


BROWARD COUNTY PLANNING COUNCIL

115 South Andrews Avenue, Room 307 • Fort Lauderdale, Florida 33301 • Phone: 954.357.6695

TO: Evangeline G. Kalus, Senior Planner
Planning and Redevelopment Division
Broward County Environmental Protection and Growth Management Department

FROM: Barbara Blake Boy, Executive Director 

RE: Request to Modify Adopted Broward County Land Use Plan Amendment PC 06-4 located in the City of Coral Springs (Coral Springs Country Club)

DATE: November 6, 2014

This memorandum replaces our previous comments dated October 6, 2014.

This memorandum is in response to your request for comments regarding the proposed release of the Declaration of Restrictive Covenants for Broward County Land Use Plan (BCLUP) amendment PC 06-4. You have indicated that the applicant proposes to be released from the voluntary commitment that restricts the level of development to 168 high-rise dwelling units to allow for the maximum development of 255 dwelling units, as permitted by the land use.

Planning Council staff notes that at the time of the referenced land use plan amendment, the impacts to public facilities and services, including potable water, sanitary sewer, drainage, solid waste, parks and transportation, were analyzed based on the net impact of the proposed development at its maximum development potential of 255 dwelling units (i.e. without a voluntary restriction).

However, the applicant made a voluntary commitment to restrict development to 168 high-rise dwelling units and payment of student station fees for elementary and middle school students to address the negative impacts to public schools. In this regard, Planning Council staff defers to the School Board of Broward County regarding any additional impacts to public school facilities.

Planning Council staff notes that although amendment PC 06-4 added more than 100 new residential units to the BCLUP, the amendment was not subject to Policy 1.07.07, as it was not in effect at the time of adoption. However, Planning Council staff notes that the applicant made a voluntary commitment to contribute 1% of the hard construction costs of the residential buildings to the City of Coral Springs to be utilized for appropriate affordable housing programs. See Attachment. It is noted that no change to this commitment is proposed by the applicant.

Planning Council staff is of the opinion that releasing the applicant's previous voluntary commitment is at the pleasure of the Broward County Commission. Further, this is not a land use plan amendment application in process. As such, please note that these are staff comments and not recommendations of the Broward County Planning Council board.

Evangeline G. Kalus, Senior Planner
November 6, 2014
Page Two

BBB:PMS
Attachment

cc: Henry A. Sniezek, Director
Broward County Planning and Redevelopment Division

Maite Azcoitia, Deputy County Attorney
Broward County Attorney's Office

Andrew Maurodis, Esq., Counsel
Broward County Planning Council

Erdal Donmez, City Manager
City of Coral Springs

Susan Krisman, Director, Development Services Department
City of Coral Springs

WCI

WCI
COMMUNITIES
INC.

450 WEST SUNRISE BOULEVARD
SUITE 140
SUNRISE, FLORIDA 33323
TEL (954) 846-2227
FAX (954) 846-2292
wci.comunities.com

COMMUNITIES, INC.

August 1, 2005

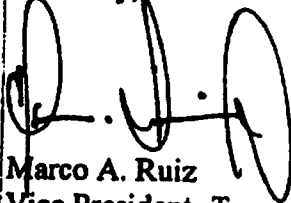
Ms. Susan Hess
Director of Community Development
City of Coral Springs
9530 West Sample Road
Coral Springs, FL 33065

Dear Susan:

Pursuant to our discussion regarding Affordable Housing, we recognize the need to address this issue and we are prepared to make a voluntary payment (the "Affordable Housing Contribution") equivalent to 1% of the construction costs of the condominium units to be built by WCI at the Country Club of Coral Springs. This percentage will be calculated based on hard construction costs for the residential buildings portion only, at the time building permits are obtained.

Although we understand that there is no specific city ordinance in place, the Affordable Housing Contribution can be utilized at the sole discretion of the City of Coral Springs in whatever program that it may deem appropriate to address the above-mentioned issue and shall satisfy all affordable housing requirements for the development of the above referenced project. Notwithstanding the foregoing, in the event WCI must comply with additional affordable housing requirements implemented by the City of Coral Springs, Broward County or any other governmental authority, WCI shall not be required to pay the Affordable Housing Contribution in addition to such additional requirements.

Sincerely,



Marco A. Ruiz
Vice President- Tower Division
WCI Communities, Inc.



Lifestyles Beyond Expectations

ATTACHMENT



DEVELOPMENT SERVICES DEPARTMENT
CITY OF **CORAL SPRINGS** FLORIDA

COMMUNITY DEVELOPMENT DIVISION



November 19, 2010

Mr. Henry Sniezek, Executive Director
Broward County Planning Council
115 South Andrews Avenue, Room 307
Fort Lauderdale, FL 33301

RE: Recertification of Comprehensive Plan Amendment PC 06-4 - Coral Springs Country Club (Q2-CPA-06) – Affordable Housing Requirement

Dear Mr. *Henry* Sniezek:

This letter is to notify you that prior to the developer obtaining a building permit of the above-mentioned property, the City of Coral Springs initially required the following:

The Petitioner, Walter Keller, Inc., shall make a voluntary affordable housing contribution equal to 1 percent (1%) of the construction cost at the time that the building permit is issued for each unit and recognize that additional requirements implemented by Broward County or the City of Coral Springs shall be satisfied as necessary or those regulations contained within an ordinance pertaining to affordable housing is adopted by the City of Coral Springs.

As the City has subsequently adopted an Affordable Housing Ordinance (Ordinance 2006-107), the City will enforce its adopted regulations with the future developer of the above-mentioned property.

The City continues to support efforts to maintain and enhance affordable housing opportunities within the City of Coral Springs. If you have any questions or need any additional information, please do not hesitate to contact Jim Hickey, Chief Planner at (954) 344-1158.

Sincerely,

Susan M. Hess
Susan M. Hess
Director

Enc: Ordinance 2006-107 adopted on August 15, 2006.

cc: George Rahael, Amera Properties, Inc.

ORDINANCE NO. 2006-107

1
2
3 AN ORDINANCE OF THE CITY COMMISSION OF THE
4 CITY OF CORAL SPRINGS, FLORIDA, TO AMEND
5 CHAPTER 2 OF THE LAND DEVELOPMENT CODE OF THE
6 CODE OF ORDINANCES OF THE CITY OF CORAL
7 SPRINGS ENTITLED "BUILDING REGULATIONS" TO
8 CREATE ARTICLE II ENTITLED "AFFORDABLE HOUSING
9 PROGRAMS"; TO INCLUDE BUT NOT BE LIMITED TO
10 PURPOSE AND DEFINITIONS, TO PROVIDE FOR
11 INCLUSIONARY UNITS IN RESIDENTIAL
12 DEVELOPMENTS OF FIVE OR MORE UNITS OR
13 PAYMENT OF AN IN-LIEU FEE TO THE AFFORDABLE
14 HOUSING TRUST FUND, TO PROVIDE FOR DENSITY
15 BONUSES; TO PROVIDE FOR CONSTRUCTION
16 STANDARDS FOR INCLUSIONARY UNITS, TO PROVIDE
17 FOR EXPEDITED REVIEW OF PLANS, TO PROVIDE
18 ELIGIBILITY FOR INCLUSIONARY UNITS, TO PROVIDE
19 CRITERIA FOR THE SALES AND RENTAL PRICES FOR
20 INCLUSIONARY UNITS. TO PROVIDE CRITERIA FOR
21 QUALIFICATIONS FOR ELIGIBLE HOUSEHOLDS UNDER
22 THE AFFORDABLE HOUSING PROGRAMS, TO PROVIDE
23 PRIORITIES FOR PARTICIPATION IN THE AFFORDABLE
24 HOUSING PROGRAMS, TO PROVIDE FOR A SECOND
25 MORTGAGE ASSISTANCE PROGRAM, TO PROVIDE
26 CRITERIA FOR THE RESALE OF AFFORDABLE HOUSING
27 UNITS IN THE SECOND MORTGAGE ASSISTANCE
28 PROGRAM OR CHANGE OF STATUS, TO PROVIDE FOR
29 AN AFFORDABLE HOUSING TRUST FUND AND TO
30 PROVIDE FOR MONITORING AND REVIEW; PROVIDING
31 FOR CONFLICT, PROVIDING FOR SEVERABILITY;
32 PROVIDING FOR INCLUSION; PROVIDING FOR AN
33 EFFECTIVE DATE
34
35

36 WHEREAS, the City of Coral Springs, with a current population of approximately 130,000
37 persons, has a wide range of housing types as well as retail and commercial properties and a
38 corporate park within the city; and

39 WHEREAS, the City of Coral Springs is nationally recognized as a benchmark for local
40 government strategic planning, which includes public participation in the planning process; and

1 WHEREAS, the City of Coral Springs has future residential development opportunities
2 within the new Community Redevelopment Area (CRA); and

3 WHEREAS, future residential redevelopment and development will occur on infill lots in
4 areas currently zoned for multi-family; and

5 WHEREAS, there is an increasing need to further assist in developing home ownership
6 opportunities for moderate to very low income families); and

7 WHEREAS, Broward County, Florida has witnessed rapid increases in housing sales price
8 and sales prices have driven increases to assessed values of housing while the individual family
9 incomes have not kept pace with the rate of increase in housing costs; and

10 WHEREAS, the Broward Housing Partnership Housing Needs Assessment (March 1, 2006)
11 prepared by The Metropolitan Center, Florida International University, states that the "housing
12 market is severely imbalanced due to an oversupply of high priced single family homes and
13 condominiums and a corresponding decrease in demand due to the strict limitations of affordability
14 among Broward County's households", and

15 WHEREAS, the Broward Housing Partnership Housing Needs Assessment also states the
16 imbalance in the housing markets extends to the rental market; and

17 WHEREAS, the supply of rental housing in Broward County has been decreased because of
18 the loss of nearly 22,200 units to condominium conversions of which approximately 4400 of those
19 conversions are in Coral Springs, as well as the effects caused by the damage from Hurricane Wilma;
20 and

21 WHEREAS, the Broward Housing Partnership Housing Needs Assessment also indicates
22 that with only a six (6) percent growth in per capita during the last three years, it is unlikely that

1 the economic growth in the County, now or in the foreseeable future, may off-set the relative
2 high cost of housing; and

3 WHEREAS, with the increased housing costs, the overall housing available for very low to
4 moderate income families has further diminished; and

5 WHEREAS, the City of Coral Springs currently actively participates in three (3) programs
6 which demonstrably aid affordable housing initiatives: the Community Development Block Grant
7 Program, the State Housing Initiative Partnership (SHIP) and the Home Investment Partnership
8 Program (HOME) which currently has infused more than \$2.4 million dollars into the local housing
9 market to date; and

10 WHEREAS, the City of Coral Springs, through private property owners, currently has
11 approximately five hundred (500) units within the City which are designated as Section 8 housing
12 through various housing authorities in the County; and

13 WHEREAS, there is the need to encourage and assist in the development and acquisition of
14 home ownership for families who are part of the workforce in Coral Springs who fall within the very
15 low to moderate income categories and may require assistance to obtain affordable housing and
16 become property owners or rent residential property within the City of Coral Springs; and

17 WHEREAS, there is also the need to encourage and assist families to obtain affordable rental
18 properties; and

19 WHEREAS, the health, safety and welfare of the present and future citizens and residents of
20 the City of Coral Springs, as well as Broward County, depends on the availability of a range of
21 housing choices affordable to persons and families who comprise the workforce of Coral Springs;
22 and

1 WHEREAS, the high cost and short supply of affordable housing for persons and families of
2 very low to moderate income means that many persons and families in the may not be able to afford
3 to live in the City of Coral Springs and therefore many can only reside in areas concentrated
4 according to price and/or income level; and

5 WHEREAS, the City Commission has determined that the City should proactively be
6 involved in assisting very low to moderate income households to obtain affordable housing,
7 either through home ownership or rental; and

8 WHEREAS, Section 166.04151, Florida Statutes provides that a municipality may adopt
9 and maintain in effect any law, ordinance, rule or other measure that is adopted for the purpose of
10 increasing the supply of affordable housing using land use mechanisms such as inclusionary
11 housing ordinances, notwithstanding any other provisions of the law; and

12 WHEREAS, the City Commission recognizes that there is a growing gap between
13 housing costs and wages within the City; and

14 WHEREAS, the City of Coral Springs has a legitimate public interest in preserving the
15 character and quality of the neighborhoods which requires assuring the availability and
16 maintenance of affordable housing stock for workforce income households within the City; and

17 WHEREAS, the City is encouraging affordable housing to assist in maintaining a
18 diversified and sustainable City having the sense of community where people can live and work
19 in the same area; and

20 WHEREAS, the City is encouraging the availability of affordable housing and at the
21 same time is cognizant of escalating land costs; and

22 WHEREAS, the City may partner with other public/private affordable housing developers
23 in the redevelopment of certain city owned vacant parcels zoned for residential use; and

1 WHEREAS, the City Commission of the City of Coral Springs finds it to be in the best
2 interests of the citizens of this community to develop initiatives to provide various affordable
3 housing programs to aid in the development, financing and acquisitions of affordable housing;
4 now, therefore

5 BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF CORAL
6 SPRINGS, FLORIDA:

7 Section 1. The foregoing "WHEREAS" clauses are hereby ratified and confirmed as
8 being true and correct and are hereby made a specific part of this Ordinance upon adoption
9 hercof.

10 Section 2. Chapter 2, of the Land Development Regulations of the Code of ordinances of
11 the City of Coral Springs entitled "Development Regulations" is hereby amended to create,
12 Article II, entitled "Affordable Housing Programs" to read as follows:

13
14 **ARTICLE II**

15
16 **AFFORDABLE HOUSING PROGRAMS**

17
18 **Sec. 216 Purpose**

19
20 The purpose of this Article is to establish the guidelines and criteria for a housing assistance
21 program(s) and ensure that future housing developments contribute to the attainment of
22 providing owner occupied housing or rental housing that is affordable to very low, low and
23 moderate income households within the City of Coral Springs.

24
25 It is further the purpose of this ordinance to require residential developments of five (5) or more
26 units to provide inclusionary units, which may include bonus density units, or payment of an in-
27 lieu fee to the Affordable Housing Trust Fund.

28
29 **Sec. 217 Definitions:** The following words, terms and phrases, when used in this section,
30 shall have the meanings ascribed to them as set forth below, except where the context clearly
31 indicates a different meaning.
32

1 (1) Affordable Housing Trust Fund: Trust Fund established by the City for the purpose of
2 collecting the required fees and disbursing funds for affordable housing programs in
3 accordance with the criteria set forth.

4
5 (2) Affordable Housing Unit: Housing built with funding from federal, state, local or
6 private resources and designated for affordable housing for moderate, low and very low
7 income households.

8
9 (3) Affordable Owner Occupied Housing Unit: A dwelling unit for which the mortgage
10 payment (including principal, interest, taxes and insurance) does not exceed 35% of the
11 gross income of the households that meet the income criteria and also meet the other
12 requirements of the City's Affordable Housing Programs.

13
14 (4) Affordable Renter Occupied Housing Unit: A dwelling unit for which the rental
15 payment does not exceed 35% of the gross income of the households that meet the
16 income criteria and also meet the other requirements of the City's Affordable Housing
17 Programs.

18
19 (5) Administrator: The financial institution designated by the City to implement, administer
20 and manage the Second Mortgage Assistance Program.

21
22 (6) Appreciation: The difference between the original purchase price for a unit and the
23 subsequent price for the sale of the unit by the eligible household minus real estate
24 closing costs.

25
26 (7) Assets: All real estate property, stocks, bonds, and cash, or other liquid assets, that are
27 not part of a retirement investment plan or pension plan.

28
29 (8) City: The City of Coral Springs, Florida

30
31 (9) Casualty Reconstruction Units: Residential Units which must be reconstructed as a
32 result of damage caused by fires, floods, hurricanes or other acts of God.

33
34 (10) Density Bonus Unit: A unit as a result of an increase in density permitted above the per
35 acre established by the Broward County Land Use Plan and the City's Comprehensive
36 Plan, including the certified future land use map.

37
38 (11) Development: A housing development, including any mixed use residential
39 development, at one location including dwelling units for which approvals have been
40 granted.

41
42 (12) Developer: Any person, firm, partnership, association, joint venture, corporation or any
43 combination of said entities.

1 (13) Eligible Household: A household that qualifies for participation in an affordable
2 housing program as designated in this article. Priority will be given to persons who
3 work in the City limits prior to the date of application for an affordable unit and who
4 qualify to participate in one of the City's affordable housing programs.
5

6 (14) First Time Home Buyer: A household in which no person has had ownership of a
7 residence within the past three years.
8

9 (15) Flexibility Unit: The difference between the number of dwelling units permitted within
10 a flexibility zone by the Broward County Land Use Plan and the number of dwelling
11 units permitted within the flexibility zone by the City's Comprehensive Plan, including
12 the certified future land use map.
13

14 (16) Household: One person living alone or two or more persons sharing residency whose
15 income is considered for the affordable housing program.
16

17 (17) Affordable Housing Programs Policies and Procedures: Administrative policies and
18 procedures approved by the City Commission for the implementation of this ordinance.
19

20 (18) Inclusionary Housing Plan: The plan submitted by the Developer as part of site plan
21 approval that, at a minimum, designates the number of inclusionary units within the
22 residential development.
23

24 (19) Inclusionary Unit: A housing unit offered to eligible households and restricted by
25 covenants.
26

27 (20) Low Income: Household income fifty-one (51) percent up to eighty (80) percent of the
28 median income of Coral Springs, Florida and adjusted for household size.
29

30 (21) Market Rate Unit: A unit in a residential development other than those designated as an
31 inclusionary unit.
32

33 (22) Moderate Income: Household income eighty-one (81) percent to one hundred twenty
34 (120) percent of the median income of Coral Springs, Florida, and adjusted for
35 household size. Moderate Income may also be defined as workforce income.
36

37 (23) Owner: The person or persons who hold title to the Property as indicated in the
38 Broward County Public Records and is the mortgagor.
39

40 (24) Primary Residence: The legal residence of the household and qualifies for Homestead
41 Exemption, if an owner occupied unit.
42

43 (25) Resale Gap: The difference between the required resale price of an inclusionary unit
44 and the original purchase price plus closing costs.
45

1 (26) Reserve Units: Additional permitted dwelling units that are equal to two (2) percent of
2 the total number of dwelling units within a flexibility zone by the Broward County Land
3 Use Plan.

4
5 (27) Residential Development: A development at one location of any single family, duplex,
6 townhouse, condominium dwelling, or other residential unit in residential or mix-use
7 developments. Residential development shall include the conversion of rental housing
8 to condominiums or similar residential uses.

9
10 (28) Sales Price: The contracted price as designated at closing as the sale price of the
11 residential unit.

12
13 (29) Shared Appreciation: Percentage of the amount of the appreciation in the value of the
14 affordable housing unit to be shared by the city and owner at the time of resale of the
15 affordable housing unit.

16
17 (30) Very low Income: Household income which is up to fifty (50) percent of the median
18 income of the city of Coral Springs, Florida, and as adjusted for household size.

19
20 (31) Workforce Income: Household income eighty-one percent (81%) to one hundred
21 twenty percent (120%) of the median income of the city of Coral Springs, Florida, and
22 adjusted for household size. Workforce income may also be defined as moderate
23 income.

24
25 **Sec. 218 Inclusionary Unit Requirements**

26
27 (1) General Requirements: For all residential developments of five (5) units or more at least
28 ten (10) percent of the units must be constructed and offered as Inclusionary Units restricted
29 to occupancy by eligible households for a period of no less than thirty (30) years. In
30 determining the number of Inclusionary Units, required under this section, any decimal
31 fraction less than 0.5 shall be rounded down to the nearest whole number, and any decimal
32 fraction of 0.5 or more shall be rounded up to the nearest whole number.

33
34 (2) Density Bonus Units: Any additional units authorized and approved as a density bonus
35 under this ordinance shall not be counted in determining the required number of Inclusionary
36 Units. Density Bonuses shall be calculated in accordance with section 219 of this Article.

37
38 (3) Inclusionary Housing Plan: The Developer shall submit an Inclusionary Housing Plan as a
39 part of the application for site plan approval in accordance with the requirements of section
40 220 of this Article.

41
42 (4) Should the Developer opt for payment of a fee in lieu of the Inclusionary Units, the fee shall
43 be paid in accordance with the requirements of section 222 of this Article.
44

1 (5) All development shall meet all required Land Development Regulations and shall meet any
2 additional requirements for units as specified in this article, including the construction
3 standards as designated in section 221.

4
5 (6) Upon approval of the application for site plan approval, a document in the form approved by
6 the City Attorney's Office shall be recorded in the Public Records of Broward County,
7 Florida indicating that the initial sales of the property is subject to the City's Affordable
8 Housing Ordinance.

9
10 (7) The Community Development Division, Department of Development Services shall maintain
11 a listing of those approved projects that are available for eligible households.

12
13 (8) This article shall not apply to applications for residential developments that submitted an
14 application for site plan approval on or before July 11, 2006.

15
16 (9) This article shall not apply to residential units that are designated as casualty reconstruction
17 projects.

18
19 (10) This article shall not apply to housing developments constructed under designated state
20 and/or federally funded programs for the construction of housing for low and moderate-
21 income seniors.

22
23 **Sec. 219 Density Bonuses**

24
25 (1) Residential developments that contain inclusionary units may utilize the following density
26 bonus units for each Inclusionary Unit provided as different household income levels:

27
28 (a) A very low income household unit qualifies the developer for 5 bonus market rate
29 units until a maximum of 100% increase over current land use plan designation is
30 achieved through the additional market rate units and inclusionary units.

31
32 (b) A low income household unit qualifies the developer for 3 bonus market rate units
33 until a maximum of 50% increase over current land use plan designation is achieved
34 through the additional market rate units and inclusionary units.

35
36 (c) A moderate income household unit qualifies the developer for 1 bonus market rate
37 unit until a maximum of 50% increase over current land use plan designation is
38 achieved through the additional market rate units and inclusionary units.

39
40 (2) To qualify for the bonus units, at least fifty-percent (50%) of the inclusionary units shall
41 incorporate Uniform Federal Accessibility Standards (i.e. ADA compliant).

42
43 (3) The Inclusionary Units are additional units and represents an increase over current land use
44 plan designation only when the bonus density units are used.

1 (4) Affordable Housing density bonuses allocated consistent with the provisions of this section
2 are conditioned upon the recordation of a restrictive covenant that maintains the units as
3 affordable housing units for the income groups described above for a period of at least
4 thirty (30) years for rental housing and at least thirty (30) years for owner-occupied
5 housing, whichever is applicable.

6
7 (5) "Flexibility" and/or "reserve" units and/or Affordable Housing Units allocated pursuant to the
8 provisions of this chapter do not require an amendment to the Broward County Land Use Plan
9 or the Coral Springs Comprehensive plan, including the certified future land use plan map.

10
11 (6) In no instance shall density bonus units be allocated to parcels designated for residential
12 densities of less than five (5) dwelling units per gross acre.

13
14 (7) The provision contained within this Article shall be evaluated by the Community Development
15 Division annually after the effective date of this section for their effect in the facilitation of
16 development, including that of affordable housing.

17
18 **Sec. 220** **Inclusionary Housing Plan**

19
20 (1) Every residential development to which this section applies shall include an Inclusionary
21 Housing Plan as part of the application submittal for site plan approval.

22 (2) The Inclusionary Housing Plan must include the following:

23 (a) The number, location, structure (attached, semi-attached, or detached), and
24 size of the proposed Market-Rate and Inclusionary Units and the basis for
25 calculating the number of Inclusionary Units;

26 (b) A site plan depicting the location of the Inclusionary Units and the
27 Market-rate Units;

28
29 (c) The income levels to which each Inclusionary Unit will be made
30 affordable;

31
32 (d) The methods to be used to advertise the availability of the Inclusionary
33 Units;

34
35 (e) For a phased Development, a phasing plan that provides for the timely
36 development of the number of Inclusionary Units proportionate to each
37 proposed phase of development; and

38
39 (f) Any additional information reasonably requested by the Community
40 Development Director to assist with evaluation of the Inclusionary
41 Housing Plan.

42
43 (3) The Housing Inclusionary Plan must be approved prior to final site plan approval.

1
2 **Sec. 221 Construction Standards for Inclusionary Units**

3 **Inclusionary Units built pursuant to this Article shall conform to the following standards:**

- 4 (1) **Design.** Except as otherwise provided in this Article, Inclusionary Units must be
5 dispersed throughout a Residential Development and must be comparable in construction
6 quality and exterior design to the Market Rate Units constructed as part of the
7 Development. Inclusionary Units may be smaller in aggregate size and may have
8 different interior finishes and features than Market Rate Units so long as the interior
9 features are of good quality and consistent with contemporary standards for new housing.
10
11 (2) **Size of Units.** The unit mix (bedroom count per unit) of the inclusionary units must be
12 proportional to the unit mix (bedroom count per unit) of the overall project. When
13 measurements determining the unit mix of inclusionary units result in any decimal
14 fraction less than 0.5 shall be rounded down to the nearest whole number, and any
15 decimal fraction of 0.5 or more shall be rounded up to the nearest whole number. Unit
16 sizes for the inclusionary units must be equal or greater than the minimum size
17 established in Section 250337.
18
19 (3) **Timing of Construction.** A Certificate of Occupancy for Inclusionary Units must be
20 issued concurrently with or prior to the certificate of occupancy of Market Rate Units of
21 the development. In phased developments, Inclusionary Units may be constructed and
22 occupied in proportion to the number of units in each phase of the Residential
23 Development.
24

25 **Sec. 222 Expedited Review of Plans**

26
27 **Residential Developments that provide Inclusionary Units shall be afforded, to the extent possible,**
28 **expedited reviews by the Department of Development Services for site plans, building permit**
29 **applications and required inspections.**
30

31 **Sec. 223 Reserved**

32
33 **Sec. 224 Payment of Fee in Lieu of Inclusionary Units**

- 34
35 (1) **The requirements of this Article may also be satisfied by Developer by paying an in-lieu fee**
36 **to the City to be deposited into the City's Affordable Housing Trust Fund.**
37
38 (2) **The fee paid to City shall be calculated at a rate of \$2.67 per gross square foot per residential**
39 **unit up to sixteen hundred (1600) square feet per residential unit. The fee shall be calculated**
40 **based upon the fee in effect at the time of the issuance of the building permit. For the**
41 **purposes of this section square footage shall be calculated as the sum of the areas within the**
42 **unit measured from the exterior faces of the exterior walls or from the centerline of walls**
43 **separating units plus open roofed-over areas. The open-roofed over areas that are paved,**

1 such as porches and similar spaces, shall be calculated by multiplying their floor area by a
2 factor of .50.

3
4 (3) The fee shall be paid to city at the time of issuance of a certificate of occupancy.

5
6 (4) The fee shall be reviewed on an annual basis and may be adjusted annually by Resolution
7 of the City Commission. Any adjustment will be based on the annual percentage change
8 in the median sales price for the existing type of unit as provided by the Florida
9 Association of Realtors for the Fort Lauderdale Metropolitan Statistical Area which
10 includes the City of Coral Springs.

11
12 **Sec. 225 Eligibility for Inclusionary Units**

13
14 No household may purchase or lease an Inclusionary Unit unless the household is an Eligible
15 Household pursuant to the requirements of this Article and the Eligible Household must occupy the
16 housing unit as its primary residence.

17
18 **Sec. 226 Sales and rental prices for Inclusionary Units**

19
20 (1) Initial Sales Price. The initial sales price of an Inclusionary Unit to an eligible household
21 shall be set such that the monthly mortgage payment, including interest and property taxes,
22 permits the unit to be an Affordable Housing Unit for the family size in accordance with the
23 City's Affordable Housing Policies and Procedures.

24 (2) Transfers of property under the following circumstances shall be allowed and are not
25 subject to restrictions included in this program provided that the property is still the
26 primary residence of the subsequent owner of record.

- 27
28 (a) Transfers by inheritance to the purchaser-owner's spouse or offspring; or
29 (b) Transfers to a spouse as part of a divorce proceeding, or
30 (c) Acquisition of ownership or interest therein in conjunction with marriage.

31
32 Any other transfers shall be treated as if there is a sale of the property and the applicable
33 provisions of this Article shall control.

34
35 (3) Resale Price of Inclusionary Unit. The maximum sales price for an Inclusionary Unit shall
36 be in accordance with the City's Affordable Housing Policies and Procedures. Any resale of
37 an Inclusionary Unit during the thirty-year period in accordance with the recorded covenant
38 shall be sold to an eligible household. The price must be set such that the monthly mortgage
39 payment, including interest and taxes, permits the unit to be an Affordable Housing Unit for
40 the family size in accordance with the City's Affordable Housing Policies and Procedures.
41

1
2
3
4 **(4) Rental Prices**

5
6 **(a) Rental prices are established per income level type and size as detailed in the**
7 **Inclusionary Housing Plan and leased to Eligible Households. The monthly price**
8 **will be an Affordable Housing Unit at the time of lease signing in accordance with**
9 **the City's Affordable Housing Policies and Procedures.**

10
11 **(b) After the signing of the first lease with an eligible household, renewal leases may**
12 **be granted in the following circumstances per household income type:**

13
14 **1. Very Low Income Household's annual anticipated gross income**
15 **may increase to an amount not to exceed one hundred forty (140) percent**
16 **of fifty (50) percent of the applicable median income adjusted for family**
17 **size.**

18 **2. Low Income Household's annual anticipated gross income may**
19 **increase to an amount not to exceed one hundred forty (140) percent of**
20 **eighty (80) percent of the applicable median income adjusted for family**
21 **size.**

22 **3. Moderate Income Household's annual anticipated gross income may**
23 **increase to an amount not to exceed one hundred forty (140) percent of one**
24 **hundred twenty (120) percent of the applicable median income adjusted for**
25 **family size.**

26
27 **(c) Upon the request of the City, the Eligible Household shall submit documentation in a**
28 **form acceptable to City, and as outlined in the City's Affordable Housing Policies**
29 **and Procedures, that the household is eligible to continue as an eligible household**
30 **occupying an Inclusionary Unit.**

31
32 **(5) Should the owner occupied inclusionary unit become non-homestead property, the**
33 **inclusionary unit shall be considered the same as a unit that has been sold and the City**
34 **shall be paid the shared equity as if the unit were sold. If the shared equity is not paid the**
35 **City within a reasonable time after notice to the owner of record, the City may place a**
36 **lien against the property.**

37
38 **Sec. 227** **Qualifications for Eligible Household under the designated Affordable Housing**
39 **Programs**

40
41 **(1) The eligible household must be a first time homebuyer if purchasing a unit.**

42
43 **(2) For the purchase of a residential unit, at least one adult member of the eligible**
44 **household must be employed in the City of Coral Springs and have been employed**
45 **for at least one full year prior to any application under the designated Affordable**

1 Housing Program. For participation in a rental program, at least one adult member of
2 the eligible household must be employed in the City of Coral Springs.

3
4 (3) The household income must meet the income criteria for either very low income, low
5 income or moderate income as defined in Section 217 of this Article.

6
7 (4) For the Second Mortgage Assistance Program as designated in section 229 of this
8 article, the eligible household must qualify for a first mortgage through a lender and
9 meet the requirements of the Second Mortgage Assistance Program.

10
11 (5) The assets of the eligible household must not exceed \$50,000 per household member.

12
13 (6) The eligible household must occupy the affordable housing unit within the city limits
14 of the City of Coral Springs.

15
16 **Sec. 228** **Priority for Participation in Affordable Housing Programs**

17
18 (1) The initial priority for the inception of the program shall be given to the following:
19 (a) Coral Springs Charter School teachers (b) Broward County Public School
20 teachers working at a school in Coral Springs (c) North Broward Hospital District
21 licensed health professionals working at Coral Springs Medical Center and (d) public
22 safety personnel.

23
24 (2) Any and all changes to the priorities for participation in the program shall be subject
25 to approval by Resolution of the City Commission of Coral Springs; however,
26 nothing shall preclude other eligible households from applying for the affordable
27 housing programs and being considered for the city's affordable housing programs.

28
29 **Sec. 229** **Second Mortgage Assistance Program**

30
31 The purpose of the second mortgage assistance program is to target assistance to households who fall
32 within the criteria for workforce income. The following criteria apply to the second mortgage
33 assistance program:

34
35 (1) To be eligible for the second mortgage assistance program an eligible household
36 may not exceed the income criteria for workforce income pursuant to this Article.

37
38 (2) For the second mortgage assistance program, the eligible household may receive up to
39 twenty-five percent (25%) of the purchase price of the residential unit up to an amount
40 not to exceed seventy five thousand and 00/100 dollars (\$75,000.00).

41
42 (3) Payment on the second mortgage (principal and interest) shall be deferred for an initial
43 period of five (5) years. Thereafter, the principal shall be amortized over a period of
44 twenty-five years.

- 1 (4) The interest rate to the borrower for the second mortgage shall be zero percent during
2 the first five (5) years and thereafter the interest rate for the second mortgage shall be
3 equal to fifty percent (50%) of the interest rate paid by the borrower at the initial
4 closing of the first mortgage. Any change to the interest rate for the second mortgage
5 assistance program shall be approved by Resolution of the City Commission.
6
7 (5) All units acquired through the assistance of the second mortgage assistance program
8 must be owner occupied and homestead property for the owner.
9
10 (6) The eligible household shall provide a minimum of three percent of the purchase as a
11 down payment for the residential unit. For a down payment above the three percent
12 required by the eligible household, nothing precludes the eligible household from any
13 other source of funds including but not limited to utilizing grants from sources such as
14 the State Housing Initiative Partnership (SHIP) or Home Investment Partnership
15 Program (HOME) or other similar sources to assist with the down payment.
16
17 (7) The second mortgage shall not be assumable.
18
19 (8) Administration of Program: The Community Development Division, Department of
20 Development Services, shall administer the Second Mortgage Assistance Program. A
21 financial institution solicited through the City's Request for Proposal process and
22 approved by the City Commission shall perform the qualification for mortgages of
23 potential eligible households.
24

25 **Sec. 230 Resale of Affordable Housing in the Second Mortgage Assistance Program or**
26 **Change of Status**

27
28 To maintain the availability of affordable housing units pursuant to this Article, the following
29 resale conditions shall be imposed on the affordable housing units and included in the deed,
30 restrictive covenant, or other document approved by the City Attorney's office, and recorded in
31 the Public Records of Broward County, Florida.
32

- 33 (1) Should the affordable housing unit be sold at any time, there shall be shared
34 appreciation between the owner and the City. When the property is sold, the
35 shared appreciation to be paid to the City shall be equal to the percentage of the
36 second mortgage amount divided by the purchase price.
37

38 City's Shared Appreciation = (Second Mortgage Amount/Purchase Price)

39 Owner's Shared Appreciation = 100% minus the City's Shared Appreciation.
40

- 41
42 (2) If the owner pays off the first and second mortgage, together with the City's
43 shared appreciation, the following schedule shall be utilized to forgive a portion
44 of the second mortgage.
45

Time Period	Forgiven Principal
1-5 years	0%
6	10%
7	20%
8	30%
9	40%
10	50%
11	60%
12	70%
13	80%
14	90%
15 to 30 years	100%

1
2 (3) If the owner seeks to refinance the first and/or second mortgage and requests no
3 additional funds from the lender, the owner must provide written notice to city. In
4 addition, the owner will not be required to pay any shared appreciation at the time
5 of the refinancing; however, the shared appreciation must be paid at the sale of the
6 property pursuant to the requirements of this Article.

7
8 (4) Transfers of title under the following circumstances shall be allowed and are not
9 subject to restrictions included in this second mortgage assistance program
10 provided that the property is still the primary residence. Written notification of
11 the designated transfers must be provided to City within ten (10) calendar days
12 after the transfer.

- 13
14 a. Transfers by inheritance to the purchaser-owner's spouse or offspring; or
15 b. Transfers by the owner of record to a spouse as part of a divorce proceeding; or
16 c. Acquisition of ownership or interest therein in conjunction with marriage.

17
18 All other transfers are subject to the requirements of this Ordinance and written
19 notification must be provided to City prior to the commencement of this type of
20 transfer.

21
22 (5) No resales of housing units purchased with the second mortgage assistance
23 program shall be completed until the requirements of this article are met.

24
25 (6) Should the affordable housing unit become non-homestead property, the balance
26 on the mortgage from the second mortgage assistance program shall be
27 immediately due City together with any shared appreciation as outlined in this
28 section as if the unit were sold.

29
30 (7) Should the owner decide to sell the unit at a below market price, an appraisal may
31 be required by city, at the city's expense, and based upon the appraisal, require
32 payment of the city's share of the shared appreciation.

- 1
2 (8) If the owner and city cannot agree on the value of the property to calculate the
3 shared appreciation, an appraisal of the property shall be conducted by an
4 independent property appraiser that has been mutually agreed to by the parties.
5 Should an independent property appraiser be required, the owner and the city shall
6 equally share the cost of the appraiser.
7
8 (9) Should the owner pay the shared appreciation and second mortgage to the city, the
9 owner shall have no further obligation to the city and the appropriate documents
10 shall be recorded in the public records of Broward County, Florida. The owner
11 shall have the obligation to provide written notice to the City of their intent to
12 pay-off the second mortgage and the shared appreciation.
13
14 (10) Should the owner re-finance the first mortgage, the owner must provide written
15 notice to the city.
16

17 **Sec. 231 Affordable Housing Trust Fund**
18

19 The City shall establish an Affordable Housing Trust Fund for the purpose of collecting
20 any and all funds related to the City's Affordable Housing Programs pursuant to this
21 Article. Such funds shall include but not be limited to payment of fees in lieu of
22 inclusionary units, shared appreciation dollars collected at the closing of sales of
23 designated properties, and repayment of principal for the second mortgage assistance
24 program.
25

26 (1) The funds collected for deposit in the Affordable Housing Trust Fund may be
27 utilized for the following affordable housing programs:

- 28 a. second mortgage assistance;
29 b. down payment assistance to eligible households;
30 c. acquisition and construction of affordable housing units;
31 d. resale gap for inclusionary units;
32 e. enhancement of county, state and federal affordable housing programs;
33 and
34 f. rehabilitation of existing affordable housing units.
35

36 (2) The City Commission may from time to time by Resolution authorize additional
37 programs which may be funded through the Affordable Housing Trust Fund.
38

39 (3) The City Manager, or his designee, shall provide the required supervision for the
40 Affordable Housing Trust Account and the City's Financial Advisory Committee shall oversee
41 the account. A financial status report on the Affordable Housing Trust Account shall be
42 provided to the City Commission on or before October 1 of each calendar year.
43
44
45

1 **Sec. 232** **Monitoring and Review**
2

3 The Community Development Division, Department of Development Services, shall monitor the
4 implementation of this provision. On or before October 1 of each calendar, the City Manager
5 shall present a status report to the City Commission on the implementation of this Ordinance.
6

7 **Sec. 233** **Review by the City Commission**
8

9 One year after the adoption of this ordinance, the City Commission shall review its
10 implementation and effectiveness.
11

12 **Section 3.** **Repeal of Conflicting Ordinances.**

13 All prior ordinances or resolutions or parts thereof in conflict herewith are hereby repealed to the
14 extent of such conflict.
15

16 **Section 4.** **Severability.**
17

18 If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or
19 unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect
20 the validity of the remaining portions of this Ordinance.
21

22 **Section 5.** **Inclusion in Code.**

23 It is the intention of the City Commission of the City of Coral Springs, Florida, that the
24 provisions of this Ordinance shall become and be made a part of the City of Coral Springs Code
25 of Ordinances; and that the sections of this ordinance may be renumbered or relettered and the
26 word "ordinance" may be changed to "section," "article," or such other appropriate word or
27 phrase in order to accomplish such intentions.
28
29
30

31 (the balance of this page intentionally left blank)

1 **Section 6. Effective Date.**

2 This Ordinance shall become effective upon adoption by the City Commission.

3 PUBLISHED the 1st day of July, 2006.

4 PASSED FIRST READING the 11th day of July, 2006.

5 PASSED SECOND READING the 15th day of August, 2006.

6 CITY OF CORAL SPRINGS FLORIDA

7
8 Scott
9
10 SCOTT J. BROOK, MAYOR

11 ATTEST:

12 [Signature]
13
14
15 PETER M.J. RICHARDSON, CRM, CITY CLERK

16 Unanimous

17	Motion/2nd		Yes	No
18	<input type="checkbox"/>	Mayor Scott J. Brook	<input type="checkbox"/>	<input type="checkbox"/>
19	<input checked="" type="checkbox"/>	Vice Mayor Gold	<input type="checkbox"/>	<input type="checkbox"/>
20	<input type="checkbox"/>	Commissioner Boccard	<input type="checkbox"/>	<input type="checkbox"/>
21	<input checked="" type="checkbox"/>	Commissioner Bruck	<input type="checkbox"/>	<input type="checkbox"/>
22	<input type="checkbox"/>	Commissioner Mena	<input type="checkbox"/>	<input type="checkbox"/>
23	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

CERTIFICATION

I certify this to be an original official record of the City of Coral Springs. WITNESSETH my hand and official seal of the

City of Coral Springs, Florida, this the 23rd day of August, 2006.

[Signature] City Clerk