

# AFFORDABLE HOUSING ADVISORY COMMITTEE



## CITY OF POMPANO BEACH 2020 SHIP Affordable Housing Incentive Strategies Report



The City of Pompano Beach,  
Office of Housing and Urban Improvement  
in coordination with  
the Florida Housing Coalition



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# City of Pompano Beach

## Affordable Housing Advisory Committee

### 2020 Affordable Housing Incentive Strategies Report

SUBMITTED TO: Mayor and City Council of the City of Pompano Beach

SUBMITTED TO: Florida Housing Finance Corporation

DATE SUBMITTED: December, 2020

PREPARED BY: The City of Pompano Beach Office of Housing and Urban Improvement  
in coordination with the Florida Housing Coalition.

#### INTRODUCTION/BACKGROUND

As a recipient of State Housing Initiative Partnership (SHIP) funds, the City of Pompano Beach established an affordable housing advisory committee as required by Section 420.9076 of the Florida Statutes. The Affordable Housing Advisory Committee (AHAC) is responsible for reviewing policies, land development regulations, the Comprehensive Plan Policy, and other aspects of the City's policies and procedures that affect the cost of housing. In addition, the AHAC is responsible for making recommendations to encourage affordable housing development.

As of 2020, the AHAC is required to submit an incentive report every year. The report includes recommendations by the committee as well as comments on the implementation of incentives for at least the following eleven distinct areas:

- The expedited processing of approvals of development orders or permits, as defined in Florida Statutes, Section 163.3177(6)(f)(3), for affordable housing projects to a greater degree than other projects.
- All allowable fee waivers provided for the development or construction of affordable housing.
- The allowance of flexibility in densities for affordable housing.
- The reservation of infrastructure capacity for housing for very low-income persons, low-income persons, and moderate-income persons.
- Affordable accessory residential units.
- The reduction of parking and setback requirements for affordable housing.
- The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- The modification of street requirements for affordable housing.
- The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

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

## COMMITTEE COMPOSITION

All members were appointed to the Committee in accordance with Section 420.9076 of the Florida Statutes which lists the categories from which committee members must be selected. There must one locally elected official and at least seven other committee members, not to exceed eleven members in total, with representation from at least six of the following categories:

- Citizen actively engaged in the residential home building industry in connection with affordable housing.
- Citizen actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- Citizen representative of those areas of labor actively engaged in home building in connection with affordable housing.
- Citizen actively engaged as an advocate for low-income persons in connection with affordable housing.
- Citizen actively engaged as a for-profit provider of affordable housing.
- Citizen actively engaged as a not-for-profit provider of affordable housing.
- Citizen actively engaged as a real estate professional in connection with affordable housing.
- Citizen actively serving on the local planning agency pursuant to Section 163.3174 of the Florida Statutes.
- Citizen residing within the jurisdiction of the local governing body making the appointments.
- Citizen who represents employers within the jurisdiction.
- Citizen who represents essential services personnel, as defined in the local housing assistance plan.

The appointed AHAC Committee members are included here, along with their category affiliation.

MEMBER NAME	CATEGORY	PHONE	CONTACT E-MAIL
Debbie Perry	Not-for-Profit provider of affordable housing	954-249-9634	dperry@hendersonbh.org
Sharon McLennon	Real estate professional in connection with affordable housing	754-246-6002	smclennon@splendorrealty.com
Rev. Wylie Howard	Not-for-Profit provider of affordable housing	(H) 954-647-1011 (W) 954-968-6777	wyliechoices@aol.com
Jennifer Gomez	Local Planning	954-786-4640	Jennifer.Gomez@copbfl.com
Marcus McDougle	Resident of Pompano Beach	954-825-3769	playersfirst@gmail.com
Monica Ribeiro	Banking/Mortgage industry in connection with affordable housing	954-263-4601	msribeiro@bankunited.com
Scott Longo/Patrick Noble	Essential Services Personnel	954-709-7006 954-558-0359	Patrick_Noble@sheriff.org Scott_Longo@sheriff.org
Tom McMahon	Elected official	954-786-4649	Tom.McMahon@copbfl.com tomrmcmahon@gmail.com

## AFFORDABLE HOUSING INCENTIVES

Staff presented the latest affordable housing practices and recommendations on incentives. Each of the eleven affordable housing incentives required by law were examined and discussed with AHAC members. This plan is a result of the recommendations from the AHAC and meetings. If approved by Mayor and City Council, the recommendations will be used to amend the Local Housing Assistance Plan (LHAP), the Housing Element of the Comprehensive Plan, ordinances, or governing resolutions to incorporate these changes.

## EXPEDITED PERMITTING

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

**Meeting Synopsis:** The committee discussed the current process for expedited permitting. Staff provided an update on how the process was working and felt that it was effective. The committee concurred with staff that the current process was effective.

**Existing Incentive:** Once a project is identified as an affordable housing project, reviewers have five days (5) to review and process the plans for affordable housing. If on the third submittal, the resubmitted plans are not 100% corrected, the contractor will then be required to submit his plans through the normal permitting process for a building permit.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## ALL ALLOWABLE FEE WAIVERS

(b) All allowable fee waivers provided for the development or construction of affordable housing.

**Meeting Synopsis:** There was a discussion on all allowable fee waivers for affordable housing. Several members expressed the need to involve legal counsel regarding the legality of waiving certain fees. The City staff described its current process and the committee concurred that the process was working effectively.

**Existing Incentive:** The developer of affordable housing can request impact fee waivers through the County. The Office of Housing and Urban Improvement using grant funds currently pays the impact fees for contractors performing work under its housing programs to reduce the cost of housing to low and moderate-income homebuyers.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## FLEXIBLE DENSITIES

(c) The allowance of flexibility in densities for affordable housing.

**Meeting Synopsis:** Flexibility in densities was discussed. Specifically, the committee discussed the current requirement that when a developer seeks density bonuses for affordable housing, the property must remain affordable for a minimum of 15 years. The committee considered increasing the affordability period to 25 years. Since the existing policy was established in 2011, 24 projects for a total of 998 units have been created through the density bonus.

**Existing Incentive:** Flexibility and densities for affordable housing can be captured through the use of flexibility units for commercial land use designations. If flex units are awarded to a property, in accordance with the requirements of 154.61, applicants will either need to build affordable housing or can pay into the affordable housing trust fund.

**AHAC Recommendation:** The County is in the process of creating new housing incentives for projects that incorporate an affordable housing component. As these policies are adopted by the County, the City can begin implementing these policies. The AHAC recommends waiting for the County to adopt its policies before acting to keep policies consistent throughout the region.

## RESERVATION OF INFRASTRUCTURE CAPACITY

**(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.**

**Meeting Synopsis:** The City is not running low on infrastructure capacity. The Committee agreed that this incentive could be beneficial for jurisdictions where this was a potential issue, but this is not an issue currently within the City of Pompano Beach.

**Existing Incentive:** No existing incentive. The City is not running low on infrastructure capacity.

**AHAC Recommendation:** The Affordable Housing Advisory Committee did not recommend adopting this incentive.

## AFFORDABLE ACCESSORY RESIDENTIAL UNITS

**(e) The allowance of affordable accessory residential units in residential zoning districts.**

**Meeting Synopsis:** Currently, the City allows accessory residential units in all single family zoning districts but with specific density requirements. Jennifer Gomez stated that the County has removed counting an ADUs as a half dwelling unit.

**Existing Incentive:** Section 155.4303 of the City's Zoning Code allows accessory dwelling units. For purposes of determining maximum density, an accessory dwelling unit is considered to be a half dwelling unit. Additional use specific standards to regulate this use exist within the zoning code.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends that the City revise the current zoning code to remove the provision that counts ADUs as a half dwelling unit for purposes of determining maximum density. The Committee recommends that ADUs are not counted as a dwelling unit for density calculation purposes.

## PARKING AND SETBACK REQUIREMENTS

**(f) The reduction of parking and setback requirements for affordable housing.**

**Meeting Synopsis:** Staff explained that the Planned Unit Development process is currently allowed in addition to administrative adjustments or variances. Developers who want to reduce parking and setback requirements can use these methods to achieve the reduction.

**Existing Incentive:** Affordable housing projects taking advantage of the Residential Planned Unit Development process can determine what parking requirements and setbacks their project will have. Additionally, the City allows for major and minor administrative adjustments at varying percentage rates from code requirements. Deed-restricted workforce and/or affordable housing can be used to demonstrate a public benefit to compensate for the requested modification of standards.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## FLEXIBLE LOT CONFIGURATIONS

### (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

**Meeting Synopsis:** The committee discussed the current process that allows for flexible lot configurations.

**Existing Incentive:** Flexible lot configurations (including zero lot line) are currently permitted in RS-4, all RM districts, and the DPOD district. Additionally, affordable housing projects can consider the RPUD process, which can offer further flexibility in private development.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## MODIFICATION OF STREET REQUIREMENTS

### (h) The modification of street requirements for affordable housing.

**Meeting Synopsis:** The City currently allows flexibility in the modification of street requirements for affordable housing.

**Existing Incentive:** If modification of streets is desired, modified streets can be permitted by rezoning to the planned development process.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## PROCESS OF ONGOING REVIEW

### (i) The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

**Meeting Synopsis:** The staff described the current review process and recommended no changes to the current process.

**Existing Incentive:** The OHUI is part of the Development Review Committee distribution list in accordance with Section 155.2207. CITY STAFF (B)(2)(b) and receives notification of all DRC agendas and projects.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## PUBLIC LAND INVENTORY

### (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

**Meeting Synopsis:** There was discussion on the current process to identify affordable housing parcels. In coordination with OHUI the City's Real Property manager reviews the zoning, location, surrounding uses, land area/lot size, and other factors to determine if land owned or being conveyed to the City would be appropriate



for affordable housing. One of the main ways the City acquires land at no cost for development as affordable housing is escheat property from Broward County, which is conveyed to the City with the requirement it be developed as affordable housing. The escheat parcels are typically vacant lots owned by the County because of unpaid taxes, that no one bid on at a County tax deed auction. On the master list of all City owned properties the properties designated to be developed as affordable housing have a use description of "OHUI AFFORDABLE HOUSING".

**Existing Incentive:** A full-time Real Property Manager is responsible for maintaining and updating the list and associated map of all City-owned real property. Properties acquired by the City are evaluated by the Real Property Manager and the OHUI staff to determine which properties are suitable for affordable housing. Properties being developed as affordable housing by the City's Office of Housing and Urban Improvement (OHUI) are identified on the real property inventory and map.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.

## SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

**(k) The support of development near transportation hubs and major employment centers and mixed-use developments.**

**Meeting Synopsis:** The City has zoning that encourages transit-oriented development in the downtown area.

**Existing Incentive:** The City has two transit-oriented districts -- The Downtown Pompano Transit Oriented District and the East Transit Oriented Corridor. The ETOC or East Transit Oriented Corridor is a district that allows mixed use development with commercial uses on the first floor, primarily along US 1 and Atlantic Boulevard, and residential units on upper floors. Affordable housing must be addressed in any land use plan amendments that increase permitted residential units by more than 100 units. To meet County requirements in the ETOC, 15% or 360 units of the additional 2,399 units will be affordable housing or the developer will have to pay an in lieu of fee into the City's Affordable Housing Trust Fund to buy out of the affordable housing requirement.

**AHAC Recommendation:** The Affordable Housing Advisory Committee recommends no changes to the current incentive.