

City of Pembroke Pines

Affordable Housing Advisory Committee (AHAC)

Affordable Housing Incentives Report (2012)

Background/Purpose

In 2007 Florida passed legislation requiring cities and counties to appoint an Affordable Housing Advisory Committee (AHAC) to recommend monetary and non-monetary strategies and incentives for affordable housing as required by the State Housing Initiatives Partnership (SHIP) program. This could include the modification or repeal of existing policies, procedures, ordinances, regulations or plan provisions; the creation of exceptions applicable to affordable housing; or the adoption of new policies, procedures, regulations, ordinances, or plan provisions including recommendations to amend the local government comprehensive plan and corresponding regulations, ordinances and other policies. Once completed, the AHAC report is to be reviewed and updated roughly every three years.

In June 2008, the City of Pembroke Pines appointed an AHAC that met several times to develop the recommendations contained in this report. Most of the recommendations were subsequently adopted as part of the City's Local Housing Assistance Plan (LHAP).

The update is now due. Below are the existing LHAP incentives and the 2012 AHAC's recommendations.

A. PROCESSING OF EXPEDITED PERMITS OR DEVELOPMENT ORDERS TO A GREATER DEGREE THAN OTHER PROJECTS

Summary Discussion: Both the City of Pembroke Pines' Future Land Use Element (Policy 9.4 – applying to LAC and RAC land uses) and Housing Element (Policy 1.2) of the City's Comprehensive Plan state that an expedited permit process should exist in support of affordable housing. City Resolutions 2246 and 2279 also discuss expedited review for affordable housing projects.

The City has in place a priority building permit review process in place for State and Federal housing assistance (CDBG, SHIP and HOME) projects. The permit plans are separately processed and coded to identify their expedited status. This process typically saves an applicant on average 2 to 3 weeks in permit review. Qualifying permit applications are placed in color coded folders and are separately routed by the building department. A specific building clerk is assigned to circulate these plans. Building department reviewers treat these applications as priority items. Emergency permits typically take 1 day to review. Non-emergency permits may take anywhere from 2 to 5 business days to review based on complexity.

2012 AHAC Recommendation: Maintain the current expedited permitting process for affordable housing projects in the City including an audit of existing process.

B. MODIFICATION OF IMPACT- FEE REQUIREMENTS

Summary Discussion: Both the Future Land Use Element (Policy 9.4 - applying to LAC and RAC land uses) and Housing Element (Policy 3.15 - applying to LAC and RAC land uses) of the City's Comprehensive Plan support consideration of programs involving modifications to impact fees and other City and County fees which provide for the construction of affordable housing.

There are a number of City fees that would typically affect a proposed affordable housing project: development application fees (Planning Department); building permit fees (Building Division); Impact type fees (water / sewer connection fees and fire and police interim service fees). Municipal dedication fees may additionally be required for certain properties that have not been platted. The City Commission can waive some / all City fees through its development approval powers.

To date, there have been no instances where this waiver has been applied.

2012 AHAC Recommendation: Explore City reducing and/or subsidizing of impact related fees for future affordable housing projects.

C. ALLOWANCE OF FLEXIBILITY IN DENSITIES FOR AFFORDABLE HOUSING

Summary Discussion: A Land Use Plan Amendment would be required in order to increase residential density on a property above its maximum allowances. Changes to existing zoning classification and / or underlying plat may also be required to match the new density requested. The Future Land Use Element (Policies 2.11, 8.2, 8.5, 8.9) (9.4 applying to LAC and RAC land uses) encourage affordable housing density bonuses. The Housing Element (Policies 1.4, 2.2, 3.15, 3.4, 4.4, 5.5, 7.3) encourages land development regulations which promote Broward and City affordable housing density bonuses.

In May 2006, Broward County adopted a policy to its Land Use Plan providing for affordable housing density bonuses that all cities in the County can use regardless of whether the provisions are incorporated into their local land use elements.

The City recently through Ordinance 1676 (Adopted 9/21/10) added a new 25 - 50 unit per acre residential land use category to address increasing residential density need. The new density rules mandate a 20% affordable / workforce / senior housing requirement on properties which are converted to this designation. The 20% rule is required for a period of 15 years.

2012 AHAC Recommendation: Include in LHAP as currently permitted. Add the new 25-50 unit per acre designation 20% affordable / workforce / senior housing requirement information to the LHAP.

D. RESERVATION OF INFRASTRUCTURE CAPACITY FOR HOUSING

Summary Discussion: The Future Land Use Element (Policy 2.11), Housing Element (Policy 3.3), and Infrastructure Element (Policies 1.4, 2.2, 3.4, 4.4, 5.5, 7.3) of the City's Comprehensive Plan encourage prioritizing infrastructure improvements within the lowest income neighborhoods.

The City is currently near build out with very limited opportunity for new construction. There is currently adequate infrastructure in place. Staff acknowledges that infrastructure is being replaced / updated as part of general City maintenance programs.

Federal and State program funds have been allocated to infrastructure improvements in the older areas of the City (Fletcher Park Improvement, Tanglewood Park Improvement, NW 77th Way Infrastructure Improvements, and various Sewer Lift Station replacements). These areas have been identified as low income areas of the City.

2012 AHAC Recommendation: The committee made no recommendations regarding reserving infrastructure capacity for affordable housing.

E. ALLOWANCE OF AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS

Summary Discussion: There is no existing policy on this incentive. An LDC amendment would be needed to permit the unit type and establish standards. Consideration would also have to be given to the impact on permitted densities established by the City's Land Use Plan.

Accessory units are not provided in the City's code. Because lot sizes are very small, allowing accessory residential units in many residential zoning districts may not be an option.

2012 AHAC Recommendation: The committee made no recommendations regarding accessory residential units in residential zoning districts.

F. REDUCTION OF PARKING AND SETBACK REQUIREMENTS

Summary Discussion: Historically, flexible setback and parking configurations were provided through the City's Planned Unit Developments (PUDs) such as Silver Lakes, Walnut Creek, Grand Palms, Chapel Trail, etc. PUD districts provide flexible land use and design regulations through the use of performance criteria; so that small-to-large scale areas, or portions thereof, may be developed with a variety of residential types and non-residential uses where setback and parking reductions may be feasible. The City's variance process is also a tool that may be pursued in order to modify setback and parking standards for specific sites.

PUD zoning requires properties of at least 120 acres in size. It is highly unlikely that the City will have any new PUD designations created due to the size requirements. Under current zoning, most of the residential zoning districts provide for regular configurations, except for the RS-7 district, which allows zero lot line development. It's anticipated that the RS-7 district will remain in effect and available for use as relates to setback incentives.

Zero lot line or other lot configuration flexibility could also be included in other residential districts through the LDC amendment process.

Recently, the city updated many of the parking Code requirements. During review of this amendment, it was determined by staff that the existing parking counts for residential uses should remain unchanged. The Code amendment did reduce standard parking size which could lower construction costs for new development.

2012 AHAC Recommendation: The committee encouraged support of reasonable setback and variance requests for affordable housing projects in the future. The committee also requests that staff review City parking demand requirements as they apply to affordable housing projects.

G. ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS

Summary Discussion: There is no policy to allow for flexible lot configurations. The city may provide for the allowance of flexible lot configurations for affordable housing through the variance process. Under current zoning, most of the residential zoning districts provide for regular configurations, except for the RS-7 district, which allows zero lot line development.

PUD districts provide flexible land use and design regulations through the use of performance criteria; so that small-to-large scale areas, or portions thereof, may be developed with a variety of residential types and non-residential uses where lot sizes and configurations may be addressed. PUD zoning requires properties of at least 120 acres in size. It is highly unlikely that the City will have any new PUD designations created due to the size requirements.

2012 AHAC Recommendation: The committee made no recommendations regarding reducing flexible lot configurations.

H. MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING

Summary Discussion: There is no existing policy on this incentive however the Land Development Code (LDC), Fire and Engineering Codes do have existing street requirements for public safety purposes. Any changes to street requirements would require, at minimum, a Land Development Code (LDC) amendment to street design standards.

2012 AHAC Recommendation: The committee made no recommendations regarding modification of street requirements for affordable housing.

I. 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

Summary Discussion: The City's adopted Local Housing Assistance Plan (LHAP) currently provides that per instructions from the City Manager's office, all Department heads are to be involved in the review process for local policies, ordinances, regulation & plan provisions that may increase the cost of housing. Once an item has been identified as having a potential impact,

an analysis must be done to determine the impact, if any, and how it may be mitigated. This analysis is typically done by the department that generated the legislation with subsequent review by the Planning Department if an impact is expected.

2012 AHAC Recommendation: Maintain in LHAP. Maintain an on-going process to consider, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of affordable housing.

J. PREPARATION OF A PRINTED INVENTORY OF LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING

Summary Discussion: All City-owned properties have been analyzed for suitability of affordable housing as required by the State of Florida.

City-owned properties consist of parks, open space, roads, utility areas and facilities, and municipal facilities. With the exception of the City's senior Pines Point (190 units) housing units and Pines Place (614 units) residences, there are no areas which have affordable housing site plans approved.

2012 AHAC Recommendation: Continued analysis of properties for affordable housing potential as they are purchased by the City.

K. SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE DEVELOPMENT

Summary Discussion: The City supports development near transportation hubs and major employment centers and mixed use development and implements this strategy in accordance with existing policies.

The Future Land Use (Policy 2.5, 9.2, 9.4, 19.1 -19.10, 20.1 – 22.1) of the City's Comprehensive Plan states that the City will coordinate land uses with the transportation system.

The City is currently working with Broward County Mass Transit to explore the creation of a transit HUB / park and ride at City Center to directly provide low cost transportation options for the people expected to live in the area. Broward County Mass Transit is also working with the City and private land owners within the City to identify appropriate transit stops to service the 95 express and other routes.

2012 AHAC Recommendation: Include in LHAP as currently permitted. Continue to support affordable housing development near transportation hubs, major employment centers and mixed-use developments. Encourage the City to work with Broward County Mass Transit to identify future transit stops which have access to established low income areas within the City.

Other Discussion/Recommendations – 2012 - AHAC

The City has passed Ordinance 1575 creating an affordable housing trust fund and providing for the Commission to direct the City Manager by future resolution to contract an outside, independent affordable housing study to examine the City's affordable housing needs and conditions. The City currently has affordable housing commitments of \$656,500 with \$372,000 of those fees collected. The remainder of the affordable housing commitments will be collected as contracted with each donor. The City Commission has not directed the City Manager to conduct the affordable housing study as of this time.

2012 Recommendation: Ensure effective use of existing funds in the City's Affordable Housing Trust fund. The Affordable Housing Advisory Committee requests the Commission not conduct an independent housing study as the AHAC has identified several areas of need for these funds.

The AHAC suggests the Commission consider the expenditure of Affordable Housing Trust funds for one or more of the following projects:

Priority Projects:

- Funding to support the City's current Minor Home Repair program.
- Pay interest and principal on existing bonds that were issued to finance the construction of the City's affordable housing properties.

Other Projects for Consideration:

- Allocating some funds toward the reduction of affordable housing impact related fees.
- Rental assistance to very low income citizens for in need.
- Funding to support a first time homebuyers program.