

City of Pembroke Pines

Affordable Housing Advisory Committee

Fiscal Year 2024 Affordable Housing Incentive Strategies Report

State Housing Initiatives Partnership Program



Prepared by:

City of Pembroke Pines

Planning and Economic Development Department

Approved by:

Affordable Housing Advisory Committee on:

October 21, 2024

BACKGROUND

As a recipient of State Housing Initiative Partnership funds, the City of Pembroke Pines established an Affordable Housing Advisory Committee (AHAC) in 2008 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 at Florida Statutes, Sec. 420.9076 (4)(a)-(k). Based on the AHAC evaluation, it may recommend to local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles which would encourage 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.
- (g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) 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.
- (i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) A citizen who represents employers within the jurisdiction.
- (k) 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
1. Vice Mayor Thomas Good, Jr.	Elected Official	05/18/2022
2. Tiffany Pinto	Resident	05/18/2022
3. Carina Guillen	Resident	05/18/2022
4. Linda Gonzalez	Local Planning Agency Representative	08/02/2023
5. Keresia Lawes	Real Estate Professional	05/18/2022
6. Daniel Almaguer	Essential Services Personnel	05/18/2022
7. Elinne M. Dominguez	Resident	05/18/2022
8. Nikita Shannon	Home Building Industry	05/18/2022
9. Jay Shechter	Advocate for Low-Income Persons	05/18/2022
10. Ronnie (Ran) Shoua	Real Estate Professional	05/18/2022
11. Natalie Ramirez	Real Estate Professional	05/18/2022
ALT Commissioner Jay D. Schwartz	Elected Official (Alternate)	05/18/2022

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 conducted a thorough review of various local government documents relevant to affordable housing. This includes local government plans, policies, procedures, ordinances, regulations, statutes, and the comprehensive plan. The AHAC has also specifically examined and assessed the strategies outlined in Florida Statutes, Sec. 420.9076 (4)(a)-(k).

Based on this comprehensive review, the AHAC has developed recommendations for the City Commission. These recommendations propose certain changes to the City's housing strategy aimed at enhancing the 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.

For 2024, the AHAC reviewed the following new items of note during this cycle:

- **Senate Bill 328 – Amendments to Live Local Act**
- **Housing Broward: 10-Year Affordable Housing Plan**
- **Land Development Code Update - Accessory Dwelling Units (ADU's)**

EXPEDITED PERMITTING

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

Staff Comment: The city has posted a detailed description of its expedited permitting process for affordable housing projects on its website. This includes the priority building permit reviews for State and Federal housing assistance projects, such as CDBG, SHIP, and HOME programs. Under this process, permit plans are separately processed and coded to reflect their expedited status, generally saving applicants two to three weeks in permit review time.

Qualifying permit applications are organized in color-coded folders and routed separately by the building department. A dedicated building clerk is assigned to manage these plans and building department reviewers treat these applications as priority items.

Emergency permits are typically reviewed within one day, while non-emergency permits are reviewed within two to five business days, depending on their complexity. The City of Pembroke Pines continues to outsource its building department services.

If the City Commissioners were to express an interest in expediting other affordable housing permits beyond those currently prioritized, the proposed strategy would require approval from both the City and the building department service provider. Staff notes that the current building services contract with Calvin Giordano and Associates ends next year and that the procurement process for building services will begin in early 2025.

2024 AHAC Staff Recommendation: Include language within future procurement documents for building services that specifically requires selected vendor to provide expedited permitting for affordable housing projects.

Schedule for Implementation: Add requirement prior to the issuance of the next procurement for building services.

FEE WAIVERS FOR AFFORDABLE HOUSING

Meeting Synopsis: City staff provided an overview of impact fees and other development application fees that can affect the costs of proposed affordable housing projects. Key fees include:

- **Development Application Fees:** Site plan, rezoning, land use plan amendments, and variances.
- **Building Permit Fees:** General building permit review and inspection.
- **Engineering Fees:** Paving, drainage review, and inspection.

Staff Comment: The City Commission has the authority to waive some or all city fees through its development approval powers. However, if fees are waived, the City would need to address the financial impact related to providing adequate public infrastructure and services for new affordable housing developments.

Currently, there is no established policy for fee waivers specific to affordable housing projects. Requests for such waivers would likely require City Commission approval. The city has not received any applications during this year for affordable housing requesting modifications to development-related fees.

Broward County offers fee waivers for eligible affordable housing projects. Projects certified as "very-low income" or "low income" are eligible for a 100% waiver of county road and park impact fees, transportation concurrency fees, administrative fees, and application fees. These projects may also qualify for a full waiver of educational/school impact fees, up to \$50,000 per project, with School Board of Broward County approval.

2024 AHAC Staff Recommendation: No Additional Recommendations.

Schedule for Implementation: N/A

FLEXIBLE DENSITIES

Meeting Synopsis: City staff provided a general discussion of how flexible densities benefit affordable housing builders.

Staff Comment: Historically, the city utilized flexibility units and land use plan amendments to increase the density of affordable development projects. While the City has yet to take advantage of the new density bonuses for flexibility and reserve units, it may consider these options when allocating flexibility units for affordable projects in the future. Broward County Land Use Policy 2.16.3 provides for bonus density allocation for affordable housing projects based on the number of units and their 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)	Under Construction.
Carrfour Supportive Housing (Southwest Hammocks)	Howard C. Foreman Human Services Campus	100 Units (100% Affordable Housing)	Requested 68 flexibility units	Completed
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.

Staff notes that several multi-family units on the east side of the city have reached or are approaching their inspection mandates per building code. These properties are typically some of the most affordable units within the city and may require additional density allowances to cover costs and maintain affordability. Aging garden-style apartments and lower-density complexes may benefit from these enhancements.

Furthermore, the city enacted Ordinance No. 2022 on June 18, 2024, which revised the Land Development Code (LDC) to permit Accessory Dwelling Units (ADUs) in residential zoning districts, with specific development criteria. This ordinance is expected to create more affordable housing options for low-income residents.

As part of Broward County’s Housing Broward: 10-Year Affordable Housing Plan, municipalities are encouraged to explore reducing the minimum dwelling unit size to support affordability. Currently, the minimum unit size permitted for multifamily housing in Pembroke Pines is 750 square feet. Notably, several cities in Broward County allow smaller unit sizes for multifamily units.

2024 Staff Recommendation: The City to evaluate existing sizes for multi-family housing projects, focusing on aging garden-style apartments and lower-density complexes, to identify properties that could be redeveloped with additional density or have space for new units.

The city to also review the current minimum multifamily residential unit sizes within the zoning code and consider reducing these sizes where appropriate to promote housing densification and enhance affordability.

RESERVATION OF INFRASTRUCTURE CAPACITY

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

Staff Comment: : The City of Pembroke Pines initiated Phase II of the Pines Village utility improvement project in Fall 2022. This phase involves updating water mains, service lines, and meters, and extending sewer services to properties currently using septic tanks. The City’s portion of the project is expected to be completed by the end of the year. Broward County is expected to provide similar upgrades to Pines Village, within the County service area, beginning next year.

In response to a 2022 AHAC recommendation, the city has implemented a sewer hookup grant under the CDBG program, offering financial assistance for sewer connections to low-income residents in the Pines Village area.

2024 Staff Recommendation: Upon completion of the Pines Village sewer project, city staff to provide the AHAC an update on the number of qualifying residents assisted by the sewer hookup grant awards.

Schedule for Implementation: Upon Completion of the Pines Village Utility Improvement project.

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.

Staff Comment: Historically, the city’s Planned Districts (including Planned Unit Developments, mixed-use developments, and Planned Development - Small Lot Districts) have offered flexible setback and parking configurations. These Planned Districts use performance criteria, allowing for diverse residential and non-residential developments, where setback and parking reductions can be applied as needed. In addition, the city’s variance process is a tool that can be used to adjust setback and parking standards for specific sites.

In 2023, staff discussed Senate Bill 102 (Live Local Act) with the AHAC. The Live Local Act required municipalities to consider the reduction of parking requirements for qualifying affordable housing developments located within one-half mile of a “major transit stop.” Senate Bill 328, which amended Senate Bill 102, required that local governments must reduce parking requirements by at least 20% for qualifying developments located within one-half mile of a “major transportation hub,” provided there is available parking within 600 feet. Senate Bill 328 defines a “major transportation hub” as any transit station—whether bus, train, or light rail—that is served by public transit and offers a mix of other transportation options.

Broward County’s Housing Broward: 10-Year Affordable Housing Plan suggests, as part of an overall densification strategy, that municipalities consider reducing off-street parking and accessory unit setback requirements to support affordability.

2024 Staff Recommendation: No additional recommendation.

Schedule for Implementation: N/A

AFFORDABLE ACCESSORY RESIDENTIAL UNITS

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

Staff Comment: Accessory Dwelling Units (ADUs) are secondary housing units on a residential property, designed to provide additional living space. In the City of Pembroke Pines, the siting of ADUs is subject to specific constraints and development criteria outlined in the Land Development Code.

At the request of the AHAC, the city explored the feasibility of integrating ADUs into its Code of Ordinances. On June 18, 2024, the city approved Ordinance No. 2022, which updated the Land Development Code to permit ADUs in residential zoning districts. This ordinance allows ADUs under certain development criteria, aiming to increase residential density and offer affordable rental options for low-income residents.

2024 Staff Recommendation: The city to provide the AHAC with an annual report detailing the number and locations of new Accessory Dwelling Units (ADUs) permitted within the city.

Schedule for Implementation: 2025 and each year thereafter.

FLEXIBLE LOT CONFIGURATIONS

Meeting Synopsis: General discussion about how flexibility in developable lot configurations may impact development.

Staff Comment: As the city approaches buildout, it is crucial to consider flexibility in lot configurations to maximize development potential. Some lots may be suitable for development but do not meet conventional zoning requirements due to physical or legal constraints. Infill projects can also benefit from flexible lot configurations.

Broward County’s Housing Broward: 10-Year Affordable Housing Plan recommends that the city explore reducing minimum lot size and dimensional requirements to support future affordable housing projects.

Currently, the city’s Code of Ordinances does not include policies for flexible lot configurations outside of specific planned districts or through variance applications. To date, there have been no variance requests to modify lot sizes for residential zoning districts, nor have there been applications within Planned Districts for affordable housing development.

2024 Staff Recommendation: No additional recommendation.

Schedule for Implementation: N/A

MODIFICATION OF STREET REQUIREMENTS

Meeting Synopsis: General discussion about roadway widths, emergency access, and pedestrian needs.

Staff Comment: Reducing roadway widths or removing sidewalks can provide significant financial advantages for developers by decreasing construction costs. However, it is important to balance these considerations with the need for adequate emergency vehicle access and pedestrian infrastructure.

City Code Section 154.32(H)(3) mandates that roadways include a minimum of 24 feet of asphaltic pavement for vehicular traffic, with curbs and gutters for drainage, and four feet of concrete sidewalks on each side for pedestrian use. The Code does provide flexibility, allowing the City Commission to waive sidewalk requirements along one or both sides of a private road.

While cost savings are a notable benefit, it is crucial to ensure that any modifications do not hinder emergency vehicle access. Additionally, maintaining pedestrian paths is essential in affordable communities, where residents may rely more on walking due to limited access to vehicles.

2024 Staff Recommendation: No additional recommendation.

Schedule for Implementation: N/A

PROCESS OF ONGOING REVIEW

Meeting Synopsis: General discussion of the review process for policies related to affordable housing.

Staff Comment: The city's adopted Local Housing Assistance Plan (LHAP) stipulates that, following directives from the City Manager's office, all Department heads must participate in the review of local policies, ordinances, regulations, and plan provisions that could affect housing costs.

In compliance with State of Florida requirements, the City must report any policy changes that increase the cost of affordable housing. Additionally, any housing-related items presented to the City Commission may necessitate a financial impact analysis.

2024 Staff Recommendation: No additional recommendation.

Schedule for Implementation: N/A

PUBLIC LAND INVENTORY

Meeting Synopsis: All City-owned properties have been assessed for their suitability for affordable housing, as mandated by the State of Florida. Currently, there are no publicly owned properties deemed suitable for affordable housing as currently entitled.

Staff Comment: The City maintains a vacant land map, which is available to all affordable housing applicants and interested parties and can also be accessed on the City's website.

2024 Staff Recommendation: No additional recommendation as the State currently requires such inventory.

Schedule for Implementation: Oct. 1, 2023 and every 3 years thereafter.

SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

Meeting Synopsis: General discussion related to development near transportation and places of employment.

Staff Comment: The City supports development near transportation hubs, 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.

Under Senate Bill 328, municipalities must reduce parking requirements by at least 20 percent for qualifying proposed developments located within one-half mile of a major transportation hub. This hub must be accessible from the development via safe, pedestrian-friendly routes, such as sidewalks, crosswalks, or elevated pedestrian and bike paths.

The city, with strong support from the City Commission, is enhancing mobility options in and around City Center, through the implementation of the City Center Mobility Hub. This project includes a multi-use path along Washington Street leading into City Center, as well as new bus shelters and bicycle lanes along Pines Boulevard from US 27 to the Turnpike.

The City’s Development Review Committee (DRC), which includes a Broward County Mass Transit representative, reviews development applications and may request new bus stops, expansions, or upgrades to bus shelters in response to new development and anticipated ridership.

2024 Staff Recommendation: No additional recommendation.

Schedule for Implementation: N/A