City of Fort Lauderdale

City Hall
100 North Andrews Avenue
Fort Lauderdale, FL 33301
www.fortlauderdale.gov

Meeting Minutes

Wednesday, June 14, 2017

12:00 PM

Joint Workshop with Planning and Zoning Board

City Commission Conference Room

<u>CITY COMMISSION WORKSHOP</u>

FORT LAUDERDALE CITY COMMISSION

JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS - Commissioner - District II
ROBERT L. McKINZIE - Commissioner - District III
ROMNEY ROGERS - Commissioner - District IV

LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney

ROLL CALL

> **Present 5** - Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis, Commissioner Robert L. McKinzie, Commissioner Romney Rogers and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

> **Also Present:** City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, Assistant City Attorney D'Wayne Spence, and City Auditor John Herbst
>
> **Planning and Zoning Board Members Present:** Chair Leo Hansen, Vice Chair Catherine Maus, Howard Elfman, Rochelle Golub, Richard C. Heidelberger, Stephanie Jean, Alan Tinter
>
> Not Present: Steve Glassman

No e-comments were submitted for this meeting.

Call to Order

> Mayor Seiler called the Planning and Zoning Joint Workshop Meeting to order at 12:09 p.m.

OLD/NEW BUSINESS

> Mayor Seiler asked if Commissioner McKinzie's vacancy on the Planning and Zoning (P&Z) Board had been filled. City Clerk Modarelli confirmed it would be on the Resolution for Board and Committee appointments at the June 20, 2017 City Commission Meeting.
>
> Mayor Seiler gave an overview of the purpose of Joint Meetings with Boards and Committee and the need for clear communications.
>
> Chair Leo Hansen reviewed the P&Z Board's purpose of interpreting and implementing the rule of the Unified Land Development Regulations (ULDR). Additional responsibilities include making decisions about what is best for the City of Fort Lauderdale. He noted the Board's desire to hear from the Commission should they feel they are not meeting these goals.
>
> Vice Mayor Roberts arrived at 12:12 p.m.

Mayor Seiler confirmed his belief in the current process, noting the reasons being Board and Committee appointments and the valuable role they provide to the City as a result of their areas of expertise.

Commissioner Rogers arrived at 12:13 p.m.

Mayor Seiler asked Vice Mayor Roberts and Vice Chair Catherine Maus if they had any comments. There were no additional comments.

Mayor Seiler noted the meeting would begin with the Zonar software presentation by Gridics, Inc.

Jason Doyle, Chief Executive Officer, described the company as a Real Estate Data and Analytics Consultant Technology Company. Their software product entitled Zonar addresses planning and zoning issues on the municipal and county levels. Mr. Doyle explained the background and development of Zonar and its developer Max Zabala, Architect and Urban Planner.

Mr. Doyle discussed Zonar's interface with Zoning Code, allowing for three-dimensional color-based maps, illustrations, and visualization for things such as projects, corridor analysis, etc. He explained the use of Zonar in the City of Miami (Miami) citing specific examples and discussing additional capabilities of its core software that can be tailored to meet Planning and Zoning Department (P&Z) needs.

In response to Mayor Seiler's question, Mr. Doyle explained Zonar's history and its work with Miami's Code data and capabilities for additional modules.

Max Zabala, Director of Product, Zonar, expounded on its capabilities once calibrated for every zone. It can illustrate any parcel, group of parcels and proposed future changes and development. Staff will find it user-friendly for presenting future zoning and development proposals for P&Z Board consideration. Felipe Azenha, Director of Business Development for Gridics, confirmed that parameters of a development proposal could be inserted to visualize and illustrate its effect.

In response to Vice Chair Catherine Maus's question about having a developer portal to input their project data and allow all stakeholders to be on the same page, Mr. Zabala confirmed working towards this goal, acknowledging developer's desire to streamline the process. Currently, when a development proposal is submitted, the data would be uploaded by P&Z Staff for a visualized review. Zonar's data is exportable.

In response to Board Member Alan Tinter's question regarding capacity analysis, Mr. Zabala explained how Zonar analyzes issues such as maximum height, number of units and necessary parking to determine whether adjustments for density issues. Further comments and discussions continued on Zonar's capabilities to adjust proposals to meet current zoning.

In response to Assistant City Attorney D'Wayne Spence's question about Zonar's data in a Quasi-Judicial setting, Mr. Doyle stated they had not encountered this situation. Mr. Doyle commented on their disclosures to use Zonar as a guideline and efforts to achieve 95 percent level of assurance.

Richard Heidelberger discussed large scale projects that focus only on site lines within a particular parcel rather than the relationship with other developments. He gave the Bahia Mar project as an example and its impact on the intercoastal north of Las Olas south to the Sails project.   Mr. Heidelbeger acknowledged the value of this type of software allowing Staff the ability to address various development concerns and putting them into context.

Mr. Zabala explained the Codes and Best Practices of the Code data are input based on mathematical representations. The module he is currently working on addresses infrastructure based on additional layering of data. Mr. Doyle confirmed this module would be density data driven, giving examples of how it will impact decisions for future development and upgrades to existing infrastructure.

Mayor Seiler commented on his preference of using a local company. City Manager Feldman gave a brief overview of issues relating to a previous vendor. He confirmed this presentation is to determine the Commission and P&Z Board's desire to acquire this type of software.

Chair Hansen discussed his favorable view of this type of software, acknowledging the benefits of Zonar and commenting on the importance of visually addressing infrastructure, traffic issues, and future proposed developments in real time.

In response to Commissioner Rogers's question, Mr. Doyle explained the three-dimensional model illustrates what currently exists and undeveloped property in layers that can be switched on and off. Mr. Zabala expounded on additional uses of the software. In response to Mayor Seiler's question about the timeline for availability of the infrastructure module, Mr. Zabala explained the details involved, stating it could be available in approximately two months.

In response to Commissioner Rogers's question, Mr. Doyle explained the steps involved in the initial data input for the modules and the need for a Staff point person responsible for inputting ongoing data.

In response to Vice Chair Maus's question, Mr. Zabala confirmed their ability to create a traffic module. Developing this would take approximately three months. Mayor Seiler noted the importance of accuracy in a traffic module.

Commissioner Trantalis asked if the infrastructure and traffic module development would be done concurrently. Mr. Doyle discussed how they prioritize software development. Once a module is developed, additional municipalities would have the ability to use the modules based on their data input.

In response to Mayor Seiler's question, Mr. Doyle confirmed the Request for Proposal (RFP) in Miami was sole sourced. Discussions continued on a timeline. Commissioner Trantalis commented on the importance of this type of tool to adequately determine and approve the viability of future development. It would allow the Commission to make intelligent decisions, avoiding conflicting information.

Commissioner McKinzie recommended Staff's review and vetting of the proposed software. Further discussions continued on this topic. Vice Mayor Roberts confirmed the Commission's request to City Manager Feldman to bring this item forward.

City Manager Feldman confirmed this software provides Staff with additional tools. He discussed concerns about the Staff time necessary to build the model. Discussions continued on permitting at the Development Review Committee (DRC) level.

Anthony Fajardo, Director of Sustainable Development, confirmed his agreement with City Manager Feldman that this is a beneficial tool for Staff, assuring it will provide Staff with a streamlined digital process with multiple uses. He acknowledged it would initially require Staff time to work with Zonar for accurate data input. Vice Mayor Roberts agreed on the benefit to the public, suggesting the possibility of hiring Staff for the data input.

Mayor Seiler commented on the advantages of this type of software providing information to the public, Staff, and Boards and Committees who address development issues and issues such as requests for variances. He confirmed no one was in disagreement. There was a consensus to explore this expeditiously.

In response to Mayor Seiler's question, Mr. Zabala confirmed the timeline for data input in Miami was approximately four weeks, explaining the process and procedures involved. He confirmed it would require one to two Staff personnel working with Gridics on data input. Mr. Doyle emphasized the importance of a Staff point person with extensive Code knowledge to validate the input values of the Codes, confirming Gridics has the staff to do data input.

Illustrations and examples of items discussed by Mr. Doyle and Mr. Zabala are attached to these minutes.

17-0796   Discussion - Affordable Housing

Anthony Fajardo, Director of Sustainable Development, introduced his Staff and outlined the presentation, confirming it was requested by the Commission on April 4, 2017, to have a Joint Workshop on Affordable Housing options. Mr. Fajardo's presentation gave an overview of Affordable Housing and its five options. Mayor Seiler commented on the importance of examining the expansion of the County's Affordable Housing Requirement.

Mr. Fajardo gave an explanation of the Affordable Housing Requirement, giving developers an idea of the pricing ranges for Affordable Housing. He confirmed the County's position on current City policy that resulted in the 15 percent requirement for each 5,000 dwelling units received by the City, noting the possibility of future requirements.

In response to City Manager Feldman's question about the County endorsing other County municipality's Affordable Housing policy, Jim Hetzel, Principal Planner - Sustainable Development, stated he was not aware of any. He would inquire with the County Planning Council about any cities in the County having a city-wide policy. Mr. Fajardo said the County had raised this issue in many of its municipalities.

In response to Commissioner Trantalis's question, Mr. Fajardo explained a City-wide policy could put the 15 percent of the required Affordable Housing units wherever Planning and Zoning decided to locate. Commissioner Trantalis discussed negative aspects of regulating Affordable Housing outside of the downtown area, creating pockets of Affordable Housing. Mr. Fajardo confirmed all available options would be addressed with the goal of being in sync and partnership with the County.

In response to Mayor Seiler's question about the current policy required on flex units, Mr. Fajardo explained current policy on

mixed-use flex projects is tied to the Land Use Plan and its underlying land use. Discussions continued on this limitation. Ella Parker, Urban Planning and Design Manager, explained the limitation of 50 units per acre governed by the County Land Use Plan, explaining the details of this requirement.

Mr. Fajardo presented the following proposed options detailed in the Affordable Housing presentation:

Option 1: Flex Unit Policy

Option 2: Pay in Lieu of Fee (Affordable Housing Trust Fund)

Option 3: Reduction of Building Permit Fees

Option 4: Property Tax Rebate for Affordable Housing (Rental Only)

Option 5: Remove Affordable Housing from the Downtown RAC

Mr. Fajardo emphasized any of these options can be combined to achieve an Affordable Housing Policy. Commissioner McKinzie noted his understanding of the County requirements to include Affordable Housing in specific areas. Mayor Seiler discussed his meetings with individual County Commissioners since the Joint Workshop with the Board of Broward County Commissioners regarding expanding an area outside the Downtown RAC for the sole use of Affordable Housing.

Commissioner Rogers stated the need for clarification on the County's Workforce Housing Criteria and how it integrates with the 15 percent requirement for Affordable Housing. Mr. Hetzel explained that if Workforce Housing met the definition of the Affordable Housing brackets and were integrated, the goal would be achieved.

Commissioner Rogers discussed the need to expand to the South Andrews RAC and become proactive, utilizing the benefits of the upcoming Wave project. Mr. Hetzel expounded on the aspects and benefits of having a solid Affordable Housing Policy that would negate the County from the requiring the 15 percent.

In response to Mayor Seiler's question regarding needs to ensure the Workforce Housing qualifies and moves forward toward that goal, Mr. Fajardo stated policy language needs to be developed and implemented. He also noted the importance of meeting with the County on a regular basis to ensure an ongoing agreement that the Affordable Housing Policy meets the County's intent. Discussions

continued on meeting the income bracket requirement policy. Commissioner Rogers commented on the need for a broad spectrum, noting the County's cutoff date for not allowing existing Affordable Housing projects to be counted toward the goal.

Commissioner Trantalis commented on the need to add diversity to the downtown area for the health of the downtown environment, recommending working towards this goal and the need to carefully plan to achieve the desired results and inclusionary zoning.

Commissioner Rogers commented on the City of Delray's success with its Affordable Housing Policy, commenting that it touches on the Affordable Housing Trust Fund and Workforce Housing.

Mr. Hetzel commented on other programs of which he is aware that buy-down unit costs for affordable housing. He confirmed moderate income levels (between the thresholds of 80 and 81 percent) receive no assistance from the state or federal government.

Mr. Fajardo commented that housing and transportation cost studies acknowledge affordable housing located next to public transportation was a positive attribute. The Wave and Brightline work towards this goal. Mr. Fajardo discussed the importance having a City-wide Affordable Housing Policy that works in sync with the County. Commission Rogers expounded on this point and the need to be strategic in all areas of the City.

In response to Mayor Seiler's question regarding the demands on the Building Department and the consequences of Option 3 that would reduce building permit revenue, Mr. Fajardo confirmed the availability of adequate funds, commenting they are looking at changing the current fees. He noted this has worked in other communities, confirming the reduction in fees is adjustable.

In response to Commissioner Trantalis's question, Mr. Fajardo stated the Building Department is five percent away from being fully staffed, noting there will always be a shortfall due to attrition and personnel departures. Commissioner Trantalis commented on the prospect of hiring additional people and always be staffed. Commissioner McKinzie commented on the industry's efforts to hasten the building permit process. Mayor Seiler stated the Building Department is doing an outstanding job. Mr. Fajardo confirmed the Building Department has added over 30 positions over the last year. The Building Department has a recruiter who proactively addresses replacement of retiring employees.

In response to Commissioner Trantalis's question, Mr. Fajardo confirmed ongoing work with the land management software project known as Accela. He said the duration of implementation is 18-24 months and they are six months into the project. He emphasized the need to allocate sufficient time for it to be correctly implemented, confirming the current contract is for 24 months. City Manager Feldman noted it is approximately a year from completion.

Mayor Seiler clarified his earlier comments for Board Member Stephanie Jean, stating they were about temporarily decreasing the Building Department fees, not taking funds away. Ms. Jean discussed her perception of building in the City based on comments she received.

Mr. Heidelberger discussed his experience with building in surrounding municipalities as compared to the City. He commented on his experience with living in a multiple income level apartment in Cambridge confirming that all unit interiors were identical, questioning how to achieve this goal. Mayor Seiler noted the costs of Affordable Housing could be addressed with Affordable Housing Trust Funds. Mr. Heidelberger commented Affordable Housing should not look any different than regular housing.

Vice Chair Maus said she would not select Option 3 - Reduction of Building Permit Fees. Mayor Seiler confirmed her desire not to pursue this option.

Mr. Fajardo discussed Option 4 - Property Rebate for Affordable Housing, stating it would need legal review and has been done in other areas. It is a rebate on taxes, similar to other options that are incentives for developers. Further discussion on this topic ensued.

Mr. Fajardo discussed Option 5 - Having a city-wide policy that would allow the examination of the County's 15 percent Affordable Housing requirement and the criteria involved.

Mayor Seiler asked for input on the ability to expand the RAC by several blocks solely for Affordable Housing or to be near transportation development. It would encourage developers to put Affordable Housing near available transportation.

Chair Hansen commented on the desire of planners to see the integration of Affordable Housing with other units, suggesting integration of a percentage for Affordable Housing. Mayor Seiler discussed the increased property values within the Downtown RAC, explaining his reasoning for its expansion. Commissioner Trantalis

commented on the viability of expanding the Downtown RAC boundaries due to the expansion of the downtown area, noting the need for having Affordable Housing to maintain a vital urban core.

Board Member Rochelle Golub commented this is the natural evolution of Affordable Housing and is similar to areas such as Flagler Village. Mayor Seiler discussed the limited expansion of the Downtown RAC, emphasizing the need to accommodate the requirement for Affordable Housing.

Mayor Seiler discussed the need to remove flex units from the barrier island and to relocate them. Mayor Seiler expounded on the positive aspects related to expanding the Downtown RAC to accomplish the Affordable Housing goal.

In response to Vice Chair Maus's concern about expanding the Downtown RAC into existing residential neighborhoods, Mayor Seiler stated the Commission and P&Z Board would identify the areas of expansion. Vice Mayor Roberts concurred, citing the area of South Andrews Avenue. Further comments, examples of possible opportunities, and the amount of Workforce Housing needed in the SW area near Broward General Hospital ensued.

Ms. Golub asked for confirmation about the areas being discussed that are not adjacent to the Downtown RAC. City Manager Feldman clarified it is not changing the boundaries of the Downtown RAC; they are changing the underlying land use rezoning. He expounded on the details involved in counting it toward a part of the County Affordable Housing requirement in the boundary around one of the RAC's. Mayor Seiler stated there would be certain areas where this would not be encouraged, i.e., current residential areas.

Ms. Jean noted the County's specificity, asking if these discussions would be adequate to meet the County's requirements for the Downtown RAC. Mayor Seiler stated this would not move forward if it did not meet the County's requirement. He confirmed his conversations with individual County Commissioners. Four had agreed with an expansion for Affordable Housing only and allowing it to qualify.

Discussions continued about using a combination of the presentation options to achieve the Affordable Housing goal. Commissioner Rogers commented this approach would work if the Commission and the P&Z Board is strategic in its planning and if the City has a policy. He discussed the need for expansion to go south.

Chair Hansen asked Mr. Fajardo how soon this policy could be ready. Mayor Seiler requested Staff prepare a policy to be reviewed by the P&Z Board and the City Attorney's Office for presentation to the Commission. It would also be presented to the County to ascertain if the policy meets their Affordable Housing requirement.

City Manager Feldman suggested a Joint Meeting of the P&Z Board and the Affordable Housing Advisory Board to review and comment on this Joint Workshop's recommendations, acknowledging the importance of keeping the process moving forward.

Ms. Jean suggested Staff meet with the Affordable Housing Advisory Board to brief them on what will be proposed to give members background on this issue. A Joint Meeting with the P&Z Board could follow. There was a consensus on this recommendation. All options were confirmed as viable except for Option 2, giving a credit against Building Fees. Mayor Seiler reiterated Option 5's wording would be revised to replace "Remove" with "Examine."

Mayor Seiler confirmed agreement on the following Affordable Housing Options presented:

1.   Adopt New Mixed Use Zoning Category & Flex Unit Policy for Commercial Land Use Corridors

2.   Pay In Lieu of Fee (Affordable Housing Trust Fund)

4.   Property Tax Rebate for Affordable Housing (Rental Only)

5.   Examine Affordable Housing Requirement

Mayor Seiler asked Chair Hansen if he had any further comments or questions. Chair Hansen asked Mr. Fajardo to advise when the Joint Meeting with the P&Z Board and the Affordable Housing Advisory Board is scheduled, confirming the P&Z Board will move forward as quickly as possible.

In response to Mayor Seiler, there were no further comments.

A copy of Mr. Fajardo's Affordable Housing presentation is attached to these minutes.

OTHER BUSINESS

None.

ADJOURNMENT

Mayor Seiler adjourned the meeting at 1:51 p.m.