Task Force has been provided a rough estimate of \$8 million in anticipated payments in lieu of providing affordable housing that would be deposited into the Affordable Housing Trust Fund upon payment of building permits for proposed housing. That alone will not make a significant impact on our affordable housing crisis. **Create permanent sources for affordable housing:**

- Include in City's annual budgets \$5 million annually, increasing 10% per year, from City's general revenues and deposit into City's Affordable Trust Fund to be used to supplement other affordable housing sources for construction, rehabilitation, disaster assistance and rental assistance.
- Place 15% of Tax Increment Financing (TIFF) funds to be received by the City of Fort Lauderdale into the Affordable Housing Trust Fund when Northwest CRA sunsets.
- Set aside a percentage, as determined by the City Commission, of incremental property tax growth attributed to new development units to provide a dedicated, sustainable revenue source for the Affordable Housing Trust Fund.
- Utilize Community Land Trusts to produce permanently affordable housing units.
- Develop a Bond Program

5. (M) Call for the City of Fort Lauderdale to expand collaborations and partnerships with community stakeholders for affordable housing:

1. builders and developers
2. not-for-profit and community-based housing providers
3. community land trusts
4. lending institutions
5. local employers
6. social service providers
7. property owners
8. local governments and quasi-governmental entities
9. religious institutions
10. philanthropic organizations
11. colleges and universities
12. Broward County Schools

6. (R) Expand Emergency Housing to include temporary housing.

7. Lobby State of Florida to work with insurance companies toward the reduction of insurance premiums related to Affordable Housing Units, and pass legislation providing funding to owner-occupied homestead single family and multifamily property owners homes with assistance to pay property insurance premiums and/or special assessment fees as a grant.

8. Lobby State of Florida to adjust the formula for the use and distribution of the annual SHIP funds to reduce the required minimum from 65% to 50% of SHIP funds used for homeownership programs, to provide flexibility in providing rental housing.
9. Promote public awareness and education about affordable housing opportunities and City programs by increasing communications and outreach to residents, community organizations and businesses. Seek partnerships to provide workshops for first-time homebuyers and residents seeking affordable housing.
10. Reassess the City of Fort Lauderdale's transportation through LauderGo to expand access city-wide.
11. Promote public awareness and education about affordable housing opportunities and City programs by increasing communications and outreach to residents, community organizations and businesses. Seek partnerships to provide workshops for first-time homebuyers and residents seeking affordable housing. Assign a budget for these efforts of \$250,000.00 increasing by a minimum of 10% annually.