

# Equitable Development: Focus on Surplus Lands, TOD, and Long-Term Affordability



AFFORDABLE HOUSING CONFERENCE  
**HOME MATTERS**  
IN FLORIDA

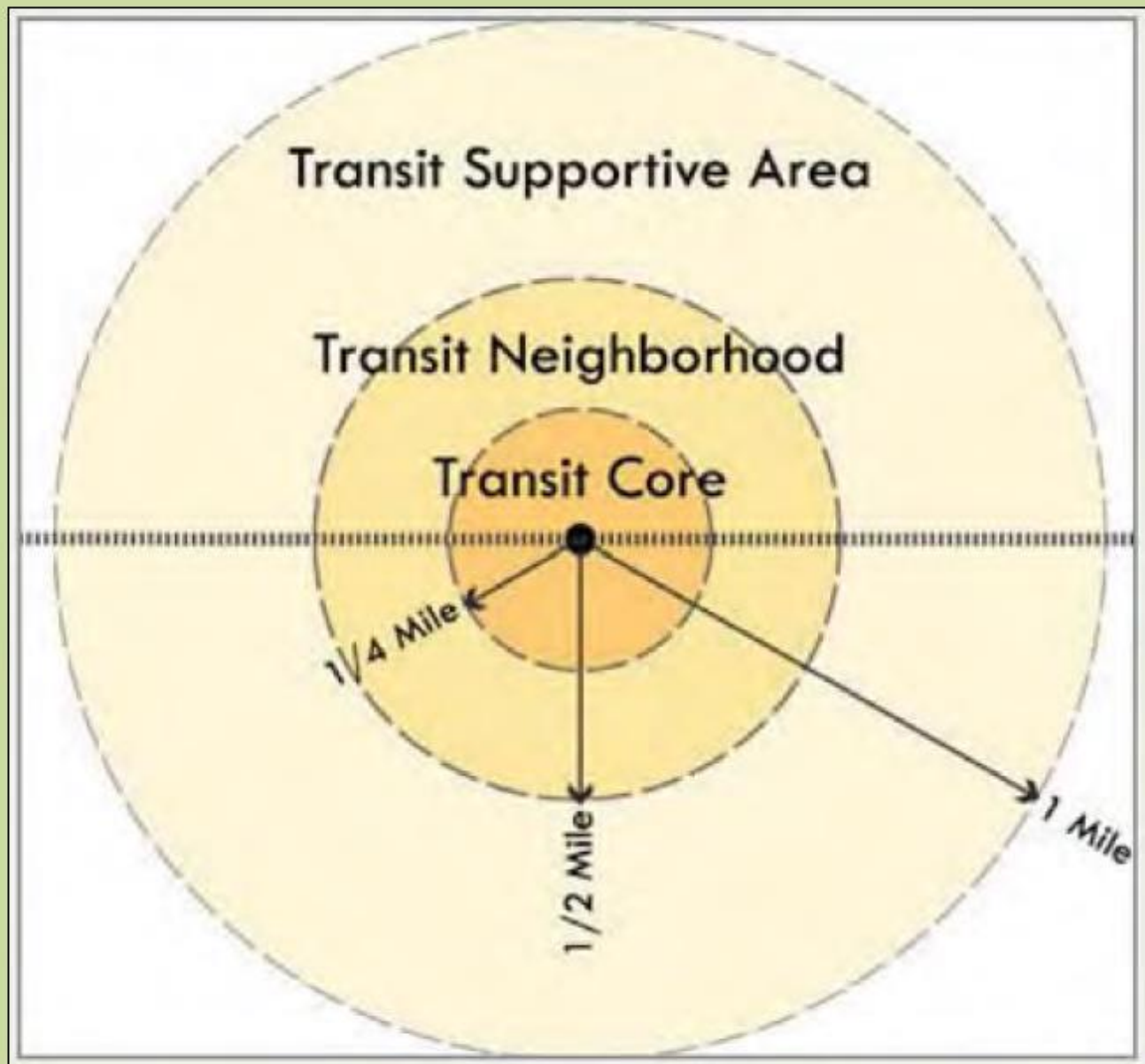




# Surplus Land and Permanent Affordability in Proximity to Transit

Gladys Cook  
The Florida Housing Coalition  
August 27, 2019





# Transit Node Configurations

**Regional Center**



**Community Center**



**Neighborhood Center**



# What is “surplus land?”

Government-owned property that is obsolete, or the continued use of which is uneconomical or inefficient, or that serves no useful function. The government, in its discretion, may classify property as surplus, and may offer surplus property to other governmental units for sale or donation, or may offer the property to private nonprofit agencies.

§274.05, Fla. Stat.



# Surplus Land Authority in Florida

- Florida Surplus Land for Affordable Housing Statutes (§125.379, Fla. Stat. (for counties) or §166.0451, Fla. Stat. (for cities))
- Housing Element (§163.3177(6)(f), Fla. Stat.)
- Consolidated Plan for HUD CPD Resources
- Local Housing Assistance Plan (§420.9071(14), Fla. Stat.; §67-37.005. Fla. Admin. Code)
- Affordable Housing Incentive Strategies (§420.9076(4), Fla. Stat.)

How is surplus land made available for affordable housing?

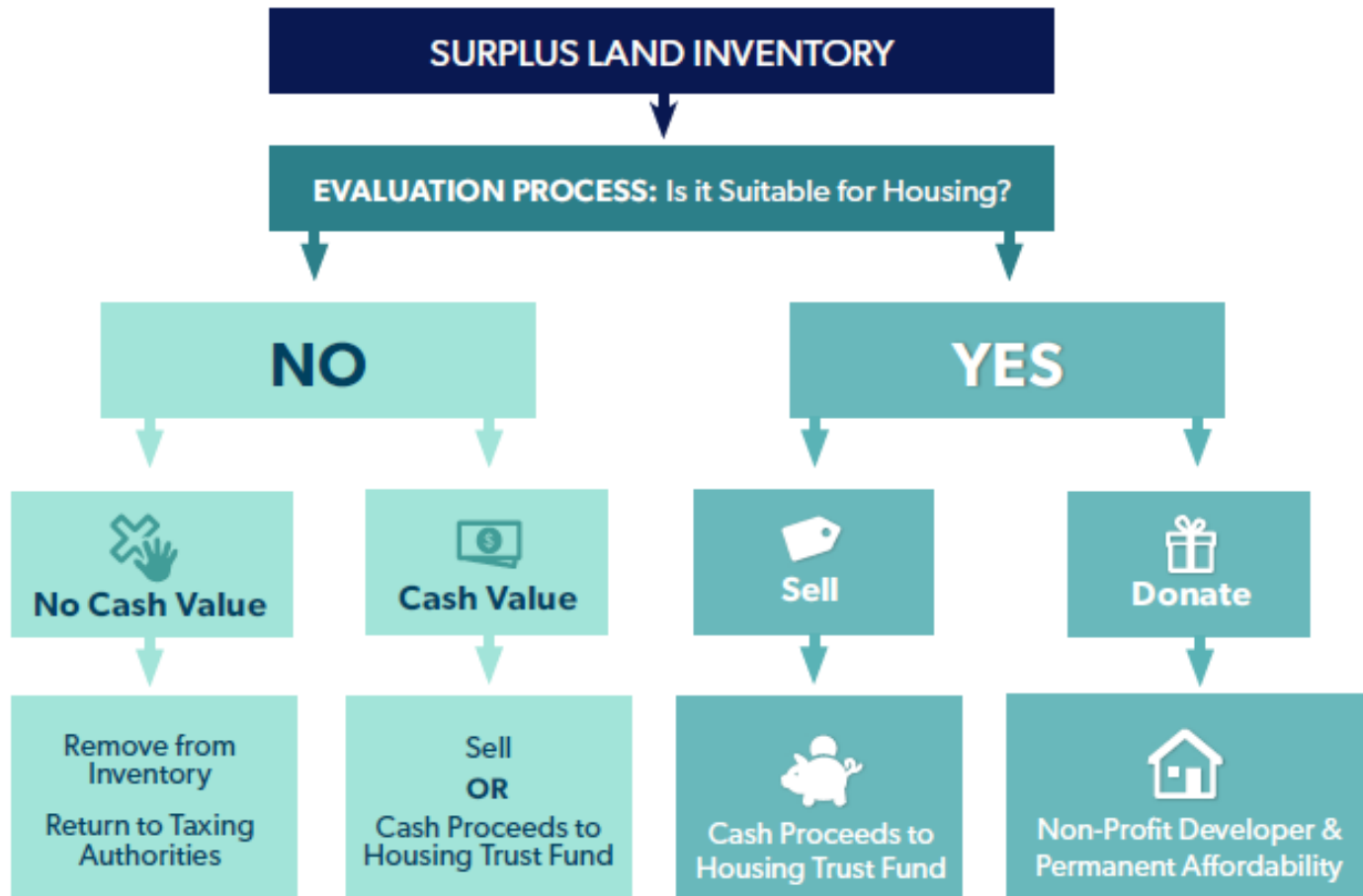
Every 3 years since July 2007, each Florida county and city must prepare an inventory list of all real property owned within its jurisdiction that is affordable for use as affordable housing.

§125.379, Fla. Stat. (Counties)

§166.0451, Fla. Stat. (Cities)



# How is surplus land made available for affordable housing?





How is surplus land determined to be “appropriate for affordable housing?”

Evaluate:

- Environmental issues
- Site characteristics
- Land use and zoning
- Infrastructure
- Proximity to services

# What are the critical policies for a local government to implement in a surplus land program?

- Qualification of recipients to utilize surplus land
- Uses that are appropriate as primary uses and what secondary uses can be permitted
- Long term affordability requirements
- Reversion Clause

# What makes a surplus or publicly owned Parcel suitable?

- Environmentally suitable for building\* (brownfield funding may be available)
- Proximity to infrastructure, schools, transit
- Area of Opportunity, R/ECAP, QCT, LIHTC considerations
- May be assembled or combined with other parcels
- Land Use characteristics
- If not, sell or direct to conservation or recreation space

# Model Surplus Land Program

- Narrowly focused on the goal of returning land to productive use for affordable housing
- Establish land acquisition and evaluation criteria
- Intergovernmental and interdepartmental coordination and cooperation
- Property profile management and tracking system
- Strategic vision
- Funding and staffing

# Program Design

- Budget Considerations
- Evaluation Process
- Disposition Policies
- Application Process
- Tracking
- Ongoing Acquisition Framework
- Site Maintenance Program
- Marketing

# Best Practice in Partnership and Support



**New Construction at Davis Landings West**  
3573 Davis Landings Circle, 33461  
3bd 2 bath  
\$155,000-\$235,000k  
(Price is \$235,000, seller has up to \$79k in purchase assistance for qualified buyers)  
For more info contact Tanya Ward Benjamin at 561-249-6053 or [twardbenjamin@cltofpbc.org](mailto:twardbenjamin@cltofpbc.org) or visit our website at <http://cltofpbc.org>



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# Best Practice in Marketing

## City of West Palm Beach - Properties for Sale

Housing & Community Development

View the information from our current list of available properties.



1 46th Street



2 Greenwood Ave



3 911 8th Street C



4 916 6th Street



5 920 6th Street



6 922 6th Street



7 912 Division Ave



8 623 4th Street



9 620 40th street

Zoom ▾

920 6th Street ✕

Details>>

Content may not reflect National Geographic's current ...

# Miami-Dade Infill Housing Program

- Government-owned property no longer in use or needed
- Surface parking lots of government-owned facilities
- Land donated *in lieu* of satisfying inclusionary zoning requirements
- Private donations of land other than *in lieu* donations
- Land held by nonprofits for future development
- Land acquired specifically for affordable housing using revenue from *in lieu* fees and commercial linkage fees. Land acquisition could focus on transit-oriented development opportunities.

# What is a “land bank?”

- A program or policy established to assemble, temporarily manage, and dispose of real property for the purpose of stabilizing neighborhoods, encouraging reuse or redevelopment, and creating affordable housing.
- An entity established to operate a land bank program

# Statutory Land Banks

- Authorized by state enabling legislation
- Intent is to expedite the judicial foreclosure process of tax delinquent properties
- Authorizes municipalities to foreclose in shortened period of time
- Municipal land bank operates to dispose of land for housing or other uses
- Florida does not have this legislation

# The case for a Multi-jurisdictional Land Bank

- Create a consistent process for accessing and utilizing municipally-controlled land for affordable housing throughout jurisdiction
- Establish a public policy framework which encourages that public land be used in a manner that supports the public benefit (including permanently affordable housing).
- Ensures that transit routes are targeted for housing on surplus land

# Permanent Affordability

- Land Bank with Partnership with Community Land Trust
- Surplus Land Deed Restrictions
- Long term Ground Lease
- Option to Purchase at agreed upon price
- Inclusionary Zoning



# Incentives

- Sales tax refund (similar to Brownfield)
- Supporting infrastructure
- Accessibility
- Development Financing
- Affordable Housing Incentives- Density, zoning relief, design
- Accessory Dwelling Units by right

# Housing in Proximity to TOD is:

- GREEN
- INCLUSIVE
- AFFORDABLE
- CONVENIENT
- EQUITABLE



# FLORIDA'S SURPLUS LAND

STATUTES FOR AFFORDABLE HOUSING:  
A GUIDEBOOK FOR IMPLEMENTATION USING BEST PRACTICES

Available at [www.flhousing.org](http://www.flhousing.org)



THE FLORIDA HOUSING COALITION



# Affordable Housing Incentive Strategies:

A Guidebook for Affordable Housing Advisory  
Committee Members and Local Government Staff



Available at [www.flhousing.org](http://www.flhousing.org)

THE FLORIDA HOUSING COALITION



COMING  
SOON:

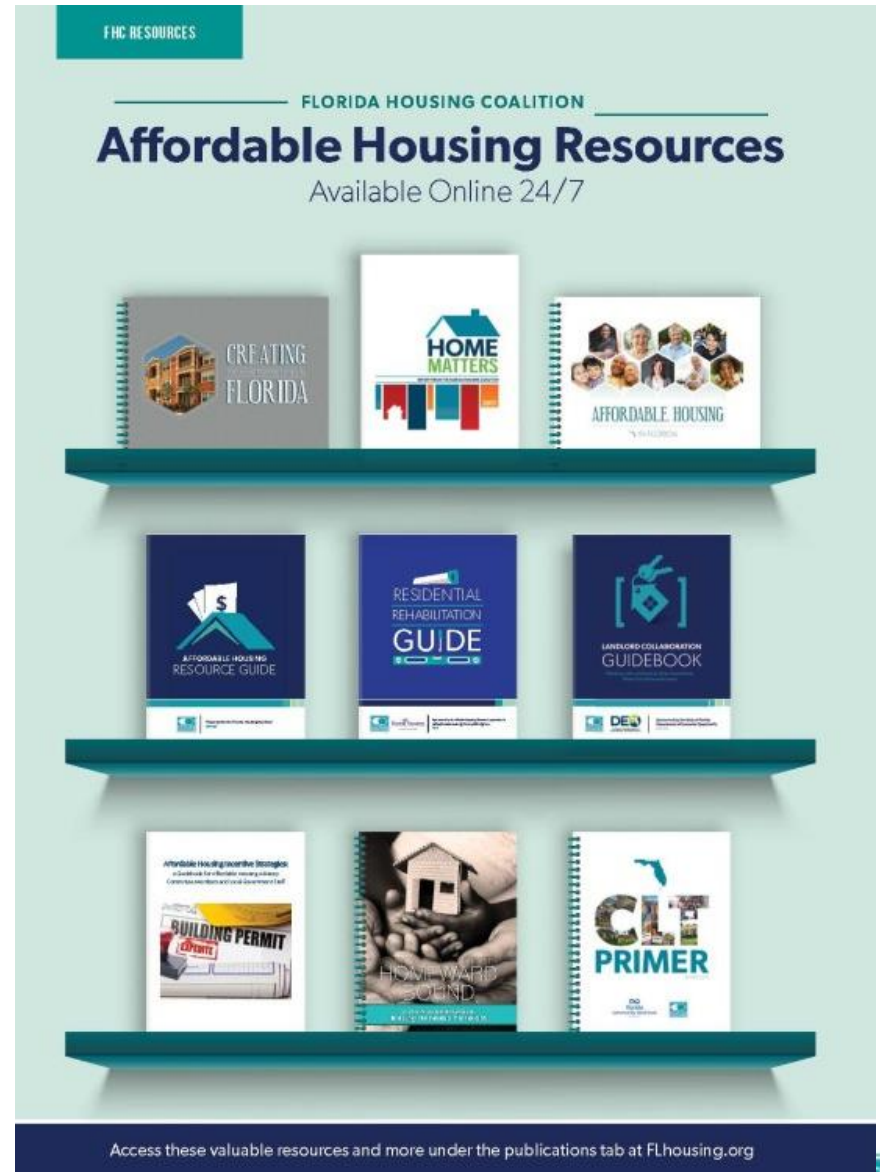
ESTABLISHING A LAND BANK  
PROGRAM: A GUIDE FOR  
LOCAL GOVERNMENTS

THE FLORIDA HOUSING COALITION



# Want to know more?

Visit us at [www.flhousing.org](http://www.flhousing.org) to find housing workshops, webinars, and publications!





# Technical Assistance is Available

Available Daily: 1 (800) 677-4548

## Options for Further Assistance Include:

Phone and Email consultation  
Site Visits

Register at [www.flhousing.org](http://www.flhousing.org) for:

Workshops  
Webinars



THE FLORIDA HO

# Planning for Affordable Housing: Tri-Rail Coastal Link Station Areas

**Isabel Cosio Carballo, MPA**  
**Executive Director**

**Florida Housing Coalition Conference**  
**August 27, 2019**



# Florida's Regional Planning Councils



**Created by Florida Statute, Chapter 186, and Interlocal Agreement**

“The regional planning council is recognized as Florida’s only multi-purpose regional entity that is in a position to plan for and coordinate intergovernmental solutions to growth related problems on greater-than-local issues, provide technical assistance to local governments, and meet other needs of the communities in each region.”

Today there are ten regional planning councils in Florida.



# South Florida Regional Planning Council

- Established in 1974, the Council serves 3 counties – Monroe, Miami-Dade, and Broward Counties, 71 municipalities and over 4.78 million residents in 2018. By 2045, the Region is expected to grow increasingly diverse with an estimated population of 5.8 + million.
- The Miami – Fort Lauderdale – Palm Beach MSA had a 2018 population of almost 6.2 million and which is expected to grow to 7.6 million by 2045.
- The Council is governed by a 19 member board. Two-thirds of our board is comprised of elected officials from the counties and municipalities; one-third are gubernatorial appointees. Ex-officio members include the SFWMD, FDOT, FDEP, and FDEO.

# Our Mission

To identify the long-term challenges and opportunities facing Southeast Florida and assist the Region's leaders in developing and implementing creative strategies that result in more prosperous and equitable communities, a healthier and cleaner environment and a more vibrant economy.



# Southeast Florida Transit-Oriented Development Study

A project of the FTA, SFRTA, SFRPC, and TCRPC

## SFRPC Projects and Partners:

- **Affordable Housing Needs & Strategies** (Florida Housing Coalition)
- **Bicycle/Pedestrian Transit Access Plans** (Alta Planning + Design) for Delray Beach, North Miami Beach, Hollywood, and Wilton Manors)
- **Water and Wastewater Infrastructure Analysis** (Florida Atlantic University)
- **TOD Fund Business Plan** (Florida Atlantic University)

















## TCRPC Projects:

- **Station Area Plans** for Miami, North Miami Beach, Hollywood, Wilton Manors, Oakland Park, Delray Beach, and Palm Beach Gardens

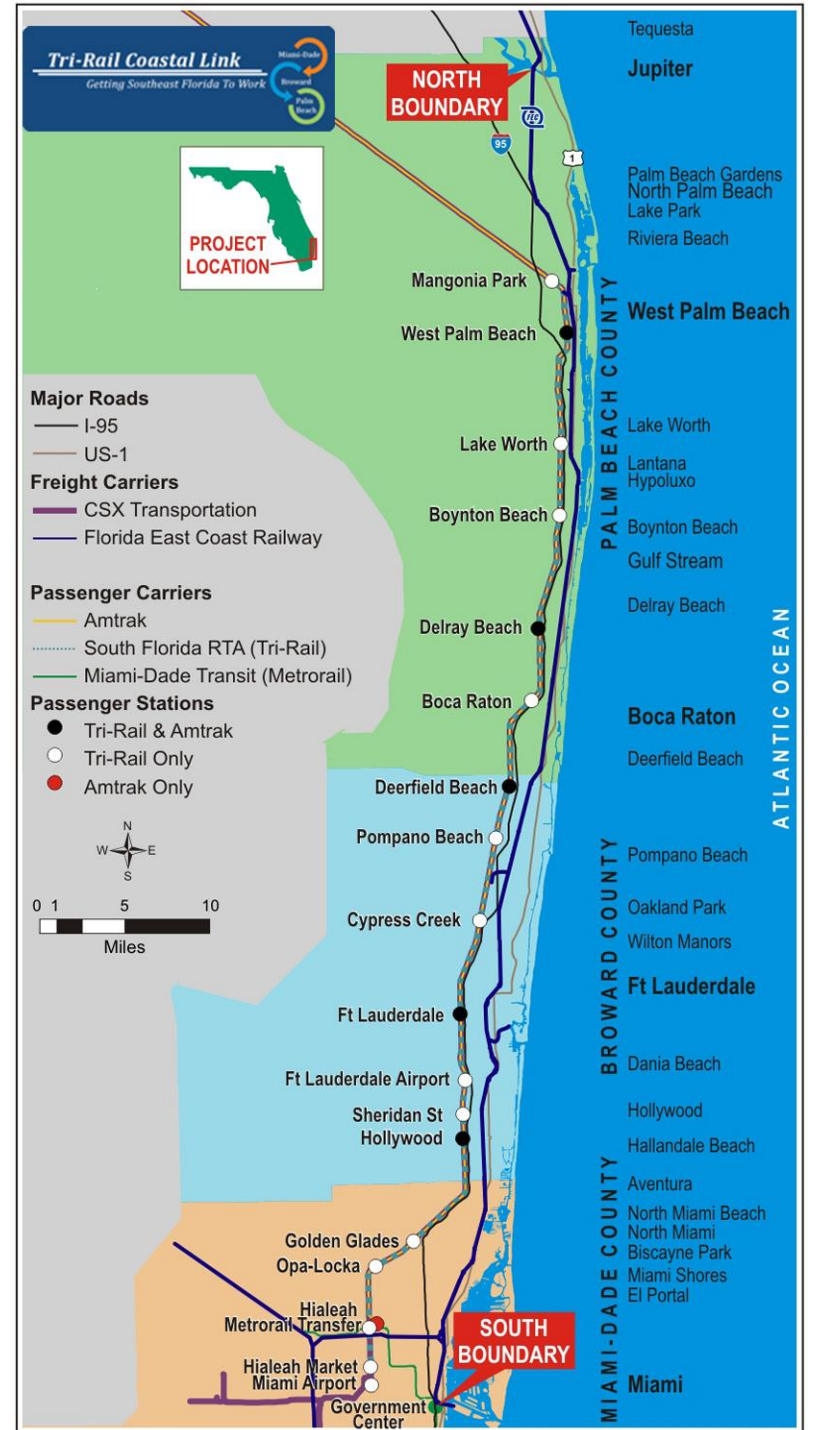




# Southeast Florida “Region in Motion”

	Trend	1: Suburban Expansion	2: Strategic Upgrades	3: Region in Motion
Farmland Consumed	 <p>250+ Sq. Miles</p>	 <p>480+ Sq. Miles</p>	 <p>150 Sq. Miles</p>	 <p>60 Sq. Miles</p>
Infrastructure Cost (Transportation, Water, Sewer, Utilities)	 <p>\$31.3 Billion</p>	 <p>\$38.1 Billion</p>	 <p>\$26.4 Billion</p>	 <p>\$24 Billion</p>
Single Family Homes vs. Condos, Apartments & Townhomes	 <p>SF 85% Multi 15%</p>	 <p>SF 90% Multi 10%</p>	 <p>SF 75% Multi 25%</p>	 <p>SF 65% Multi 35%</p>
Transportation Choices				







# About the Study

28 Proposed Station Areas; 85 miles of FEC Rail Corridor  
– Miami to Jupiter

Two Data Indices:

- The degree to which each station area experienced increased housing costs between 2010 and 2017
- The degree to which residents living in each station area are vulnerable to displacement assuming housing costs continue to rise, through natural market forces or through development of the TRCL commuter rail.

Study estimates existing affordable housing demand by tenure type in each station, and projects housing supply and demand in 2025.

Includes strategies to preserve and/or promote affordable housing. Two stations were reviewed and analyzed in depth.



**AFFORDABLE HOUSING NEEDS & STRATEGY:**  
A REPORT ON PLANNED TRCL STATIONS IN SOUTH FLORIDA





# About the Study

**Area of Study** – 1 mile radius around the proposed Station Area

## Summary Findings

- Housing Demand varies considerably from station to station.
- Extremely low-income (30% or below AMI) face universal shortage of affordable housing
- There is ample homeowners units affordable to moderate-income households (60 – 120% AMI)
- Many stations are located near rapidly gentrifying communities with populations that are highly vulnerable to displacement
- Reducing transportation costs may benefit neighborhood residents significantly reducing the threat of displacement



**AFFORDABLE HOUSING NEEDS & STRATEGY:**  
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# About the Study

**Due Diligence** - Planning and Housing Officials were interviewed about affordable housing trends, local incentives for affordable housing, and specific initiatives of plans in their area for promoting affordable housing.

An **Advisory Group** of 25 business, non-profit, academic and government leaders was assembled for a series of meetings to provide input and guidance.

**Program Eligibility Research** was undertaken to identify possible subsidies sources such as SHIP, HUD Community Planning and Development Program Funds (CDBG, HOME Investment Partnerships, and other programs), CRA funding, TIF, Opportunity Zones and Place-based incentives, Brownfields, Difficult Development Areas (DDA), Low- and Moderate-Income Individuals (LMISD), and Opportunity Areas.



**AFFORDABLE HOUSING NEEDS & STRATEGY:**  
A REPORT ON PLANNED TRCL STATIONS IN SOUTH FLORIDA



# About the Study

## Project Managers:

- Christina Miskis, Regional Planner, SFRPC
- Ben Toro-Spears, Technical Advisor, Florida Housing Coalition



**AFFORDABLE HOUSING NEEDS & STRATEGY:  
A REPORT ON PLANNED TRCL STATIONS IN SOUTH FLORIDA**





# Study Objectives

1. Highlight tools for preserving and promoting housing affordability in station areas
2. Understanding the Market
  - Housing Gap Analysis
  - Housing Indices
3. Develop an Action Plan for two Station Areas
  - Downtown Boynton Beach and 36<sup>th</sup> Street Station (Wynwood)



# Tools for Preserving & Promoting Housing Affordability

- Research revealed inconsistent understanding of the tools and strategies available for promoting development or preservation of affordable housing.
- The Study includes national and local models, factors to consider for implementation, and an overview.
- Strategies vary according to city types, densities, and land uses. Some strategies are in dense, fully developed downtowns while others are semi-dense and in suburban or industrial areas. The strategies are organized by the broad economic environment – expensive, inexpensive, and universal.

1. Zoning flexibility
2. Dedicated housing trust fund
3. Accessory Dwelling Unit (ADU) supportive policies
4. Linkage fee ordinance
5. Inclusionary housing policy
6. Airbnb/Vacation rental revenue
7. Robust surplus lands policy
8. Targeted code enforcement
9. Targeted rehabilitation program
10. Employer-Assisted Housing Program (EAHP)
11. Adaptive reuse
12. Community Land Trusts (CLT)
13. Affordable Housing Ombudsman/Liaison
14. School system / large employers
15. Opportunity Zone strategy

Which to  
use?



Who should  
implement?



How to  
prioritize?

# Understanding the Market Housing Gap Analysis

This analysis examines the difference between what renters and homeowners in the area can afford and the homes and rental units actually available.

An in-depth analysis is presented in each station profile along with major trends by jurisdiction and hot spots.

# Understanding the Market Housing Gap Analysis Assumptions

1. Housing expenses should not exceed 30% of HH income for renters.
2. Three income bands based on tract's respective county median HH income:
  1. 0 – 30% AMI
  2. 30.1 – 60% AMI
  3. 60.1 – 120% AMI

# Understanding the Market

## Housing Gap Analysis Assumptions

### 3. Homeowner analysis:

A. 25% cost burden threshold (maintenance, interest, etc.).

B. 4.35% annual interest rate (median 30-year mortgage rate according to Freddie Mac primary mortgage market survey as of 2/28/19; 4.07% 5/22/19).

- [http://www.freddiemac.com/pmms/pmms\\_archives.html](http://www.freddiemac.com/pmms/pmms_archives.html)

C. 3% down payment.

# Understanding the Market Housing Gap Analysis Findings

- Overall, the gap for low- and moderate-income individuals has shrunk with large gains in affordability for people in the 30.1 – 60% AMI.
- There are a surplus of options for low-income homeowners, and the surplus of options for moderate-income renters and homeowners has more than doubled. Extremely low-income homeowners and renters still face serious housing gaps with less affordability in the extremely low income range.
- Biggest challenge in wealthy, well-educated areas.



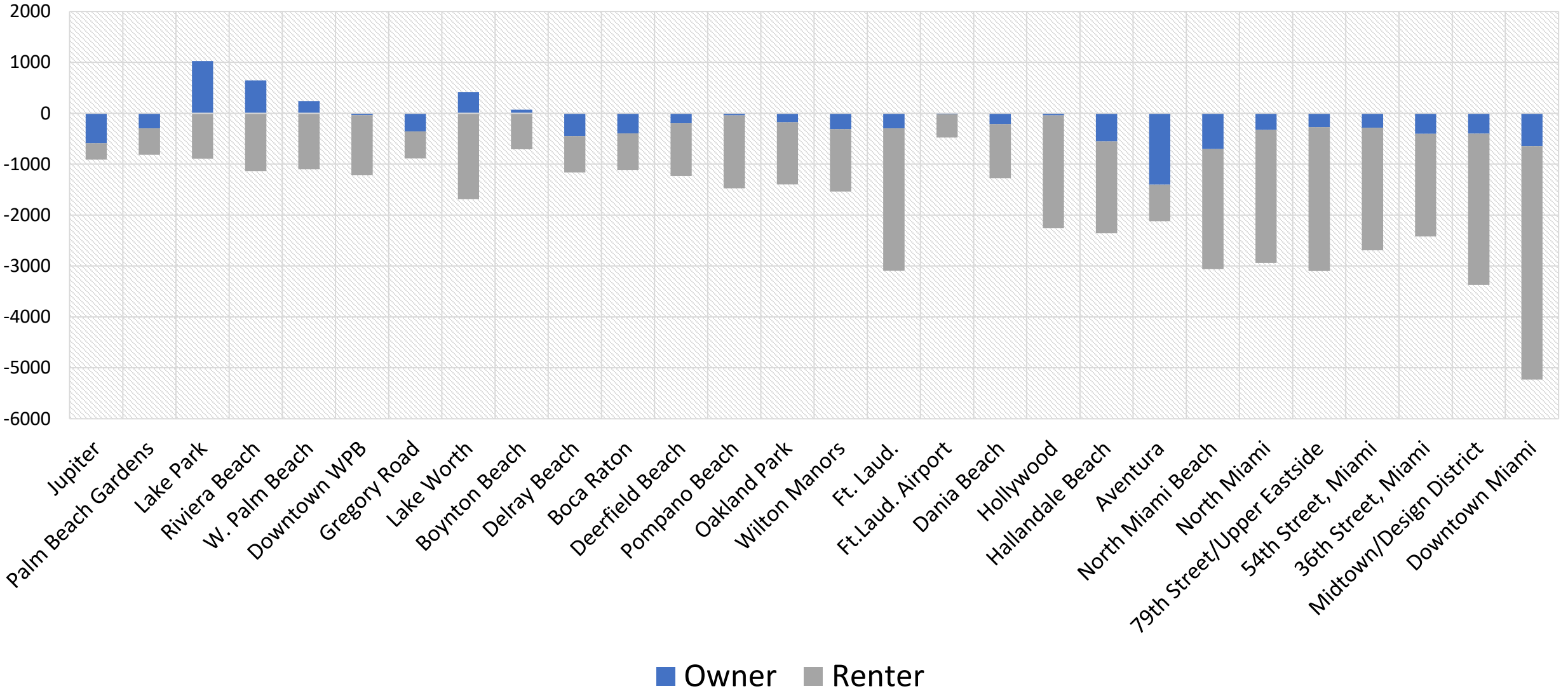
# Housing Gap Analysis

Four publicly available census data sets were used:

1. Gross rent by rent thresholds to measure supply of rental units
2. Home value thresholds and number of units per census tract to measure supply of units
3. Tenure by household income to measure demand
4. Median household income for all households to identify income band thresholds



## Housing Gap Analysis, 0-30% AMI Households

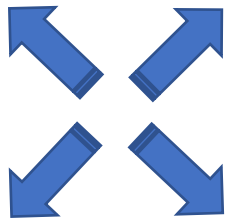


# Understanding the Market Housing Resilience Index (HRI) & Housing Instability Index (HII)



## Direction

How is the neighborhood changing?



## Vulnerability

Is the population vulnerable to displacement?

# Understanding the Market Housing Resilience Index (HRI) & Housing Instability Index (HII)

**Product:** Development of Station Area typology based on two housing affordability indices

**Housing Instability Index (HII)** - Identification of census tracts where there has been rapid changes in housing cost burden and demand-side pressure on housing.

- Percent change in population between 2010 and 2017
- Percent change in rental housing cost burden between 2010 and 2017
- Percent change in median gross rent as a share of household income between 2010 and 2017

# Housing Instability Index (HII)

1. Population Change
2. Cost Burden Change
3. Rent Change

2010 - 2017



Higher Numbers  
are "BAD"

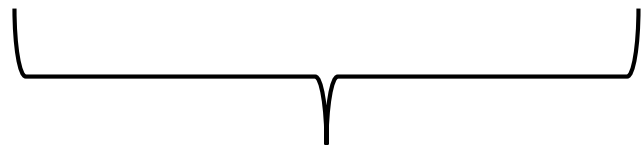
# Understanding the Market Housing Resilience Index (HRI) & Housing Instability Index (HII)

**Housing Resiliency Index (HRI)** – Ability to weather shifts in housing costs

- Household Income in 2017
- Poverty rate in 2017
- Unemployment in 2017
- Educational Attainment in 2017

# Housing Resiliency Index (HRI)

1. Household  
Income
2. Poverty
3. Unemployment
4. Education



2017



Higher Numbers  
are “GOOD”

# Housing Resiliency & Housing Stability Indices

Z-Score

$$z(i) = \frac{(i - \mu)}{\sigma}$$

$i$  = indicator

$\mu$  = MSA average

$\sigma$  = MSA's standard deviation

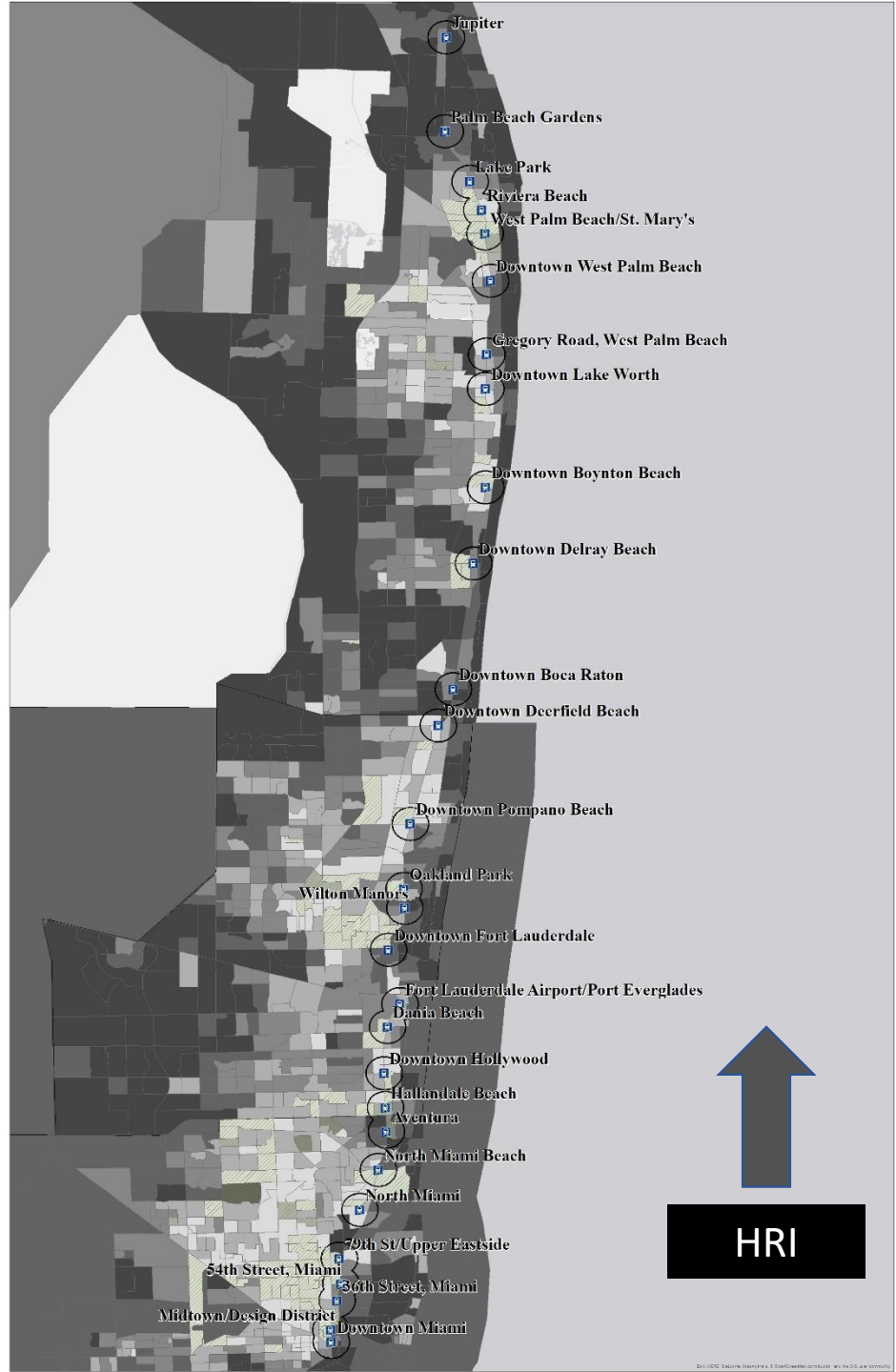
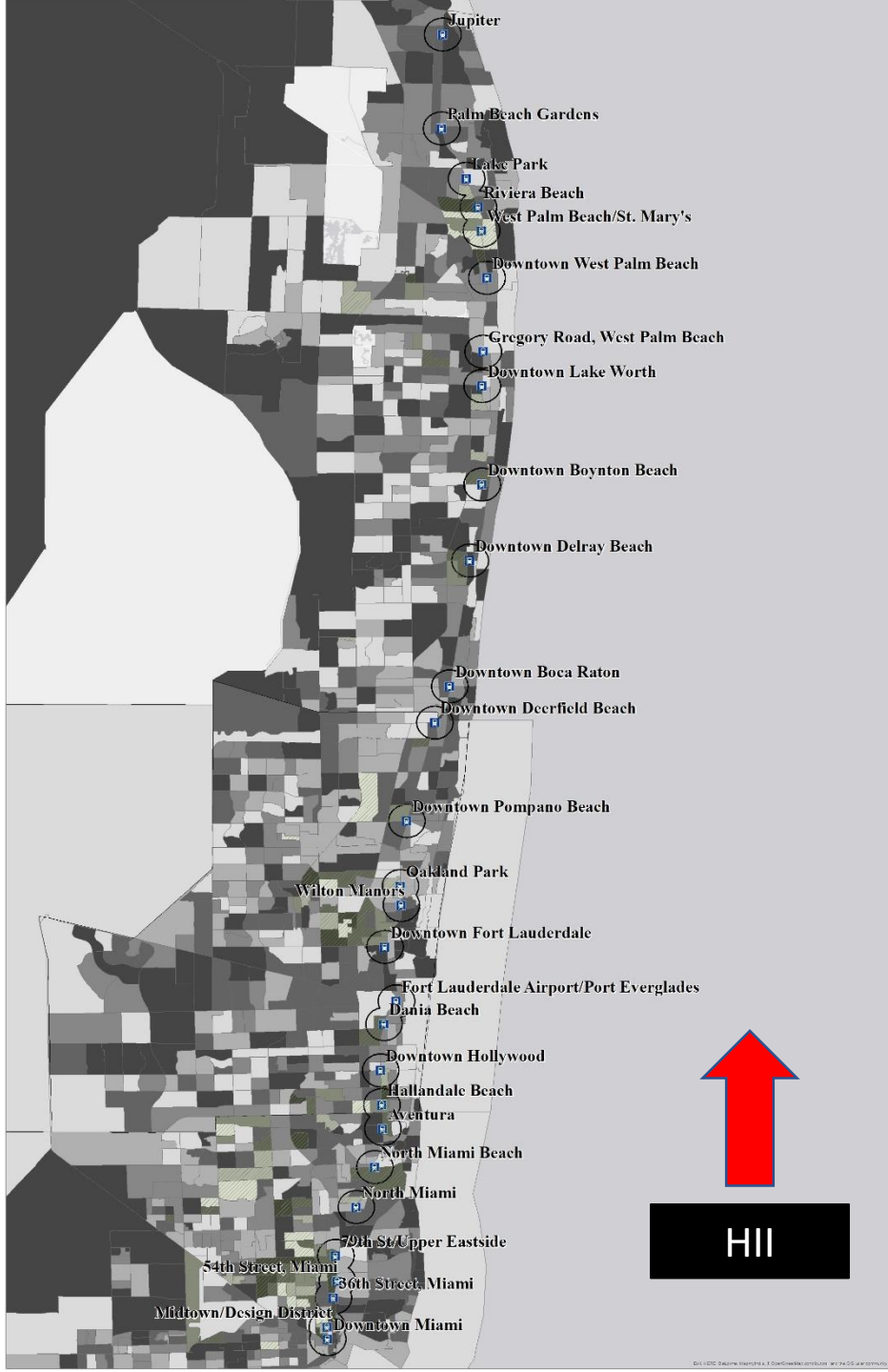
Composite Score

$$C = \frac{1}{n} \sum_{i=1}^n xi$$

$xi$  =  $i$  value

$n$  = number of indicators



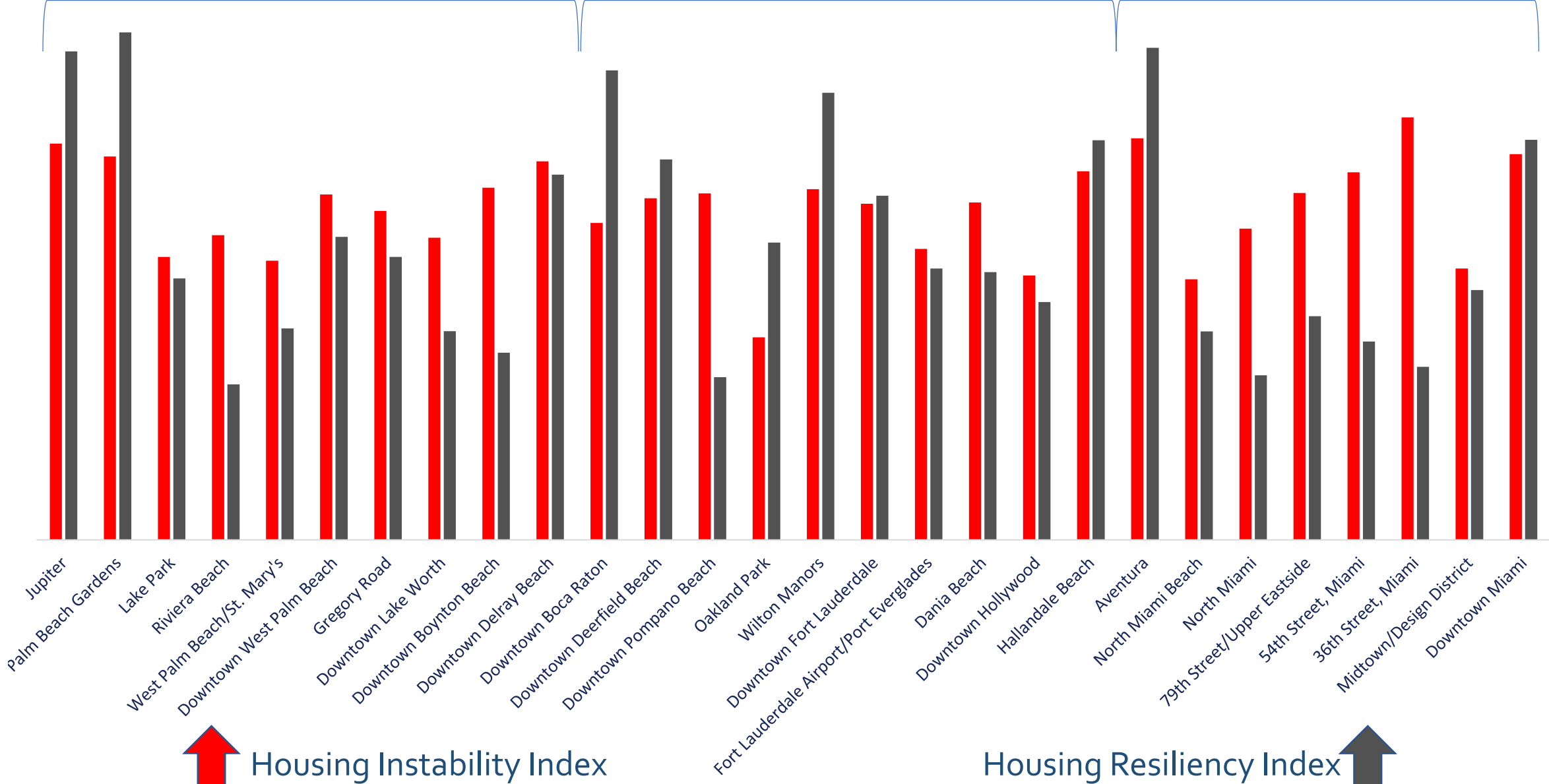


# Index Values by Station

Palm Beach

Broward

Miami-Dade



Housing Instability Index

Housing Resiliency Index



# Understanding the Market Summary of Results

The majority of station areas in Palm Beach and Miami-Dade counties show  $HII > HRI$ , meaning that, compared to all of the census tracts in the three-county area, the areas around these stations are less wealthy and are showing rising cost burden, population change, and rising rents.

In Broward, 6 out of 10 stations have  $HRI > HII$ . Residents in these station areas are less vulnerable than those in Miami-Dade and Palm Beach. In the remaining 4 stations, there is less disparity between  $HRI$  and  $HII$  with the exception of Pompano Beach.

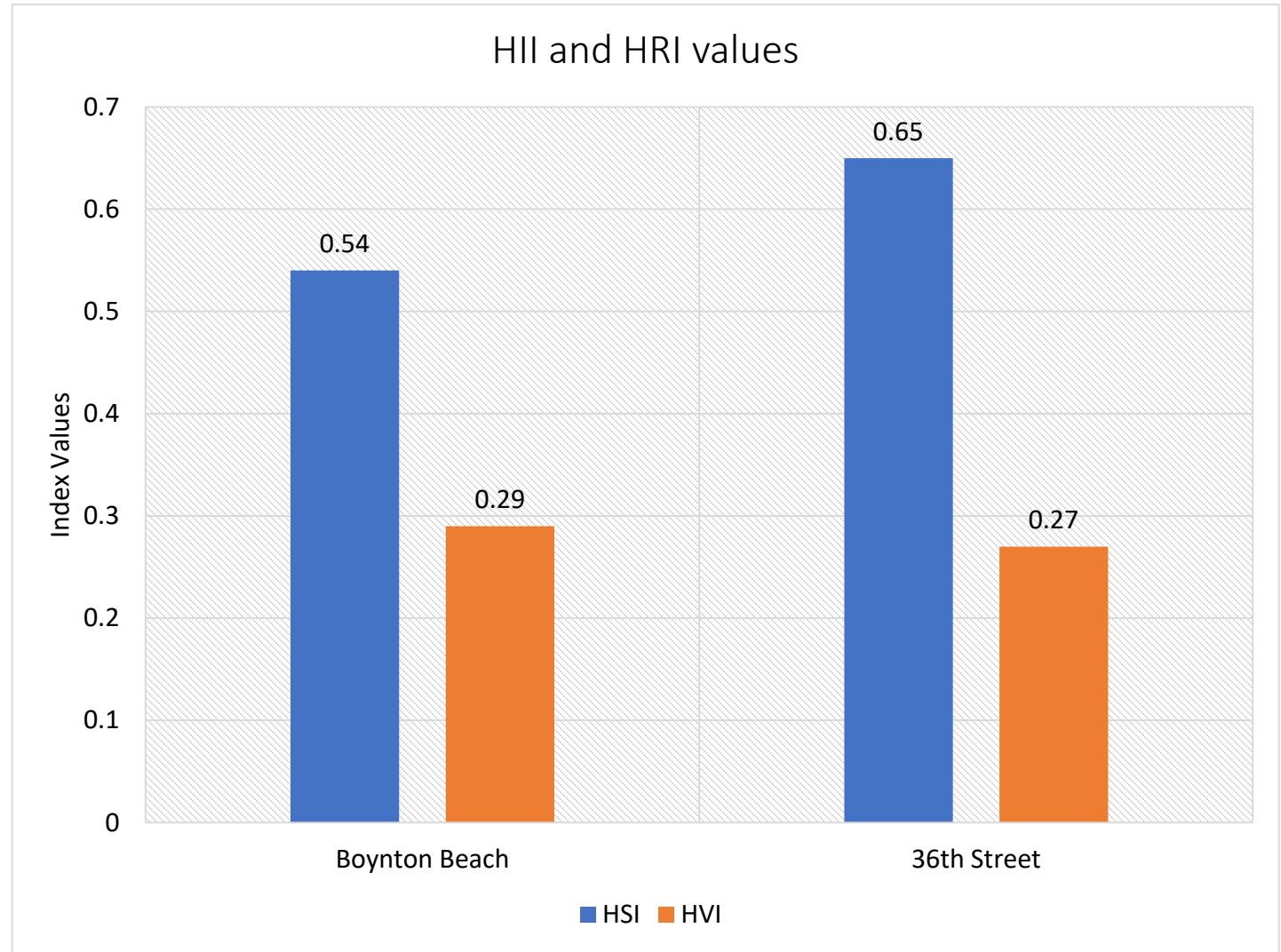
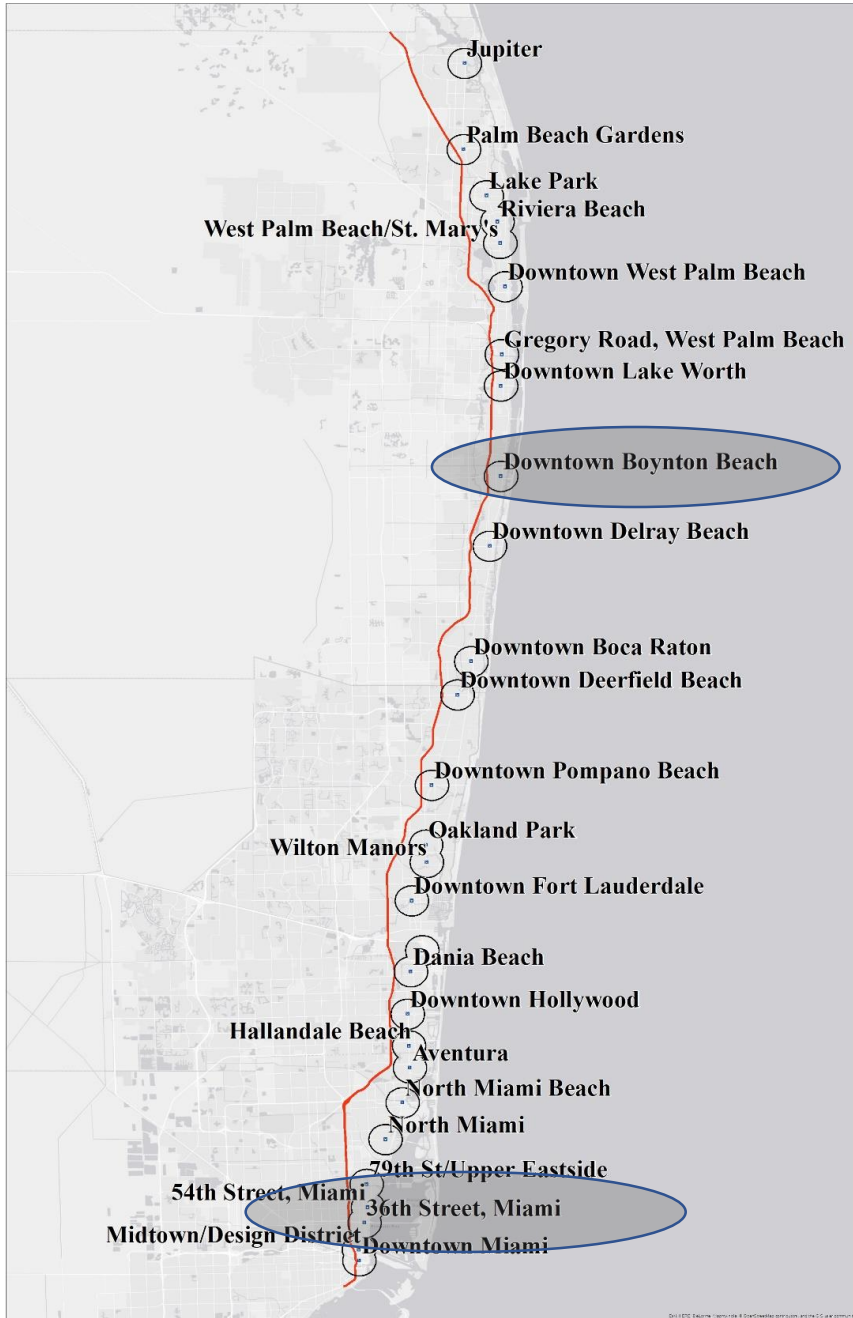
# Developing an Affordable Housing Strategy

## Station Area Deep Dives

Station area “Deep Dives” were prepared for two station areas.

1. Downtown Boynton Beach
2. 36<sup>th</sup> Street in Miami (Wynwood)

# Selected Stations



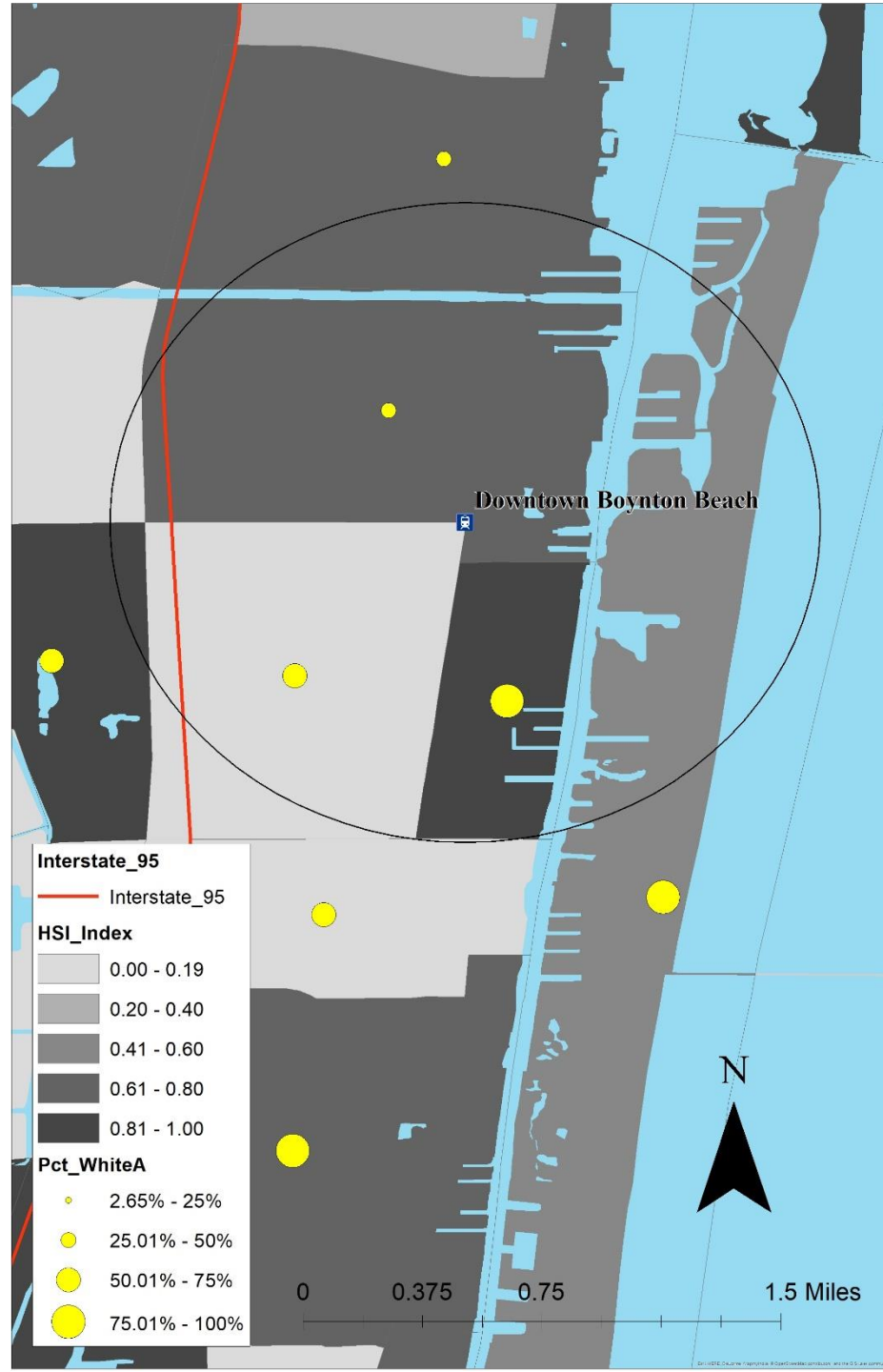
High HII is "BAD"

High HRI is "GOOD"





# Downtown Boynton Beach Market Characteristics



- High poverty
- Low median income
- Low educational attainment
- Rapid increase in housing costs

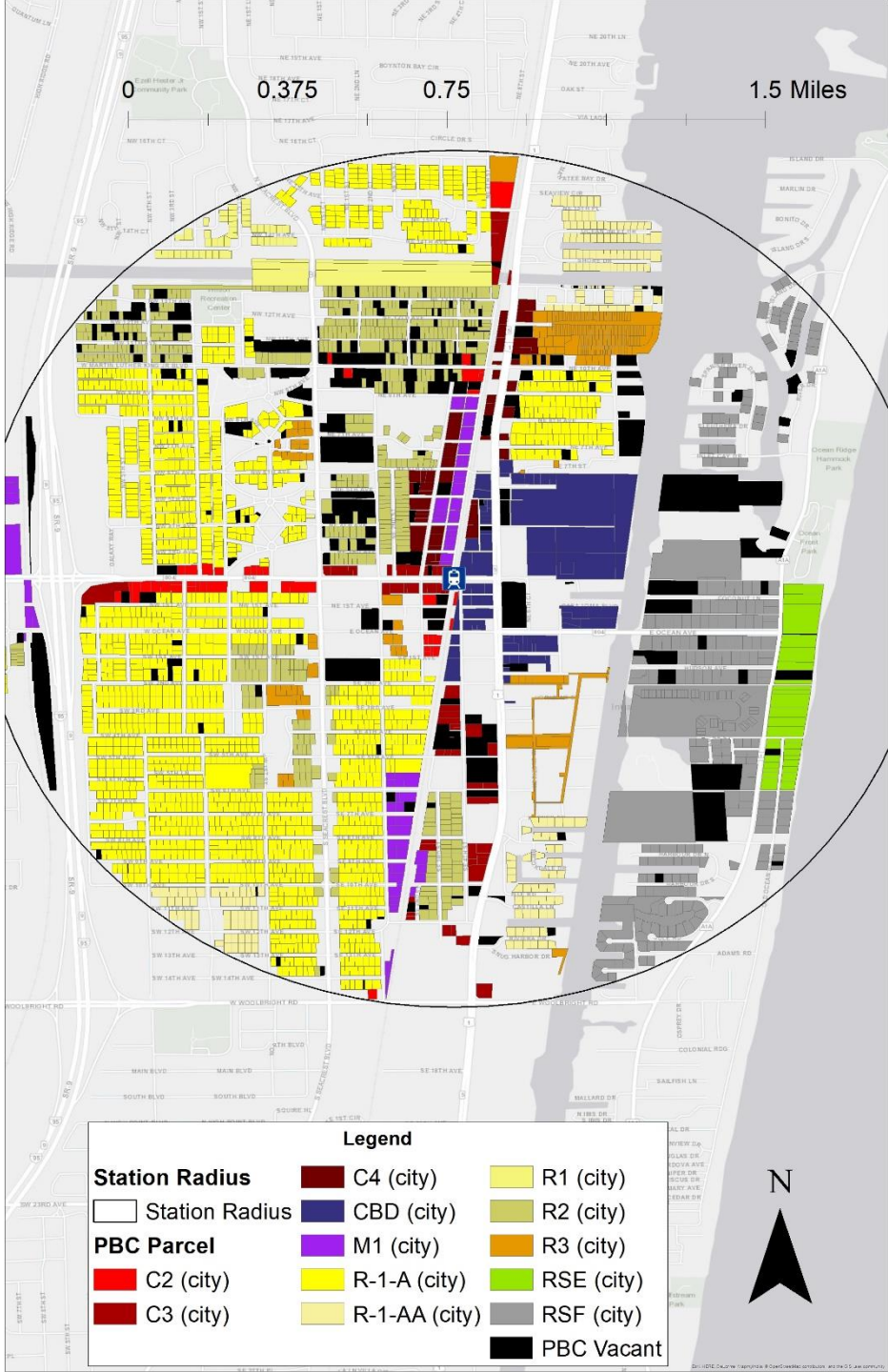


# Downtown Boynton Beach



Zoning Category	Zoning Code	Parcels	Acres
Commercial	C3	74	43.6
	C2	66	19.4
	C4	50	17.9
	CBD	76	59.7
Light Industrial	M1	69	26.2
Multi-Family Residential	R3	214	46.6
Single Family Residential	RSF	299	155.4
	R1	54	27.5
	R-1-A	1551	302
	R-1-AA	201	40.3
	R2 (duplex)	723	121.7
Vacant	Residential	314	83.2
	Commercial	72	29.1
	Industrial	3	8.9

# Downtown Boynton Beach



	Min. Lot Area	Max. Structure Height	Min. Living Area	Max. Lot Coverage
R-1-A (~1550 parcels)	7,500 square feet	30 feet	1,400 sf	45%
R-1-AA (~200 parcels)	8,000 sf	30 feet	1,600 sf	45%
R2 (duplex) (~700 parcels)	4,500 sf	25 feet	750	40%

# Downtown Boynton Beach Determine Subsidy Eligibility

Program Eligibility							
HUD?	SHIP?	LMISD?	CRA (TIF)?	OZ?	B'field?	DDA?	Opp. Area?
CDBG; ESG; HOME; HOPWA	Y	Y	Y (Y)	Y	Y	Y	Y

# Downtown Boynton Beach Affordable Housing Strategies

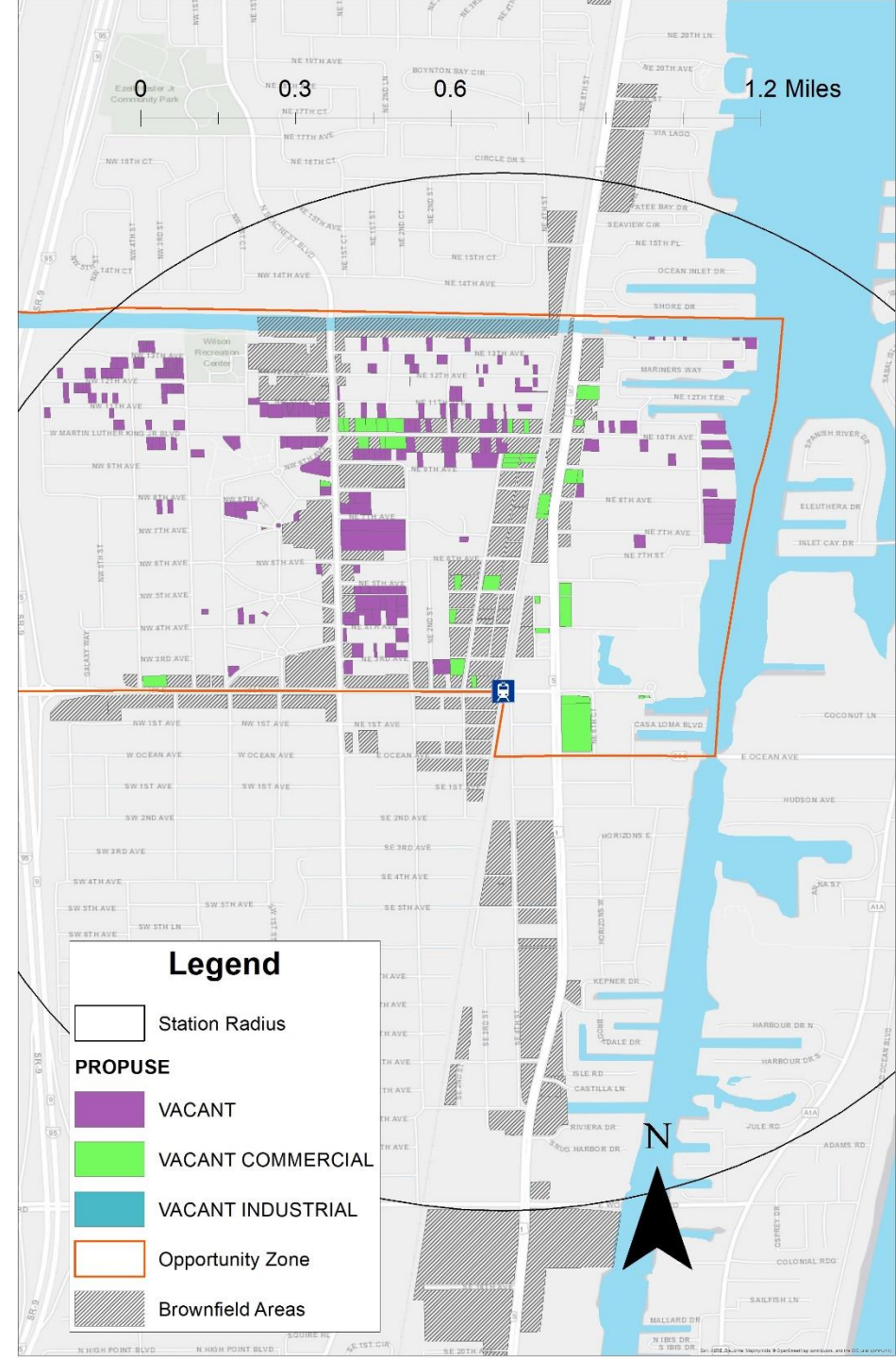
## Downtown Boynton Beach

1. Vacant R2 acquisition strategy
2. Place-based projects (Opportunity Zone/Brownfield)
3. ADU supportive policies
4. Code enforcement and surplus lands



# Housing Strategy: CLT Acquisition

- Vacant R2 acquisition strategy – CLT
  - 168 R2 vacant parcels in station area.
- OZ adaptive reuse
- Brownfield program





# Housing Strategy: Brownfield program

- Sales tax refund for building materials (only for projects with 20% affordable units)
  - Mixed-use project: at least 20 % of the square footage must be for low-income and moderate-income housing
- Voluntary cleanup tax Credit
  - Tax credit on eligible costs for environmental cleanup work
  - 50% state tax credit provided, up to a maximum annual \$500,000 per site
- Bonus for affordable housing sites
  - Additional tax credit bonus for 25% of the environmental costs incurred and paid over project's lifetime, up to a maximum \$500,000 award.
- Other State incentives
  - Job Bonus Tax Refund
    - Business may be eligible for up to \$2,500 in tax refunds for each new job created.



# Housing Strategy: ADUs

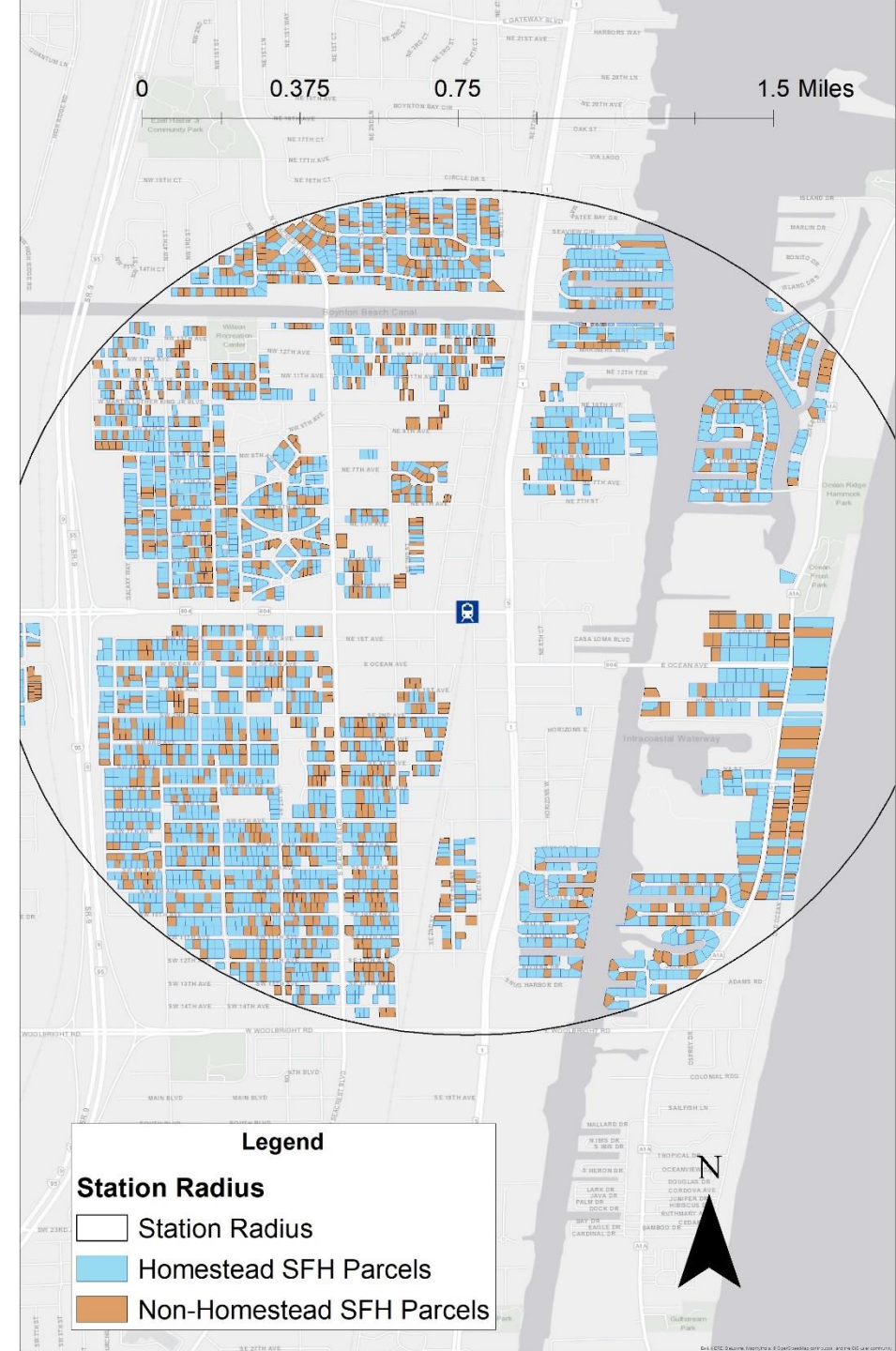
Accessory Dwelling Units  
are not permitted in  
Boynton Beach.



# Housing Strategy: Code Enforcement

- 36.7% of SFH parcels are non-homestead properties.

	Parcels	Total Sale Value, 2016	2017	2018
Homestead	1,350 (63.3%)	\$39.6 million (56.0%)	\$29.9 (51.2%)	\$16.9 (10.3%)
Non-Homestead	784 (36.7%)	\$31.0 (44.0%)	\$28.5 (48.8%)	\$147.6 (89.7%)
Total	2,134	\$70.6	\$58.4	\$164.5





## In Closing ...

The Study is a vital step in the realization of the full potential of the Tri-Rail Coastal Link (TRCL): a *regional passenger rail service planned along the FEC railway*. The TRCL and the associated TOD will create opportunities for economic development and affordable housing around stations, create jobs, and improve regional access and mobility. A robust outreach and community engagement process was undertaken to ensure active engagement of stakeholders.



Thank you!

[www.sfregionalcouncil.org](http://www.sfregionalcouncil.org)