

Affordable Housing Advisory Committee  
Report to Board of City Commissioners  
SHIP Affordable Housing Incentive Strategies  
SUBMITTED TO: PEMBROKE PINES CITY COMMISSION  
SUBMITTED TO: FLORIDA HOUSING FINANCE CORPORATION  
DATE SUBMITTED: \_\_\_\_\_  
PREPARED BY: City of Pembroke Pines Planning and Economic Development Department

## **BACKGROUND**

As a recipient of State Housing Initiative Partnership funds, the City of Pembroke Pines re-established an Affordable Housing Advisory Committee (AHAC) on August 2, 2023, as required by the Florida Statutes, Sec. 420.9076. The AHAC is responsible for reviewing and evaluating local plans, policies, procedures, land development regulations, the Comprehensive Plan, and other aspects of the City housing activities that impact the production of affordable housing. Further, the AHAC is specifically directed by the SHIP Statute to consider and evaluate the implementation of the incentives set out in Florida Statutes, Sec. 420.9076 (4)(a)-(k). Based on the AHAC evaluation, it may recommend to the local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles that would encourage the production of affordable housing.

As approved by the City Commissioners, the recommendations are used to amend the Local Housing Assistance Plan and the local Comprehensive Plan Housing Element.

## **COMMITTEE COMPOSITION**

The City Commission appointed members -by motion- to the Committee on August 2, 2023. Florida Statutes, Sec. 420.9076(2) lists the categories from which committee members must be selected. Each AHAC must have a locally elected official from the county or municipality participating in the SHIP program. The locally elected official must be a city or County Commissioner. The elected official will count as a member of the AHAC for purposes of meeting the number of member's requirements. There must be at least eight committee members with representation from at least six of the following categories:

- (a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) A citizen who is actively engaged as a not-for-profit provider of affordable housing. A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (g) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.

- (h) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (i) A citizen who represents employers within the jurisdiction.
- (j) A 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.

Name	Category Represented	Date Appointed	Reappointed Date
1. Commissioner Thomas Good, Jr.	Elected Official	5/18/2022	08/02/2023
2. Tiffany Pinto	Resident	5/18/2022	08/02/2023
3. Carina Guillen	Resident	5/18/2022	08/02/2023
4. Linda Gonzalez	Local Planning Agency Representative	08/02/2023	N/A
5. Keresia Lawes	Real Estate Professional	5/18/2022	08/02/2023
6. Daniel Almaguer	Essential Services Personnel	5/18/2022	08/02/2023
7. Elinne M. Dominguez	Resident	5/18/2022	08/02/2023
8. Nikita Shannon	Home Building Industry	5/18/2022	08/02/2023
9. Jay Shechter	Advocate for Low Income Persons	5/18/2022	08/02/2023
10. Ronnie (Ran) Shoua	Resident	5/18/2022	08/02/2023
11. Natalie Ramirez	Real Estate Professional	5/18/2022	08/02/2023
ALT Commissioner Jay D. Schwartz	Elected Official (Alternate)	5/18/2022	08/02/2023

Members of the Committee shall serve continuously at the pleasure of the City Commission. The local elected official shall only serve while holding the elected office. *(Section 32.161 B – City Code of Ordinances)*

## **AFFORDABLE HOUSING RECOMMENDATIONS**

The AHAC has reviewed local government plans, policies, and procedures; ordinances; regulations; statutes; and the comprehensive plan, among other documents applicable to affordable housing, for evaluation of their impacts on affordable housing. Further, the AHAC has specifically considered and evaluated the strategies set out at Florida Statutes, Sec. 420.9076 (4)(a)-(k). Based on this review and evaluation, the AHAC has formulated recommendations to the City Commission that it incorporates into its housing strategy certain changes designed to encourage production of affordable housing.

The AHAC, from its review, consideration, evaluation, and recommendations, drafts and submits this report to the City Commission and the Florida Housing Finance Corporation, which details the scope of its

work and the resulting recommendations.

The AHAC has reviewed, considered, and evaluated the following strategies provided in the SHIP Statute at Florida Statutes, Sec. 420.9076 (4):

- (a) The processing of approvals of development orders or permits, as defined in Florida Statutes, Sec, 163.3164(7), (8), for affordable housing projects is expedited to a greater degree than other projects.
- (b) The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for housing for very low-income persons, low-income persons, and moderate-income persons.
- (e) The allowance of affordable accessory residential units in residential zoning districts.
- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (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.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

Senate Bill 102 (Live Local Act) represents the most significant impact to the development of affordable housing in 2023. The Live Local Act generally provides for funding and tax credits, tax exemptions, and preemptions to local zoning requirements, to qualifying affordable developments. Many of the provisions in the Live Local Act overlap with the strategies that the State requires this Board to review on a yearly basis.

## **EXPEDITED PERMITTING**

**Meeting Synopsis:** General description of the permit process for affordable housing projects.

**Existing Strategy:** The City has 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 two to three 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 one day to review. Non-emergency permits may take anywhere from two to five business days to review based on complexity. The City continues to outsource its building department services.

**Senate Bill 102 Impact:** The Live Local Act requires that a local government maintain on its website a policy containing procedures and expectations for expedited processing of those building permits and development orders required by law to be expedited.

The Act preempts municipal use regulation by allowing affordable residential units to be located in zoning districts where they would otherwise be prohibited. Development in residential districts is unaffected by the Act. This preemption cuts down on the time a developer may spend in public meetings. The bill also removes the State Apartment Incentive Loan (SAIL) programs restriction to allow SAIL program developments to utilize this expedited approval process on commercial and industrial parcels.

**2023 AHAC Recommendation:** City Staff to post and implement the procedures to meet the Live Local Act's requirement for expedited permitting.

**Schedule for Implementation:** Procedures for affordable housing expedited permitting consideration must be posted by October 1, 2023. (<https://www.ppines.com/1624/Live-Local-Act>)

## **MODIFICATION OF IMPACT FEES**

**Meeting Synopsis:** General discussion of impact fees and other development application fees. The City of Pembroke Pines does not have direct impact fees in name; the city does charge fees to the developer at the issuance of a Certificate of Occupancy (CO). These CO fees include **water and sewer connection fees, fire and police fees** and the **interim fire service fee**. The City also charges a municipal dedication for properties that require platting or replatting.

There are several development related fees that would typically impact the costs of a proposed affordable housing project such as:

- Development application fees (site plan, rezoning, land use plan amendment, variance, landscape permit)
- Building permit fees (general building permit review and inspection)
- Engineering fees (various paving, drainage review and inspection)

The City Commission can waive some / all City fees through its development approval powers. In waiving some of the fees, the City would need to compensate for the financial loss associated with providing adequate public infrastructure and services as it relates to the needs of new affordable housing development.

**Existing Strategy:** Any request for waivers would likely need to be approved by City Commission action. To date, the city has not received any applications for affordable housing where an applicant has made a request for a modification of development related fees. The City of Pembroke Pines currently outsources building department services. If the City Commissioners were to express an interest in modifying building permit fees, the strategy would need to be approved by both the city and the building department service provider Broward County also charges separate impact fees for all projects being developed within the city. However, Broward County currently makes fee waivers available for eligible affordable housing projects. Projects certified as "very-low income" or "low income" affordable housing are eligible for a 100% waiver of County road and park impact, transportation concurrency, administrative and application fees. These certified projects may also be eligible for a full waiver of educational/school impact fees, up to \$50,000 per project, if approved by the School Board of Broward County. (*Source: Broward County website*)

**Senate Bill 102 Impact:** Three new property tax exemptions:

1. *Nonprofit Land Lease Exemption: Land owned entirely by a non-profit entity which is leased for at least 99 years for the purpose of Affordable Housing to households up to 120% AMI.*
2. *Missing Middle: Ad valorem tax exemption for “newly constructed” multifamily developments that have more than 70 affordable units for households up to 120% AMI.*
3. *Local option affordable housing property tax: municipality may adopt by ordinance an ad valorem tax exemption for certain property used for providing affordable housing.*

**2023 AHAC Recommendation:** The City should only consider adopting an ordinance for ad valorem tax reductions or exemptions, in accordance with the Live Local Act (Senate Bill 102) for affordable projects that address the greatest long-term city need – housing in the low-income spectrum (very-low and low income = 80% AMI and lower).

**Schedule for Implementation:** As determined by the City Commission.

**FLEXIBLE DENSITIES**

**Meeting Synopsis:** General discussion of how flexible densities benefit affordable housing builders.

**Existing Strategy:** The City historically utilized flexibility units and land use plan amendments to increase the density for affordable development projects. Broward County Land Use Policy 2.16.3, which provides for bonus density allocation for an affordable housing project depending on the number of units provided and affordability levels.

**Affordable Projects Approved Requiring Density Increases**

Project	Location	Description	Process for Increased Density	Status
1600 Building	North of Pembroke Road and West of 66 Avenue	80 Units (10% Affordable housing)	“Commercial” designation rezoned to Planned Small Lot Development (PD-SL) and assigned 80 flexibility units	Approved, Not Built
Pembroke Tower II (Southport)	South of Sheridan Street and East of University Drive	88 Units (100 % Affordable housing)	Land Use Plan Amendment - Residential High (25-50 unit per acre)	Permit Issued
Carrfour Supportive Housing (Southwest Hammocks)	Howard C. Foreman Human Services Campus	100 Units (100% Affordable Housing)	Requested 68 flexibility units	Under Construction

Douglas Gardens IV and VI	South of Pines Boulevard and east of Douglas Road	410 Units (266 dwelling unit equivalents)	Requested 40-unit density increase compliant with Broward County Land Use Policy 2.16.3	Under Construction
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**Senate Bill 102 Impact:** Proscribes certain development standards for eligible affordable housing developments in any area zoned for commercial, industrial, or mixed use. Eligible projects (referred to here as “preemption projects”) are entitled to certain use, density, and height standards. (7)(a)“A county (or municipality) must authorize multifamily and mixed-use residential as allowable uses in any area zoned for commercial, industrial, or mixed use if at least 40 percent of the residential units in a proposed multifamily rental development are, for a period of 30 years, affordable as defined in s. 420.0004. (7)(c) “A county (or municipality) may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.”(7)(c) “A county (or municipality) may not restrict the height of a proposed development authorized under this subsection below the highest currently allowed height for a commercial or residential development located in its jurisdiction within 1 mile of the proposed development or 3 stories, whichever is higher.”

**2023 AHAC Recommendation:** City staff to monitor and report on the application of Broward County Land Use Policy 2.16.3 and the Live Local Act to the Board. The potential increase in residential densities that result in the implementation of these two policies may impact the direction the city may wish to approach further local density incentives on affordable housing.

**Schedule for Implementation:** N/A

**RESERVATION OF INFRASTRUCTURE CAPACITY**

**Meeting Synopsis:** General discussion on the process in which the City, County and State ensure adequate infrastructure capacity.

**Existing Strategy:** City Public Works and Engineering staff continuously review roadway and infrastructure conditions and make improvements to these systems as necessary. The Infrastructure Element (Policy 2.11) states the City shall require existing development using septic tanks to hook up to centralized sewer facilities as they become available to phase out septic tank systems in an economically feasible and environmentally sound manner.

*Pines Village Water Main Replacement Phase II & Septic Tank Conversion Project*

The City of Pembroke Pines is embarking on the second phase of a utility improvement project in the Pines Village neighborhood. Specifically, the project will involve replacement of the existing water main and residential service lines that have reached the end of their useful lives, with new mains and lines, replacing existing water meters, and relocating the meters to the front yards for those residents that currently have meters in the rear of their property. This will result in better water pressure, quality, and flow to those homes; fewer service interruptions from pipe breaks; and improved fire protection. Additionally, for residents in the north-central portion of the project area that are currently on septic

tanks, new sewer mains and service lines will be constructed and extended to those properties. Pines Village is one of the longest established neighborhoods in the city of Pembroke Pines and offers some of the more attainable single-family housing units.

#### *Recent Master Plan Documents Addressing Infrastructure*

The City Commission approved a city-wide transportation master plan in June 2023 to address key mobility needs by developing a 20-year measurable blueprint for improving the City's transportation system. The master plan focused on improving connectivity through all modes of travel, alleviating congestion, and improving safety for residents, visitors, and businesses in the city.

As of October 2023, the City Commission is in the process of reviewing the city's Economic Development Strategic Plan Update. The plan discusses the need to support additional affordable housing within the city. The plan also encourages future property assemblage for potential redevelopment and developing infrastructure for balanced growth. The City Commission will also be considering passage of the Citywide Parks Master Plan in the future. The plan focuses on short and long-term needs and programs for the city parks.

#### *Other Infrastructure Efforts of Note*

The City is also receiving infrastructure improvements through the Mobility Advancement Program (MAP Broward). MAP Broward is a 30-year transportation sales surtax approved by the voters in 2018, has as its 3 Foundational Elements: Transparency, Accountability, Resiliency, and its 5 Main Goals: Create Connectivity, Improve Transit Service, Traffic System Management, Enhance Multimodal Options, Ensure Economic Development and Benefits. Pembroke Pines projects funded under MAP Broward generally include mobility improvements, roadway expansions, bus shelter installations, school zone safety upgrades, and traffic signal upgrades throughout the city. In total, 97 distinct County or City-sponsored projects occurring or planned in Pembroke Pines through 2027 valued over \$100M.

**Senate Bill 102 Impact:** Except as otherwise provided, a development authorized under this subsection must comply with all applicable state and local laws and regulations. This includes setback requirements, parking, open space, environmental, concurrency, etc.

**2023 AHAC Recommendation:** No additional recommendation.

**Schedule for Implementation:** N/A

### **PARKING AND SETBACK REQUIREMENTS**

**Meeting Synopsis:** General discussion of the role of setbacks and parking requirements in the zoning code and the advantages to the affordable housing developer in seeking modifications to those standards.

**Existing Strategy:** Historically, flexible setback and parking configurations were provided to residential use within the City's various Planned Districts (Planned Unit Developments, Mixed Use Developments, Planned Development - Small Lot) provide flexible land use and design regulations using 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 to modify setback and parking standards for specific sites.

**Senate Bill 102 Impact:** (7)(e) "A [jurisdiction] must consider reducing parking requirements for a proposed affordable housing development if the development is located within one-half mile of a major transit stop, as defined in the [jurisdiction's] land development code, and the major transit stop is accessible from the development.

**2023 AHAC Recommendation:** City Staff to work with City Commission to define Major Transit Corridor in compliance with the Live Local Act

**Schedule for Implementation:** Within one year.

### **AFFORDABLE ACCESSORY RESIDENTIAL UNITS**

**Meeting Synopsis:** General discussion of what constitutes an accessory residential unit and the general constraints of adding such unit on a property in the City.

**Existing Strategy:** The City's code currently identifies a single-family dwelling as a building containing permanent provisions for sleeping, eating, cooking and sanitation designed for or occupied exclusively by one family. An Accessory Dwelling Unit would require a secondary living unit to a single-family dwelling which shall have separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot as the principal unit. Popular accessory units include granny flats which are designed to provide housing for extended family members or immediate family members needing a level of independence from the family unit.

Most single-family home communities within the city were developed using a suburban development model; placing large homes on small lots to maximize density. These suburban lot development configurations leave little room for accessory residential development. For this reason, the allowance of detached accessory residential units in existing residential communities may not be an option.

The construction of accessory residential units likely generates additional persons living on a site. The additional residential density will likely increase traffic in a neighborhood and increase cars to be parked on the property. Accessory units also reduce open and permeable space on a lot. A city needs to consider these impacts should they wish to consider the allowance of such units.

**Senate Bill 102 Impact:** Local governments should consider and implement innovative solutions. Innovative solutions include: (lines 1937-1957) "Utilizing publicly held land to develop affordable housing," "Community-led planning that focuses on urban infill, flexible zoning, redevelopment of commercial property into mixed-use property," "Project features that maximize efficiency in land and resource use, such as high density, high rise, and mixed use." "Modern housing concepts such as manufactured homes, tiny homes, 3D-printed homes, and accessory dwelling units." Furthermore, Local government shall provide incentives to encourage the private sector to be the primary delivery vehicle for the development of affordable housing.

**2023 AHAC Recommendation:** The City to consider permitting Accessory Dwelling Units by right in residential districts and create guidelines for their development.

**Schedule for Implementation:** Within one year.

### **FLEXIBLE LOT CONFIGURATIONS**

**Meeting Synopsis:** General discussion about the need to allow flexibility in developable lot configurations as we approach buildout. Certain developable lots may still be viable for development, however, cannot meet normal zoning lot size / dimension requirements due to physical or legal restrictions.

**Existing Strategy:** Flexible lot configurations may be granted through the creation of new standards in a planned district or applying for a variance from existing residential lot standards.

**Senate Bill 102 Impact:** Except as otherwise provided, a development authorized under this subsection must comply with all applicable state and local laws and regulations. This includes setback requirements, parking, open space, environmental, concurrency, etc.

**2023 AHAC Recommendation:** City Planning and Zoning Board to continue to consider flexible lot configurations for affordable housing using planned districts or through the granting of variances where reasonable.

**Schedule for Implementation:** As needed.

### **MODIFICATION OF STREET REQUIREMENTS**

**Meeting Synopsis:** General discussion about roadway widths and the advantages monetarily to reducing roadway widths or removing sidewalks for a developer. General discussion on the need for emergency vehicles to be able to access a site. General discussion about the importance of pedestrian paths in affordable communities where residents may not have access to cars.

**Existing Strategy:** City Code Section 154.32 (H) 3 states the roadway width shall include minimum 24 feet of asphaltic pavement for vehicular traffic, curb, and gutter along each edge of roadway pavement for drainage and four feet of concrete sidewalk along each side of roadway pavement for pedestrian traffic. The Code also allows the City Commission to waive the requirements for sidewalks along one or both sides of a private road.

**Senate Bill 102 Impact:** Except as otherwise provided, a development authorized under this subsection must comply with all applicable state and local laws and regulations. This includes setback requirements, parking, open space, environmental, concurrency, etc.

**2023 AHAC Recommendation:** No additional recommendation.

**Schedule for Implementation:** N/A

### **PROCESS OF ONGOING REVIEW**

**Meeting Synopsis:** 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.

**Existing Strategy:** The City is required by SHIP to report on policy changes that increase the cost of affordable housing. In addition, any items related to housing that go before the City Commission may require a financial impact analysis.

**Senate Bill 102 Impact:** A proposed Affordable Housing development must be administratively approved and no further action by the board of [city or county commissioners] is required if the development satisfies the [jurisdiction's] land development regulations for multifamily developments in areas zoned for such use and is otherwise consistent with the comprehensive plan. If a preemption project does not meet existing Land Development Regulations or the comp plan, local government can require a public hearing and land use change. The provisions in the Live Local Act are likely to reduce process times for the developer by bypassing the public approval process for qualifying projects which should result in the reduction in costs to the developer.

**2023 AHAC Recommendation:** No additional recommendation.

**Schedule for Implementation:** N/A

## **PUBLIC LAND INVENTORY**

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

**Existing Strategy:** The City reviewed this strategy and found no publicly owned land suitable for affordable housing. While the Howard C. Foreman Human Services Campus remains a prime location within the City for affordable housing that is close to major roadways, transit corridors, commercial properties, and shopping venues, the City did not have any vacant land suitable for Affordable Housing at the time of reporting. The Howard C. Foreman Human Services Campus property is State-owned, under a long-term lease to the City. The City has been successful in subleasing the property for rehabilitative services and affordable housing. Currently, Howard C. Foreman Human Services Campus is limited in lease opportunities for new development projects but has potential for future redevelopment should the opportunity arise.

**Senate Bill 102 Impact:** Requires every city and county, at least every three years, to identify publicly owned lands that are "appropriate for use as affordable housing." Lands identified as "appropriate" for affordable housing are to be placed on an online affordable housing inventory list. (Sections 4 & 7) Encourages local governments to adopt best practices for surplus land programs, including: "a) Establishing eligibility criteria for the receipt or purchase of surplus land by developers; b) Making the process for requesting surplus lands publicly available; and c) Ensuring long-term affordability through ground leases by retaining the right of first refusal to purchase property and by requiring reversion of Property not used for affordable housing within a certain timeframe."

**2023 AHAC Recommendation:** City staff to maintain public land inventory compliant with the Live Local Act.

**Schedule for Implementation:** Vacant land inventory must be posted online by October 1, 2023, and updated regularly. (<https://www.ppines.com/1624/Live-Local-Act>)

### **SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS**

**Meeting Synopsis:** 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.

**Existing Strategy:** The City’s Development Review Committee (DRC) includes a member of Broward County Mass Transit as a reviewer for development applications. The city and /or Broward County Mass Transit may request the addition of new bus stops, expansions of bus stops, additions, or upgrades to bus shelters because of new development and expected ridership.

**Senate Bill 102 Impact:** For a jurisdiction to consider parking requirements reductions, the proposed affordable housing development must be located within one-half mile of a major transit stop, and the major transit stop is accessible from the development.

**2023 AHAC Recommendation:** No additional recommendation.

**Schedule for Implementation:** N/A

### **2023 ADDITIONAL AHAC RECOMMENDATIONS:**

1. Consider partnerships with schools, churches, hospitals, and other large employers -specifically reach out to Broward County schools- and encourage the creation of workforce housing either on-site or nearby parcels as an incentive for employment. Where Broward County Schools is considering closing any school, encourage Broward County Schools to coordinate with municipalities to create Public-private partnerships or public-public partnerships for the development of affordable housing on the closed school site.
2. State of Florida to work with insurance companies toward the reduction of insurance premiums related to Affordable Housing Units.