

RESOLUTION NO. 15-207

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA, ADOPTING AND APPROVING AN AFFORDABLE HOUSING POLICY FOR THE CITY OF FORT LAUDERDALE, FLORIDA; AUTHORIZING OTHER REQUIRED ACTION AND PROVIDING AN EFFECTIVE DATE

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WHEREAS, the City Commission finds that every resident of the City deserves to live in a safe, decent and affordable dwelling and that homeownership is the foundation for stable communities and strong families; and

Whereas, it is the intent of the City Commission to discourage the concentration of low income housing in certain communities and to create incentives which encourage mixed income projects throughout the City; and

Whereas, it is the intent of the City Commission to encourage strong, diverse communities;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:


SECTION 1. That the recitals set forth above are incorporated in this Resolution.

SECTION 2. That the City Commission hereby adopts and approves the Affordable Housing Policy attached to this Resolution.

SECTION 3. That the Affordable Housing Policy shall take effect as of the date of this Resolution.

SECTION 4. That staff shall review the Affordable Housing Policy every three (3) years and recommend changes to the Policy as necessary.

ADOPTED this the 6th day of October, 2015.

  
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Mayor  
JOHN P. "JACK" SEILER

ATTEST:



\_\_\_\_\_  
City Clerk  
JEFFREY A. MODARELLI



# Affordable Housing Policy

City of Fort Lauderdale

The affordable housing policy will assist local leaders discuss the modern realities of the affordable housing market. The policy document identifies resources and the regulatory framework available to facilitate affordable housing development opportunities within the City of Fort Lauderdale.

# Affordable Housing Policy

## City of Fort Lauderdale

### *Introduction*

Fort Lauderdale's neighborhoods offer residents an opportunity to live near the region's significant cultural facilities, and enjoy a variety of people, architecture, and a sense of community. Neighborhood revitalization of deteriorated elements, and preservation of positive characteristics, is a major policy emphasis because it has a direct impact on the quality of life for Fort Lauderdale's residents. Neighborhood quality includes many factors, including the condition and the cost of the City's housing supply, the quality of the environment and the provision of facilities and services such as parks, street improvements, fire and police protection, and health, education and welfare facilities.

The City of Fort Lauderdale is currently seeking an amendment to the Broward County land use plan to build more housing units in the Downtown Fort Lauderdale area. The purpose of the amendment is to increase the residential development allowed in the Downtown Regional Activity Center (RAC) by 5,000 dwelling units, which would bring the total allowable number of dwelling units in the Downtown RAC to 16,060.

To assist with the requested amendment to the land use plan, the Broward County Planning Council asked the City of Fort Lauderdale to adopt an affordable housing policy. Furthermore, the City Manager directed staff to hire a consultant to perform an affordable housing study for the entire city. In order to prepare an affordable housing policy, an affordable housing study was the considered to be the necessary first step in understanding the location of affordable housing inventory. The city hired the Florida International University Metropolitan Center to prepare an affordable housing study; the scope of study focused on understanding how housing and transportation costs both play a role in truly determining housing affordability in Fort Lauderdale.

The Affordable Housing Advisory Committee commonly referred to as the AHAC, have also presented affordable housing policy discussion materials on the topic of affordable housing to the City Commission. The AHAC is a standing committee, required by state statute because the city receives funding through the State Housing Initiatives Partnership (SHIP) program. The AHAC works with city staff to review established policies and procedures, ordinances, land development regulations, and the housing element of the adopted comprehensive plan for the City of Fort Lauderdale. Occasionally, the AHAC may recommend specific actions or initiatives to encourage or facilitate affordable housing opportunities throughout the city. In the recent past, the AHAC has also offered policy recommendations for development of affordable housing within the city.

At the administrative level, the Housing and Community Development Division (HCD) of the Department of Sustainable Development primarily manage the preservation and creation of affordable housing. The affordable housing policy included herein was prepared by City staff to inform the City Commission and administration of the existing resources, local ordinances, and policies in place related to affordable housing. The document also includes several recommended policy enhancement and consolidates the existing and recommended items into one comprehensive policy document.

The affordable housing policy document is organized into the following topic areas:

## *Article I. Affordable Housing Definition and Terms*

- Definition and Determining Affordability
- Income Categories
- Affordability Methodologies / Indexes

## *Article II. Affordable Housing Trust Fund*

- Establishing an Affordable Housing Trust Fund

## *Article III. Tools to Incentivize Development*

- Expedited Permitting
- Development Fee Offset Program
- Northwest Regional Activity Center (NWRAC)
- Transit Oriented Development (T.O.D.)
- Land Write Down
- No-Cost Conveyance
- Land Contribution as Equity

## *Article IV. Infill Strategies*

- City Owned Property
- Public Private Partnerships
- Residential Renovation, Infill and Townhomes

## *Article V. Existing Affordable Housing Policy and Regulations*

- Consolidated Plan (CP)
- Annual Action Plan (AAP)
- Local Housing Assistance Plan (LHAP)
- Comprehensive Plan
- Unified Land Development Regulations (ULDR)

## *Article VI. Appendix*

- Expedited Permitting Ordinance C-98-64

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## *Article I. Affordable Housing Definition and Terms*

### Section 1.01 Definition and Determining Affordability

Housing affordability is the capacity of households to consume housing services and, specifically the relationship between household incomes and prevailing prices and rents. Two entities that use empirical data to determine affordability are the United States Department of Housing and Urban Development (HUD) and the Florida Housing Finance Corporation (FHFC), both define affordability by household based on income categories, in relation to the Area Median Income (AMI).

HUD uses the median income for families in metropolitan and non-metropolitan areas to calculate income limits for eligibility in a variety of housing programs. HUD estimates the median family income for an area in the current year and adjusts that amount for different family sizes so that family incomes are expressed as a percentage of the area median income. The median divides the income distribution into two equal parts: one-half of the cases falling below the median income and one-half above the median.

Additionally, when evaluating housing as a whole, there are some standard affordability methodologies available. Some methodologies base affordability solely on monthly housing costs, while other combine monthly housing costs with monthly transportation costs.

The standard HUD and FHFC income category definitions are below in Section 1.02:

### Section 1.02 Income Eligibility Categories:

- 30% or below AMI - Extremely Low Income
- 30.01% to 50% of AMI - Very Low Income
- 50.01% to 80% of AMI - Low Income
- 80.01% to 140% of AMI - Moderate Income

Housing Affordability is a universal term that is defined as a measure of a population's ability to purchase and own a particular item, such as a home, based on their household income. The term affordability is not solely applicable to households that qualify under the FHFC and HUD guidelines; affordability includes an individual/family's ability to afford a home regardless of household size and income.

Typically, the term Affordable Housing is focused on providing housing opportunities to households that are 30% - 80% of the Area Median Income. For individuals and families that do not qualify under the income categories issued by HUD or FHFC, other methodologies / indexes can also be used to determine affordability based on issues such as location, transportation, and available inventory.

## Section 1.03      Affordability Methodologies / Indexes:

In accordance with the City's Affordable Housing Programs, "affordable" means that monthly rents or mortgage payments including taxes and insurance do not exceed 30% of monthly income. However, it is not the intent to limit an individual household's ability to devote more than 30% of its income for housing, particular if a housing program allows for a higher percentage.

The commercial lending industry defines affordability based on a housing front-end ratio. This ratio consists of the following monthly housing expenses: mortgage payment, interest payment, property tax payment, homeowner's insurance payment, and mortgage insurance payment and association / condominium fees. For lenders, a typical front-end ratio should not exceed 35% of a household's monthly income is considered eligible for affordable housing.

Affordable housing professionals use a similar affordability methodology, but states that a monthly housing or lease payment should not exceed 30% of a household's monthly income.

The Affordable Housing and Economic Analysis report prepared by the Metropolitan Center at Florida International University (FIU) provides a more detailed overview of a number of the traditional housing affordability indexes. The report also highlights and applies citywide a new approach to measure housing affordability referred to as the Housing + Transportation Affordability index, or H+T. The H+T Affordability index developed by the Center for Neighborhood Technology (CNT) to offer an expanded view of affordability; one that combines traditional housing costs (as listed above) and transportation costs. Monthly transportation costs can include your car payment, car insurance, fuel, and any other form of transportation costs incurred on a monthly basis.

In measuring affordability using the H+T Index, sets the benchmark or common measuring point of household expenses at no more than 45% of household income. The City of Fort Lauderdale hired FIU to conduct an analysis of the entire city applying traditional housing affordability analysis and the H+T Index to measure overall affordability where possible by area or neighborhood. The city will continue to use the affordability guidelines as defined by FHFC and HUD as the primary indexes for those households eligible for city-sponsored housing programs. According to CNT's 2015 estimates, both Broward County (65%) and the City of Fort Lauderdale (66%) have an H+T Index above the 45% benchmark and therefore can be categorized as being significantly cost burdened when including transportation costs to the traditional view of affordability.

## *Article II. Affordable Housing Trust Fund*

It is recommended that the City of Fort Lauderdale establish an Affordable Housing Trust Fund by adopting an ordinance. The trust fund will be initially funded with funds deposited in an account set up in 2005 for the delivery of more affordable housing units. To date that account has a balance of approximately \$300,000. Moving forward affordable housing will continue to be funded from the net sales proceeds from the sale of eligible residential surplus lots. One hundred percent of the funds received from the sale of eligible residential lots shall be deposited into the Affordable Housing Trust Fund. Eligibility for residential property to be sold will also include analysis of any deed restrictions or encumbrances that may need to be evaluated to determine if a property can be developed free of title issues or restrictions.

## *Article III. Tools to Incentivize Development*

### *Section 3.01 Expedited Permitting*

The processing of approvals of development orders or permits, as defined in s. 163.3164(15) and (16), Florida Statutes, for affordable housing projects is expedited to a greater degree than other projects.

The City of Fort Lauderdale adopted Ordinance C-98-64 on December 8, 1998 to provide for an expedited permitting process to assist developers of affordable housing in getting through the development review process. It is recommended that the City continue to work to implement this ordinance by dedicating the necessary resources to facilitate the development of affordable housing. The City has identified the Assistant Building Official as the expeditor that will have the responsibility for expediting applications. The following expedited review processes may include, but shall not be limited to the following:

- Identify zoning regulations applicable to the proposed development.
- Oversight of the development will be conducted from application to certificate of occupancy.
- Referral to the appropriate Broward County government and Broward County School Board affordable housing expeditors who have jurisdiction over proposed developments in the City.
- Assist the applicant with any incomplete portions of the development application.
- Identify resources, which may assist the applicant in meeting the requirement for development permit approval.

Developers and Contractors can access this incentive by advising the Building Division of the Department of Sustainable Development that they are constructing affordable housing at the time of applying for a building permit. If the Developer or Contractor is working with the Housing & Community Development Division (HCD), HCD staff will assist to get their permit expedited.

### *Section 3.02 NWRAC-MU Special Regulations (City Ordinance C-14-51)*

It is recommended that the City promote affordable housing development within the Northwest Regional Activity Center, specifically the area identified within the new mixed-used regulations. On February 17, 2015 the City Commission adopted ordinance C-14-51 to establish performance standards and criteria for development projects in the Northwest Progresso Flagler Heights Community Redevelopment Area an Affordable Housing height bonus incentive within the for properties fronting the Sistrunk Boulevard corridor from the Florida East Coast Railway to NW 24<sup>th</sup> Avenue.

### *Section 3.03 Transit Oriented Development (Resolution 14-19)*

It is recommended that the City promote affordable housing within a defined transit-oriented development district or a new transit-oriented development project. On February 4, 2014, the City of Fort Lauderdale adopted a resolution approving an update to the Downtown Master Plan by incorporating Transit Oriented Development (TOD) guidelines. The proximity of affordable housing to existing and future transit corridors, hubs, and large employment centers is a logical solution to traffic congestion, parking constraints, and affordability.



## Section 3.04 Development Fee Offset Program

Under the Fort Lauderdale Code of Ordinances, Section 9-341, the City may offset a portion of the development fees incurred in connection with the development of affordable housing. It is recommended that the City of Fort Lauderdale identify and budget annually a source of funds to promote the development of more affordable housing. In order for a project to be eligible for funding under this ordinance a project shall meet the following requirements:

- (1) An application for the proposed development is submitted on or after the effective date of the ordinance from which this article is derived.
- (2) The development consists of one or more single-family or multifamily dwellings as defined in the ULDR.
- (3) The development qualifies as affordable housing as defined in this article.
- (4) The purchaser or lessee of the development is an eligible person or eligible household as defined in this article.
- (5) A restrictive covenant is executed and recorded in the public records of Broward County, Florida, restricting the ownership of an owner-qualified development to an eligible person for five (5) years and lease of multifamily dwellings to a qualified lease development to an eligible person for fifteen (15) years.
- (6) Single-family standard development must meet the standards established for an infill housing project approved by the city commission on July 6, 1994.

## Section 3.05 Land Write Down

The City should negotiate a real property land write down when appropriate to support the development of affordable housing. The land write down process would involve City of Fort Lauderdale disposing of land available for the construction of affordable housing at a price below the fair market value.

## Section 3.06 No-Cost Conveyance

The City should convey property at no cost when negotiating with developers for affordable housing projects. The no-cost conveyance would also include the city covering closing costs and other applicable fees, through non-general fund sources.

## Section 3.07 Land Contribution as Equity

The City should utilize city-owned property as equity when negotiating to develop an affordable housing project. The incentive would involve the conveyance of title with a deed restriction that would be recorded to prohibit the sale, transfer, or refinance of the property within 15 years. If the deed restriction were violated before the restriction is in effect, then the seller would owe the City a pro rata share of the value of the equity invested from the sales proceeds of a transaction.

## *Article IV. Infill Strategies*

### Section 4.01 City-Owned Property

The City should develop a comprehensive city-owned property disposal strategy for residential properties. In accordance with State requirements, the City of Fort Lauderdale is obligated to review all residential lots in the City to determine if they are suitable for affordable housing. Each eligible residential lot will be carefully analyzed to



determine its suitability for affordable housing. The conveyance of residential properties (that are free of encumbrances and restrictions) that are donated, discounted, funded, or incentivized by the City shall be used to provide affordable housing for households earning less than 140% of the median income and shall remain affordable for a minimum of 15 years.

### Section 4.02      Section 4.02 – Public-Private Partnerships

The City should actively seek public-private partnerships for the development of affordable housing. The optimal City partnerships, where possible, will be with experienced affordable housing developers. All developers, particularly those that focus on affordable housing shall be considered for this type of partnership. Affordable housing developers are generally focused on projects that create housing opportunities for low and very low-income households.

### Section 4.03      Residential Renovation, Infill and Townhomes

The City should encourage the renovation of existing housing stock, construct on available infill properties and promote a mixture of single family and townhome developments based on project feasibility and neighborhood character. The City has a number of residential lots that are suitable for affordable housing. The City will utilize a competitive process, to select developers to collaborate with to develop larger parcels and may offer property as equity to the developer to help reduce costs and make the projects financially feasible. All housing units constructed or rehabilitated shall include “sustainable” construction practices. Some examples of “sustainable” construction practices include, but are not limited to the following:

- **Landscape:** Incorporates “Florida Friendly” landscape principles,
- **Attic Insulation:** R-38 fiberglass batt or blown in borax treated (no ammonium sulfate permitted), and
- **Paints/primers and coatings for Exterior & Interior:** Must be Zero or Low V.O.C. (Volatile Organic Compounds) and must meet Green Seal G-11 Environmental standard.

## *Article V. Federal, State and Local Housing Policy Documents*

The Housing and Community Development (HCD) Division is responsible for administering the City’s programs for the Florida Housing Finance Corporation (FHFC) and the Department of Housing and Urban Development (HUD). Both agencies have policy documents such as the Local Housing Assistance Plan, the Consolidated Plan, and Annual Action Plan that must be adopted by the City Commission and are used to govern the programmatic use of the funding. All of these policy documents have an impact on the city’s ability to support the development of affordable housing.

### Section 5.01      Consolidated Plan (CP)

Every five years, the City of Fort Lauderdale is required to submit its Consolidated Plan to the U.S. Department of Housing and Urban Development (HUD) in order to continue receiving funding for the City’s Entitlement Grant Programs through HUD. The purpose of the Consolidated Plan is to identify community, economic and housing development needs, and to develop strategies and goals to address those needs.

All entitlement jurisdictions receiving federal housing funds from HUD are required to Affirmatively Further Fair Housing (AFFH) by identifying impediments to fair housing choice in their communities and to develop action plans to address those impediments. The AFFH report identifies current impediments to fair housing choice and provides recommendations to diminish them. The analysis includes illegal actions in direct violation of fair housing laws and



actions, omissions or decisions that may be legal but ultimately restrict fair housing choice.

### Section 5.02 Annual Action Plan (AAP)

Each year a Consolidated Plan is developed, with it the City outlines how federal funds will be spent in accordance with rules and regulations outlined by HUD. The HUD funded programs include the HOME Investment Partnerships (HOME), the Community Development Block Grant (CDBG), and Housing Opportunities for Persons with HIV/AIDS (HOPWA).

### Section 5.03 Local Housing Assistance Plan (LHAP)

The City receives funds from the State of Florida for the State Housing Initiatives Partnership (SHIP) Program. Every three years, the City is required to submit its Local Housing Assistance Plan (LHAP) to the State for final approval of programs to be administered by the City. SHIP dollars may be used to fund emergency repairs, new construction, rehabilitation, down payment and closing cost assistance, impact fees, construction and gap financing, mortgage buy-downs, acquisition of property for affordable housing, matching dollars for federal housing grants and programs, and homeownership counseling.

### Section 5.04 Housing Element of the Comprehensive Plan

An adopted Affordable Housing Policy will be used to update, amend, or supplement the information contained in the Comprehensive Plan to provide insight and direction on future housing needs for the City of Fort Lauderdale.

## *Article VI. Appendix*

- Expedited Permitting Ordinance C-98-64

I certify this to be a true and correct copy of the record of the City of Fort Lauderdale, Florida.

WITNESSETH my hand and official seal of the City of Fort Lauderdale, Florida, this 17th day of December, 1998

City Clerk

ORDINANCE NO. C-98-64

AN ORDINANCE CREATING A NEW ARTICLE VIII OF CHAPTER 9, "BUILDINGS AND CONSTRUCTION", OF THE CODE OF ORDINANCES OF THE CITY OF FORT LAUDERDALE ENTITLED THE AFFORDABLE HOUSING PROGRAM; PROVIDING A PROGRAM AND FUNDS TO OFFSET PERMIT, DEVELOPMENT AND INSPECTION FEES FOR AFFORDABLE HOUSING AND PROVIDING FOR AN EXPEDITED DEVELOPMENT PERMIT PROCESS.

WHEREAS, as part of the William E. Sadowski Affordable Housing Act passed by the Florida Legislature in 1992, the State Housing Initiatives Partnership Act ("SHIP") was enacted as Section 420.907-420.9079 of the Florida Statutes; and

WHEREAS, SHIP authorizes the allocation of tax revenues authorized under Chapter 201, Florida Statutes, and allocates such funds to counties and eligible municipalities for use in an affordable housing program; and

WHEREAS, pursuant to Ordinance No. C-93-20, adopted at its meeting of February 18, 1993, the City Commission authorized the City to participate in SHIP; and

WHEREAS, it is a requirement of SHIP that the eligible municipality adopt an ordinance which includes adopting an affordable housing incentive plan; and

WHEREAS, pursuant to Resolution No. 94-27, adopted at its meeting of February 15, 1994, the City Commission adopted the Local Affordable Housing Incentive Plan of the City of Fort Lauderdale ("Plan"); and

WHEREAS, the Plan provided as part of its incentive strategies that the City would adopt an affordable housing ordinance which will provide the mechanism to expedite the process for development of affordable housing and reduce the cost of development; and

WHEREAS, in accordance with the Plan, at least five workshops have been held where members of the community, planning professionals and other interested persons, in conjunction with the SHIP Affordable Housing Advisory Committee, discussed proposed incentives; and

WHEREAS, the City finds that it is in the best interest of the public to adopt the affordable housing incentives provided herein;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT LAUDERDALE, FLORIDA:

SECTION 1. That a new Article VIII of Chapter 9, "Buildings and Construction", entitled "Affordable Housing Program" of the Code of Ordinances of the City of Fort Lauderdale, Florida, is hereby created to read as follows:

Chapter 9

ARTICLE VIII. AFFORDABLE HOUSING PROGRAM

Sec. 9-320. Definitions of words and phrases.

The following words, terms and phrases, when used in this chapter, shall for the purposes of this chapter have the following meanings, except where the context clearly indicates a different meaning:

(1) Affordable means that monthly rents or monthly mortgage payments including taxes and insurance do not exceed thirty (30) percent of that amount which represents the percentage of the median annual gross income for households as indicated in subsection 8, or subsection 12. However, it is not the intent to limit an individual household's ability to devote more than thirty (30) percent of its income for housing, and housing for which a household devotes more than thirty (30) percent of its income shall be deemed affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the thirty (30) percent benchmark.

(2) Affordable Housing means housing which at the time of sale or rental is determined by the department to be "Affordable" as defined herein.

(3) Annual gross income means annual income as defined under the Section 8 housing assistance payments programs in 24 C.F.R., part 813; annual income as reported under the census long form for the recent available decennial census; or adjusted gross income as defined for purposes of reporting under Internal Revenue Service Form 1040 for

individual federal annual income tax purposes. Counties and eligible municipalities shall calculate income by projecting the prevailing annual rate of income for all adults in the household as the amount of income to be received in a household during the twelve (12) months following the effective date of the determination.

(4) Department means the Planning and Economic Development Department of the City of Fort Lauderdale or such other department as designated by the City Manager to administer the program described in this section.

(5) Development means one or more single-family or multi-family dwellings as defined in the ULDR.

(6) Development fees mean those fees established by city and charged in connection with development including, but not limited to building permit, impact, development permit and utility connection fees.

(7) Eligible Person or eligible household means one or more natural persons or a family determined by the City to be of very low income or low income according to the income limits adjusted to family size published annually by the United States Department of Housing and Urban Development based upon the annual gross income of the household. When used herein, Eligible Person shall mean and include eligible household.

(8) Low-income person or low-income household means one or more natural persons or a family that has a total annual gross household income that does not exceed eighty (80) percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever amount is greatest. With respect to rental units, the low-income household's annual income at the time of initial occupancy may not exceed eighty (80) percent of the area's median income adjusted for family size. While occupying the rental unit, a low-income household's annual income may increase to an amount not to exceed one hundred forty (140) percent of eighty (80) percent of the area's median income adjusted for family

size. When used herein, low-income person shall mean and include low-income household.

(9) Qualified Development means a development which has been determined by the department to meet the provisions of this article and fees will or have been offset. Lease qualified means qualified multi-family dwelling available for lease. Owner qualified means single-family dwelling qualifying for sale.

(10) SHIP means the State Housing Initiatives Partnership Act enacted as Sections 420.907 - 420.9079 of the Florida Statutes.

(11) ULDR means the Unified Land Development Regulations of the City of Fort Lauderdale, Florida "ULDR".

(12) Very-low income person or very-low-income household means one or more natural persons or a family that has a total annual gross household income that does not exceed fifty (50) percent of the median annual income adjusted for family size for households within the metropolitan statistical area, the county, or the nonmetropolitan median for the state, whichever is greatest. With respect to rental units, the very-low-income household's annual income at the time of initial occupancy may not exceed fifty (50) percent of the area's median income adjusted for family size. While occupying the rental unit, a very-low-income household's annual income may increase to an amount not to exceed one hundred forty (140) percent of fifty (50) percent of the area's median income adjusted for family size. When used herein, very-low income person shall mean and include very-low income household.

Sec. 29-2. Applicability.

Funds shall be made available to offset a portion of the development fees incurred in connection with the development of affordable housing. In order to be eligible for funding under this section the following requirements must be met:

- (1) An application for the proposed development is submitted on or after the effective date of this ordinance.
- (2) The development consists of one or more single-family or multi-family dwellings as defined in the ULDR.
- (3) The development qualifies as Affordable Housing as defined in this article.
- (4) The purchaser or lessee of the development is an Eligible Person or Eligible Household as defined in this article.
- (5) A restrictive covenant is executed and recorded in the Public Records of Broward County, Florida restricting the ownership of an owner-qualified development to an Eligible Person for five (5) years and lease of multi-family dwellings to a qualified lease development to an Eligible Person for fifteen (15) years.
- (6) Single-family standard development must meet the standards established for an infill housing project approved by the City Commission on July 6, 1994.

Sec. 29-3. Qualification process.

The process for qualifying to receive an offset of development fees is as follows:

- (1) Prior to issuance of a building permit for a proposed qualified development an owner shall submit an application to the department. The application form shall be provided by the Community Development Division.
- (2) A preliminary qualification approval will be issued by the department if it is determined that the proposal meets the requirements of this article.



- (3) Prior to final qualification of a development, a buyer or lessee must be identified and determined to be an Eligible Person by the Department. The buyer or lessee shall apply to the department for a determination of eligibility.
- (4) A contract for sale and purchase for an owner qualified development or a lease for a lease qualified development shall be delivered to the department and be added to the application.
- (5) The seller shall provide evidence of payment of development fees to the City.
- (6) If a development is determined to be an owner qualified development, a check for the offset amount shall be issued by City and be made payable to the entity disbursing the closing proceeds. The check will be delivered on or before the date of closing and disbursement shall be made simultaneous with the transfer of title from the qualified seller to a qualified buyer. For a lease qualified development, a check for that portion of the offset amount representing the part of the multi-family dwelling being leased shall be made available on the date a lease executed by an Eligible Person is delivered to the department.

Sec. 29-4. Available funds.

(1) For a qualified development, fees will be reduced by one hundred (100) percent when the units are sold or leased to very low-income persons or households and seventy-five (75) percent for low-income persons or households. In order to encourage mixed income development, reductions shall apply to the entire development when at least twenty (20) percent of the dwelling units within a development are set aside for affordable housing.

(2) In order to encourage single-family home ownership development, a single-family development may qualify for up to a Five thousand dollar (\$5,000) offset for each unit.

Multi-family development may qualify for up to Five thousand dollars (\$5,000) for the entire development.

(3) SHIP funds will generally be utilized to cover fee reductions provided herein, but other funds may be utilized as they become available. Funds will be available on a first come, first serve basis.

Sec. 29-5. Expedited review process.

An application for development permit for development which has received a preliminary qualification by the department as described in Section 29-3 shall be identified for expedited development review processing. Expedited processing may include, but shall not be limited to the following:

(1) Identify zoning regulations applicable to the proposed development.

(2) Oversight of the development will be conducted from application to certificate of occupancy.

(3) Referral to the appropriate Broward County Government and Broward County School Board affordable housing expeditors who have jurisdiction over proposed developments in the city.

(4) Assist the applicant with any incomplete portions of the development application.

(5) Identify resources which may assist the applicant in meeting the requirement for development permit approval.

The city has identified a position in the Planning and Economic Development Department as the Economic Development Expeditor who will have the responsibility for expediting applications in accordance with this section.

Sec. 29-6. Monitoring compliance.

The owner shall be required to submit on an annual basis an affidavit, as prepared by the Division certifying that

the dwelling unit(s) is owned by or leased to an Eligible Person.

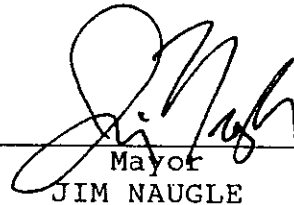
SECTION 2. That if any clause, section or other part of this Ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby, but shall remain in full force and effect.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith, be and the same are hereby repealed.

SECTION 4. That this Ordinance shall be in full force and effect ten days from the date of final passage.

PASSED FIRST READING this the 17th day of November, 1998.

PASSED SECOND READING this the 8th day of December, 1998.

  
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Mayor  
JIM NAUGLE

ATTEST:

  
\_\_\_\_\_  
city clerk  
LUCY MASLIAH