



CITY OF POMPANO BEACH

2022 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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Affordable Housing Advisory Committee Report to the City of Pompano Beach Mayor and City Commission SHIP Affordable Housing Incentive Strategies

DATE SUBMITTED: September, 2022

SUBMITTED TO: Mayor and City Commission of the City of Pompano Beach
Florida Housing Coalition
Florida Housing Finance Corporation

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 funds, the City of Pompano Beach established an affordable housing advisory committee as required by the Florida Statute section 420.9076. 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.

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 processing of approvals of development orders or permit, as defined in Florida Statute 163.3164 (7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for 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.
- The allowance of affordable accessory residential units in residential zoning districts.
- 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 420.907 of the Florida Statutes lists the categories from which committee members must be selected. There must be at least 8 committee members with representation from at least 6 of the following categories:

- An elected official.
- 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 Florida Statute 163.3174.
- 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
Perry, Debbie	Not-for-Profit provider of affordable housing	954-249-9634	Dperry@hendersonbh.org
McLennon, Sharon	Real estate professional in connection with affordable housing.	754-246-6002	Smclennon@splendorrealty.com
Howard, Wylie Rev.	Not-for-Profit provider of affordable housing	(H) 954-647-1011 (W) 954-968-6777	Wyliechoices@aol.com
Gomez, Jennifer	Local Planning	954-786-4640	Jennifer.Gomez@copbfl.com
McDougle, Marcus	Resident of Pompano Beach	954-825-3769	Playersfirst@gmail.com
Monica Ribeiro	Banking/Mortgage industry in connection with affordable housing	954-263-4601	Mribeiro@bbamericas.com
Scott Longo/ Patrick Noble	Essential Services Personnel	954 709-7006 954-558-0359	Patrick_Noble@sheriff.org Scott_Longo@sheriff.org
Tom McMahan	Elected official	954-786-4649	Tom.McMahan@copbfl.com

AFFORDABLE HOUSING INCENTIVES

Staff presented the latest affordable housing practices and recommendations on incentives. Each of the eleven affordable housing incentives recommended by the State 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 Commission, the recommendations are used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan-Housing Element, 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.

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.

MODIFICATION OF IMPACT FEES

(b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.

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.

Existing Incentive: Flexibility and densities for affordable housing can be captured through the use of flexibility units for commercial land use designations and/or use of the Broward County policies 2.16.3 or 2.16.4. 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 (except where otherwise specified). The City's Mixed Income Housing Policy was adopted on December 14, 2021, by Resolution 2022-46. The purpose of the City's Housing Policy is to encourage affordable housing as well as provide for relief from the adverse impacts of the concentration of income restricted housing within the City. The policy directs staff to prepare appropriate legislation to implement Broward County affordable housing density incentive program.

The City Commission recently adopted Resolution 2022-185, which states that except for the Dixie Highway Corridor, any property eligible to generate entitlements via policy 2.16.3 or 2.16.4 can be allocated no more than 50 flex/redevelopment units without using policy 2.16.3 or 2.16.4. This policy can be waived at the City Commission's discretion at a duly noticed public hearing. Any project choosing to use policy 2.16.3 will request flex units through the site plan approval process with approval by the Planning and Zoning Board. Any project using policy 2.16.3 that requires a flex unit allocation can receive those units through the site plan approval process (P&Z only) vs. current process of P&Z and City Commission approval. The City Commission will be presented with an ordinance in September that codifies the adopted policy.

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

RESERVATION OF INFRASTRUCTURE CAPACITY

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

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

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

AFFORDABLE ACCESSORY RESIDENTIAL UNITS

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

Existing Incentive: Section 155.4303 of the City’s zoning Code allows accessory Dwelling Units. On January 25, 2022, the City Commission adopted a new affordable housing incentive by allowing accessory dwelling units to be built without the need to calculate density for those unit. The property owner must record an affidavit that runs with the land that ensures that the accessory unit will be rented at affordable rates to individuals or a family that meet the definition of extremely low; very low; low; or moderate income.

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

PARKING AND SETBACK REQUIREMENTS

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

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.

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.

Existing Incentive: If modification of streets are 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.**

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.**

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 to determine if they are suitable to develop as 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.**

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.