

MINUTES

BROWARD COUNTY PLANNING COUNCIL

AUGUST 22, 2013

**MEMBERS
PRESENT:**

Anne Castro, Chair
Commissioner Bobby DuBose, Vice Chair
Commissioner Michael S. Long, Secretary
Tim Bascombe
Mayor Vincent Boccard
Mayor Lamar Fisher
Beam Furr
Mary D. Graham
Dan Hobby
Commissioner Martin D. Kiar
Commissioner Michele Lazarow
Commissioner Rita Mack
Nicholas T. Steffens
Mayor Daniel J. Stermer

**MEMBERS
ABSENT:**

Vice Mayor Richard Blattner
Neal R. de Jesus
School Board Member Patricia Good
Lynn Kaplan
Mayor Michael J. Ryan

**ALSO
PRESENT:**

Barbara Blake Boy, Planning Council Executive Director
Andy Maurodis, Legal Counsel
James Carras, Carras Community Investment
Ralph Stone, Director, Broward County Housing and
Finance
Henry Sniezek, Director, Broward County Planning and
Environmental Regulation Division
Peggy Grant, Atrium Center
Marcie Nolan, Becker Poliakoff
Nancy Cavender, The Laws Group

A meeting of the Broward County Planning Council was held at 10:00 a.m., Thursday, August 22, 2013, in Room 422 of the Government Center, Fort Lauderdale, Florida,

(The following is a near-verbatim transcript of the meeting.)

CALL TO ORDER

CHAIR CASTRO: I think we're going to go ahead and get started. We're going to call the meeting for the Broward County Planning Council Regular meeting and Public Hearing for August 22nd, 10:00 a.m. to order.

I know, Mr. Furr, you haven't been sworn in yet, but if you'd be kind enough to lead us in our Pledge of Allegiance, I'd appreciate it.

PLEDGE OF ALLEGIANCE

(THE PLEDGE OF ALLEGIANCE WAS LED BY QUENTIN "BEAM" FURR.)

ROLL CALL

CHAIR CASTRO: Thank you. If we could have the roll call, please.

THE REPORTER: Yes, ma'am. Mr. Tim Bascombe.

MR. BASCOMBE: Present.

THE REPORTER: Vice Mayor Richard Blattner. Vice Mayor -- I mean, I'm sorry, Mayor Vincent Boccard.

MAYOR BOCCARD: Present.

THE REPORTER: Neal de Jesus. Commissioner Bobby DuBose.

COMMISSIONER DUBOSE: Here.

THE REPORTER: Mayor Lamar Fisher.

MAYOR FISHER: Here.

THE REPORTER: Mr. Beam Furr.

MR. FURR: Here.

THE REPORTER: School Board Member Patricia Good. Ms. Mary D. Graham.

MS. GRAHAM: Present.

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THE REPORTER: Mr. Dan Hobby.

MR. HOBBY: Here.

THE REPORTER: Ms. Lynn Kaplan. Commissioner Martin Kiar.

COMMISSIONER KIAR: Here.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Here.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Here.

THE REPORTER: Commissioner Rita Mack.

COMMISSIONER MACK: Here.

THE REPORTER: Mayor Michael Ryan. Mr. Nicholas Steffens. Mayor Daniel Stermer.

MAYOR STERMER: Here.

THE REPORTER: Chair Anne Castro.

CHAIR CASTRO: Here.

Let the record reflect Mr. Steffens is actually here. I think he's just in the back using the facilities, so I don't want him to be discounted.

CONSENT AGENDA

AGENDA ITEM C-4 - EXCUSED ABSENCE REQUESTS

I'd also like to entertain a motion to excuse School Board Member Good, Lynn Kaplan, Vice Mayor Richard Blattner, Mayor Michael Ryan, and add Mr. Neal de Jesus who, at the last minute, called in this morning and couldn't make it. If I could have a motion?

MAYOR STERMER: So moved.

COMMISSIONER LONG: Second.

CHAIR CASTRO: I have a second?

MAYOR BOCCARD: Second.

CHAIR CASTRO: All in favor? Thank you.

VOTE PASSES UNANIMOUSLY.

CHAIR CASTRO: Real quick, before we get in to the agenda, and we're going to probably change a few items up, I wanted to, on behalf of this Council, congratulate Commissioner Long on the birth of a new child, and I want to give him a minute to introduce his new son.

COMMISSIONER LONG: Yes. I didn't bring him with me today. Proud owner of a new baby boy. It's our second and, hopefully, last one. William Matlack (phonetic) Long, and he's doing well, and Mom's doing well, and I can tell you there's nothing on TV at 1:30 in the morning, 3:30 in the morning. There's still not a lot at 5:30. So I'm learning that, so thank you.

CHAIR CASTRO: And then, before we recognize Mr. Reinstein, I'm going to go ahead and do the oath of office for Mr. Furr and get him sworn in. And if he would come around and step up here, please, we'd appreciate it.

And then before we do the group photo, I'm going to ask Mr. Reinstein to come up and say a few words, and then bring him up for the certificate, and then we'll do two group photos, basically, one with Mr. Furr and Mr. Reinstein all together in it. So we'll get all the grouping done at one time is the plan. At least, that's what we're going to try to stick to. Let me find this.

OATH OF OFFICE

CHAIR CASTRO: I do solemnly swear that I will support, protect, and defend --

MR. FURR: I do solemnly swear that I will support, protect, and defend --

CHAIR CASTRO: -- the Constitution and government of the United States --

MR. FURR: -- the Constitution and government of the United States --

CHAIR CASTRO: -- and of the State of Florida --

MR. FURR: -- and the State of Florida --

CHAIR CASTRO: -- that I am duly qualified to hold office --

MR. FURR: -- that I am duly qualified to hold office --

CHAIR CASTRO: -- under the Constitution of the State and the Charter of Broward County --

MR. FURR: -- under the Constitution of the State and the Charter of Broward County --

CHAIR CASTRO: -- and that I will and faithfully perform the duties --

MR. FURR: -- that I will and faithfully perform the duties --

CHAIR CASTRO: -- of a member of the Broward County Planning Council --

MR. FURR: -- as a member of the Broward -- Broward Planning Council --

CHAIR CASTRO: -- which I am now about to enter --

MR. FURR: -- which I am now about to enter --

CHAIR CASTRO: -- so help me God.

MR. FURR: -- so help me God.

CHAIR CASTRO: Congratulations.

(Applause)

CHAIR CASTRO: We're going to come back and do that in just a second.

CERTIFICATE OF APPRECIATION

CHAIR CASTRO: Mr. Reinstein, you're recognized, sir.

MR. REINSTEIN: Broward County Planning Council, Chair, Vice Chair, thank you very much for the Certificate of Appreciation you're about to give me, and thank you for the honor to serve on this Council for the past number of years.

Since I hadn't previously taken the opportunity, I want to publicly thank Commissioner -- former Commissioner Ilene Lieberman, who first appointed me. It was actually just an email that I sent to her office. I did not know her. Said I wanted to serve, how can I get involved, and I got the appointment.

And a number of years later was reappointed by Commissioner Kiar. Thank

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you very much for allowing me to continue. I had the opportunity to be chosen by my peers on the Council as Vice Chair, and want to explain that I didn't leave for any nefarious reasons or because I didn't enjoy serving.

I'm very fortunate that after a couple years off of work, my wife got a new job at a law firm, a law firm that happens to go a lot of work before the Planning Council doing land use, and, as we all know, we're up here serving the community, and perception is very important.

And although after many discussions with our able Counsel, Mr. Maurodis, and doing some research myself, there would have been no conflict. I could have continued to serve, but I believe that it was much more important that there wasn't any question of any conflict, even if there wouldn't be as a matter of law. So, on that basis, I left the Council.

And I just want to thank, first, also Mr. Henry Sniezek, who's here. It was great to have him, followed by Ms. Barbara Blake Boy and her able staff. The people who serve on this Council and the people who work with this Council are really amazing people, and do a great job.

And other than that, I probably should thank my law firm for allowing me the time to come here regularly. And thank you all again. It's been a wonderful opportunity to serve, and I hope to continue with further opportunities. Thank you.

CHAIR CASTRO: Thank you. If you'd step up here, please. As you all may or may not know, the County budget, obviously, like all budgets, is tight, so we've kind of had to de-plaque ourselves somewhat.

But we didn't want people to leave with nothing, because, as all of you know, we've been here for a while. This isn't easy. Any time you're on a board or a committee, a lot of people think it's a lot of fun and a lot of playing, and it's not. It's a lot of hard work. If anybody looks at the backup for this committee or this Council, you know it's a lot of hard work.

So we wanted that recognized, but budget being budget, we do have a Certificate of Appreciation, because we wanted Mr. Reinstein to know we appreciated his service as members of the Council, as well as on behalf of Broward County.

So this is a Certificate of Appreciation in recognition of your dedication to our community and the public service you have voluntarily provided to benefit the people of Broward County, presented to Louis Reinstein for serving the Broward County Planning Council. And it's signed by Mayor Kristin Jacobs and County Administrator Bertha Henry.

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CHAIR CASTRO: And don't everybody start sitting back down, because now we're going to do the group shot. Thank you, everyone, for your patience on that. The photo op is always one of the toughest things we have to do, just coordinating all of these elected officials and citizen advocates, so it's kind of interesting.

CONSENT AGENDA

ITEMS C-1 THROUGH C-4

CHAIR CASTRO: Okay. We're moving on to the Consent Agenda. Are there any items to pull?

MAYOR FISHER: I'll move it.

COMMISSIONER DUBOSE: Second.

CHAIR CASTRO: Thank you. All in favor? Any abstentions or objections? Seeing none, it carries unanimously.

VOTE PASSES UNANIMOUSLY.

REGULAR AGENDA

AGENDA ITEM R-1- LOCAL PLANNING AGENCY REVIEW: PROPOSED REVISIONS TO THE BROWARD COUNTY CODE OF ORDINANCES, CHAPTER 5, ARTICLE IX, " LAND DEVELOPMENT CODE

CHAIR CASTRO: We're on to R-1, the local planning agency review, proposed revisions to the Broward County Code of Ordinance. And if staff wants to give a brief report of what we just discussed in the previous meeting.

MS. BOY: Sure. The Land Use/Trafficways Committee met just before this meeting and recommended approval of the changes to the Land Development Code. County staff is here if anyone has any questions.

Basically, they changed some definitions related to the number of stories and how the impact fees are calculated, and then a lot of clean-up that was already in process when that was initiated by the Commission. But they're here if you have any additional questions.

CHAIR CASTRO: Okay. Any other comments, questions, concerns? No? R-2.

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COMMISSIONER DUBOSE: I'll move -- I'll move R-1.

CHAIR CASTRO: Thank you. Do I have a second?

COMMISSIONER LONG: Second.

CHAIR CASTRO: All in favor? Thank you. Any objections? Seeing none, it carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM R-2 - PRESENTATION: AFFORDABLE HOUSING

CHAIR CASTRO: R-2.

MS. BOY: R-2 is a presentation that the Board had requested at the June meeting. We have Mr. Ralph Stone from the County's Housing Agency, and Mr. Jim Carras here to talk about affordable housing. I believe Mr. Stone is going to go first.

CHAIR CASTRO: Okay.

MR. STONE: Good morning, Mayors and Commissioners. How are you this morning?

CHAIR CASTRO: Good, thanks.

MR. STONE: I actually wear three hats. One is I am Executive Director of the Broward Housing Council, and in that role really represent all of you all in conjunction with your respective representatives.

I also serve as Executive Director of the Housing Finance Authority, and in that role we're responsible for trying to come up with sources of revenue, mainly tax exempt and 4 percent bond money, to do multi-family development and mortgages.

And then I serve as the Director of the County's Housing Division, which deals with all of our federal grant funds. So I come here this morning not really with any specific perspective in mind other than just to try and answer questions for you guys.

Affordable housing has been on roller coaster the last seven years. I got here at the peak of the bubble, and we've all seen what has happened to it. I don't know, Barbara, if they all had the benefit of the slide presentation.

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MS. BOY: Yes, the presentation is in the backup material.

MR. STONE: All right. So I'm not going to bore you by going through slide by slide, but let me touch on a couple things.

First of all, in the general area of resources -- and we'll get back to where we're at as far as affordability in just a second -- I think all of you all know, because many of you are entitlement communities, meaning that you're a city of 50,000 or more, that the block grant and the HOME funds in the last year and again this year were cut 30 and 40 percent respectively, which are severe, deep, deep cuts.

They're flagged again this year, and they're a source of attack pretty much every year now, but they seem to hold their own. So those programs have been around for 40 years. I don't expect them to go away. They have a very deep constituency all through the United States.

The SHIP program, as you know, hasn't been funded by the State for many, many years now. The byproduct of the bubble bursting on real estate was that all the communities that were realizing program income now also do not have program income from the sales of their portfolios.

For example, when I got here in 2007, our annual program income was about a million dollars. All in all, just for Broward County alone, we're down from about \$15,000,000 a year to about 2 or \$3,000,000 a year that we have to allocate.

Our -- our piece -- Broward County is very unique nationally with the number of entitlement communities, 16 entitlement communities. So whereas Miami-Dade, Pinellas, Orange, Duval, Palm Beach have a couple of large cities and then the County splits the rest of the money, so they may be splitting the combined State and federal bucket two or three ways, we split it 16 ways.

So out of all of the federal dollars for affordable housing that come into the County, the County itself realizes 17 cents. So all of you all that are in cities over 50,000 have your own sources and your own strategies, and you all make your own decisions about those things. So we're all really, really down in terms of available resources.

In regard to the demand, there's an intuition out there that because we're at historically low interest rates and we have historically, at least, you know, in modern times, low property values, and there's a lot of product out there at reasonable rates, that affordable housing is not an issue.

And up until just recently what I have tried to explain to people is that solved

our workforce housing problem. When I got here, you know, there were law firms and hospitals complaining about not being able to recruit six figure employees because they couldn't afford housing here.

Up until recently, the median income in Broward County could support the median priced house, so firemen, people like me, your employees in your communities could afford a home, teachers, et cetera.

Coincidentally to that, the individuals that were down at 80 percent and below have a more severe problem, which is kind of hard for people to understand, than they used to. At the height of the bubble, we had about 50,000 severely cost burdened families, households in the County. That means they were paying more than 50 percent of their income just on housing. Forget about transportation and other stuff.

That is up to 107,000 families. That's more than doubled in the last few years. And, in fact, if you look at the slides, we are the worst metro area in the country as far as severely cost burdened households. That means that we have a higher percentage and more households in that category than New York City, Washington, D.C., Honolulu, San Francisco, all of the places that you really associate with severe affordable housing issues.

So the good news is is our workforce people, until very recently, and I'll comment on that in just a second, have caught a break. The bad news is is our lower income people are worse off than ever, and that translates into a need for rentals. And we all know what's going on in the rental market. It's tight, there's not enough product. Rates are up. And that's why the severely cost burdened household population has increased, because, as we know, in the last 30 years, there's not been, in terms of present value, an increase in income in this -- in this country. There's been a slight uptick here in Broward County -- you all might have read about -- that this past year, but really not enough to be meaningful.

So there's problems at the low end. We're kind of treading water at the workforce end. Resources are not really there, and rental product and affordability is high, high in terms of cost, low in terms of availability.

I always tell everyone that affordable housing is simply a real estate deal with a subsidy. It doesn't matter what kind of strategy we're doing, whether it's home repair or purchase assistance or tax credit deals, it's a subsidy for people that can't afford that gap. And, you know, that philosophy is the subject of debate, but I'm not going to question that this morning, because it is what it is.

So it's about either attending to it or not. Unfortunately, the only way to

attend to it is resources, and we're resource deficient. There are other kinds of ways to get there, and I'll talk about those in just a second, but very -- let me -- very briefly, I don't know if you all saw the article in the Times this morning that past years' real estate sales have bumped the median home price up countywide to \$275,000.

In 2011 -- I'll just give you a couple of comparisons -- median wages are the same for a household in Broward, about \$60,000 a year. That will support around \$183,000 - \$185,000 mortgage. And that creates a gap of about \$90,000, based on information that was just published.

Using those same baselines, back in 2011, for example, Fort Lauderdale, the median sales price of a home was \$179,000 so the gap has gone from \$49,000 to \$129,000 in Fort Lauderdale.

In Hollywood, which is the high end of the gap only because the median household income is lower, the gap in 2011 was \$91,000. The gap now is \$151,000. At the low end, we've got Coral Springs with a gap of \$78,000.

So the point is is that -- and we all know this -- that median housing costs are going up where, at that level, we're at the point where there's a need to be concerned about workforce housing again, but I don't think, really, that's on the front burner. The front burner really is people at 80 percent and below.

The primary way we've provided product for that market has been in the State's 9 percent tax credit program. We are a community that gets a set aside. Miami-Dade, Broward, a couple of the other large communities are guaranteed a bulk of units. For us, it's not a lot. A couple of hundred in a given year. And that's about all we get.

Every tax credit deal that comes to Broward County requires a match by the State. It used to be a quarter of a million dollars. It's now down to \$125,000. We match every single project that comes on board. We don't care if it's in Miramar, Fort Lauderdale, unincorporated area, it doesn't matter.

So we've had years where we've provided a tax credit match for 13 projects. We had to tie up those funds while they worked through the State process. And the reason that we do that is the leverage on that -- that 125 or that quarter of a million is like that much versus \$20,000,000 to produce a hundred unit tax credit deal. So the leverage is fabulous.

In a given year, we may get two, 300 units. And then we've already told you what our backlog is. In fact, there's a gentleman in the State -- and I'm being kind of long winded, and I'll wrap up in a second and you all can ask me some questions -- but there's a gentleman in the State that every year

prepares an assessment of the populations in every county that are eligible for the 9 percent tax credit deals. And this is his 2011 analysis. And, of course, Broward County was number one.

We were short 45,000 units for people at 60 percent and below. So we've got a -- we don't have a good story. So getting back to how we - address the problem, as I said, it's a resource issue. We don't have resources to go around.

Commissioner Wexler and I worked for a few years trying to get all the entitlement cities to put money into a bucket so that we could provide gap financing on our own, instead of asking an individual city or -- when we had more money, we would do gap financing for at least one or two projects a year. We'd put a million or two -- 2,000,000 bucks on the street and, in addition to our tax credit match, we would try and get the Pinnacles of the worlds, the Carlises of the world, to come in and take that gap and then pursue either a 9 percent deal or a 4 percent deal with the Housing Finance Authority.

We don't have the resources to do that anymore. And the entitlement cities have elected not to participate, and I -- you know, I get that. In a past life, I was a city manager. I've been an Assistant City Manager for Economic Development. And I understand that when cities get their block grant money, for the most part, those city managers -- I understand how they're thinking -- are doing neighborhood building, community building, trying to stabilize the tax base, and trying to reduce the cost of service in blighted areas. And that's totally legitimate.

But when you do a big range deal, a streetscape deal, a street lighting deal, whatever you're doing with your block grant funds, that's a dollar that doesn't go to one of the affordable housing. It's totally up to those communities to make those policy decisions. The point I'm making is is that it just further reduces the ability to get resources.

In Miami-Dade, years and years ago, they pushed through a local doc stamp tax, so they don't participate in the State SHIP program. In a down year, they're doing \$10,000,000 to \$15,000,000 a year, even at the bottom of the cycle. They take that money, and they do the gap financing thing.

So when we're getting one or two 9 percent tax credit projects a year, they're getting five or six. When we're producing two or 300 units, they're producing, seven, eight, nine -- 900, a thousand units.

That is a program that's never going to get done here in Broward County, I don't believe, in my lifetime. We've tried it a lot. I think all of you all are

aware of that. But that's the level of resources that we need to get to to start to make a dent in the program.

So when you get into your policy decisions to start to maybe try and peck away at this from a -- kind of from a smaller perspective, like the policies that you have today, from an old hat, I know how chilling those things can appear to the development community and to policy makers.

Honestly, I don't have any good solutions for you. There are some communities around the country that have what I call real inclusionary zoning. And what I consider real inclusionary zoning is that when subsidy is imposed on the developer on a small project, it may be a ten-unit deal, a 15-unit deal, a hundred-unit deal, he's provided incentives in the form of adjusting his pro forma where he can take what would be, absent the additional units, he would have his project that had, you know, his -- his profit level. He would be able to adjust that by the amount of subsidy that he is being required to absorb to produce those units.

I hope you all understand that. It's just -- it's basically a strict pro forma issue. He's -- it's not fair, in my opinion, depending on the circumstances, to request a development community to absorb the subsidy without some adjustment in their pro forma bottom line.

So that's kind of where we're at, quick overview of where we're at. If you have any questions, I'd be happy to address those.

CHAIR CASTRO: Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair.

I have a question, if you can answer, about the inclusionary zoning in some communities in the US where they give a pro forma adjustment. Could you just name one or two, just for my information?

MR. STONE: Yeah, there's a county in -- is it Maryland or Virginia --

MS. BOY: Montgomery County, Maryland.

MR. STONE: -- and they've had a program in place for a long, long time.

MS. GRAHAM: Thank you.

CHAIR CASTRO: I first want to thank you for your brief overview, because it was actually packed full of a lot information, a lot of helpful information.

One of the issues I raised the last time, and I don't know if this is really, you know, your side of the street, but, you know, working in the private sector, raises the last decade haven't been cost of living, even. On top of that, you have insurance costs going up for our property insurance. You know, we always mention Citizens. That starts to make housing less affordable across the board, which is, again, factors, I think, that lean into why your band got wider, that you mentioned that people are having more difficulties affording housing.

Having tied into all of those, which are sometimes -- I don't know, first -- my first question is do you all actually actively work those issues as well relative to affordable housing?

And then, two, relative to the item before us today, which is a change of policy or -- or a process for policy -- and I don't want you to speak in favor for the policy, because I know that's -- would be political suicide, to say the least, at your level, but, you know, I understand the purpose of the policy is to try to increase affordable housing, but on the other side, I also see it possibly delaying development, which would then in turn delay units basically coming on line, because it's basically a second review. So I would like you to address those issues, if you could.

MR. STONE: Okay. To your first issue, we really don't get involved in the peripheral things that are driving less affordability like insurance costs.

But what has just about found its way into the thought process about affordable housing is transportation costs. There's a slide in your packet that shows cost burdens of moderate income. Those are the workforce people that are kind of okay right now. And it adds in transportation costs.

So not only are we the worst in the country for severely cost burdened households, if you add in transportation costs at the moderate level, that bumps us up to the -- you can call it the bottom of the barrel or the leader of the pack in terms of cost burden for moderate income families.

Ms. Castro, as far as the current policy is concerned, I, unfortunately, get the referrals from Henry that says, okay, I've got -- we've got this project coming in in Pompano. They had a commitment way back when things were really cooking. They had -- they were going to provide ten percent of their units for workforce housing. Not just some cost into a bucket, but actually units. And they want some relief from that.

And I think relief is deserved in the current market. As much as we need affordable housing, we need housing. And certainly cities need new tax base and that's part of it.

So my perspective and my observation of what the County Commission has done in regard to that laundry list of mitigation options is really two-fold. One is I have -- I have not -- and I haven't seen the Board looking for those full units, even though that was the standard.

Instead, they're looking for some fair commitment that will -- that will -- that is linked to that community's specific affordable housing needs.

So Tamarac came to me last year and the Board and said, we need some relief on a project. We said to meet the standard, you'd have -- you'd have to assess your market. And they did, and they did a real good job of it. And they proved to me and the Board that they had enough affordable housing inventory to meet -- in effect, meet their needs. And that was a couple years ago. Pompano did pretty much the same thing.

So that where I'm at now with the menu, what I tell them is I'm not interested in any commitments to workforce housing. I want you to commit to people at 80 percent and below. And, for the most part, what they've been doing is kicking in a payment in lieu of fee of between \$450 and \$1500 per unit in the project. They give it to the city. The city tells us what their strategy is, matches it to their need.

We had one recently with the Gulfstream project where their need was going into a particular neighborhood and doing home repair to stabilize that neighborhood. They matched it with NSP funds, and we're good to go on that.

CHAIR CASTRO: So you're not all about -- I'm sorry to interrupt, but you're not all about the units, then. You offer alternative programs, whether it be mortgage assistance, rent assistance, whatever it is --

CHAIR CASTRO: -- to fill that subsidy gap, is what you referred to it as.

MR. STONE: -- in the current market, I think, I get mowed down if I try and get full units, so --

CHAIR CASTRO: Okay.

MR. STONE: -- I try to be reasonable about that. Are full units needed? Absolutely. But are the resources there, is the pro forma there to support full units? No. It's just -- it would be -- it would be silly of me, in addition to professional suicide, to try and sell that position. You know, there -- there's the need, and then there's the reality of the resources available to resolve the need. And absent a doc stamp like Miami-Dade --

CHAIR CASTRO: Right.

MR. STONE: -- we've got what we've got. So can we make little -- you know, little chips away? I believe in little chips away.

The problem is is right now the problem is outstripping the resources. And if -- if home -- if salaries stay flat and home prices continue to creep up, we're going to be back at the workforce level --

CHAIR CASTRO: Right.

MR. STONE: -- and the School Board's not going to be able to recruit teachers, and we're going to be back into that cycle. And so we've got a whole -- a (inaudible) to lay on top of the current (inaudible) to deal with. And that's going to be a bad situation.

CHAIR CASTRO: I agree with you.

Anybody else, questions? None? Comments? Thank you very, very much.

MR. STONE: Thank you.

MS. BOY: Mr. Carras is also here.

MR. CARRAS: Good morning. My name's James Carras. I'm with the consulting firm Carras Community Investment. I have served as the First President of the Broward Housing Partnership, and also the First President of the South Florida Community Land Trust.

My firm has conducted a number of housing needs assessments, both here in Broward and throughout Florida. What I want to share with you, and not to repeat the need that's well established by Ralph's presentation, but just to highlight and look at affordable housing from a couple of different perspectives.

One of the clients I've had over the last year and a half is the Seven50 Regional Plan through the South Florida Regional Planning Council and the Treasure Coast Planning Council, and we were retained to conduct the only requirement that HUD has of that regional plan, which is to prepare a Fair Housing and Equity Assessment, which is really to take a look at economic prosperity of every Census tract that exists in the seven county region, which is over 1,000 Census tracts.

So if you need data, if you need to establish need in any place in the seven counties, I urge you to take a look at the Seven50 website and take a look at

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the study that was prepared, as well as the raw data is there for anybody to take and also to analyze relative to neighborhoods, to cities, sub-regions in counties, and, certainly, the seven-county region.

Let me highlight a couple of things about the study. The notion is it looks at housing in a different prism than what we have looked at in the past. It looks at housing as one of many indicators in terms of economic prosperity.

And I think one of the key issues that we have here in Broward County and throughout the region is our economic future, and we hear it often in a number of different ways.

When we take a look at what's taken place in the region, and specifically in Broward County, 46 percent -- and this is in 2010, I would say at the lowest point of the economic recession -- in 2010, 46 percent of all households in Broward County were cost burdened, meaning they spend more than 30 percent of their gross income on mortgage, taxes, and insurance. Over 60 percent of those renting were considered cost burdened.

And I wasn't able to hear all of Ralph's presentation, but I'm sure -- pretty sure he shared, and it's certainly well documented by national studies, that we're one of the leading areas of the country relative to being cost burdened. And this was by 2010 standards.

Last -- this week, we saw that housing prices have risen 27 percent. I dare say that income has risen barely one percent in the last year in Broward County, and, in fact, since 2008, our median income has dropped and not increased.

A second way of looking at need is also through a national analysis where we combine housing costs with transportation costs. The national standard for housing cost burden by HUD is 30 percent of gross income. This new national standard of combining housing cost with transportation cost is that you should not be spending more than 45 percent of your income for housing and transportation.

In the Fort Lauderdale/Miami MSA, 85 percent of all households spend more than 45 percent of their gross income on housing and transportation. We join the Miami Heat in being number one. It's a dubious distinction.

The need is well established, and I'm a bit troubled -- and this is a -- maybe a surprising statement coming from a consultant who makes their living on doing studies -- the call for more studies. The need is well established. The baseline is there. The technology is there to access the information overnight. So for us to perpetuate this data-driven analysis of an issue that's

been well established for over ten years in this county, through the best of times and certainly through the worst of times, is a little bit troubling in terms of taking a look at where do we go from here.

Let me close my remarks and before I close, Broward County, when we did the Fair Housing and Equity Assessment, and we've done over 30 presentations through the region over the last five months, one of the things that we did is that we tried to look at what does this regional data mean? And if we took a look at some of the three worst areas, if you will, in Broward County, which we used as an example, which were in Pompano Beach, were in Fort Lauderdale, and in Hallandale, we looked at individual Census tracts and said what does it mean to live in those areas.

We looked at -- the amazing thing is the number of units that were vacant within those areas. We looked at income and the number of people who lived in poverty. We looked at segregation patterns, where they're overwhelmingly African-American communities. We looked at educational attainment. We looked at the quality of the schools and FCAT scores.

All of these indicators, with 33 different indicators, showed what the quality of life was for the people that lived in those areas. And for those of us who think, well, that's just three Census tracts, Jim, I urge you to go to the Seven50 website and take a look at Broward County.

And those Census tracts that we scored in the red or orange, which were what we called low opportunity areas, are throughout the County, particularly through the central and the southern part of the County.

In those three areas that I mentioned, that we used as examples, while all of those indicators existed, they still were cost burdened. They still were spending more on housing, and certainly on transportation, than what the national standards are.

For those, again, who think that affordable housing is only an issue for low income areas, take a look at the map, and the map shows a number of moderate scores, moderate opportunities.

The bulk of Broward County is teetering between being a low opportunity area and a higher opportunity area. One more natural disaster or another economic recession could push much of Broward County into those lower opportunity areas.

And, finally, if I can make an editorial comment, and I know, Commissioner DuBose, you hopefully have caught up on your sleep since Tuesday night where, at past 3:00 a.m., a vote was taken on the Marina Lofts project. I

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won't comment about my feelings about that vote or the development. There are mixed feelings about it.

However, what was interesting while I sat at home and watched much of the testimony -- I caved at 1:30, I couldn't continue to watch -- there were over 70 people that testified, and I think most of you probably have heard of Marina Lofts in the -- in -- but one of the things that the people who came out in favor of Marina Lofts talked about was -- and this is a new terminology -- I love it -- affordable luxury residential units. Affordable luxury residential was what's needed.

So when I take you from the lowest income Census tracts of Sistrunk and Kendall Green and in Hallandale, I can take you to across the river to Marina Lofts where the need is established that we need affordable luxury living. And I agree with that statement, because many of them talked about their children returning from college and needing a place to live. The innovative, creative class needing a place to live.

Unfortunately, to move into Marina Lofts to a basic studio apartment, you would need to earn \$40,000 a year. For a one bedroom, you would need to earn \$75,000 a year. And that's based on the HUD 30 percent cost burden.

So let me get to -- finally, to the closing, is that I know you have a technical detailed ruling to deal with relative to flex units. I've taken this opportunity to share with you my views and observations about affordable housing. Having gone through the last period where we became very responsive because of prices going up so rapidly and so high, where a single family -- median single family home in 2007 was 369, I believe, but now we're seeing the same thing with rentals. And rents are going up close to seven to nine percent a year.

And all the new units, almost -- most of the new units that are being developed around here are certainly -- fall more into the affordable luxury living and not into addressing where most people in Broward County -- I think our median income per person is approximately \$30,000 a year, median household income -- I don't have the number -- is about \$50,000 to \$55,000 a year. All right? So what we're developing is not necessarily addressing where the median is.

What do we do? I think there's a need, as Ralph said, we have -- we believe the statement in terms of the need for 45,000 rental units that need to be produced to address the need.

We need to shift the discussion of the debate around need. The need is there. We need to shift the discussion to what are we going to do about it? And I emphasize the we.

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We are currently working with the Broward -- Broward County through the Broward Housing Council in doing an evaluation of the 53 financial institutions that operate in Broward County relative to their Community Reinvestment Act performance, specifically for housing credit needs.

We held a housing credit needs forum. The Housing Council held a credit needs forum on August 8th. We had close to 75 people attended. About half of them were bankers. And one of the things that came out of that session was the need for collaboration and the need for a plan and the need for action.

The debate wasn't around whether there's a need anymore. That it had to be a cross cutting plan and effort.

And what I have to share with you is I was dismayed by the comments that you received from most of the cities that did respond in either saying we have enough affordable housing, or there isn't a need for affordable housing. If we take those comments in unison, they defy the reality.

No matter who looks at the data, no matter how it's analyzed, the need is well established. The parochial view that we don't need affordable housing is very disturbing to me, and I think we really need to move forward, get away from that notion, and work in collaboration, or this County will be -- will stagnate economically as we move forward.

I urge you to take a look and, if you can't sleep, go to the City of Fort Lauderdale website and listen to that discussion, both opponents and proponents of Marina Lofts. It was an economic future discussion based on housing, albeit targeted to a level that maybe we don't necessarily associate with affordable housing.

But housing is the fundamental underpinning of our economic future, and we need to create that path. Local government, county, State, federal, banks, developers, non-profit organizations need to put together -- bring together that -- that plan and implement it. I thank you for the time.

And, again, there -- if you'd like to see data, I'd be more than glad to share it with you, but I'd urge you to go to Seven50.org. You'll see a copy of the Fair Housing and Equity Assessment there, and you can take a look at the opportunity and all the indicator maps. We have 33 indicators, and it's broken down by county and the seven county regions.

There's significant data there that you and your planners can access and utilize. Thank you very much.

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CHAIR CASTRO: Thank you. Any questions for Mr. Carras? Go ahead, Ms. Graham.

MS. GRAHAM: Thank you, Madam Chair. I think the controversy until 3:00 a.m. the other night wasn't just about the development. I think there was another natural element that caused it to be such a long evening. The tree.

Secondly, as you refer to 33 percent of a budget going to housing and 46 percent it's transportation, as well, was there ever a time in Broward County where people could live within that recommended, I guess, means, and afford housing?

MR. CARRAS: This is conjecture on my part. I don't have it in front of me.

MS. GRAHAM: Your opinion.

MR. CARRAS: But I believe before 2000, the overall statistics did show that Broward was a much more affordable place, and incomes were at a level that could be much more supportive of housing costs.

Again, the issue, and, again, I know Ralph's presentation, but I don't know if he shared this with you, the growth in income from 2000 to 2010, utilizing Census data, shows a very -- very little growth in income in Broward County, but the growth in rents and the growth in housing, home ownership costs, have grown significantly much higher than income.

So you -- if you look at a graph, income is like this (indicating), rental costs are like that (indicating), home ownership costs are like that (indicating). And this is -- given the recession of the last four years, rents never went down. Housing costs, obviously, from a sales point, did drop, but they're rising again.

Even when they hit their lowest, we still had a significant gap in terms of affordability that exists.

MS. GRAHAM: Thank you. Because I've lived in Broward continuously since 1984, and I don't ever recall the conditions being the way they are as they've been in the last eight -- six, eight, ten years. So I just wanted that to be on the record. We have some newer people arriving in the County. Thank you.

MR. CARRAS: I moved here in 1984, as well, and I had a two bedroom on the water at Hendricks Isle for \$500 a month, and my rent didn't go up for four years. That was quite affordable for me.

CHAIR CASTRO: Can I -- can I ask, and, again, I -- this whole -- first of all, I agree totally we need more workforce slash affordable, whatever definition you want to give it. Housing costs are just going up, and for all the reasons we talked about, insurance, low income, disproportionate of -- but, you know, I am fascinated.

I know we have a need. I'm not always sure we're targeting, though -- you know, we're kind of forcing people to live in certain spots based on affordability, which also has to do with the market. And then, on top of that, I almost feel like sometimes, you know, local governments sometimes do recognize affordable housing and are doing steps to make things affordable.

MR. CARRAS: Yes.

CHAIR CASTRO: One of the programs I was very impressed with, and I don't know if it was Coral Springs or Tamarac or whatever, but they were doing a mortgage assistance program.

MR. CARRAS: Right.

CHAIR CASTRO: And that, I thought, was really forward thinking, because now we're not only worried about getting people into housing, we're -- because of the cycle we've been in, we were worried about keeping people in their housing. Because if they get out, then they've got to go find a place to live, and everything kind of starts rolling downhill, so to speak.

So I'm just trying to figure out from a process point of view, my goal in this would be to reduce as many hurdles as you can, find -- to Mr. Stone's -- as many resources as you can, and provide a cafeteria style plan, because, again, one shoe doesn't fit everybody, and you've got to meet those needs.

But why is the market so demanding in South Florida? If this place -- and I was born here in 1960, and my grandparents moved here in the '40s, and I agree, I've never seen a cycle like this last decade. The good news is that the family home was worth like ten -- no, maybe 40 times what it was when my dad built it in Coral Ridge, thank God.

But, having said that, what's driving all of this for people to come here when it's not so affordable? Why are people still moving here, buying here? Why are the prices going up if people can't afford it? Are we allowing people to step into properties that they can't afford? Are the banks allowing it?

I'm just trying to figure out where the problem comes from in general, and I'm -- and I'm struggling with it.

MR. CARRAS: It is, it's a good struggle. I understand. And I think there are a number of views. But I think we have to look at our historical basis of Florida, and particularly South Florida.

Our DNA is speculative. We're always been a speculative market, and that continues today, when you look at the -- what's going on in the marketplace today. It's speculative.

Where is this money coming from? It is overseas investments coming in and purchasing foreclosed properties. It's the -- all these new rental developments are being driven by real estate funds, national funds that are backing developers to come in and create product.

And most people are saying, well, who's going to live there? How can they afford that \$1,600 a month for a one bedroom if you've got Jim showing these statistics? How does -- it's speculative.

Do we honestly believe that all these rental units that are being built in Fort Lauderdale are meant to stay as rental units? Is that -- when the housing -- home ownership market stabilizes, they will be flipped to condominiums within five to seven years, if not sooner. Absolutely.

Why do I know this? I base it on history. You look at what took place between 2000 and 2007, 20,000 rental units were converted to condominiums. This is not rocket science in terms of what's going to happen. And we have to look at the issues, the -- we have to look at it. It's a very complex issue, both from a supply and demand issue.

The demand side is people who live here, a good majority of the people who live here, don't make enough money to afford the supply that's being provided --

CHAIR CASTRO: Well --

MR. CARRAS: -- because of that speculative market.

CHAIR CASTRO: -- and that's what fascinating me, because what you're basically saying, and I think I understand it, but I'm not seeing it happen, is people are building, for instance rental units are hotter right now than anything else, but they're building ones, and they're still filling them. And I don't understand how they're filling them.

They wouldn't -- and you're right, they speculate, but they're counting on -- they can't build a building without filling it up and getting their income out of it. And they are filling them, and I don't understand, if people are struggling so

hard, why do we keep filling them?

And it's kind of interesting, because I see an opposite effect, because people are kind of moving out of homes, and maybe because that was more expensive, and they're buying -- you know, moving into a rental unit temporarily, it's kind of leaving the neighborhoods kind of blank and kind of getting down. But then the price of the homes isn't dropping. As a matter of fact, I think this last tax year most people went up, didn't they, finally?

So I'm just trying to get ahead of the curve and figure it out. This -- I find this whole area fascinating, but I also find there's so many factors involved, I don't know how we get our hands around it just through this Council, so to speak, or through the County government.

And that's why I was going to suggest to Mr. Stone or somebody, you know, there should probably be something initiated at the State level. This is such a crisis for Florida, and particularly South Florida, that I think the insurance companies should give you a subsidy if you're -- if you're living in what's called an affordable property. I mean, there are so many other things I think we need to tackle that I'm not getting there.

So I hope to spend some more time with both of you guys down the road, having some more conversations, because I would definitely like to get involved in the issue.

MR. CARRAS: I look forward to it.

CHAIR CASTRO: Anybody else?

MR. HOBBY: Yes.

CHAIR CASTRO: Good, sir. Mr. Hobby.

MR. HOBBY: This may more expose my ignorance more than enlighten anybody, but I -- and we -- in talking about the increase in housing costs for the County, it's a big county, it's a very diverse county, is that -- how is the increase at the micro level for the Census tract say that Kendall Green -- is that housing cost going up there equal to what it's going up, say, in, you know, other areas, more affluent areas?

MR. CARRAS: Yes, it is. It's across --

MR. HOBBY: Okay.

MR. CARRAS: -- the board. And relative to the percentage, it's going to

differ, of course, by Census track by Census track. But I -- I'll give you an example. In Tamarac, we looked at last year and -- in terms of housing costs and what they were. And in one year, I think -- I apologize -- but I know it was over 12 percent increase in housing values. We literally counted every sale that took place in the City of Tamarac. And this was across the board in every Census track, which includes more moderate Census tracks there.

So the other thing is is when you think about housing costs, it's not just the sale value of the house, but, as the Chair said it's also insurance costs and other costs that continues -- excuse me -- insurance costs that go up, as well, which adds to the burden.

And we know that incomes are flat, so if you keep incomes flat and any other incremental cost, even if it is five to 10 percent a year, which is significant, then the burden -- the burden is -- becomes greater across the board.

MR. HOBBY: One more question. The -- have we -- what effect, continuing effect, is foreclosures having on the housing, the need for affordable housing?

MR. CARRAS: It is certainly exacerbating the situation.

MR. HOBBY: My -- if could just --

MR. CARRAS: Yes.

MR. HOBBY: -- say --

MR. CARRAS: I apologize.

MR. HOBBY: -- because we often see that, you know, the -- it appears that the foreclosure crisis has passed, but it seems to me in, at least, anecdotally, there are a lot of people who may have had their house foreclosed or in the process that are still in that house and are looking, in the near future, of having to finally move out.

MR. CARRAS: Right.

MR. HOBBY: Which is going to create a whole new situation. I don't know what (inaudible).

MR. CARRAS: It only adds to the demand for, and I'll use the term loosely, affordable housing --

MR. HOBBY: Yeah.

MR. CARRAS: -- across the board. People will have to leave their homes and seek -- if they decide to stay in Broward County, and seek alternative housing arrangements.

Most likely, they will move to a rental unit. Rental units across the board are going up seven to ten percent. The supply that's being built is targeted to a much higher income range than we have, than the people moving out of the foreclosed homes.

Foreclosed homes are being -- and this is -- these are some gross generalizations, but foreclosed homes are primarily being bought by investors for the purposes of speculation. These units become rental units. All right? And, again, rents go up. And we don't even get into the whole issue of quality of housing and decent standards. Many of these units, there will be very little done to them. And wait until the point where the market bears it, and the speculators will sell and make their -- their profit.

So it is very complex, and there are multi-dimensional aspects of it. And we can -- we can keep exploring this, and we ought to. We keep need -- identifying the need, the conditions, and the factors.

But we're not -- we are not collectively, in a collaborative fashion, coming up with a path or a plan to address this issue. The County's Housing and Community Development Department -- full disclosure, they're my client -- but I -- I have to dare say they are the leader in terms of thinking about this and coming up with ways of addressing this issue. All right?

Beyond that, the collaborative effort that's needed, we're -- we're dealing with this from a silo parochial point of view. Each city does their own thing. The bankers are identifying individual programs. Developers certainly are not part of the mix. Non-profit organizations have limited capacity.

How do we begin to bring everybody together to come up with a collaborative effort to deal with this? This is not impossible. New York City's done it. Boston's done it. Suburban Maryland, suburban D.C. in Maryland has done it. It's been done around the country, and it can be done here.

But the will has to be there, or, dare I say, the political will has to be there, and we have not had a leader effectively step up to say this has to be done.

MR. HOBBY: One final question. To what extent, if any, does condo board or home owner rules against renting impact the rental market?

MR. CARRAS: Excellent point. It absolutely does have a impact, because of the tightened supply. Then you -- you've got national considerations as well,

where Fannie Mae will not underwrite certain mortgages in certain condominium buildings. So we have a supply that can't be accessed, you know, for the purposes of resale. And then speculators can buy out the bulk of the units in a building and sit on them. And then often, again, the condition of those units, particularly in the central part of the County, are below -- below livable standards.

MR. HOBBY: Thank you.

CHAIR CASTRO: Commissioner DuBose.

COMMISSIONER DUBOSE: Okay. Jim and Ralph, thank you for your presentations --

MR. CARRAS: You're welcome.

COMMISSIONER DUBOSE: -- both. I -- I really love this discussion. When we have this discussion, I always learn more, and I think it's very helpful for us to have this data and kind of talk about these definitions. Now we have a new one, as you stated, luxury affordable.

But my question is a lot of times we talk about the housing market, and we talk about demographics, and we tend to speak about the Baby Boomers and their impact. And, as you heard Tuesday night, Wednesday morning, whatever time you tuned in, we spoke about Generation Y, the Millennials, and how -- their impact.

But, you know, Generation X, my generation, we really got caught up in this housing bubble, and that's when a lot of us were going out, buying houses, you know, preparing for our families to grow. And so we don't necessarily get caught in somewhere, I think, your -- your Census track when you look at 30 percent. During that time, we went out, we had -- maybe a lot of us had better jobs, but maybe we had to come and get a different job, but our median incomes are higher and above what you've laid out today, but maybe less then.

And I know a lot of Generation X are saying, hey, you know, I started out with my family. I bought this house. It was worth, you know, 300, \$400,000, and now it's worth a hundred thousand dollars, and I'm never going to get to a level, and some of them are making decisions, financial decisions, and I think they're trending back and saying, you know what, I guess -- what do they call it, turnkey, turn in the keys, and they say, hey, I'm going to go find affordable luxury, and they're moving in. And maybe that's why you're finding there's a waiting list.

But my question is are you looking at that, are you looking at Generation X and our impact? Because I think it's a lot different from the Baby Boomers and Generation Y.

MR. CARRAS: Am I looking at it personally? No, I'm not. Should I -- should we, more importantly? Absolutely. In terms of the numbers, I don't have, even off-the-top-of-my-head, of those people that are under water in the County, but we can establish that it's significant. And that's across generations, that many people don't have the value in their homes.

Is that part of the issue? Absolutely. Can it be addressed? I'm not sure how that can be addressed, quite frankly. And the solution actually creates a bigger problem, because as values increase, and your generation, so to speak, begins to recapture that value, we make housing less affordable for anybody else when you sell your house. Now you're going to be able to sell it, hopefully, in the next two, three years, you get to sell it for what you paid for it, or you have some kind of increase.

Well, in order for you to do that, we have to go back to where we were in 2007, 2008 --

COMMISSIONER DUBOSE: Right.

MR. CARRAS: -- which makes everything less affordable for more people.

I will not say let's not help you recapture your value. Absolutely. But understand that there are ramifications from that -- from that -- that assistance, if you will. I don't know the answer, but it is definitely part of --

COMMISSIONER DUBOSE: Yeah. I think it --

MR. CARRAS: -- that complex problem.

COMMISSIONER DUBOSE: -- it needs to be part of the discussion. I just don't really hear it as much as I hear the Baby Boomers --

MR. CARRAS: Absolutely.

COMMISSIONER DUBOSE: -- Generation Y and --

MR. CARRAS: You're well noted. And just the notion of the Millennial Generation, it -- I spoke to two people yesterday -- this is totally subjective -- who are in their mid-twenties, college graduates, and one of them serves in the coffee shop right next to my office Brew in Himmarshee Village, and I asked him, I said, what else do you do? I said, I know you graduated college

a couple years ago.

He said, well, he said, I do this. I do this. And I said, you have three jobs, and he said, yes.

I said, let me ask you. If you could get your own studio for \$1100 a month, would you do it? And he said -- and I said right downtown.

He looked at me like are you out of your mind? He said, there's no way.

Then the young woman next to him who has a Bachelor's Degree, been out for a year, and I said, how about 1600 for a one bedroom living downtown? She said there was -- you know, I won't say what she said to me in terms of - - it -- it just -- there's -- it is a -- the Millennial Generation, which we are so striving for, that creative, innovative generation that's going to help lift a new economy for Broward County, is priced out, is totally priced out. We are not -- we are not even investing in -- from that perspective.

So across the generational gaps, it is an issue. It's affecting everyone.

COMMISSIONER DUBOSE: Thank you.

CHAIR CASTRO: Ms. --

MR. CARRAS: You're welcome.

CHAIR CASTRO: -- Graham, then Mr. Furr.

MS. GRAHAM: Thank you, Madam Chair. I'm not a realtor, but it's location, location, location. I mean, that's where the value is.

Separately, to the comment you made before a few of the questions, where Boston, the metropolitan area of Washington, I presume Montgomery County, and one other area you said that are making efforts to address this problem, I don't believe any of those areas are subject to the cat events that we are vulnerable for for hurricanes here in South Florida. And the insurance costs that we've seen, particularly since the 2004 storms, and then 2005, have just driven insurance costs through the roof.

I mean, I own a house. I know what I'm now paying compared to a couple years ago. And I'm with Citizens. But to the other point, we have old or obsolete housing stock that doesn't qualify for any kind of --

MR. CARRAS: Right.

MS. GRAHAM: -- consideration. That's another thing that's adding to this whole lopsided equation.

And, finally, I just -- I think there's so many other issues that we have to address that aren't going to necessarily be solved by a vote with Broward Planning Council or the County.

If the most desirable areas of the County are where the new development is going, and we're going to have a development application before us later this morning, there's only certain parts of the municipalities or the county that are going to see the new development, and it might not be in the right price range that will satisfy the Millennials and their budget.

MR. CARRAS: Well, just one comment out of the number of things that you said, which I agree with, I gave you a specific item which I think is really important, and that's the future development around transit corridors. All Aboard Florida is going to happen next 18 months, 24 months, supposedly, and hopefully it does.

UNIDENTIFIED SPEAKER: Today it is.

MR. CARRAS: FEC corridor happens in terms of transit within the next five years. The Wave is being built with projection of more units.

All great, and I -- I'm pro density, pro urban redevelopment and creating that mass that's necessary to take -- take place.

However, one of the key elements of sustainable planning is inclusive housing. And right now, we do not have inclusionary zoning requirements for TOD. And I have a number of friends and colleagues who are sitting behind me, who are attorneys and probably turning over as I speak, and -- but -- and if we're going to talk about solutions about the Millennium Generation, or Generation Y, or the Baby Boomers who a member of the Commission talked on Tuesday night about, yeah, I moved, the minute the kids were out of college, I heard one of them say, we moved immediately to downtown Fort Lauderdale. Another one up in New Jersey said, yeah, we -- kids were out of college, we moved to downtown Fort Lauderdale.

That -- that's not just a -- an exception. Across the board, we're trying to create density along the transit corridor. If we decide to only make it affordable luxury, that's what we're going to get. And it does not face the reality of the income levels of this County. And we have to begin to talk about solutions and how do we get there.

Now, do we throw this all on the developers' lap? Absolutely not. But we

have to begin to think about some of those solutions, and that's one of them, relative to our growth in the County. Opinion.

CHAIR CASTRO: Thank you.

Mr. Furr.

MR. FURR: Thanks.

First, it's nice to be back, and thank you for the warm welcome.

Now, Mr. Stone had mentioned that we -- we're resource deficient in being able to get the affordable housing. Do you look at flex units as a resource? Do you consider them as a resource for affordable housing?

MR. CARRAS: Yes.

MR. FURR: And are -- and are they worth preserving to that end?

MR. CARRAS: I absolutely do believe that flex units are a resource, and that we should be looking at -- almost every new development needs to take a look at how does this help address affordability. And we're not there. We're not even close.

So the answer to your question is, yes, I do believe that.

MR. FURR: Thanks.

CHAIR CASTRO: Anybody else? Commissioner Long.

COMMISSIONER LONG: Would you believe it's a good policy, say we have a development coming in here, regardless of where it's at, it could be an ocean condo, that there should be set aside four or five units, ten percent of the units, for affordable housing?

MR. CARRAS: I believe that there -- any development, significant size development -- I'll leave the number up to the planners and the political process to get there -- but I believe that any new development should, in one way or another, help address the affordable housing crisis in Broward County, and that could either be in actual units, which I prefer, because it breaks up those concentrations of segregation that is rife throughout the central part of the County, and that we have to begin to open up some of our communities, as well.

And, if not, then the cost of that unit needs to be put into a housing trust fund,

which I believe should then be leveraged with the banks, the 53 banks that we have in Broward County, is we create that trust fund and you can leverage it out with the financial institutions. Then you create a resource fund that can help subsidize affordable housing across the board in all communities throughout Broward County, without federal restrictions of having to put money only in low income areas.

Our CDBG money, our HOME money, and even our State says you have to put it in certain areas. If we created our own source of funding, then we could begin to leverage it in the private market and use it across the board to help create some of these affordable units.

And then affordability for HOME, we can scale it. We recognize there are people that are coming out of homelessness, zero to 30 percent. We recognize that there's a workforce, between 30 and 80 percent. We recognize that 80 to 140 percent needs assistance. All right?

And how do we do that? Through rental, through mortgage assistance programs such as Tamarac. But taking limited resources and leveraging it is -- is going to be the path, or help be the path to be an implementation tool to make this a reality.

COMMISSIONER LONG: Okay. On another different point, when you talk about rental units, what is the biggest barrier for people to get in? Is it the actual monthly cost, or is it the first, last, and security?

MR. CARRAS: Monthly cost?

COMMISSIONER LONG: Of rental units.

MR. CARRAS: Okay. It's -- what's the biggest barrier to getting in?

COMMISSIONER LONG: Yes.

MR. CARRAS: It's cost. And I think, as well -- I think a secondary issue is -- is the tightening of criteria to get into rental housing in terms of credit reports. Credit reports, our credit standards across the board have gone down. Our credit scores have gone down.

So if you have a low credit score because you have a foreclosure, you may not be able to get into a rental development. You fall behind on credit cards, you fall behind on previous rent payments, developer says I don't need you in my unit.

I understand that, and I respect the need for having controls and being

profitable. Absolutely. However, it just only exacerbates the issue in terms of who gets in.

COMMISSIONER LONG: And what is the actual deficit currently for affordable housing in Broward County? How many units in the rental --

MR. CARRAS: What I understand on the rental side is that we're -- we have a need for 45,000 affordable units.

COMMISSIONER LONG: And how many do we -- you're saying we need an additional 45,000?

MR. CARRAS: Yes.

COMMISSIONER LONG: Spread out throughout Broward County? Central Broward? Where?

MR. CARRAS: Broward County needs it. Where it gets located is part of the process. But --

COMMISSIONER LONG: And --

MR. CARRAS: -- the need is across the -- within the County.

COMMISSIONER LONG: -- and you would want it by the transportation corridors?

MR. CARRAS: I would say that's one of the areas that I think is absolutely critical to address, because by creating them along transportation corridors, especially future transportation corridors, now you have greater accessibility to job centers, to better schools, because our lowest income areas, we graded where the FCAT scores are, and, sure enough, those D and F scores are all located in the lowest incomes.

And so we look at cycles of poverty and they're perpetuated by location. So if we begin to look at patterns where people have better access to schools, quality schools, to jobs, job training -- I haven't even gone into health care or -- and food access, all of these are indicators that we looked at and said it's -- it's -- housing location and where you live dictates the quality of your life.

COMMISSIONER LONG: Do you believe the cities should be responsible for dealing with this, or the County?

MR. CARRAS: I think the city is responsible. I think the County is responsible. I think the State, the federal government, the banks, the

developers, the non-profits are all responsible.

Splitting up the share of responsibility is the old model. The new model is let's sit down and talk, and how do we get there. And all I've seen in Broward County is that -- is this has been a truly acrimonious issue. Developers complain why are you picking on me. Banks are saying whatever they want to say, and I won't go there. Local governments. We have significant need. I think we just need to change the conversation in terms of our path to addressing the issue.

CHAIR CASTRO: Okay. All I have left is Mayor Stermer.

MAYOR STERMER: Mr. Carras, good morning. Long time no see. Last time we saw you --

MR. CARRAS: Good morning.

MAYOR STERMER: How are you?

I'm confused because Mr. Stone said no more than 40 minutes ago we have enough units. He testified and presented to this Board, we have enough units in this County, and it's about other things like financing. Yet you're screaming at us this morning for people you want to agree to a text amendment change that it's our problem.

I'm confused. The man that runs the department for the County says we have enough units, and you're saying we're short units. How do you -- those two things square?

MR. CARRAS: Well, first of all, Mr. Mayor, I -- I wasn't -- I wasn't screaming at you and I apologize if I was. And I certainly did not intend that. Clearly, I'm passionate about the issue.

But I'll let Mr. Stone handle the question, but my view of it is the need exists, and I don't believe the units are there.

MAYOR STERMER: So let me -- before Mr. Stone answers, correct me if I'm wrong, I just want to make sure this Board remembers there already is a requirement in the Code for a set aside. This is an additional attempt for an additional set aside that was negotiated with the city that had to deal with the County's entire Land Use Plan; correct?

So now we're -- we're trying to come back -- I just want to make sure this Board remembers. This isn't a conversation in a vacuum that's just happening today. There already is a ten percent requirement, correct, Mr.

Stone?

MR. STONE: I'm not familiar with your rules.

MS. BOY: Yes. Ten percent of all flexibility and reserve units are required by Policy 1.07.04 of the Broward County Land Use Plan to be set aside for affordable housing.

MAYOR STERMER: So this is an attempt to create an additional requirement; correct?

MS. BOY: Not -- not so much an additional requirement for -- for affordable units --

MAYOR STERMER: For additional steps.

MS. BOY: -- but an additional step to address affordability to ensure that affordability is addressed by Policy 1.07.07. So that the menu of options, you know, mortgage assistance programs, policies, are part of the plan.

MAYOR STERMER: And when that all came into being was when there was the entire conversation between those that sit in this building and those that sat in however many local governmental units there were to come to this agreement; correct?

MS. BOY: Right. 1977, the establishment of the initial Broward County Land Use Plan, that was where the idea of flexibility came from, because it's the difference between the number of units that the County plan allows and the number of units that the city plan allows.

MAYOR STERMER: And all I'm trying to do is put back in context how we're here and what is in place currently, because, gosh, you'd think there's nothing in place currently, based on the testimony this morning.

And there's a cost, as well, to what happens to the unit -- both of you can answer this -- when cities create conditions for development, that that actually affects the end price of that unit and the cost for that developer to build that unit; correct?

MR. STONE: Mayor, let me, if I misstated earlier, let me be clear about it. For the populations that are at 60 percent of median income, Broward County is 45,000 units short of serving that population.

In terms of -- and I kind of alluded to this earlier. As I -- as I said, I do have a -- I have a pro development bias, and I think I have a sensitivity to a pro

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forma.

As I said, affordable housing is real estate with a subsidy. If you look in terms -- if you think in terms of the model that is most successful and is most -- most fair to the developer and provides a long term subsidy, it's the nine percent tax credit deals.

And in effect what those deals do is about 40 to 50 percent of the cost of those deals is a subsidy. And if you ask, you know, the people that are -- that are doing this for a living what's -- what's the subsidy cost per unit, and this to keep the unit affordable for the life of the project, 15 years, it's about 50 to \$100,000 per unit to subsidize those people at the 60 percent of median income level.

So it's -- it's very expensive to have a safe, decent unit that is subsidized so that the income of the tenant allows them to meet their other life expenses and to -- and to continue that over some portion of time.

It's really -- it's not that first year subsidy to build the unit. It's how you sustain that over a period of time, particularly when we know for 30 years we've been flat on wages.

It's a really, really hard problem. We're at a really difficult point in time, because the development community's out there trying to re-engage. They have their own profitability to realize. You know, you can't get around that. They're not going to do this for free or lose money. And we're asking them to step in and help us subsidize the product for the population that can't afford it.

Those things -- those things aren't trending toward a connection right now. They're trending in parallel, or that way (indicating). And --

CHAIR CASTRO: Could --

MR. STONE: -- again, absent a big weapon like a local doc stamp, or absent a series of weapons like an inclusionary zoning that kind of picks away at it over time -- I think you need both, but the models that pick away over time have to be fair to the development community. You have to create enough profitability in it so they can afford the subsidy.

CHAIR CASTRO: Could I -- could I just ask for a clarification? Sorry to interrupt you, Mayor Stermer. But the ten percent set aside, it's not hard units; right? They could give money, for instance?

MS. BOY: No, the -- for the flexibility and reserve units only, the ten percent.

If they're -- if the difference between the County and city plan is a hundred flex units in a flexibility zone, ten of those units have to be set aside and can only be used for affordable projects.

CHAIR CASTRO: Right. But they have to actually build the units, or there are alternatives to give like the value?

MS. BOY: No, there's no alternatives.

CHAIR CASTRO: You were talking earlier about the value of the dollar.

MS. BOY: For flexibility reserve units, there's no --

CHAIR CASTRO: Okay. So there is a solid ten percent --

MS. BOY: There's a solid ten percent --

CHAIR CASTRO: -- set aside.

MS. BOY: -- that are set aside for affordability.

CHAIR CASTRO: Okay. And now this policy is asking for a second review to, what, make sure those ten percent are there?

MS. BOY: Not that the ten percent are there, because those are certified every time a table -- every time a --

CHAIR CASTRO: All right.

MS. BOY: -- flex zone is recertified. This text amendment is asking that if a municipality is allocating at least 100 or more --

CHAIR CASTRO: Units.

MS. BOY: -- flexibility or reserve units to a non-residential property, so, because of how the rules work, you're allowed to -- the city -- there's rules where they merge with those --

CHAIR CASTRO: For commercial space.

MS. BOY: -- for commercial space --

CHAIR CASTRO: Right.

MS. BOY: -- employment center space. So if there -- if the City is going to

allocate a hundred units, there has to be a review by the County staff that would then, in turn, have to be approved by the County Commission.

It's the same review that a Land Use Plan amendment that's adding more than a hundred units -- new units to the County Plan is going through. So it goes through that same menu of options.

CHAIR CASTRO: But then, I'm going to ask you, and maybe I'm still missing the point, if I'm going to use a hundred units for commercial development and have my flex units I -- a hundred and one, because that's what triggers it. A hundred, anything over a hundred, a hundred and one, whatever. It has to come back here. How does that affect the affordable housing component?

MS. BOY: It doesn't. Right now, it doesn't come back here, so --

CHAIR CASTRO: If it does come back here if this policy passes it has to come back here. How does that affect the affordable housing component?

MS. BOY: If the municipality is demonstrating that it meets the affordably housing Policy 1.07.07 and the County Commission approves that, then they're just demonstrating that they meet the policy. So that's not necessarily creating new affordable units.

CHAIR CASTRO: So the bigger thing here is they're not going to let you use flex units -- well, the theory is you won't be able to use your flex units for commercial if you're not meeting affordable housing.

MS. BOY: Right. You have to demonstrate compliance with Policy 1.07.07, with the menu of options.

CHAIR CASTRO: So it's a second review, and it's -- even though you had that flexibility approved now you don't. Okay. Thank you.

COMMISSIONER KIAR: Madam Chair?

MAYOR STERMER: I just had a question for Mr. Stone, and -- you talked about the median prices going up and what they've gone up recently. If that -- you looked at every sale in Broward? Is that a -- what did you say?

MR. STONE: I just, quoting the article in the paper this morning, looked at all the sales for the past year. I think it was somewhere around 1300, and the median sales price countywide was 275.

MAYOR STERMER: And I think we'd all agree that the sale of ocean front apartments or units may skew that number higher than what goes on in the

center of the County; correct?

MR. STONE: Absolutely. It's a median. Half above and half below. It's not - it's not an average.

MAYOR STERMER: Right. So -- and, actually, what would the median income be if we actually just focused on what the center was? Would the number be as high as it is, as it's being reported?

MR. STONE: It's going to -- the affordability gap is going to vary by community, because there are significantly different median incomes. So -- and I don't have that data, but on -- in terms of the countywide median income versus the figure that was quoted this morning, 275, there's a gap of about \$90,000 for the median price house versus the median income. That's about as -- that's a -- as refined as I have this morning.

MAYOR STERMER: Thank you.

CHAIR CASTRO: Commissioner Kiar.

COMMISSIONER KIAR: Thank you, Madam Chair.

I know that we haven't got to Item 6 yet, but there's been some discussion over it, so I just thought I'd ask my question while you're up here.

This is an issue, you know, I think there are times when it's incredibly important when we keep local control the way it is. And I know that this is going to come to the County Commission for a discussion regardless of what happens on the vote today, and I'm looking forward to that.

But from what I -- from listening to the questions and the responses, it appears that changing this -- and I just want to ask if you agree with this -- likely wouldn't affect affordable housing, and it just almost appears like it adds an extra layer of bureaucracy which could prolong the process. Is that - - so I'm -- so what I'm trying to understand is what is the need for this change.

MR. STONE: Well, I -- obviously, I'm not here to weigh in on your policy options. Barbara invited me to come here and kind of provide a perspective on where we're at. And I think -- and based on past experience, that clearly there's no value in laying in a bunch of requirements that don't lead to a product.

MR. STONE: I think there is some value -- and I'll -- I'll be real candid about this --

COMMISSIONER KIAR: Certainly. Thank you.

MR. STONE: -- in all of the communities in the County going into the need for affordable housing with eyes wide open.

So to the extent that we have communities out there that are saying, hey, you know, this is not my problem. I don't agree with that. I don't -- I don't think there's a single municipality in the County, or the unincorporated area, that doesn't have affordable housing needs in some way or another.

If this does nothing more than have them attend to that in some way, try to create kind of a point in time perspective, I think that has value. That -- there's a cost and a time associated with that, but that alone, I think, has some value.

COMMISSIONER KIAR: Thank you.

CHAIR CASTRO: And I'm just going to add one other question or comment to that, and I don't know which one of you want to answer or talk to it. But you mentioned commercial centers, so what I'm getting from this now is if you use flex units for other than housing, residential housing, it comes back to make sure the affordable housing component's met.

But the reality is there are many municipalities in Broward County and many areas of Broward County that don't have commercial or commercial centers. And that becomes a challenge for the people that live in those communities, because then they have to drive or get to a job, which, without the mass transit being in place, creates a bigger struggle for them every day.

So a lot of cities have put their efforts to -- who may have some affordable housing -- bringing jobs to the residents.

So I don't know that's the time you want to have another layer of review, because the assumption probably is you -- you're mostly residential or housing anyway. You're probably fairly diverse at that point, so what you're really trying to do is and pardon the expression, because I don't mean to make this sound light -- you're trying to basically balance your portfolio as a municipality, because when the housing market dropped, a lot of cities got killed because we had no commercial, and with Save Your Homes, we -- our general ad valorem taxes dropped out, and our citizens were put under even more burden, which created a bigger stress on the people and their housing costs, because we had to raise taxes.

So, again, I understand it's a really complex issue. I want to thank you for your clarifications this morning, because, you know, I've been -- we've dealt

with this four or five, six times now, and I still wasn't getting it. Now I think I actually got it, so it was huge for me.

Without any other questions, I want to thank our speakers, and we can continue moving down the agenda.

Thank you very much, gentlemen. Mr. Carras, Mr. Stone, thank you so much for your time. It was very well earned and deserved, and we appreciate it.

MR. CARRAS: Thank you.

MR. STONE: Thank you.

AGENDA ITEM R-3: COUNSEL'S REPORT

CHAIR CASTRO: Counsel's Report --

MR. MAURODIS: Yes.

CHAIR CASTRO: -- R-3.

MR. MAURODIS: Yes. Let us go on with the agenda. I don't think I'll go into a long dissertation on this. The memorandum, I thought I could just really give it to the essence.

With regard to what the developer's asking for, the provisions on development have traditionally been what's called a rational nexus or a central nexus and rough proportionality requirement when we ask the developer to dedicate land, title the property, easements (inaudible). That concept meaning that there has to be -- there has to be a reason why you're asking this developer to dedicate the land. You just can't say, well, we need some land. This guy happens to be in here. Let's hit this guy, and see if we can get that.

His development has to have some relationship to your need for that land. That's the essential nexus. And your demand has to be proportionate to the impact he's having. So that's where the rough proportionality part of the test comes in.

And the Supreme Court in the Nollan case and in another case called Dolan - - they rhyme, it just so happens, came up with this -- these concepts. These only apply where there is a taking of title.

The Koontz case dealt with a situation where there have been development

conditions. So your Koontz subject to -- in Koontz, there were two things. One, part of the Koontz requirement, we just want money from you because we want you -- we want to do a wetland mitigation, and, two, what they did is they negotiated ahead of time. They kept asking, and this happens in the development process. And Koontz got tired and said, you know what, I'm out of the game here. Negotiation's over. Approve me or deny me. And they denied me.

So an argument was made and the Florida Supreme Court actually accepted the argument that since it was just a denial and there were no conditions, the rough proportionality and the central nexus test didn't apply.

So actually the developer was in better condition in situations like that, that they denied. And the -- or the city was. And they said that when they ask for money, that's not governed by that.

So those were the two questions. And as to both of those questions, the Supreme Court has now settled the issue. When there is a denial on the basis of failure to be able to meet certain conditions, they call this the unconstitutional conditions requirement. Where there isn't just a flat out denial, we're still going to look at the rational nexus, the rough proportionality test. And where you're asking for money as mitigation for your development, we're going to apply those tests.

I think, in actuality, almost all those tests have been -- I know the city, in deals that I've done, and when I worked for the County and the way the County does it, I think they're essentially done anyway, the rough proportionality and the central nexus. I know in California, there was a law review article I read that said, yeah, we've been doing this forever.

But that's what it does, and so it just -- it extended those two tests. I think it's -- it's as important as anything -- at least by being able to talk about the Koontz case we're able to remind people about those two tests, which are really the key to getting this action.

Again, if you have any questions now, or if you'd like to contact me, because I know there's a lot of items after this, and I tried to move through it quickly, but you're free to contact my office if you'd like to discuss it at any length. I've looked at a lot of articles on it, and, again, tried to distill it to the clear essence.

CHAIR CASTRO: Thank you. Thank you. Well done.

AGENDA ITEM R-4: EXECUTIVE DIRECTOR'S REPORT

CHAIR CASTRO: Executive Director's Report.

MS. BOY: Good morning. First, I'd like to welcome Mr. Furr back to the Planning Council. He was a member several years ago, and he's back on the Board, so congratulations and welcome back.

Second, you have an item before you which is -- we're just asking for the initiation of a rules and procedure review. Andy and I have been talking the past couple months, and just discovered there are a lot of things out-of-date, so we'd like to get together, and late winter, early spring bring you some recommendations on anything that should be updated. And the rules are just how you operate as a Board. Public Hearings, agendas, subcommittees and that sort of thing.

CHAIR CASTRO: Do you need a motion?

MR. MAURODIS: By unanimous consent would be fine.

CHAIR CASTRO: Any objections?

Seeing none, go right ahead.

MS. BOY: Thank you. My second part of the report is just the planning topic overview for this month, which is a summary of the flexibility rules. You know, there's an overview of kind of what we were discussing before.

The adoption of the 1977 plan is where flex started. It was re-adopted with the 1989 plan. And then each of the flexibility rules are individually described in the summary. There are a couple flow charts. There are examples of what the flexibility zones look like. In the interest of time, I'll just leave it if you have any specific questions about that.

CHAIR CASTRO: No? Seeing none, thank you.

PUBLIC HEARING

AGENDA ITEMS PH-1 THROUGH PH-4

MS. BOY: Okay. And then the final item is I was just going to let you know for the Public Hearing items who we have signed in to speak.

For Items 1 and 2, questions only, the applicants.

Item 4, we have two questions only, and then four residents in favor of the proposal. I believe they only want to speak if you have any questions or

issues of them.

However, Item 5, we do have four speakers for questions only, and one person who would like to come forward to make a statement.

CHAIR CASTRO: Okay. So, knowing that, through the items we'll be pulling PH-5 and PH-6. Does anybody have any other items they'd like to pull?

MAYOR FISHER: I'll move them.

MAYOR STERMER: Second.

CHAIR CASTRO: I have a motion. We have a second. All in favor? Any opposed? Seeing none, carries unanimously.

VOTE PASSES UNANIMOUSLY.

AGENDA ITEM PH-5 - First Public Hearing on an Amendment to the Broward County Land Use Plan – Town of Davie

CHAIR CASTRO: We're up to PH-5.

MS. BOY: PH-5 is a proposed amendment in the Town of Davie. It's approximately 15 acres proposed from Low (5) Residential and Commercial to Medium (16) Residential.

Planning Council staff analysis shows sufficient facilities and services available to serve the proposed land use.

This item is located just east of University Drive -- sorry -- between Griffin and Stirling Road. It's similar to an amendment that you saw before you in June. This is where the Town of Davie has identified additional residential density along the (inaudible) corridor close to the university, close to commercial uses.

There is sufficient excess capacity for the schools that is identified. No adverse impacts to the regional transportation network. I believe, as I said, we have one resident that signed in to speak, Peggy Grant from the Atrium Center.

CHAIR CASTRO: Ms. Grant.

MS. NOLAN: This is Marcie Nolan. I'm not Ms. Grant, I'm Marcie Nolan. She went to pay the meter.

CHAIR CASTRO: Oh, okay.

MS. NOLAN: She told me she was going, so.

CHAIR CASTRO: We'll just suspend this, and we'll wait until she gets back, and we'll come back to it.

AGENDA ITEM PH-6 - First Public Hearing on Amendment to the Broward County Land Use Plan text revising policies and requirements regarding "Application of Affordable Housing Policy 1.07.07 to the Allocations of 100 or More Flexibility or Reserve Units to Non-Residential Uses."

CHAIR CASTRO: So we'll start with PH-6.

MS. BOY: PH-6. Okay. PH-6 is a proposed text amendment to the Broward County Land Use Plan. It's a proposed change to Policy 1.07.07 regarding affordable housing.

And, basically, as I discussed earlier, it says that any allocation of flexibility or reserve units to non-residential land uses such as commercial or employment center would require an affordable housing review, first by County staff, and we received clarification from them, first by County staff and then ultimately by the County Commission to determine that a municipality is in compliance with Policy 1.07.07.

So Policy 1.07.07 is the menu of affordability options. When municipalities can demonstrate that they have set asides, they have sufficient affordable housing supply, how they're going to maintain that, they may require a set aside at the municipality. They may have programs. They may charge per unit to put into an affordable housing fund. That's how they can meet their affordable housing policy.

So this amendment has been discussed -- started discussion with the Land Use/Trafficways Committee and -- in February. Was carried over until -- until May. And then in May, the Land Use/Trafficways Committee made a recommendation that they strongly support affordable housing in Broward County, that they did not presently support the amendment the way that it was proposed.

Asked for some clarification. We sent an invitation to the County Commission, if they wanted to attend the meeting, talk about, you know, where they were coming from in the initiation. Asked for clarification, which we did receive. That's in -- outlined in Attachment 16 and 17.

And then, ultimately, it came to the entire Board for first Public Hearing at your June meeting. And at the June meeting, you tabled it. You asked for some more information. You invited Mr. Stone and Mr. Carras to come back with an affordable housing overview. And then also, you know, you asked of staff an overview, a detailed overview of affordable housing, and that's what's included in my report.

So since that hearing in June, as I mentioned, we received clarification from the County staff that, in fact, the municipality, if this text amendment was passed, the municipality would be required to go through County staff and then they would have to put that on the Commission agenda.

I put a flow chart in your backup Attachment 18, just to show how the process would work if that happened.

And then the County staff also recommended that the policy should be updated as it's moved forward to the Commission, regardless of what you recommend today.

So the -- one other thing that happened -- is the City of Plantation passed a resolution last week, and that -- I sent that out via email to you all yesterday. So that was the other additional information that we have, and that will be included in the Commission report, also.

CHAIR CASTRO: Thank you.

COMMISSIONER DUBOSE: Barbara, you did a great job, but there was just one part of the timeline that we initially, when we discussed it, we didn't get much weigh-in from the municipalities, so we actually requested that through the League, we go out to the cities again. And I think we got some additional comments from the cities or more than what you have.

MS. BOY: We got a few comments from about three more municipalities after the initial review that had gone out in late November, early December. So we had the first response of about five municipalities. Then, through the League of Cities and some more communication with the cities, we received correspondence from three more cities.

I will say that the City of Plantation's resolution, they had provided correspondence before that, so it's not an additional municipality that's weighed in at that point.

COMMISSIONER DUBOSE: And just so I'm clear, and I think I am, when we went through this, and I think Commissioner Kiar kind of hit it on the nose, I mean, the bottom line is we're looking at another layer to the process.

I know whenever we have any type of item about affordable housing, the conversation tends to grow. And a big difference is what we defined it as, and that's kind of how we got the presentation today, not necessarily to define this particular amendment. It just kind of grew out of our discussions over the past couple of years around this issue, so it came as more information. I know we kind of --

MS. BOY: Yes.

COMMISSIONER DUBOSE: -- took that and we were trying to shape it into what type of action, but, from staff's perspective, and, I think, Commissioner Kiar hit it on the nose, we're looking at just actually adding another layer. We're not doing anything in regards to what we have in place, as you said, policy, ten percent or whatever, with our affordable housing policy as it stands. This is just another layer of review; correct?

MS. BOY: I mean, it is another --

COMMISSIONER DUBOSE: Yeah, another --

MS. BOY: -- another layer --

COMMISSIONER DUBOSE: -- layer.

MS. BOY: -- of review.

COMMISSIONER DUBOSE: All right.

CHAIR CASTRO: And I just want to ask for one more clarification. When you say they want to see if the city is following the policy --

CHAIR CASTRO: -- policy relative to this non-residential flex units use or, in general, from the city?

MS. BOY: Well, Policy 1.07.07, if you look at Attachment 1 --so that's what's already in, adopted in the plan, so the underlined portion is the additional language.

So now, if a city has -- a municipality has a commercial piece of property and it's ten acres, and they have decided that locally they think a better use for that property is either a mixed use development of residential and commercial or they've identified that it's really more appropriate for residential development, that's what flex and reserve allows them to do, without going back through the Planning Council and the County Commission. It's a local solution to cure a locally identified need.

So they have this ten acre parcel, and they decide we want to put 150 flexibility residential units on it, and the first floor is going to be commercial, and this is -- we think this is great for this area.

So now when that happens, it has to be through official action by the city, or a resolution or ordinance. And that's pretty much the end of the story.

So if this -- unless it was subject to compatibility review, which is fairly rare that compatibility reviews are requested or required.

So at this point, if they're allocating 150 units, now the municipality would be required to go through the County staff and present, as they do for County Land Use Plan amendments that are adding a hundred or more units, demonstrate how they're meeting Policy 1.07.07, and then it would ultimately have to go before the County Commission.

CHAIR CASTRO: Relative to just that project or in general in our cities?

MS. BOY: Just in general how they're meeting --

CHAIR CASTRO: Right.

MS. BOY: -- Policy 1.07.07 --

CHAIR CASTRO: That was the --

MS. BOY: -- citywide.

CHAIR CASTRO: -- clarification. Because they could do that at any time, theoretically.

MS. BOY: Right. Citywide.

CHAIR CASTRO: Yeah, but theoretically the County and the city should be talking on an ongoing basis, just like we talked about water, you know, and park space and open green space where every year there's an inventory produced of who's got what. I mean, we all have that. So the same with the affordable housing.

I mean, any given time, people should have the data to know that, you know, not to pick on any cities, but Parkland probably doesn't have as much affordable housing as, let's say, a West Park or something, and even those, I'm sure if I asked Mr. Stone or Mr. Carras, they could probably tell me by geographical boundary, municipality, parts of the County, who has what.

I'm just trying to figure out why it's attached to a process like this, and that's what I'm trying to figure out, what's the value add. And I'm not getting there yet, so. That's okay. I think I got -- I just wanted to make sure it wasn't to that -- the test wasn't being applied --

MS. BOY: Right.

CHAIR CASTRO: -- or the review wasn't being applied to that specific project. The review's being applied to the city -- the municipality.

MS. BOY: To the city, right. Right.

CHAIR CASTRO: I said, city. Municipality or --

CHAIR CASTRO: -- whatever, to see how they're dealing with affordable housing.

MS. BOY: Right.

CHAIR CASTRO: And if they're -- if they have no affordable housing, then maybe there's a problem.

But let's say they have affordable housing components and they put more in mortgage assistance and not units. Is the County going to say, well, then, wait a minute, I don't like that, I want you to put more units, or we don't know?

MS. BOY: That's what we don't know. That's the unknown. I mean, A through J is the menu of options, and, you know, as we talked about, those are the programs and policies involving mechanisms such as construction, programs and policies in which a municipality or other appropriate agents facilitate the maintenance of the existing supply. Property tax abatement programs, there's all these different ways that the municipalities can demonstrate that they meet the policy without actually requiring an additional set aside, because they can demonstrate that they need that. Or without requiring a fee per unit, because they're demonstrating through A through J that they're meeting the policy.

CHAIR CASTRO: And typically municipalities use whichever one of those A through J probably is most in need or demand in their city, I'm guessing.

MS. BOY: Right.

CHAIR CASTRO: Otherwise, their taxpayers would get on them for misappropriating and mispending funds, or going in the wrong direction.

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MS. BOY: A lot of times we see when the municipalities receive information for a County Land Use Code amendment, that they have A through J. They're -- they have each one of these --

CHAIR CASTRO: All of them.

MS. BOY: -- they have all of those things in their county -- I'm sorry, in their city, not just one or two of the things. They have, you know, half dozen, they have all of them. They're using all of these programs to promote, maintain, sustain affordable housing.

CHAIR CASTRO: And I know some municipalities wish they had the resources to do all of them, but they don't have the resources. Mayor Stermer.

MAYOR STERMER: (Inaudible) that additional layer once local jurisdiction decides this is copacetic. We're getting what we want. We're getting the development we want. We figured out how we meet A through J.

It now comes to this building, where it gets reviewed, and, conceivably, nine people who sit here might not have the same conclusion and therefore there may be additional conditions or negotiations taking place.

Now, outside of the local dais, who thought A through J was fine, development was fine, that's now not looking at that local jurisdiction because it's its local government, but because of the overall Broward County land use authority that the nine people who sit here have, correct?

MS. BOY: Yes.

CHAIR CASTRO: Commissioner Kiar and then Mrs. Graham.

UNIDENTIFIED SPEAKER: A leading question.

MAYOR STERMER: I tried.

CHAIR CASTRO: Oh, he's in lawyer mode today. You're in lawyer mode today. Commissioner Kiar and then Mrs. Graham.

COMMISSIONER KIAR: Thank you -- thank you, Madam Chair. I'll tell you -- well, I'll you my feelings on this. You probably got my feelings from when I questioned the other gentleman that had come up.

I actually agree, personally, with the local municipalities on this matter. I think there are some issues that the County Commission should have

purview over, whether they're big regional issues such as the airport, the port, whether it's mass transit, but many of the -- these types of decisions that I look at to be purely local decisions that are probably best made by the local municipalities that are making them.

And to add an extra layer of bureaucracy or government on top of something, I think can have really a detrimental impact, rather than a positive impact, especially when it's really just a review and nothing else can come out of it.

My question, I guess, is let's say this does pass, and let's say it takes effect. Now the County has this review. Could it then actually postpone the development of these projects, put it -- I'm sorry --

COMMISSIONER KIAR: -- I almost poked Nick with a pencil -- postpone -- postpone these developments for some time down the road, which would then actually have, one, a negative effect on the developer, the development, and also let's say there's going to be affordable housing, that affordable housing won't be created for some time, and also hinder the tax base of the municipality that wants this project built. Can it have that type of affect?

MS. BOY: As far as the actual impact, I would really defer to the municipalities. But I -- what I can say about it, I think, is that there -- the way that it's described and with the clarification we received from County staff is, without a doubt, there's eight weeks there, and I don't know if you want to say like it's not effective until after that approval would happen by the Commission, you know, signing off on you're -- yes, you're meeting A through J or, no, you're not meeting A through J .

So I believe that a delay could be created that way. You know, as far as the actual impact to, you know, site planning and plats and those sorts of things, you know, I would have to assume that there would be some sort of delay.

COMMISSIONER KIAR: I appreciate that. And, by the way, as always, you know, you all do a wonderful job in bringing this to us. And I can just tell -- I just want to -- I'll let the Planning Council know my opinions. When this comes to the County Commission -- I'm going to be voting no today and I'll likely be voting no at that time, as well. I'm looking forward to hearing what the rest of my colleagues on the County Commission have to say about this, but, truthfully, it would take an act of God to make me change my opinion on this matter. So I -- and so I'm hoping that this does not pass today, and I hope it doesn't pass when I comes to us later on.

CHAIR CASTRO: Keep Commissioner Kiar's options open. The motion today may be to accept staff's recommendation, in which case he'll probably vote yes, but that's okay.

COMMISSIONER KIAR: Oh, yes. Actually, I'll be voting yes.

CHAIR CASTRO: Mrs. Graham and then Mr. Steffens. I just want to keep your options open. Mrs. Graham and then Mr. Steffens.

MS. GRAHAM: I think Mayor Stermer made some valid points. I mean, there's Home Rule for these municipalities, so to be sending it back to the County, I don't understand it. I thought I was the only one that was confused.

But, separately, it seems like the nine County Commissioners don't ever represent one municipality. I almost recall, as they did reapportionment, that they wanted to have boundaries across several municipalities. They almost deliberately did not want to only represent one. So you would have a conflict then, if you -- if it's brought to the County level. Just let the cities or municipalities do what they want. And, again, I'm going to go with staff's recommendation. Thank you.

CHAIR CASTRO: Mr. Steffens.

MR. STEFFENS: If you recall, when we met two months ago, because we didn't meet last month, but when we met two months ago, we spoke about this. I asked for sort of -- and I don't -- I didn't see it in the packet, but sort of a more real world sort of analysis of how this would actually -- you know, we're talking -- not that we're talking about this necessarily only philosophically, for lack of a better term, just sort of in thin air, but in real terms how often would this occur? What's an example of how it would really impact a specific proposal for a hundred or more, you know, the change of a hundred or more units? It -- did you -- were you ever able to --

MS. BOY: Oh, I apologize. I mean, I -- the information that we -- that we provided, I thought was addressing what you asked for, and I apologize if it did not.

In the actual report, I -- you know, I included the flow chart to show how it works now. I can tell you that right now, allocations of flexibility require essentially, in 99 percent of the cases, the straight down where the city takes the official action or resolution, ordinance, and it's effective.

In very rare cases right now does it go to a local Land Use Plan amendment that has to be recertified by Broward County Planning Council, because then it wouldn't be effective until after that action had -- is taken. That happens less than one percent of the time.

MR. STEFFENS: And this has no impact on that route, correct? What we're talking about today.

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MS. BOY: It could have. In very rare situations, this could impact that route, because if they're doing a local Land Use Plan amendment, the municipality, and they have to go through this affordable housing review, then, in that case, they would come together and it would not be effective until such time that it's recertified by the Planning Council.

So they'd have to do the affordable housing component first, which is when you go to the left of the flow chart. So they'd have to do that first, and then they would have to come in and be recertified by the Planning Council. But that would -- that is literally less than one percent of the time.

How rules have evolved over the years, the requirement for the local Land Use Plan amendment is really subject to only the municipality's requirement. It defers to the municipality. If they want to require a local Land Use Plan amendment that has to be recertified for allocation of flex or reserve units, then that happens. But very few municipalities require that process now.

MR. STEFFENS: What -- do you know what municipalities in Broward County require that?

MS. BOY: A local Land Use Plan amendment? No, I don't know who has kept that rule in -- I know -- I do know that some municipalities, on a case by case basis, have required it because they want to limit, you know, what the applicant's done.

But we haven't seen -- in the past five years, the number of local government recertifications that we've seen for the allocation of flexibility, I would say was probably around one. Most of the recertifications that we see are for complimentary Broward County Land Use Plan amendments that are also reviewed, by you and the Commission, and then for such things as if a municipality has a residential piece of property and they changed it -- they purchased it and they changed it to recreation open space on their plan only, we would recertify that, also. And --

MR. STEFFENS: Right.

MS. BOY: -- then it becomes more restrictive than the County plan.

MR. STEFFENS: Okay. So here's -- and, again, I think I've -- at some point, I'll stop saying this, but forgive my naiveté on this, couldn't, you know, Mayor Stermer, for -- just for example, and the City of Weston, change their rules to not require a change to the Land Use Plan and then forego this whole process?

MS. BOY: Well, right, that's what I was saying. For a local Land Use Plan

amendment only for the allocation of flex or reserve, we see that almost never.

MR. STEFFENS: Okay. And that's what we're really talking about today.

MS. BOY: No. What we're --

MR. STEFFENS: Oh.

MS. BOY: -- I think what we're really talking about -- sorry, I didn't mean to say --

MR. STEFFENS: No, it's okay.

MS. BOY: -- what we're really talking about is the review of flexibility or reserve units, a hundred or more non-residential land uses. It doesn't matter if it requires a local Land Use Plan amendment, because this would still require --

MR. STEFFENS: Okay.

MS. BOY: -- the County review.

MR. STEFFENS: Okay. Now -- okay. One of the concerns that was raised by my colleague, Commissioner Kiar, was a slowdown in time. You know, and I don't think anybody wants to see, especially since development is finally picking up again, a slowdown in that that's going to be prohibitive to, you know, people wanting to enter that enterprise.

My question is are there other reviews that -- are they going to have to stop everything and just do this, or there are other parts of the process generally that they can go through, whether to the County or with other areas that they can be going through at the same time that this -- while this is -- would take some attention for sure, would this necessarily slow down the overall time that it would take for the development?

MR. MAURODIS: We're just trying to think about. There could be situations where a city would say, you know, these flexibility units have been allocated, so now the developer has enough units to do their site plan or their development. The city could arguably say we cannot review it at this point in time because the flexibility units have not been officially allocated because you have not completed this additional County review.

Some cities might say, you know what, we'll -- that are really anxious to be cooperative, will say we'll do the review contingent -- you know, we'll look at your site plan while the County's looking at this new review.

So it's going to vary, but it has the potential for doing it. I think what the Commissioner was saying is that the review could -- the delay could happen if the County says, no, and then the negotiation goes on, and then you can -- you can go months and months and months and months of delay while the developer and the city and the County do their tri-party negotiations to effect a positive vote by the County Commission. I think that's probably where you're -- if there's cooperation with the city, I think that eight week period could be used to some benefit.

MR. STEFFENS: Okay.

MR. MAURODIS: But it -- I think what Commissioner Kiar said, it's a real danger of delay.

MR. STEFFENS: Okay.

CHAIR CASTRO: Mayor Boccard.

MAYOR BOCCARD: Thank you, Madam Chair.

Going back to February, which is six months ago, we had the same discussion. And here we are, six months later, talking about the same thing. We've asked the Broward League of Cities to get other cities involved so we can get more input. We've asked County Commissioners to attend the meeting to get input. And we're just going, in my opinion, around and around, making our comments, and they're all validated.

And as I look in my backup and I see letter after letter from city after city not supporting or supporting, in this case, with a yes, to this amendment, and in our letter from the City of Coral Springs dated February 1st, the original purpose of these units within Broward County land use was to provide municipalities with the flexibility to allocate these units where they would be most appropriate within their jurisdiction. Placing additional criteria and requirements on these units will only make the allocation of these more difficult for municipalities in the future.

Even in the City of Coral Springs just last night at our Commission meeting, we're looking for ways to take out the bureaucratic red tape to delay progress. And some of the ways that we're looking at variances of conditional uses and taking some of the layers out of it, because if we want to address any future development, delays are not cost effective for developers, and they may want to go someplace else.

And we want to stimulate growth in this County. We need to take all the layers of government out. Not that they can circumvent them, but speed up

the process, because money -- time is money in the developers' world and the construction world.

So, you know, we've been here, and, you know, it was delayed at the last Commission meeting. I would like to make a motion to move this item forward as a yes vote so we can move on to, you know, the rest of the items on the agenda and finally put this issue to bed.

CHAIR CASTRO: Just --

MAYOR BOCCARD: So I'm going to move the item.

CHAIR CASTRO: -- and just to clarify, it's staff recommendation that the committee does not presently recommend approval of the proposed text amendment; is that correct, Mayor Boccard?

MAYOR BOCCARD: That's correct.

MAYOR STERMER: Second.

CHAIR CASTRO: Now we have a second. Any further discussion? Yes, Mr. Bascombe.

MR. BASCOMBE: I just have one comment. I think we're -- you know, I was thinking this summer. I had a lot to do and read, right? One of the things I did do was get into economics a little bit, and Adam Smith's invisible hand, which goes into what we're talking about here, putting brakes on development.

But I don't think we're really dealing with the problem at hand here, and that is raising the incomes and providing jobs in our County. If we did that, we wouldn't have this issue.

CHAIR CASTRO: Mr. Furr.

MR. BASCOMBE: So I just want to say, if I can, I'm in favor of the planning staff's recommendation, but I had to get that out.

MS. BOY: It's actually, just to -- for clarification, the Land Use/Trafficways Committee recommendation, not Planning Council staff's recommendations.

MR. MAURODIS: For the record, the motion is a negative recommendation on the proposal, so.

CHAIR CASTRO: So are we voting yes or no, now? Andy, now I'm

confused. Two negatives make a positive.

MR. MAURODIS: I didn't help you then, did I?

CHAIR CASTRO: When we get ready, we'll have you restate the motion, and then we'll know what we're doing.

Yes, sir, Mr. Furr.

MR. FURR: The one thing I think is worth thinking about a little bit, though, is once you've used the flex units, they're gone. Can't use them again. And I know when a lot of developers are doing deals throughout the County, you know, oftentimes the high end deals will ask for flex units to maximize their profit. Likewise with the affordable luxury apartments, they'll do the same things.

But the place where they're the most necessary are probably in the affordable housing arena, because that's the one place where the economies of scale almost require it to -- for them to be successful.

And what I think we want to do is try to make sure that we somehow preserve the -- at least enough of them in those places -- in places where we are able to address the concern that we've been hearing today.

What this allows, when you're -- when you're allowing for lots of those units to be used en masse, you're essentially taking away those chits, whatever -- however you want to say it, that can be used for incentives later for affordable housing.

I don't want to see more review, either, but I do want to make sure that somehow we're able to address those -- affordable housing with those units and with those resources. That's why I asked that question, are these resources? These are resources. And we want to make sure that we have those at some point to address -- to have those economies of scale to make the affordable housing possible.

CHAIR CASTRO: Thank you. Commissioner Lazarow.

COMMISSIONER LAZAROW: Thank you. I'm sorry, Mayor, to belabor the point. I know we want to move forward, but I just had a couple of things that I wanted to say, because I don't like to vote without letting everyone know why I'm voting that way.

I agree with Commissioner Kiar that this is -- and I think bureaucracy's an interesting -- you can play on that and say it's oversight. Is it bureaucracy or

is it another layer of oversight?

But I really have to second Chair Castro's position that you have to look for a reason. You're looking -- that's what you said earlier, I'm searching for the -- for the valid reason for this to happen. And I don't see where it's going to create more affordable housing.

They're recommending not to approve it. The only thing that I could see that would be of any value to this would be oversight. And, again, is that really bureaucracy or holding up the whole project?

And I think the fact that it was so hard for this Council to come to this decision or this agreement, whatever the case may be, can you imagine what's going to happen -- no disrespect to the County, but you can imagine how it's happening here, what might happen there.

So I have to go with the Home Rule of the municipalities and do what's best for them, as well. Thank you.

COMMISSIONER KIAR: Thank you, Madam Chair. Just a quick question. And it's also my understanding that not one municipality is actually in support of this change.

UNIDENTIFIED SPEAKER: There's not.

COMMISSIONER KIAR: At least that have responded.

MS. BOY: That have responded. So all the comments that we received, or resolutions on behalf of cities, have not been in favor of the proposal.

COMMISSIONER KIAR: Great. Thank you. Thank you.

CHAIR CASTRO: Okay. So the motion is to agree to the Planning Council Land Use/Trafficways Committee recommendation that the Committee does not presently recommend approval of the proposed text amendment.

Would you like to restate the motion a different way?

MR. MAURODIS: No.

CHAIR CASTRO: So if you do not want the text amended, you want to vote yes. If you don't [sic] want the text amended, you want to vote no. Is that clear enough? Are we good?

MR. STEFFENS: No. Wait. I just have a very quick question. Does this

motion include the sort of caveats that I know Mayor Ryan and I had a discussion about, these suggestions before going forward, or is that sort of dead and we're just saying we're -- we're telling the County --

MR. MAURODIS: Those were --

MR. STEFFENS: Right.

MR. MAURODIS: -- kind of in the interim stage and that is gone.

MR. STEFFENS: Okay.

CHAIR CASTRO: But -- and then actually, the recommendation does sort of talk to them, because it says based on the lack of current support and the lack of clarity regarding the mechanism for implementation as well. And I think the lack of clarity for the -- how the process was was one of the big issues we had.

If you'd like to do a friendly amendment --

MR. STEFFENS: No.

CHAIR CASTRO: Okay. That's fine.

Okay. We have a motion, we have a second. So can we have a roll call, please?

THE REPORTER: Mr. Tim Bascombe.

MR. BASCOMBE: Without the double negatives, I'm voting no, because I don't agree. Okay. I just wanted to be clear.

CHAIR CASTRO: No, no. You're voting yes --

MR. BASCOMBE: Yes.

CHAIR CASTRO: -- that you agree with the recommendation of the Planning Council --

MR. BASCOMBE: Thank you.

CHAIR CASTRO: -- to not recommend. That's why I asked --

MR. BASCOMBE: So, yes.

CHAIR CASTRO: -- if that's the way he liked it or did he want to change it up. He said it was okay.

MR. MAURODIS: I think the motion, as it was made, yeah.

CHAIR CASTRO: Okay. So you're voting?

MR. BASCOMBE: Yes.

CHAIR CASTRO: Thank you. Continue the roll, please.

THE REPORTER: Mr. Tim Bascombe.

CHAIR CASTRO: He's going to say yes again.

MR. MAURODIS: When you made your motion, it's yes to support the negative recommendation --

CHAIR CASTRO: Correct.

MAYOR BOCCARD: Thank you.

THE REPORTER: Mayor Vincent Boccard.

MAYOR BOCCARD: Yes.

THE REPORTER: Commissioner Bobby DuBose.

COMMISSIONER DUBOSE: Absolutely.

THE REPORTER: Mayor Lamar Fisher.

MAYOR FISHER: Yes.

THE REPORTER: Mr. Beam Furr.

MR. FURR: Yes.

THE REPORTER: Ms. Mary Graham.

MS. GRAHAM: Yes.

THE REPORTER: Mr. Dan Hobby.

CHAIR CASTRO: He had to depart.

THE REPORTER: Commissioner Martin Kiar.

COMMISSIONER KIAR: Yes.

THE REPORTER: Commissioner Michele Lazarow.

COMMISSIONER LAZAROW: Yes.

THE REPORTER: Commissioner Michael Long.

COMMISSIONER LONG: Yes.

THE REPORTER: Commissioner Rita Mack.

COMMISSIONER MACK: Yes.

THE REPORTER: Mr. Nicholas Steffens.

MR. STEFFENS: No.

THE REPORTER: Mayor Daniel Stermer.

MAYOR STERMER: Yes.

THE REPORTER: Chair Anne Castro.

CHAIR CASTRO: Yes. Thank you all very, very much. I know this has been a tough subject for many, many months.

MAYOR BOCCARD: Madam Chair, just --

CHAIR CASTRO: You know, I think it goes without saying -- just let me put this in, and then I'll recognize you, Mayor Boccard -- I think everybody in this Council's in agreement that affordable housing is an issue. I just don't think we all agree that this drop in the bucket is going to solve the problem.

At some point, maybe, in the future, we can actually, as a Council, look at the County Land Use Plan and maybe look to see if there's any other way we can enhance affordable housing and incentives. Maybe we can start charging the County, the developers, the process, the municipalities to go start tackling some of these other stakeholders in the game.

So I hope you all will continue thinking about looking at it and trying to find some potential using the Land Use Plan, which is what we kind of are governed by, a better way to increase the ability of workforce slash affordable housing. I'm sorry. Mayor Boccard.

MAYOR BOCCARD: Thank you, Madam Chair. I'm glad to see this finally come to a vote. My question is this recommendation is coming to the County. They can still override this; right?

CHAIR CASTRO: Yes.

MS. BOY: Yes.

MAYOR BOCCARD: Okay.

MAYOR BOCCARD: Six months of discussion to --

CHAIR CASTRO: Yes.

MAYOR BOCCARD: -- be overridden anyway, so.

VOTE PASSES 12 TO 1 WITH MR. NICHOLAS STEFFENS VOTING NO.

AGENDA ITEM PH-5 - First Public Hearing on an Amendment to the Broward County Land Use Plan – Town of Davie

MS. BOY: We still have one more item, just --

CHAIR CASTRO: Yes, we have PH-5 -- because I saw Mrs. Grant come back in. So, Mrs. Grant, if you would we were waiting for you to speak. We hope not. Please, Mrs. Grant, would you come down to the podium and speak? Thank you.

MS. GRANT: Thank you for waiting for me.

CHAIR CASTRO: Not a problem.

MS. GRANT: My name is Peggy Grant. I am the Property Manager of Atrium Center, the property due north of the proposed Shalimar project.

First and foremost, I would like to state that we are in support of this wonderful project. We think it's going to be -- have a wonderful positive impact on the community, the city, the State, the County.

We do have one objection that we'd like to go on record with, which we have been discussing with Marcie Nolan and her team, and that is with regard to the shared access driveway on the south part of our property. It --

Oh, I'm sorry. It is currently serving as our second primary entrance. Back in 2008 -- oh, thank you for putting the map up. Back in 2008, FDOT, Florida

Department of Transportation, decided to change the curb cuts, which meant the curb cut that was servicing our primary entrance was now eliminated, and it was moved a little bit south. So anyone coming from the north up University Drive to get to our building, which is a hundred thousand square foot office and retail space, we have some medical in there, Humana, Quest Diagnostics. We have a middle school in addition to office space.

So anyone coming north on University Drive would have to make a complete U-turn to get to our property, and then enter at our southernmost exit driveway, which has now become, as I said, our second primary entrance.

Now we're going to be sharing that driveway with 240 residential units. We do have some concerns.

Like I said, we've been in discussions with the developer and Ms. Nolan on how we can work things out. One of the proposed ideas was that we move -- we close our driveway totally and move it 40 feet further south onto their -- their property, which would make one of our entrances on their property. So that is something that we're not in favor of. We lose our identity, signage. We're just not happy with that.

Ideally, we would like to have our old curb cut put back, but that's not going to happen. We understand that.

The second idea would be to -- and we've gone to FDOT on this issue also, is to construct a central entrance at our property. FDOT said they would even grant us the variance. It doesn't meet the full -- I think it's 440 square -- 440 linear feet separation, but they said it's close enough that they would grant us the variance and allow us to have an entrance right there.

Unfortunately, that project would cost the building owners almost a half a million dollars. It would involve moving power poles, drainage lines, sidewalks, landscaping, et cetera. So that option is going to impact us to the tune of \$500,000, which we don't think is fair.

So for those reasons, we are currently -- we'd like to state our objection to the shared access driveway until we can resolve these issues with Ms. Nolan and the developers. And that's --

MS. GRANT: Oh, okay. And that is why I'm here, and I appreciate you allowing me to make these statements.

CHAIR CASTRO: And real quick, I'm glad you put that on the record, because that's important. I want to make sure you understand, and -- you probably do, the environment. This Council's responsible for the change of

land use, not the site plan.

MS. GRANT: Okay.

CHAIR CASTRO: So at some point, you know, you want to continue to work on that, but I just wanted you to know which church you were in, so to speak.

MS. GRANT: Thank you. I do appreciate that. I'm a little new at this game, so I do appreciate it.

CHAIR CASTRO: You got it.

MS. GRANT: And thank you for telling me (inaudible).

CHAIR CASTRO: Because I don't want you to think if you -- that if the vote goes a different way, you go, well, they didn't even listen to me. Yeah, we did, and it's good you put it on the record.

MS. GRANT: Yeah, that --

CHAIR CASTRO: That's very important.

MS. GRANT: -- that was my primary goal.

CHAIR CASTRO: Very good.

MS. GRANT: Thank you all for listening.

CHAIR CASTRO: And you did a great job. Thank you.

MS. GRANT: Thank you.

CHAIR CASTRO: Mr. Steffens.

MR. STEFFENS: That was my exact question.

CHAIR CASTRO: Okay. Commissioner Kiar, you had a --

COMMISSIONER KIAR: So just for clarification purposes -- oh.

MS. GRANT: Pardon?

COMMISSIONER KIAR: That's okay. You're not opposed to staff's recommendation? You just have some concerns that you're working with Mrs. Nolan on?

MS. GRANT: Exactly.

COMMISSIONER KIAR: Okay. Thank you.

MS. GRANT: Exactly. I just wanted to go on record, like Chairperson Castro just said, I want to go on record that we have a concern, and we would like -- you know, we'd like to go on record with it.

COMMISSIONER KIAR: Great. Thank you.

CHAIR CASTRO: Is there any comment from the applicant or their representative? Thank you.

This is how we're going to put them on the record for you now, Mrs. Grant.

MS. GRANT: Okay. Thank you.

MS. NOLAN: Good morning -- good afternoon. Marcie Nolan, Becker and Poliakoff. I'm here representing TM Residential.

We have been working with Ms. Grant. We have been working with the Atrium Center.

There is an existing dedicated platted shared access opening. It's on our north property line, it's on their south property line. DOT has, in their infinite wisdom, decided that we're going to share our access opening.

What we're doing through the site plan process with the town staff is determining how to best design that site.

So we will continue to work with the Atrium, and we will make sure that whatever the design, the ultimate design of that access is, it'll be something that'll benefit both of our projects. Thank you.

CHAIR CASTRO: Okay. Thank you.

Any other comments? A motion, please?

COMMISSIONER LAZAROW: Motion to approve.

MR. BASCOMBE: Second.

UNIDENTIFIED SPEAKER: Second.

CHAIR CASTRO: Any other comment?

THE REPORTER: Who made the motion and second?

CHAIR CASTRO: Oh, Commissioner Lazarow made the motion.

COMMISSIONER LAZAROW: I made motion to approve.

CHAIR CASTRO: And I think Mr. Bascombe seconded it. Thank you, Nancy, for asking. Any other comments, questions? All in favor? Any opposed? Thank you.

VOTE PASSES UNANIMOUSLY.

OTHER BUSINESS

CHAIR CASTRO: Anything else?

MR. STEFFENS: Motion to adjourn.

CHAIR CASTRO: You got it.

(THE MEETING ADJOURNED AT 12:17 P.M.)