



CITY OF FORT LAUDERDALE

**MEETING MINUTES
CITY OF FORT LAUDERDALE
AFFORDABLE HOUSING ADVISORY COMMITTEE
914 SISTRUNK BOULEVARD, SUITE 100
2ND FLOOR CONFERENCE
FORT LAUDERDALE, FLORIDA 33311
MONDAY, JULY 8, 2024 – 9:00 A.M.**

Cumulative

Committee Members	2024 Attendance	Present	Absent
Leann Barber, Chair		P	7
Susan Spragg, Vice Chair	P	7	0
Commissioner Dr. Pamela Beasley-Pittman	A	4	3
Pablo Calvo	A	5	2
William Condon	P	5	2
Mindy Figueroa (dep. 10:45)	P	5	0
Willie McKay	P	5	2
Roderick Newkirk	P	5	2

Staff

Avis Wilkinson, Assistant Housing and Community Development Manager/Staff Liaison
K. Cruitt, Recording Secretary, Prototype, Inc.

Communication to the City Commission

Motion made by Mr. Condon, seconded by Ms. McKay, to amend the June 10 meeting minutes under the title of Communication to the City Commission to request a joint meeting with the Fort Lauderdale Homeless Advisory Committee on either November 18 or December 9 to discuss what affordable housing is doing to offset the burden of homelessness. [The **motion** passed by consent.]

I. ROLL CALL / DETERMINATION OF A QUORUM

Chair Barber called the meeting to order at 9:05 a.m. Roll was called and it was noted a quorum was present.

II. APPROVAL OF MINUTES – June 10, 2024

Motion made by Mr. Condon, seconded by Ms. McKay, to accept the minutes from the June meeting.

Ms. Wilkinson explained that the communication to the City Commission in the June 10, 2024 minutes required revision, as the Committee’s request for a joint meeting with the City’s Homeless Advisory Committee (HAC) had not specified a date. Two dates in 2024, November 18 or December 9, are proposed, as the Affordable Housing Incentive Report will be available then for distribution to the HAC members.



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Mr. Condon **restated** his **motion** as follows: **motion** to amend the June 10 meeting minutes under the title of Communication to the City Commission, I'd like to amend that to request a joint meeting with the Fort Lauderdale Homeless Advisory Committee on either the November 18 or December 9 meeting to discuss what our affordable housing is doing to offset the burden of homelessness. [The **motion** passed by consent.]

III. OLD BUSINESS

- **Affordable Housing Trust Fund Update**

Ms. Wilkinson reported that the balance of the Affordable Housing Trust Fund remains \$0, as no payments in lieu have been made at this time. She will continue to check the balance of the Trust Fund.

- **Habitat Update**

The development agreement between Habitat for Humanity of Broward County and the City is still pending at this time.

- **Communication to City Commission Update**

It was noted this Item was addressed under Approval of Minutes.

- **Escaping the Housing Trap Book Review – Leann Barber, Chair**

Chair Barber provided the Committee members with an overview of *Escaping the Housing Trap* by Charles L. Marohn. The book provides a comprehensive analysis of the difficulties experienced by the housing system in America and ways to escape them.

Chair Barber distributed a handout on the book's findings, noting that housing supply is not meeting demand. Both owner- and renter-occupied homes are being lost at lower price levels by an annual average of 15,000 units.

The book proposes solutions on both the supply and demand sides of the issue, including the following:

- Make households at lower income levels more competitive by providing them with housing vouchers or other forms of assistance
- Implement measures to reduce the overall price of housing
- Increase government funding for affordable housing
- Require new developments to offer affordable units (inclusionary zoning)
- Allow developers to build smaller affordable units by reducing restrictions on setbacks and other requirements
- Allow homeowners to add capacity to their homes through accessory dwelling units (ADUs) or home conversions

Chair Barber noted, however, that there are pros and cons related to each of the proposed solutions, and some would require local policy changes. She clarified that home conversions allow for additions or divisions within existing structures to convert a single-family home into a multi-family home.

Ms. Wilkinson advised that home conversions would need to be made with the required building permits and compliance with Building Code. She suggested that one of the City's construction review specialists can research this option further to determine what would be required of homeowners interested in conversions, and emphasized the importance of complying with Code.

Chair Barber suggested that the Committee consider a proposal to make home conversion easier for homeowners, as the permitting process can be onerous. Some municipalities also offer programs which encourage small developers to build affordable housing. Ms. Wilkinson noted that education of developers and homeowners is a key component of success.

Ms. Figueroa noted that many homeowners offer their properties as Airbnb or similar rental units, and asked how these households could be encouraged to provide affordable units instead. Chair Barber observed that if city or state funding is provided, the use of these units can be deed-restricted. She pointed out that one reason the supply of long-term rental housing has shrunk in recent years is the proliferation of Airbnb or other vacation rental providers; if more affordable units are built, however, they may eventually overcome the use of properties as vacation rentals.

- **New Communication to City Commission to Request Joint Mtg with AHAC**

This Item was also addressed under Approval of Minutes.

- **Update on CRA Speaker**

Ms. Wilkinson reported that Community Redevelopment Agency (CRA) Manager Clarence Woods will address the Committee at their September 9, 2024 meeting to discuss CRA housing programs.

IV. NEW BUSINESS

- **Affordable Housing Incentive Strategies Presentations by AHAC Members**

It was noted that not all Committee members were ready to make presentations on incentive strategies at this time. Ms. Wilkinson requested that these members meet briefly with her after today's meeting to discuss their presentations.

Mr. Condon explained that he had been assigned the incentive regarding flexible lot configurations, including zero lot lines, to encourage affordable housing. Most of the City's

current policies are consistent with those of other similarly sized cities. Fort Lauderdale requires a 14 ft. combined side setback, which means the properties on both sides must provide a total of at least 14 ft. of clearance. There is also a 3 ft. restriction on any building, including sheds, garages, or similar structures. ADUs typically require a restriction greater than 3 ft. as well as a 10 ft. setback from the rear property line.

Mr. Condon continued that the Committee may wish to recommend a proposal to reduce the 10 ft. rear setback requirement for ADUs. He recommended reducing this to the 3 ft. setback from the property line required for sheds or other structures. This may not be applicable in the case of corner lots, as there could be visibility issues.

Mr. Condon advised that most of the City's lot line and setback requirements relate to building density. Much of Fort Lauderdale's language in this section of Code specifically mentions single-family detached homes, for which there may be some flexibility on a case-by-case basis. He also questioned why Code specifically referred to detached homes, as multi-unit properties could use more of the available space on lots. He recommended the removal of the language referring to single-family detached units so properties could be considered on a case-by-case basis.

Mr. Condon also addressed parking reductions for units located near transportation hubs, stating that most of these regulations should be more flexible in those areas. He pointed out that many households near transportation hubs do not have cars.

Chair Barber observed that requiring approval on a case-by-case basis creates uncertainty for the developer, as they may not know whether or not their development will be approved. She emphasized that it will be necessary to make it easier for developers to build affordable housing.

Mr. Condon also noted that his presentation can be considered in conjunction with the processes for zoning requirements. If the challenges to these processes can be addressed more easily, it would remove uncertainty on the developers' part. Chair Barber added that other cities, such as Minneapolis, Minnesota, allow this type of automatic permitting.

Vice Chair Spragg presented the incentive addressing preparation of a printed inventory of locally owned and public land suitable for the construction of affordable housing. The recommendations in the most recent Incentive Plan include continuing to deed properties over to the CRA, as well as using the request for proposal (RFP) process to distribute these properties to nonprofit agencies that construct affordable housing. There is a state requirement to produce this list of properties and update it annually. She suggested that this list could be expanded to include CRA properties, as well as other parcels not designated as suitable for affordable housing.

Vice Chair Spragg continued that she had looked into the policies of other Broward County and Florida municipalities to learn how they addressed this issue. In February

2023, the Committee received a list of the City's surplus properties which included roughly 30 to 40 parcels, most of which were not considered suitable for the development of affordable housing. After requesting a more recent list, she was directed to a website which showed available properties designated in 2021. She attempted to contact a member of City Staff regarding this issue, but was unable to reach that individual.

Vice Chair Spragg advised that the reports she had found from other cities varied in length and detail. Brevard County mentioned a liquid property tax certificate sales program, which allows properties to be sold at a tax certificate sale if they are delinquent in their property taxes for a set amount of time. She did not know if this would be an option for Fort Lauderdale.

Ms. Wilkinson explained that the City typically does not want to participate in real estate business or the taking of properties. She added that she has spoken to the City division responsible for producing the list of City-owned properties appropriate for affordable housing. This division indicated that the list has not changed, which they felt made it unnecessary to prepare a new list.

Chair Barber requested clarification of how many surplus properties are owned by the City. Ms. Wilkinson replied that this is reflected on the list of City-owned surplus properties as shown on the website the Vice Chair had mentioned.

Ms. Figueroa recalled that some months ago, there had been discussion of properties not presently considered suitable for the development of affordable housing, but which might be converted or repurposed for that use, such as the former Police Department. There are also City-owned properties which may be contaminated and would require remediation. The City could partner with companies that have expertise in this issue to make them more suitable for affordable housing.

Ms. Wilkinson advised that she would make a note of this proposal, pointing out that there may be funds available through the American Rescue Plan that could be used to remediate and/or repurpose these properties.

Vice Chair Spragg stated that her first recommendation would be to document the process by which the City prepares its list of surplus properties, with the intent of providing greater transparency. Ms. Wilkinson recalled that a previous City representative had discussed this process with the Committee, noting that it included a survey and consideration of lot configurations in conjunction with the Department of Sustainable Development. She was not certain of whether or not this process had been updated or modified since that presentation.

Vice Chair Spragg continued that another proposal was to consider underused City-owned properties which might be converted. The City could also commission a study to evaluate properties owned by other public or private nonprofit entities which could be

appropriate for affordable housing. They could also partner with the Broward County School Board to evaluate properties owned by that entity.

Vice Chair Spragg added that when these lists are prepared, they could be made available near the time of the public hearing before the City Commission at which the Affordable Housing Incentive Plan is presented for approval. The lists could be reviewed and discussed at that time, as well as shared with nonprofit agencies and other organizations that own land, such as churches. A land swap may be a possible option.

Chair Barber asked how these various groups might be brought together to discuss options on the use of surplus land.

Ms. Figueroa recalled that she had spoken to a representative of the Chamber of Commerce who had expressed interest in talking to other agencies and the City with regard to affordable housing. The United Way also has a program related to affordable housing, as do the Broward Workshop and the Greater Fort Lauderdale Alliance.

Ms. Figueroa presented the incentive on supporting development near transportation hubs, major urban dwelling centers, and mixed-use development. She cited examples of districts in several international, U.S., and Florida cities which have provided efficient transportation systems and hubs in industrial, commercial, and mixed-use districts. Bus and other transit systems operate from these hubs throughout the cities, which emphasize connectivity and “walkability.”

Ms. Figueroa also emphasized that Fort Lauderdale is a walkable city, particularly in the Downtown area. Many activities are within walking distance of one another. She suggested that this can be encouraged so residents in affordable housing do not have to depend upon cars to access their needs. Additional opportunities include expansion of Circuit ridership to nearby cities.

Ms. Wilkinson pointed out that flexible land use requirements, such as those the Committee proposes, can support development of affordable housing near transportation hubs and major employment centers. Increasing density around transportation and employment hubs can also create robust mixed-use communities.

Ms. Figueroa recalled that one suggestion proposed by the Chamber of Commerce was the construction of more pedestrian bridges which would provide safe walking connections between areas of the City.

Ms. Wilkinson also noted that Ordinances C-2218 and C-2310 call for the creation of City-wide incentives for affordable housing development along the City’s primary corridors and mixed-use Regional Activity Centers (RACs). These areas are highly walkable, include both residential and commercial uses, provide access to City buses, and centralize developments in areas that can accommodate higher density. Incentives for these

developments include height and density bonuses, expedited review, parking reductions, and access to residential units.

Mr. Condon asked how many of the communities cited include affordable housing as part of their multi-use areas. While there are many high-rise buildings in Fort Lauderdale that are considered to be in walkable areas, most of these are luxury developments. Land around the City's bus station is also being sold to accommodate more high-rise buildings that will not be affordable housing. He suggested it could be more effective to increase the payment in lieu of affordable housing from \$10,000 per unit to \$100,000 per unit, which could encourage more developers to provide affordable units. Ms. Wilkinson confirmed that the Committee's recommendations could include a proposal to make it more difficult for developers to opt out of affordable units through the payment in lieu option.

Mr. Newkirk observed that some municipalities do not encourage affordable housing. Chair Barber noted that this is one reason it is not realistic to rely completely on government solutions: if market forces are allowed to dictate affordable housing, developers will not construct it. She recalled her earlier presentation, which recommended encouraging individual homeowners and small developers to enter the market and create solutions targeting affordable housing.

Mr. Condon added that construction costs are currently very high, which can also make it difficult to build affordable housing, or even to construct ADUs. He noted that the average home in the United States costs \$359,000 at present. It can be difficult for individuals entering the job market to secure jobs that pay enough to keep their housing costs below the target goal of one-third of their monthly income.

Ashley Mesidor, member of the public, offered the example of an affordable housing development near Oakland Park Boulevard and 441, which includes businesses, town homes, and apartments. There is also access to bus routes as well as nearby parks and recreation space. The development has a community advocate, medical office, and amenities including stores and businesses.

Ms. Wilkinson requested that the Committee members who presented today send her their comments and recommendations, which will be incorporated into the draft Affordable Housing Incentive Plan going forward. She also asked that the members who have not already presented their recommendations be prepared to present them at the August 12, 2024 meeting. The Committee will hold a public hearing at their September meeting for their report and will vote on the final recommendations at that time.

Chair Barber asked how the Committee can ensure the City Commission understands why the recommendations should be adopted. Ms. Wilkinson replied that many of the recent recommendations implemented by Urban Planning and Design are based on previous Committee recommendations. She recommended that each Committee

member reach out to their appointing Commissioner on a one-to-one basis to discuss the Incentive Plan and its recommendations.

Ms. Figueroa pointed out that there should be Commission acknowledgement of the Committee's work, particularly because it is being done by the members on a volunteer basis. Ms. Wilkinson encouraged the members to attend the City Commission meeting at which their recommendations will be presented. She would look into whether or not the members would be able to speak on Committee business at that meeting, and reiterated that they still have the option of meeting individually with their appointing officials.

Ms. Figueroa expressed concern with the amount of time and effort the members have put into researching and presenting their incentives, with no acknowledgement or adoption of this work by the City Commission.

Chair Barber stated that many of the existing Code details in the City can rule out some of the proposed incentives. Ms. Wilkinson advised that the Urban Planning and Design Department is aware of these details. She explained that the Committee can only act in an advisory capacity to the City Commission. She reiterated that contacting their appointing Commissioners directly may help the Incentive Plan have a greater impact.

Chair Barber asked how an Ordinance would be changed to allow some of the recommendations to take effect. Ms. Wilkinson replied that the Commissioners would have to take this action, and noted that Urban Planning and Design also brings proposed policy changes to the Commission. She recalled that Adam Schnell of Urban Planning and Design had previously provided the Committee with a document listing the current status of the Committee's proposed incentive strategies, some of which have been implemented by Ordinance, and advised that this document would be sent to the members once more.

Ms. Figueroa left the meeting at 10:45 a.m.

Vice Chair Spragg recalled that during her research, she had noted a number of strategies which were not reflected in the Incentive Plan, and offered to review these before the August meeting. Ms. Wilkinson confirmed that the Local Housing Assistance Plan (LHAP), which will be discussed later, will include some of these proposals, such as a community land trust. The LHAP includes a number of strategies that provide more options for households with low to very low incomes.

Ms. Wilkinson stated again that the Committee members are asked to send her their recommendations in advance of the August 12 meeting so she can compile them into the draft Incentive Plan.

Ms. Wilkinson reviewed the following incentives which have not yet been assigned to individual members:

- Incentive 2: fee waivers for the development and construction of affordable housing
- Incentive 3: allowance of flexible density for affordable housing
- Incentive 4: reservation of infrastructure capacity for housing for households with very low to moderate incomes

Mr. Condon offered to research the incentive originally assigned to Committee member Pablo Calvo. Vice Chair Spragg stated she would research Incentive 4.

V. GOOD OF THE ORDER

- **Next Scheduled Meeting Date: August 12, 2024**

VI. ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 10:59 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.]



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Approved
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Pablo Calvo	A	5	1
William Condon	P	4	2
Mindy Figueroa	P	4	0
Willie McKay	A	4	2
Roderick Newkirk	A	4	2

Staff

Avis Wilkinson, Assistant Housing and Community Development Manager
Adam Schnell, Urban Planner II, Department of Sustainable Development
K. Cruitt, Recording Secretary, Prototype, Inc.

Communication to the City Commission

Motion made by Mr. Condon, seconded by Ms. Figueroa, to request to have a joint meeting with the Fort Lauderdale Homeless [Advisory] Committee to discuss what our affordable housing is doing to offset the burden of homelessness. In a roll call vote, the **motion** passed unanimously (5-0).

I. ROLL CALL / DETERMINATION OF A QUORUM

Vice Chair Barber called the meeting to order at 9:03 a.m.

II. APPROVAL OF MINUTES – May 13, 2024

Motion made by Mr. Condon, seconded by Vice Chair Spragg, to approve the minutes. In a voice vote, the **motion** passed unanimously.

Roll was called and it was noted a quorum was present. Ms. Wilkinson advised that once the City Commissioners appoint new members to the Committee, membership is expected to increase to 11 members.

III. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE

The following Item was taken out of order on the Agenda.

V. NEW BUSINESS

• City's ADU Policy – Adam Schnell, Urban Planner III, DSD

Adam Schell, Urban Planner III, gave a presentation on accessory dwelling units (ADUs) and their existing conditions and regulations. Of the City's 12 residential zoning districts, eight permit ADUs. The districts which do not permit them are single-family high-density zoning districts.

Mr. Schnell briefly reviewed the City's residential zoning districts, which include:

- RS-8: single-family residential
- RD-15: permits cluster developments of up to 15 dwelling units per acre
- RC-15: permits cluster developments and townhouses
- RM-15: permits cluster developments, townhouses, and small multi-family development
- RML/RMM/RMH: these are residential zoning districts with greater density and heights

The zoning districts which do not permit ADUs include:

- RS-4.4: these are neighborhoods that are typically closer to the waterways, with larger lots; this is the City's smallest and lowest-density, and least permissive, zoning district
- RDS/RCS/RMS: these are similar to the RD, RC, and RM districts, but are more restrictive, with higher density and smaller lots; townhouses, cluster developments, and multi-family developments are not permitted in these districts

Ms. Wilkinson requested clarification of communities which do not allow ADUs. Mr. Schnell cited Rio Vista, the east side of Victoria Park, and Coral Ridge as examples.

ADUs are limited in size to 600 gross sq. ft. or 49% of the gross floor area of the principal structure, whichever is less. This is because ancillary or secondary structures must be smaller than the principal structure. ADUs are limited to one bedroom and one bathroom. If an ADU is attached to another structure, it must include a separate entrance and firewall. Density may not exceed the maximum density permitted by the zoning district.

There are minimum parcel size requirements for properties including ADUs in order to ensure that the ADU and principal structure can both fit comfortably on a lot without overcrowding.

Vice Chair Barber commented that the minimum parcel size eliminates many parcels from eligibility to construct ADUs, noting that within the RS-8 zoning district, for example, most parcels are 6000 sq. ft. or less. Mr. Schnell pointed out that Code permits parcels of up

to 8000 sq. ft. in RS-8 zoning districts. He reiterated that parcels on which ADUs may be built must be slightly larger than normal.

Mr. Schnell continued that Florida Statute 163.31771 permits municipalities to deed-restrict ADUs. This is because some years ago, House Bill (HB) 7103 was passed, which limited a municipality's capability to require deed restrictions on residential properties. This can now only be permitted if a developer can be made whole, or the municipality can find sufficient incentives to cover the cost of the deed restriction. Mr. Schnell characterized this as effectively outlawing inclusionary zoning unless the developer receives incentives to offset the costs of deed restrictions. Florida Statute 163.31771 allows municipalities to apply deed restrictions to ADUs without violating HB 7103.

Mr. Schnell explained that this is why almost all regulations within Fort Lauderdale provide incentives to construct affordable housing. The City had originally proposed inclusionary zoning areas throughout the City; however, these regulations were rewritten in order to be consistent with HB 7103.

Ms. Wilkinson asked if many ADUs are being built in Fort Lauderdale. Mr. Schnell replied that they are not. At present, there are approximately 798 existing ADUs, including legal, legal nonconforming, and illegal units.

A total of 5789 ADUs can be constructed throughout the City, based upon the criteria within Code. There are roughly 5100 eligible parcels which meet the criteria for ADU construction, which means only approximately 13.5% of potential ADUs have been constructed thus far.

Vice Chair Barber asked if Florida's Live Local Act took any action related to ADUs. Mr. Schnell replied that the Live Local Act applies to commercial, industrial, and mixed-use zoning districts, which are not districts that permit ADUs.

Vice Chair Barber observed that it would be useful for the Committee to see the number of ADUs built as well as the number of parcels which are eligible to build them. Mr. Schnell stated that Staff has created a comparison chart showing how many units are available within each zoning district.

Vice Chair Barber continued that there may be a great many lots on which the property owner wishes to build an ADU but cannot due to the size requirements. She asserted that there is no way of knowing how many owners fall into this category. Mr. Schnell replied that he would work with the City's geographic information systems (GIS) specialist to collect this data and would provide the results to Ms. Wilkinson for dissemination among the Committee members.

Mr. Schnell showed a map the estimated locations of ADUs in the City, as well as the zoning districts in which ADUs are permitted. Most of the City permits these units,

although not all lots are eligible. He also provided a map showing all the eligible sites throughout the City which can construct ADUs.

Mr. Schnell also pointed out that there are several Regional Activity Centers (RACs) throughout the City on its primary commercial corridors. RACs permit multi-family development.

Conclusions based upon this data include:

- There are many parcels that can build ADUs, which means there may not be a significant need to modify existing regulations; for example, Staff does not receive many phone calls with questions about ADUs, but instead receives calls regarding townhouses and cluster homes
- Many Staff efforts focus on multi-family zoning districts or RACs, both of which permit higher density, in order to achieve economies of scale with regard to costs per unit; an ADU costs roughly \$250,000 to construct, which is similar to the cost of a condominium unit

Ms. Wilkinson asked what might discourage property owners from building ADUs. Mr. Schnell replied that cost is a major factor. Ms. Wilkinson noted that the Florida Housing Finance Corporation might be able to provide funding for the construction of ADUs, but would require a restrictive covenant to ensure the units are used for affordable housing.

Mr. Schnell concluded that if the City's ultimate goal is to develop as many affordable units as possible, multi-family development is likely to reach that goal faster. He also noted that ADUs are built in different life cycles, such as constructing units for use by a family member and later converting them to other uses. If the parcel is sold, the unit could be converted back to use as an ADU.

Ms. Wilkinson asked if other states have created useful programs around ADUs. Mr. Schnell confirmed this, advising that while there are some constraints on most Fort Lauderdale properties, such as lot width, other areas can take advantage of lot configurations. Many existing lots in Fort Lauderdale are only 50 ft. wide. Other issues include curb cuts, which can produce pedestrian conflict points, and parking.

Commissioner Dr. Beasley-Pittman asked if property owners are aware that ADUs are an option for them, and how the City might raise awareness of this possibility. Mr. Schnell suggested that Neighbor Support or other City departments or entities which engage in public outreach could post information on the City's website. Vice Chair Barber added that homeowners' association meetings are another outlet for information, and proposed that a package be created with information on ADUs.

Vice Chair Barber continued that ADUs are a way to keep neighborhoods intact while providing modest density changes which would not disrupt the overall character of those communities. She emphasized that there must be a means for neighborhoods to grow

easily. She concluded that the solution is not necessarily building more multi-story development, and that the City should promote different options for development.

Vice Chair Barber advised that one major issue facing the City is its aging housing stock, as many residents find it hard to maintain upkeep of their houses. These households could generate income by constructing and renting an ADU on their property. Mr. Schnell suggested that State Housing Initiative Partnership (SHIP) funds could be used to offset some of the costs associated with building ADUs.

Ms. Wilkinson cautioned that SHIP funds would come with a deed restriction ensuring the unit would be used for affordable housing. Mr. Schnell noted that in order to apply a deed restriction, funding would have to be provided to offset the costs of construction. He advised that most individuals would be cautious with regard to placing deed restrictions on their own units without an incentive.

Commissioner Dr. Beasley-Pittman requested more information on what a deed-restricted ADU might look like. Ms. Wilkinson explained that the ADU must remain affordable for a specific number of years if SHIP is to contribute funding.

Mr. Schnell stated that potential Unified Land Development Regulations (ULDR) amendments addressing ADUs include:

- Removal of antiquated language such as “servants’ quarters”
- Expanding permission for ADUs to irregular zoning districts and annexed areas which meet lot size and density requirements; he cautioned, however, that many of these lots may be prone to flooding

Mr. Condon asked if expansion is an issue, as the City already has 5101 properties eligible to build ADUs. Mr. Schnell replied that this expansion would give more sites an opportunity to make a choice about ADUs.

Ms. Wilkinson advised that ADUs are included in the Affordable Housing Incentive Plan, although they cannot be expected to solve the entire problem of affordable housing. She noted that Vice Chair Barber will be researching and providing more information on this incentive, including recommendations based on both the Vice Chair’s own findings and today’s presentation.

Shantel Jairam, member of the public, noted that the cost of building an ADU is close to the estimate of \$250,000 with 6% interest, as well as additional costs such as insurance, property taxes, and utilities. With these costs, it is not likely to make sense to many homeowners to build ADUs for affordable housing.

Vice Chair Barber asked if prefabricated units are an option. Mr. Schnell stated that these units would have to meet state Building Code standards. While prefabricated units are sold in the state of Florida, they are typically available in the more traditional single- or doublewide options. There are not a great many options for prefabricated units due to

Building Code requirements, as they must be affixed to the ground in order to withstand severe weather events.

Commissioner Dr. Beasley-Pittman requested more information about “container homes.” Mr. Schnell explained that these units can be quite expensive due to the modifications necessary to use them for housing.

Ms. Figueroa asked how Fort Lauderdale defines affordable housing. Mr. Schnell replied that this depends upon the program under which a particular development would fall. The City uses U.S. Department of Housing and Urban Development (HUD) standards based upon median household income for a family of four, which is currently approximately \$89,000 in Broward County. Further calculations are based on family size and the targeted income level, which may be 30%, 50%, 80%, or 120% of median household income.

Ms. Figueroa asked how the Committee could help keep housing prices down so they are more affordable. Ms. Wilkinson clarified that the definition of affordable housing states a unit is considered affordable if a person is spending no more than 30% of their household income on housing. The City can only provide subsidies or “gap financing” to these households. The bank would draw up the required paperwork and tell the household how much their down payment should be, at which time City programs could supply them with up to \$75,000 to assist with that down payment. Due to the cost of homes, the City does not have a great deal of money to provide gap financing.

Ms. Wilkinson continued that the Community Redevelopment Agency (CRA) has done a good job with affordable housing by keeping housing costs low. She emphasized the importance of subsidizing developers so they can keep their costs under control, as they must recoup their expenses. The City’s solution is ensuring that money goes into the Affordable Housing Trust Fund for use as subsidies or gap financing.

Mr. Schnell advised that over the last few years, the City has adopted several different incentive-based regulations to support the development of affordable housing. These include increased density bonuses, expedited review, and parking reductions. Different programs are available in the Northwest RAC, the South RAC, and throughout the City.

Fort Lauderdale has also adopted regulations addressing the distribution of residential use for affordable housing development. The state of Florida has adopted the Live Local Act. Mr. Schnell concluded that there are several federal, state, and local affordable housing programs which are in effect in the City; however, these programs are based on bringing in developers to use these incentives, in exchange for which a portion of units must be set aside as affordable. An alternative option is for that developer to put money into the Affordable Housing Trust Fund as a payment in lieu.

Ms. Wilkinson stated that the City’s programs directly affect the person who will be buying the home, while payments in lieu are deposited into the Trust Fund at the time of building

permit issuance. This takes more time for the City to see that payment. He noted that the City has historically had many regulations addressing affordable housing, and are dealing with the consequences of those regulations now.

Ms. Wilkinson pointed out that money in the Affordable Housing Trust Fund will not have federal regulations attached to it and can be used more flexibly. Mr. Schnell also indicated that if all pending developments make a payment in lieu, this could bring in approximately \$8 million to \$9 million during the next year.

Mr. Schnell also noted that the City has received one application under the Live Local Act for a project located on Sistrunk Boulevard. He anticipated the receipt of more Live Local Act applications throughout the City.

Vice Chair Barber asked if Staff is conducting any forecasting in terms of housing need by price range. Mr. Schnell replied that Broward County has conducted an analysis that includes these metrics, which typically indicate that the lowest income brackets, such as 30% to 50% of median household income, have the greatest need. These income brackets require significant subsidization.

Vice Chair Barber observed that there are two options: in addition to subsidies, another way to address this need may be zoning changes. She pointed out that restrictive zoning is the cause of many housing issues that the City sees today, as some neighborhoods cannot grow internally due to their zoning restrictions.

Mr. Schnell advised that the City is also seeking to construct affordable housing on its primary commercial corridors. He requested clarification of any specific zoning regulations the Vice Chair felt were too restrictive. Vice Chair Barber replied that the zoning restrictions on ADUs are one example, as they make it difficult for neighborhoods to add more units without being disruptive to the area.

Mr. Schnell explained that increasing density in the neighborhoods Vice Chair Barber described would need to allow each neighborhood to maintain its essential character while also adding units in a non-disruptive fashion. Vice Chair Barber stated that the City allows the destruction and rebuilding of some neighborhoods rather than allowing incremental changes which would let longtime residents remain there.

Vice Chair Barber continued that there should be a balance between residents who want to stay in their neighborhoods and possibly add an ADU without the cost of this step being prohibitive. She also advised that properties in neighborhoods may be purchased by investors and rented out rather than owned.

Ms. Figueroa asked how each project's access to infrastructure is determined. Mr. Schnell replied that for each project, Staff determines whether or not there is enough existing capacity within the area. Each development is subject to review for adequacy requirements before the development can be approved. New pump stations are being

constructed in order to adequately serve areas where there have been infrastructure issues. At some locations, infrastructure projects are required in order for the next phase of the City to occur.

Ms. Figueroa commented that the City currently seems to be over capacity in some areas. She asked how it is possible to ensure that affordable housing is built in a safe area, citing concerns such as aging infrastructure. Mr. Schnell replied that the City's Public Works Department provides forecasts for all large projects.

Ms. Figueroa continued that the City should look at affordable housing in a holistic manner rather than considering each section individually. She also pointed out that the City continues to develop more luxury housing rather than affordable units. Mr. Schnell suggested that the Committee invite a representative of the Public Works Department to discuss how basins work and projections are made. He reiterated that the Public Works Department issues letters confirming that there is sufficient capacity for projects to go forward; if there is insufficient capacity, the development cannot be approved. He cited the example of construction which cannot begin until a new pump station has been built and is in service.

Vice Chair Barber stated that another consideration is the rate of growth the City finds acceptable, noting that a great deal of money is spent to encourage tourism each year. Many tourists who visit Fort Lauderdale may decide to stay. She requested clarification of the City's projected growth, expressing concern that the City continues to solicit that growth through tourism. Mr. Schnell confirmed that Staff is working on population projections, which are also expected at the Broward County level.

Ms. Wilkinson requested that any correspondence, including today's PowerPoint presentation, be sent to her office so she can share it with the Committee members.

The following Items were taken out of order on the Agenda.

- **AHAC Chair and Vice Chair Positions re-vote**

Ms. Wilkinson explained that the Committee may not elect Officers using a secret ballot, which means the votes taken at the May 2024 meeting are not currently valid and Ms. Barber's position is Vice Chair rather than Chair until re-votes are taken. Secret ballots are not permitted for the election of Officers under Florida's Sunshine Law.

Motion made by Mr. Condon, seconded by Commissioner Dr. Beasley-Pittman, that we do a roll call vote for the Vice Chair position of nominees Susan Spragg and Roderick Newkirk. In a roll call vote, Ms. Spragg was unanimously elected Vice Chair (5-0).

Motion made by Mr. Condon, seconded by Commissioner Dr. Beasley-Pittman, that Leann Barber is nominee for Chair of the Affordable Housing Advisory Committee. In a roll call vote, the **motion** passed unanimously (5-0).

- **New Communication to the City Commission to request Joint Mtg with HAC**

Ms. Wilkinson also advised that she was contacted by representatives of the City's Homeless Advisory Committee (HAC) who proposed a joint meeting between that Committee and the Affordable Housing Advisory Committee (AHAC). Because a joint meeting requires City Commission approval, the request will be transmitted in the form of a communication to the City Commission.

Ms. Wilkinson continued that the HAC's role is to create a strategic plan to address affordable housing. As part of that task, they would like to learn more about what the AHAC is proposing for affordable housing. The City Commission will not participate in the joint meeting.

Motion made by Mr. Condon, seconded by Ms. Figueroa, to request to have a joint meeting with the Fort Lauderdale Homeless Committee to discuss what our affordable housing is doing to offset the burden of homelessness. In a roll call vote, the **motion** passed unanimously (5-0).

Commissioner Dr. Beasley-Pittman left the meeting at 10:13 a.m.

IV. OLD BUSINESS

- **Affordable Housing Trust Fund Update**

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

- **Habitat Update**

Ms. Wilkinson stated that the City's Legal Department has drafted the restrictive covenant, mortgage, and promissory note for Habitat for Humanity. Habitat has proposed to construct 20 town homes. Once they have signed the note, the next stage of the project will be the construction phase.

- **Communication to City Commission update**

Ms. Wilkinson advised that the Committee's previous communication to the City Commission has been transmitted for inclusion on the City Commission's Agenda.

- **Preparation for completion of the 2024 Affordable Housing Incentive Plan**

Ms. Wilkinson encouraged the members to work on their assigned incentives, as they will be asked to discuss their progress the July 8, 2024 meeting in preparation for the 2024 Affordable Housing Incentive Plan.

Mr. Condon requested clarification of Ms. Wilkinson's expectations regarding the incentives. Ms. Wilkinson replied that the members will be asked to present recommendations based on their research into the incentives. They will be asked to provide five-minute presentations on which the other members can provide feedback.

- **Community Redevelopment Agency (CRA) Update**

Ms. Wilkinson advised that she has emailed representatives of the City's CRA and will follow up to invite them to discuss the CRA at a future Committee meeting.

- **City's funding for Affordable Housing Discussion**

Ms. Wilkinson recalled that at a previous meeting, Commissioner Dr. Beasley-Pittman had requested that the Committee members provide her with comments on the City's funding for affordable housing, including what they feel should be done. She recommended that the members email these recommendations to her office, and she will forward them to the Commissioner.

- **Affordable Housing Master Plan**

Ms. Wilkinson proposed that a portion of the total payments in lieu which will be placed in the Affordable Housing Trust Fund by developers be used to prepare a request for proposal (RFP) for a consultant to perform a housing market study for Fort Lauderdale. This study would identify existing and future housing needs, as well as the creation of an Affordable Housing Master Plan for the City.

Ms. Figueroa asked if this would be done in conjunction with the adequacy determinations made by Public Works, as discussed earlier in Mr. Schnell's presentation. Ms. Wilkinson replied that the Master Plan is intended to look at all components of affordable housing. She strongly recommended that this must be a practical study that can provide direction for the future.

Mr. Condon requested information on the timing of the RFP. Ms. Wilkinson explained that the City must wait for funds to be put into the Affordable Housing Trust Fund before they can proceed with any plans for those funds.

Ms. Wilkinson added that the consultant selected for the study and Affordable Housing Master Plan will also be asked to address Affordable Housing Trust Fund policy. The Committee will be able to have input on the consultant's recommendations for the Trust Fund.

Vice Chair Spragg expressed concern that by the time payments in lieu are added to the Trust Fund, the City Commission may wish to spend those funds another way. Ms. Wilkinson stated that the current Trust Fund policy is not sufficient for the City's affordable housing needs, and it may take some time to make appropriate adjustments to that policy.

This was why she preferred that a consultant address this policy. The intent is to create a concrete and stable policy for the future.

Chair Barber asked if the Affordable Housing Trust Fund could be modified in a way that would no longer allow those dollars to be used at the will of the Commission. Ms. Wilkinson reiterated that the Trust Fund plan will need to be amended to prevent this from happening again in the future.

Mr. Condon also expressed concern that money placed in the Trust Fund could be used by another entity before it can be used toward affordable housing needs, and asked if it was possible for the Committee to “jump-start” the RFP process, possibly by looking at the structure of other RFPs. Ms. Wilkinson explained that the RFP can be issued at any time, but it cannot be implemented until the payments in lieu have been added to the Trust Fund. She was not certain that the City’s Procurement Department would allow an RFP to be sent out if the funding is not already in place.

Mr. Condon also asked if the Committee’s recommendations following the RFP would be subject to City Commission approval. Ms. Wilkinson confirmed that all Committee business is subject to Commission approval. She was confident that the City Commission would be amenable to the conclusions and recommendations included in the consultant’s report, which would include both policy recommendations and a housing market study.

Ms. Figueroa asked if the Committee will have a fiduciary responsibility with regard to managing the money in the Affordable Housing Trust Fund. It was clarified that the Committee would be able to make recommendations on how funds could be used.

Ms. Wilkinson advised that at present, the two main sources of funding for the Trust Fund are:

- 100% of the proceeds from the sale of any City-owned residential property
- 15% of the proceeds from the sale of any City-owned commercial properties

These sources will continue to provide revenue in addition to the anticipated payments in lieu.

Ms. Figueroa cautioned that as a volunteer Committee member, she did not want to take on the fiduciary responsibility of overseeing the use of Trust Fund dollars. Ms. Wilkinson reiterated that the Committee will only be asked to make recommendations in an advisory capacity. They may be able to review RFPs for proposed projects and make recommendations on those as well. The City Commission will make the final decisions.

VI. NEW BUSINESS

- **Escaping the Housing Trap Book Review – Leann Barber, Chair**

This Item was tabled to a later date.

VI. GOOD OF THE ORDER

None.

VII. NEXT SCHEDULED MEETING DATE – July 8, 2024

VIII. ADJOURNMENT

There being no further business to come before the Committee at this time, the meeting was adjourned at 10:50 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.]