



ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



2024 UPDATE
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Planning, Zoning and Strategic Division
12300 Forest Hill Boulevard
Wellington, FL 33414

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Executive Summary

As an entitlement community eligible for Community Development Block Grant (CDBG) funds through the U.S. Department of Housing and Urban Development (HUD), the Village of Wellington (Wellington), Florida has established a commitment to affirmatively further fair housing choice for existing and future residents. As a statutory requirement under the CDBG Program, Wellington must certify to Affirmatively Further Fair Housing and ensure its grants will be administered in compliance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act of 1968.

Pursuant to CDBG regulations [24 CFR Subtitle A §91.225(a) (1)], to receive CDBG funds, a jurisdiction must certify that it “actively furthers fair housing choice” through the following:

- Completion of an Analysis of Impediments to Fair Housing Choice (AI);
- Actions to eliminate identified impediments; and
- Maintenance of fair housing records.

Entitlement communities such as Wellington meet this obligation by performing an “Analysis of Impediments to Fair Housing Choice (AI)” and implementing strategies and actions to overcome any impediments to fair housing choice based on the community’s history, circumstances, and experiences. This report presents a demographic profile of Wellington, assesses the extent of fair housing issues among specific groups, and evaluates the availability of a range of housing choices for all residents. This report also analyzes the conditions in the private market and public sector that may limit the range of housing choices or impede a person’s access to housing.

This Executive Summary has been prepared to provide a clear understanding of the various issues regarding fair housing choice in Wellington. Characteristics such as population growth, income variances, and racial/ethnic data are discussed in brief and are intended only to provide the reader a concise summary of these issues and their relationship to the ability of persons to find and occupy fair and affordable housing. Readers desiring a more thorough discussion and analysis of these issues are encouraged to review the entire document.

In carrying out its Analysis of Impediments to Fair Housing Choice, Wellington has relied upon the following definitions regarding fair housing choice and impediments as outlined by HUD:

- **Fair Housing Choice** – The ability of persons of similar income levels to have available to them the same housing choices regardless of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability [herein referred to as citizens of protected classes]; and
- **Impediments to Fair Housing Choice** – Defined as any actions, omissions, or decisions taken because of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability that restrict housing choices



or the availability of housing choices, or any actions, omissions, or decisions that have the effect of such restrictions.

Historical Overview

Once referred to as the “World’s Largest Strawberry Patch,” Wellington, Florida was officially incorporated on December 31, 1995. However, the area known as Wellington was created through a large land purchase, over 18,000 acres, by Charles Oliver Wellington, an accountant and investor from New York, in 1951. Beginning in 1953, with the assistance of the State of Florida in the creation of the Acme Drainage District, which was designed to control flooding in the area, residents began to migrate to the area of Wellington. During this time, portions of land were being leased and sold to farmers, including 2,000 acres for strawberries giving the area the “World’s Largest Strawberry Patch” distinction.

Today, Wellington is an affluent and thriving community that continues to strive to be unique. It is recognized as the winter equestrian capital of the world, hosting an equestrian festival that runs from January through March of each year. As of the 2022 American Community Survey Estimates, the population of Wellington was 61,373 residents (2018-2022 ACS, DP05).

Demographics

As of the 2018-2022 American Community Survey 5-Year Estimates from the U.S. Census Bureau, Wellington had a total population of 61,373 residents. Wellington’s racial makeup was estimated to be 64.8% White; 10.9% Black or African American; 0.20% American Indian and/or Native Alaskan; 5.4% Asian; 0% Pacific Islander; 4.2% from some other race and 14.6% from two or more races. Additionally, 27.3% of residents were estimated to be Hispanic or Latino of any race (2018-2022 ACS, DP05). In Wellington, there were estimated to be a total of 21,163 households of which 77.5% (16,391) were family households, with 47.8% (7,842) having children under the age of 18 years. Of the total number of family households in Wellington, 62% were estimated to be married couples living together, 5.4% had a male head of household with no wife present, and 10% had a female head of household with no husband present. The average household size was estimated to be 2.90 persons and the average family size was 3.31 persons (2018-2022 ACS, S1101).

Economic Analysis

As of the 2022 American Community Survey 5-Year Estimates from the U.S. Census Bureau, the median income for a family in Wellington was \$122,370, and the median income for an individual household was \$49,261 for females and \$65,893 for males. The median income for a family in Wellington is significantly higher than that of residents in West Palm Beach and Boca Raton, where the median income was \$71,138 and \$88,620 for 2022 respectively. The higher median income level in Wellington relative to its surroundings is due to a smaller portion of the population earning a higher income than others in the area, which provides outliers in the data and gives a distorted depiction of the area (2018-2022 ACS, S1903).



Protected Class Analysis

While the racial composition analysis reveals some information as to the concentration of minorities in Wellington, it does not depict the full picture. To gain greater insight as to the possible segregation of Wellington's population based on race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, and disability, a Protected Class Analysis was conducted to review the racial composition in Wellington.

Research on race and concentrated poverty in Wellington, as provided through the 2022 American Community Survey 5-Year Estimates from the U.S. Census Bureau (www.census.gov), revealed that the areas with the greatest concentration of racial minority population were in the north central and eastern portions of Wellington, specifically in Census Tracts 77.05, 77.24, 77.25, 77.50, 77.51, 77.58, 77.63, and 77.75. Additionally, the areas with the most concentrated populations of Hispanic/Latino persons were Census Tracts 77.24, 77.25, 77.51, 77.58, 77.63, and 77.75. According to HUD's Affirmatively Furthering Fair Housing Mapping Tool, there are no specific Racially/Ethnically Concentrated Areas (R/ECAPs) of Poverty in Wellington.

Fair Housing Education

Public awareness of fair housing issues and laws is a critical aspect in reducing fair housing violations and provides citizens with the option to take action in the form of filing a fair housing complaint. A logical assumption can be made that the more complaints that are filed, the more likely people are aware of their rights and what is covered under the Fair Housing Act. The baseline measurement regarding public awareness of fair housing issues comes from a national survey conducted in 2006 by the U.S. Department of Housing and Urban Development (HUD). The survey revealed that "majorities of the adult public were knowledgeable about and approved of most aspects of the law, although the size of the majorities varies across these aspects"¹. In addition, only a very small percentage of survey respondents took action and asserted their fair housing rights had been violated.

Fair Housing Complaints

The HUD Office of Fair Housing and Equal Opportunity (FHEO) administers federal laws and establishes national policies that make sure all Americans have equal access to the housing of their choice. Individuals who believe they are victims of housing discrimination can choose to file a fair housing complaint through the respective Regional FHEO. Typically, when a complaint is filed with the agency, a case is opened and an investigation of the allegations of housing discrimination is reviewed. Region IV of the FHEO receives complaints by households regarding alleged violations of the Fair Housing Act for cities and counties throughout Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

¹ Martin D. Abravanel and Mary K. Cunningham, *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law*, U.S. Department of Housing and Urban Development, February 2006. Source: <http://www.fhco.org/pdfs/DoWeKnowMoreNowSurvey2006.pdf>



This review of complaints shows that the number of complaints of violations of the Fair Housing Act is limited. However, a majority of complaints to the Atlanta FHEO were based on disability or national origin (73% of complaints filed), followed by color/race (27%) and familial status (18%). A lack of filed complaints does not indicate that a problem does not exist. Many households do not file complaints because they are uneducated about the process of filing a complaint. However, there are households that are aware that they are experiencing housing discrimination, but they are simply not aware that this discrimination is against the law. Finally, most households are more interested in achieving their first priority of finding decent affordable housing and prefer to avoid going through the process of filing a complaint and following up to ensure the case is resolved. Wellington recognizes though that with the recent passage of a new protected class based on sexual orientation or gender identity, it is possible that the number of complaints could possibly increase.

Home Mortgage Disclosure Act Data

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the current lending/credit crisis. Lending practices of financial institutions and the access to financing for all households, particularly minority households and those with lower incomes can be examined by reviewing the Home Mortgage Disclosure Act (HMDA) data. Lending patterns in low- and moderate-income neighborhoods and areas of minority concentration can also be examined through this data.

However, public data on lending does not contain detailed information to make conclusive statements of discrimination but can only point out potential areas of concern. Furthermore, except for outreach and education efforts, local jurisdictions' ability to influence lending practices is limited. To determine if the lending sector could be considered an impediment to fair housing choice, the reasons for denial must be a known factor. Based on HMDA data alone, it is unclear if minority applicants were denied for specified economic reasons; such a determination could only be made with further research, including testing of the mortgage lending and underwriting practices in Wellington. Further, regular HMDA data monitoring will need to be conducted to detect any lending discrimination practices used in the housing industry in Wellington. These activities can include annual reviews of HMDA data and conducting fair housing audits to determine, if any, the extent of discriminatory lending practices.

Affordable Housing Snapshot

Affordability is another important aspect of fair housing choice and individuals being able to obtain secure, safe, and decent housing. It is also a significant factor for residents attempting to select housing that meets their current family needs. HUD defines "housing affordability" as housing-related expenses (rent or mortgage and utilities) that do not cost more than 30 percent of a family's income.² Homeowners or renters who are paying more than 30 percent of their income on housing-related costs are at risk for experiencing cost burdens. Gross cost burden is

² U.S. Department of Housing and Urban Development, <http://www.hud.gov/offices/cpd/affordablehousing/index.cfm>



generally defined as individuals paying 30-50 percent of gross household income, while severe cost burden is generally defined housing costs that exceed 50 percent of gross household income. The housing affordability standard allows sufficient income for other basic elements of living, such as food, medical care, transportation, and clothing.

According to HUD, the 2022 Median Family Income (MFI) for the West Palm Beach-Boca Raton, FL HUD Metro Area was \$90,300. The income limit for a four-person household making 30% of median income was \$27,750, which is considered extremely low income, while the income limit for a four-person household making 80% of median income was \$73,600, which is considered low income. According to the 2022 ACS estimates, the 2022 Median Family Income (MFI) for a four-person household in Wellington is \$138,242. (2018-2022 ACS, S1903)

Housing choices are fundamentally limited by household income and purchasing power. Cost, therefore, restricts housing choice, particularly for those with lower incomes. In many cases, minority households have a much higher incidence of poverty and are therefore disproportionately impacted by housing costs as are other individuals included in the protected classes that may have limited incomes. For example, a single person residing in Wellington earning minimum wage (\$12.00 per hour) and working 40 hours per week for 52 weeks per year earns an annual income of \$24,960, which is just slightly above the extremely low-income limit category of \$20,450.

According to the National Low Income Housing Coalition's "Out of Reach" 2023 Annual Report, in Florida, the average wage for a renter is \$22.52 per hour. A household must have an annual income of at least \$63,622 to afford a two-bedroom rental unit at HUD's average fair market rent of \$1,591 per month. In 2023, the HUD published Fair Market Rent for the West Palm Beach-Boca Raton HUD Metro Area is \$1,881 per month for a two-bedroom unit. Although Fair Market Rent data does not exist for Wellington specifically, the annual income necessary to afford a two-bedroom rental unit is approximately \$75,000. Therefore, affordable housing is out of reach for extremely low and very low-income households in the HUD Metro Area.

The affordable housing snapshot provides an analysis of housing in Wellington. Housing affordability and availability is paramount to successful communities and promoting fair housing choice.

Infrastructure

Transportation

Public transportation can play a significant role in increasing the supply of affordable housing to groups in need and others protected under fair housing laws. The issue at hand regarding transportation and fair housing choice revolves around the ease with which a citizen can travel from home to work if he/she lives in a lower income area or an area of minority concentration. If public transportation from a lower cost neighborhood is inefficient in providing access to employment centers, that neighborhood becomes inaccessible to those without dependable



means of transportation, particularly very low-income residents, the elderly, and persons with disabilities.

Wellington does not operate its own transit system; however, residents can utilize the County transit system called Palm Tran. Palm Tran offers public transportation services for local residents and individuals who may be commuting to the area. Many transportation modes exist, such as driving, carpooling, public transportation, biking, and walking; however, the most common choice for commuting to work is driving alone. According to the 2022 American Community Survey estimates, 73.5% of workers use a private automobile for daily transportation to work in Wellington.

Wellington has experienced significant growth over the last decade; as such, Wellington has recognized some of the unique needs of its community and implemented strategies to overcome these needs. The assessment of transportation in Wellington did not reveal any impediments to fair housing for residents.

Water/Sewer Infrastructure

Wellington owns and operates one water treatment plant that serves approximately 56,000 persons. Wellington currently has a treatment capacity of 12.3 million gallons per day, with 8.25 million gallons of storage capacity. The water used by residents and businesses in Wellington are pumped by eleven high service pumps which have a rating of 24,000 gallons per minute of pumping capacity for peak flows. Wellington receives its water through 18 groundwater production wells that have a depth of 80 to 120 feet.

Wellington also operates a wastewater treatment facility with a permitted treatment capacity of 6.5 million gallons per day. Through 106 lift stations, sewage is pumped under pressure to the wastewater treatment facility where it is processed.

The assessment of Wellington's water and sewer did not reveal any impediments to fair housing for its residents.

Land Use & Zoning

Comprehensive planning is a critical means by which governments address the interconnection and complexity of their respective jurisdictions. The interconnectedness of land uses means that a decision to use a particular property has consequences not only for surrounding property, but for a myriad of other issues as well. For example, a decision to use a parcel of land for development of a shopping mall (a land use decision) will alter the values and uses of surrounding property. The same decision may also impact traffic patterns or increase environmental concerns by increasing impervious areas and runoff. For this reason, "the land-use decisions made by a community shape its very character – what it's like to walk through, what it's like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how



well the natural environment survives, and whether the community is an attractive one or an ugly one.”³

By extension, decisions regarding land use and zoning can have profound impact on affordable housing and fair housing choice, as will be discussed within this section.

Wellington regulates all land development within the jurisdiction through its Land Development Regulations (LDR), under the guidance provided by Wellington’s Comprehensive Plan. Minimum lot size requirements for detached, single-family homes in Wellington range from a 10-acre minimum in the ER zoning district down to 6,000 square feet (approximately 1/7 of an acre) in the RS zoning district, which can be reduced in certain instances to 4,500 square feet for zero-lot line construction.

The review of Wellington’s zoning code revealed the code is not unreasonably restrictive on lot minimums and provides for relatively small minimum lot sizes in multiple zoning districts. Additionally, zones for multi-family and other attached dwellings are present and have maximum building heights conducive to development of a variety of housing options. The definition of “family” used in Wellington’s LDR is sufficiently broad so as not to restrict the ability of residents to live with roommates or aides, which may be preferences particularly for low-income or elderly or disabled residents.

Wellington provides for three different types of congregate living facilities, ranging from no more than six persons to more than 14 persons, with some types requiring compatibility consideration by the Wellington Council, or approval by conditional use or by PUD development order (if located within a PUD). These provisions allow for the incorporation of other housing options for groups of people (e.g., persons experiencing homelessness, recovering from addictions to drugs or alcohol, or those under judicial or corrective control) to live in residential neighborhoods if compatible with basic standards of compatibility and code compliance.

Current Impediments

Impediment #1. Public Awareness of Fair Housing Laws

Education regarding fair housing laws is critical to preventing housing discrimination and should be an ongoing activity to raise awareness of fair housing issues among residents and professionals in Wellington. As Wellington continues to grow and expand with an increasingly diverse population, fair housing education must be continuous and presented in a context that is relevant to the current community, including formats that are linguistically appropriate and culturally sensitive.

Recommendation

Wellington and its local non-profit agencies, including agencies that provide non-profit legal assistance, should continue to work collaboratively to distribute promotional fair housing

³ John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.



education materials to make Wellington residents fully aware of their fair housing rights and how to file a fair housing complaint. Additionally, Wellington should also conduct further educational outreach campaigns to target housing providers and consumers using multiple media vehicles in English, Spanish, and other languages common to Wellington residents. Wellington should actively ensure that all CDBG publications, notices, and materials posted in the local newspaper and on Wellington's website are translated into Spanish and other languages representative of the population.

Impediment #2. Financial Aspects of Housing Attainment

Understanding of the financial aspects of housing attainment is critical to housing stability. Financial counseling, along with down payment assistance, are needed in the community, particularly due to the lack of affordable housing. Based on the analysis of loan origination Wellington, residents may benefit from housing counseling, and other training such as credit counseling to improve loan originations and discourage lending discrimination.

Recommendation

Wellington and its local non-profit agencies, including agencies that provide non-profit housing counseling and credit counseling, should continue to work collaboratively to provide training opportunities related to the financial aspects of housing attainment. Other assistance, such as down payment or other housing-related assistance may also help to address housing insecurity in an unaffordable housing market.

Impediment #3. Convergence of Demographic/Socioeconomic Factors

The overall demographic composition of Wellington is becoming more diverse. However, there remain neighborhoods in Wellington where concentrations of racial and ethnic minority populations overlap with HUD-designated low- and moderate-income areas. Such neighborhoods are located in Wellington's northern center, including portions of Sugar Pond Manor, Paddock Park II, and Saddle Trail Park, and several smaller subdivisions between Big Blue Trace and Wellington Trace (north of S. Shore Blvd.); and in eastern Wellington, including portions of Black Diamond and all of Olympia. Although there are no specific HUD-designated Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Wellington, it is important to note that the convergence of demographic and socioeconomic factors may contribute to fair housing issues, including the potential for housing discrimination. Over the past 10 years, the majority of complaints filed with the Atlanta FHEO were based on disability or national origin (73% of complaints filed), followed by color/race (27%) and familial status (18%).

Recommendation

Wellington has little influence over the housing market aside from land use planning and other regulatory decisions as a local government. Patterns of residential development are influenced by a variety of historical and contemporary factors, many of which are not under Wellington's control. However, Wellington should continue to invest in neighborhoods and leverage its federally funded programs to support a diverse community. In addition to raising public



awareness of fair housing laws and financial paths to housing attainment, Wellington should foster diverse housing options, including a wide variety of types and unit sizes (e.g., missing middle housing), with accessibility for all potential residents. These efforts can provide more housing choice within the community and decrease the likelihood of discrimination based on specific protected classes.

Impediment #4. Unaffordable Housing and Cost Burden

Housing affordability, although not a direct impediment to fair housing choice, is an indirect contributing factor to fair housing issues. With a limited supply of affordable housing and increasing demand for housing generally, there is competition for housing units in Wellington. According to the 2018-2022 American Community Survey 5-Year Estimates, over half (57%) of renters and nearly 36% of homeowners with a mortgage in Wellington are cost burdened, paying more than 30% of their income on housing costs. The highest concentration of renters who are cost burdened in Wellington occurs in Census Tract 77.52; however, cost burden is widespread throughout Wellington. As it becomes more difficult to find housing and stay housed in Wellington, such competition creates the potential for inequitable housing choice.

Recommendation

Unaffordable housing may be the most significant contributing factor to Fair Housing issues in Wellington, simply by its extent and the competition it creates. Again, Wellington has little influence over the housing market aside from land use planning and other regulatory decisions as a local government. Wellington should continue to coordinate with regional affordable housing initiatives, including but not limited to those of non-profit partners, Palm Beach County, Treasure Coast Regional Planning Council, and the Continuum of Care, by seeking ways to increase both the supply of and equitable access to affordable housing within the community for all residents.

Impediment #5. Zoning Restrictions and Housing Choices

Wellington's LDR is a comprehensive document. Overall, it is supportive of uses that are essential to the success of local governments including various residential uses and nonresidential uses ranging from commercial to recreational. However, there are some zoning restrictions within the LDR that may contribute to fair housing issues within Wellington.

Of the six zoning designations that allow residential uses, four allow multi-family units: RM, RH, MUPD, and PUD. Zoning districts that do not permit multi-family units have minimum lot size requirements ranging from 6,000 square feet (in the RS zoning district) to 10 acres (in the ER zoning district). Congregate living facilities and other alternative housing arrangements, although allowed, may be restricted by process.



Recommendation

It is recommended that Wellington continue to consider LDR amendments that increase housing options across all residentially zoned areas. While it is not recommended that any zoning district be eliminated from the LDR, it is recommended that diverse housing types and unit sizes be considered in support of affordable housing. This may be accomplished in various ways, not limited to affordable (and accessible) housing incentives, conditional zoning, and other means that allow for alternative review of projects. This may also be accomplished through LDR amendments to existing planned unit development (PUDs) within Wellington. Although Wellington's nonresidential zoning districts are limited, Wellington should remain aware of emerging State incentives for affordable housing, such as the Live Local Act.

In addition, it is recommended that Wellington continues to be proactive in its review of planning documents prior to adoption, to ensure that regulatory barriers to fair and equitable housing are eliminated for future development while maintaining the integrity of the community.

Conclusion

Through this document, several impediments to fair housing choice were identified, including public awareness of fair housing laws, limited understanding of financial aspects of housing, converging demographic and socioeconomic factors, unaffordable housing and cost burden, and land use/zoning decisions. These impediments, and the factors contributing to them, may limit a citizen's ability to exercise their right to fair and equitable housing choice under the law. It is imperative that citizens know their rights and that housing providers know their responsibilities.

Wellington [through the Planning, Zoning and Strategic Division], will continue to work towards achieving Fair Housing Choice for its residents. This Analysis of Impediments to Fair Housing Choice (AI) report includes recommendations to address the impediments and contributing factors identified. These recommendations will assist Wellington in achieving fair housing choice communitywide.



24-6608 - 4. RESOLUTION R2024-33 EXHIBIT A. WELLINGTON_2024_AI_REPORT

Introduction

Each year, the U.S. Department of Housing and Urban Development (HUD) requires Community Development Block Grant (CDBG) entitlement grantees to submit a certification that they will affirmatively further fair housing, and that their grants will be administered in compliance with Title VI of the Civil Rights Act of 1964 and the Fair Housing Act of 1968.

Title VIII of the Civil Rights Act of 1968, as amended, commonly known as the Fair Housing Act, prohibits discrimination in the sale or rental of housing on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability. The Act was amended in 1988 to provide stiffer penalties, establish an administrative enforcement mechanism, and to expand its coverage to prohibit discrimination on the basis of familial status and disability. Most recently the interpretation of sex as a Protected Class was expanded to include gender identity and sexual orientation. The Act requires the Secretary of HUD to administer the Department's Housing and Community Development Programs in a manner that affirmatively furthers fair housing.

Provisions to affirmatively further fair housing (AFFH) are principal and long-standing components of HUD's housing and community development programs. These provisions flow from the mandate of Section 808(e)(5) of the Fair Housing Act, which requires the Secretary of HUD to administer the Department's Housing and Urban Development Programs in a manner to affirmatively further fair housing.⁴

Local entitlement communities meet this obligation by performing an "Analysis of Impediments to Fair Housing Choice" (AI), by developing strategies, and implementing actions to overcome these barriers based on the community's history, circumstances, and experiences. In other words, The Village of Wellington (Wellington) will define the problems, develop the solutions, and be held accountable for meeting the standards set for itself. This analysis identifies the impediments to fair housing choice in the jurisdiction, assesses current fair housing initiatives, and describes the actions the jurisdiction will take to overcome the identified impediments. Wellington is meeting its obligation to affirmatively further fair housing by:

- Analyzing and eliminating housing discrimination within the jurisdiction;
- Promoting fair housing choice for all persons;

⁴ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 13)*. March 1996.



- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to all persons to include those persons with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

Through this process, Wellington promotes fair housing choices for all persons, to include Protected Classes, as well as provides opportunities for racially and ethnically inclusive patterns of housing occupancy, identifies structural and systemic barriers to fair housing choice, and promotes housing that is physically accessible and usable by persons with disabilities.

Through its Community Planning and Development (CPD) programs, HUD's goal is to expand mobility and widen a person's freedom of choice. HUD also requires CDBG entitlement grantees, such as Wellington to document AFFH actions in their CDBG planning and annual performance reports that are submitted to HUD.

Definitions and Data Sources

As defined in *The Fair Housing Planning Guide*, the definition of "Affirmatively Further Fair Housing" (AFFH) requires a grantee to:

- Conduct an analysis to identify impediments to fair housing choice within the jurisdiction;
- Take appropriate actions to overcome the effects of any impediments identified through the analysis; and
- Maintain records reflecting the analysis and actions taken in this regard⁵.

As described in *The Fair Housing Planning Guide*, the CHAS statute at Section 104(21) defines the term "certification" within the context of the Certification to Affirmatively Further Fair Housing [AFFH] to be:

- A written assertion
- Based on supporting evidence
- Available for inspection by the Secretary, the Inspector General and the public
- Deemed accurate for purposes of this Act unless the Secretary determines otherwise after:
 - Inspecting the evidence
 - Providing due notice and opportunity for comment⁶.

In carrying out its Analysis of Impediments to Fair Housing Choice, Wellington utilized the following definition of "Fair Housing Choice" as outlined by HUD:

⁵ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 14)*. March 1996.

⁶ *Ibid.* Page 16.



- The ability of persons of similar income levels to have available to them the same housing choices regardless of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability.

As defined in *The Fair Housing Planning Guide*, the definitions of impediments to fair housing choice include:

- Any actions, omissions, or decisions taken because of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, national origin, religion, sex (including gender identity and sexual orientation), familial status, or disability.⁷

In carrying out its local Analysis of Impediments to Fair Housing Choice, Wellington utilized the following definition of Protected Classes:

- Title VIII of the Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical handicap as protected classes. The latest ruling published in the Federal Register, Equal Access to Housing in HUD Programs, Regardless of Sexual Orientation or Gender Identity, added the two referenced additional classes effective March 5, 2012.

Though different municipal jurisdictions may define “affordable” differently, the definition used throughout this AI Report is congruent with HUD’s definition:

- The U.S. Department of Housing and Urban Development (HUD) defines “affordable” as housing that costs no more than 30% of a household’s total monthly gross income. For rental housing, the 30% amount would be inclusive of any tenant-paid utility costs. For homeowners, the 30% amount would include the mortgage payment, property taxes, homeowners’ insurance, and any homeowners’ association fees.

According to the National Low Income Housing Coalition’s “Out of Reach” 2023 Annual Report, in Florida, the average wage for a renter is \$22.52 per hour. A household must have an annual income of at least \$63,622 to afford a two-bedroom rental unit at HUD’s average fair market rent of \$1,591 per month. In 2023, the HUD published Fair Market Rent for the West Palm Beach-Boca Raton HUD Metro Area is \$1,881 per month for a two-bedroom unit. Although Fair Market Rent data does not exist for Wellington specifically, the annual income necessary to afford a

⁷ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 14)*. March 1996.



two-bedroom rental unit is approximately \$75,000. Therefore, affordable housing is out of reach for extremely low and very low-income households in the HUD Metro Area.

Data Sources Used in This Analysis

Census Data – Data collected by the Decennial Census for 2020 is used in this Analysis (Census 2020 data is only used in conjunction with more recent data to illustrate trends).

American Community Survey (ACS) – The American Community Survey is a component of the decennial census program that collects population and housing data every year, thus providing communities with more current data throughout the 10 years between censuses. ACS data is compiled from an annual sample of approximately 3.5 million addresses. This data is released in two different formats: single-year estimates and multi-year estimates.

2022 ACS 1-Year Estimates – Based on data collected between January 1, 2022, and December 31, 2022, these single-year estimates represent the most current information available from the U.S. Census Bureau; however, these estimates are only published for geographic areas with populations of 65,000 or greater.

2018-2022 ACS 5-Year Estimates – More current than Census 2020 data and available for more geographic areas than the ACS 1-Year Estimates, this dataset is one of the most frequently used. It contains data collected between January 1, 2018, and December 31, 2022 and is published for all geographic areas.

Federal Financial Institutions Examining Council (FFIEC) – The FFIEC collects and publishes certain data used in connection with federal reporting responsibilities under the Home Mortgage Disclosure Act and the Community Reinvestment Act.

Home Mortgage Disclosure Act (HMDA) Data – Financial institutions subject to the HMDA (including banks, credit unions, and other mortgage lenders) must annually submit certain mortgage loan data to the FFIEC. The FFIEC aggregates and publishes the data. The most current HMDA data used in this Analysis is based on loan records from the 2022 calendar year.

Shimberg Center for Housing Studies (<http://flhousingdata.shimberg.ufl.edu>) – The Florida Housing Data Clearinghouse, located within the Shimberg Center at University of Florida, provides public access to data on Florida's housing needs and supply, subsidized rental housing, and household demographics in Florida communities.

Policy Map (www.policymap.com) – An internet data site and a product of the nonprofit group, The Reinvestment Fund (TRF). It is a subscription-based data site that provides data sets for various levels of information and can be sorted by the type of data required. This site provides custom map creations by specific geographic location for the data sets that are being utilized.



RealtyTrac (www.realtytrac.com) – A data source that provides foreclosure information by specific geographic location. Records are collected and analyzed for over 2,200 counties within the United States and provided to members of this website. The site targets real estate professionals while providing useful market analysis data for this document.

Rocket Homes (www.rockethomes.com/real-estate-trends/fl/wellington) – An internet real estate site that, for the purposes of this document, served to provide up-to-date and accurate market information relating to home prices in Wellington, FL. This information included average sale price for Wellington, FL and was broken down by house size (by number of bedrooms).

Limitations of this Analysis

The following information, herein defined as Wellington’s Analysis of Impediments to Fair Housing Choice, was prepared for the purposes as previously described. Therefore, this report seeks to identify impediments and develop a proposed Fair Housing Action Plan as proposed solutions. Many of the impediments identified in this report will require additional research and on-going analysis by the Planning, Zoning, and Strategic Division staff. This report does not constitute a comprehensive planning guide; it simply provides analysis as to the current situation and prepares a plan of action to ameliorate existing impediments.

Historical Overview

Once referred to as the “World’s Largest Strawberry Patch,” Wellington, Florida was officially incorporated on December 31, 1995. The area known as Wellington was created through a large land purchase, by Charles Oliver Wellington, an accountant and investor from New York, in 1951. People began to reside in the area in 1953 after the creation of the Acme Drainage District, which was designed to control flooding in the area. During this time, portions of land was leased and sold to farmers, including 2,000 acres for strawberries giving the area the “World’s Largest Strawberry Patch” distinction.

It took some time to obtain steady growth within the area as there were less than 100 people living in Wellington in 1953. Major construction came to the area in 1971 when 7,400 acres were sold to the Investment Corporation of Florida for around \$800 per acre. This allowed for construction to begin in 1972 on the first community within Wellington allowing for the sale of hundreds of new homes. Growth would continue to steadily increase over the next two decades.

In November 1995, a determined group of Wellington residents succeeded in a referendum to establish Wellington as an independent municipality in Palm Beach County. Wellington was officially incorporated on December 31, 1995, and began operations March 28, 1996.

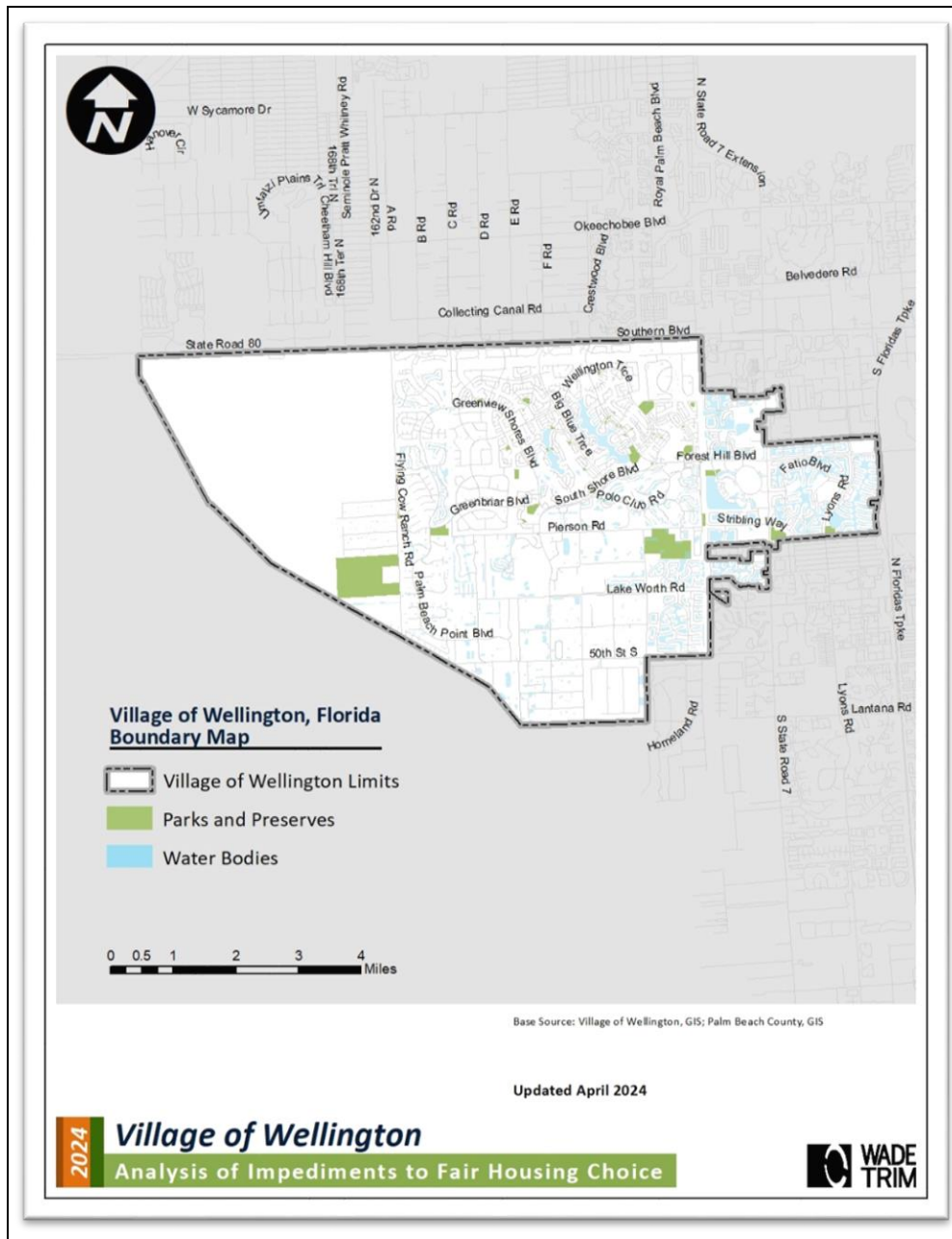
Today, Wellington is an affluent and thriving community that continues to strive to be unique. It is recognized as the winter equestrian capital of the world hosting an equestrian festival that runs from January through March of each year. As of the 2020 U.S. Census, the population of



Wellington was 61,637 residents and according to the 2022 American Community Survey Wellington’s population has decreased to 61,373 residents.

The following figure displays the municipal boundary of Wellington:

FIGURE 1: WELLINGTON BOUNDARIES MAP



Demographics

As of the 2018-2022 American Community Survey 5-Year Estimates, Wellington has a total population of 61,373 residents. Wellington’s racial makeup was estimated to be 64.8% White; 10.9% Black or African American; 0.2% American Indian and/or Native Alaskan; 5.4% Asian; 0.0% Pacific Islander; 4.2% from some other race and 14.6% from two or more races. Additionally, 27.3% were estimated to be Hispanic or Latino of any race (2018-2022 ACS, DP05).

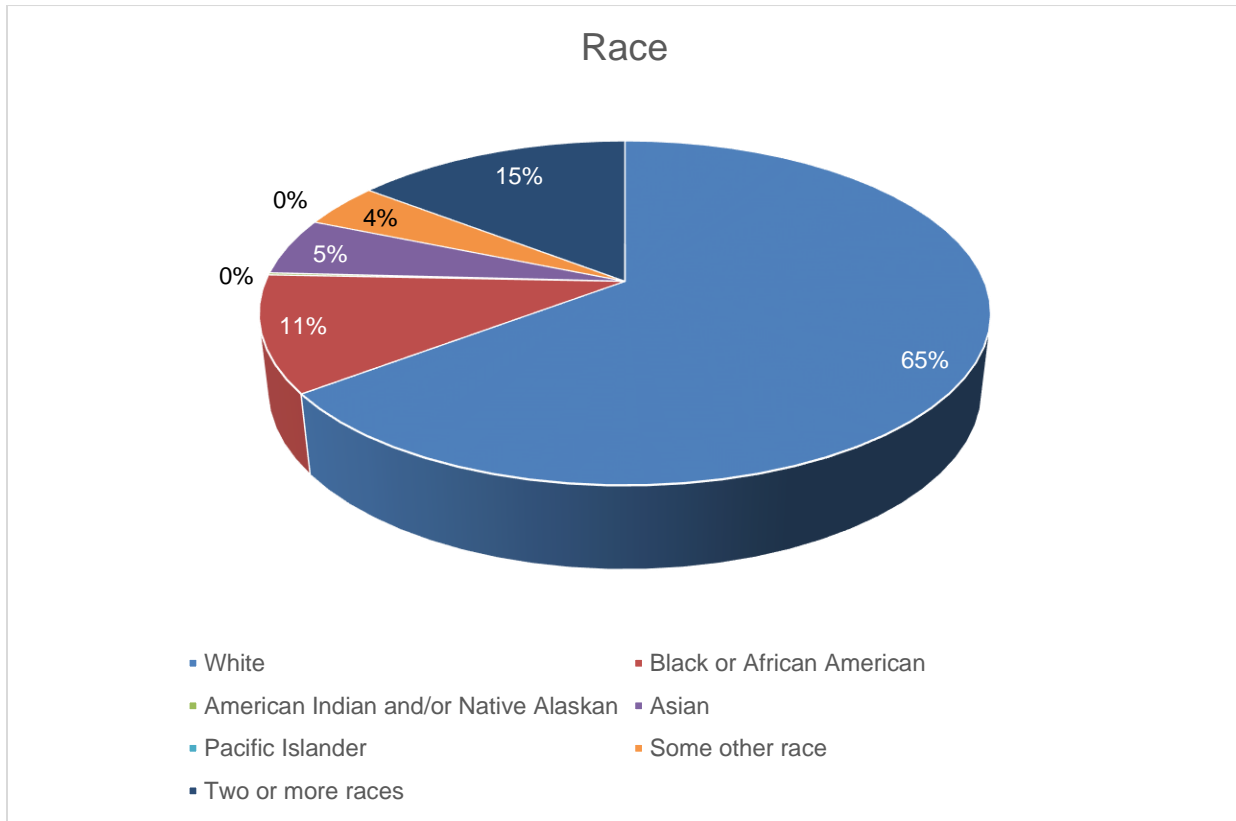
TABLE 1: RACIAL COMPOSITION

Year	White	Black	American Indian/ Alaskan Native	Asian	Native Hawaiian /Other Pacific Islander	Other Race	Two or more races	Hispanic /Latino of Any Race
2012	44,846	7,262	144	1,812	9	1,036	1,282	10,777
2022	39,767	6,665	145	3,290	N/A	2,563	8,943	16,747

Source: 2012 and 2022 ACS 5-Year Estimates



FIGURE 2: POPULATION BY RACE IN WELLINGTON, FLORIDA

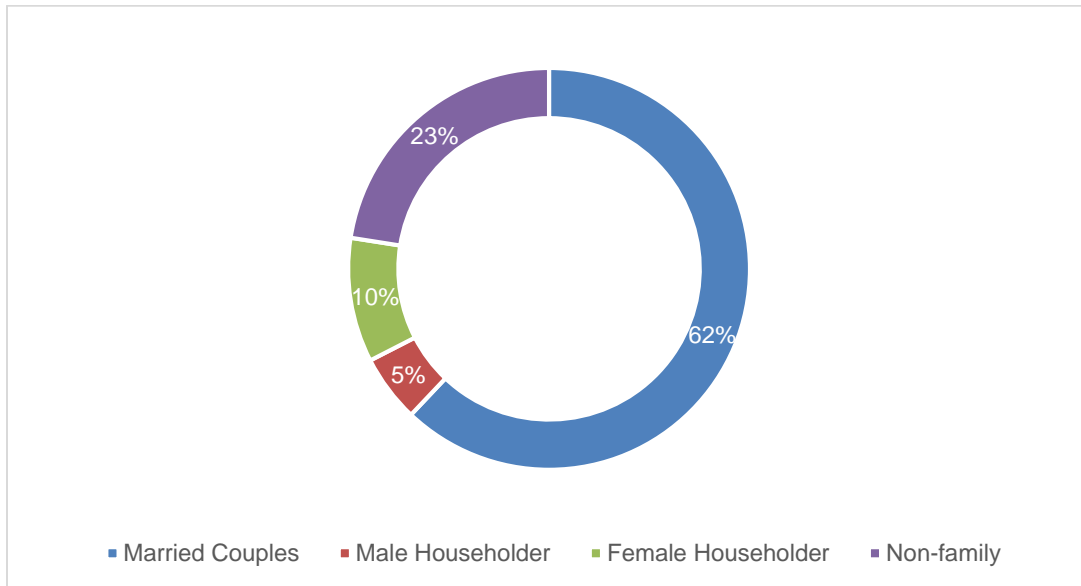


Source: 2018-2022 ACS 5-Year Estimates, www.census.gov

In Wellington, there were 21,163 total households of which 62% were married couples living together, 10% had a female head of household with no husband present, 5.4% had a male head of household with not wife present and 22.5% were non-families. The average household size was 2.90 persons, and the average family size was 3.31 persons (2018-2022 ACS, S1101).



FIGURE 3: HOUSEHOLDS BY TYPE



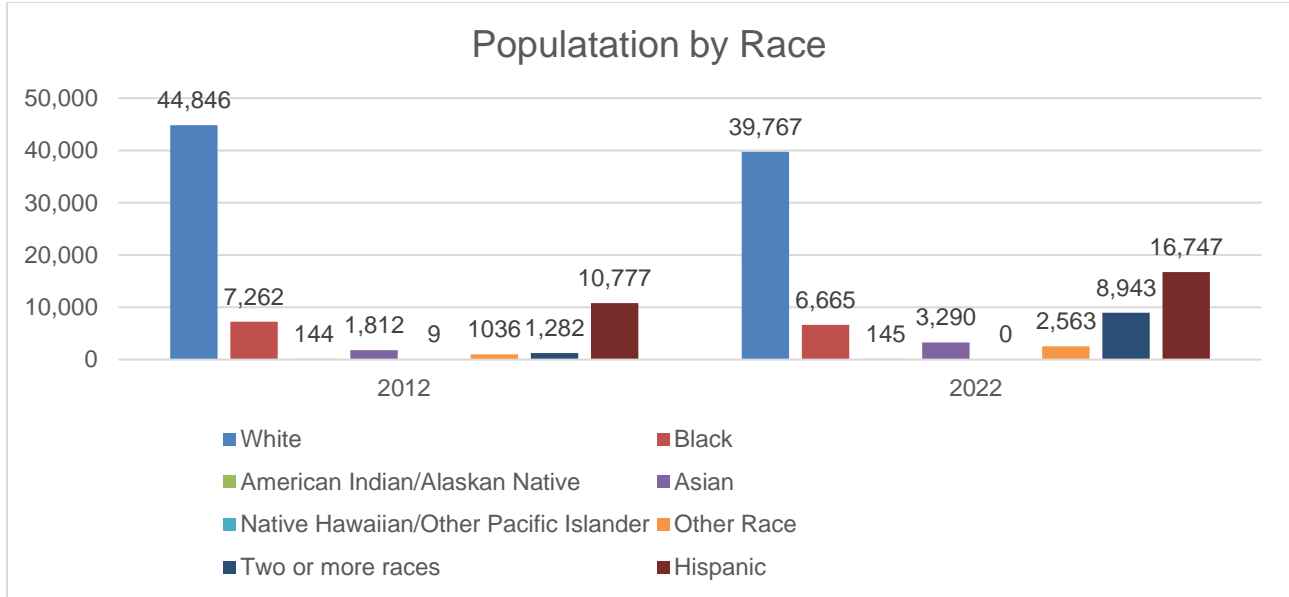
Source: 2018-2022 ACS 5-Year Estimates, www.census.gov

Based on the limited historical demographic data resulting from the incorporation of Wellington not occurring until December 31, 1995, between 2012 and 2022, Wellington has seen a 11.3% decrease in the White population, a 8.2% decrease in the Black or African American population, a 81.6% increase in the Asian population, a 147.4% increase in the Other race population, a 597.6% increase in the two or more races population, and a 55.4% increase in the Hispanic or Latino population.

The shift in Wellington’s racial makeup from 2012-2022 is depicted in **Figure 5**. Over the 10-year period researched, Wellington has become more racially diverse. Whites continued to make up the largest share of the population, although Asians, other races, two or more races and Hispanics saw substantial gains, while the White and Black and African American populations have seen population decreases. A variety of economic and other influences may have driven these historical population trends and shifts.



FIGURE 4: POPULATION BY RACE (2012-2022)



Source: 2012 and 2022 ACS 5-Year Estimates, www.census.gov

Economic Analysis

As of the 2022 American Community Survey Estimates from the U.S. Census Bureau, the median income for a family in Wellington was \$122,370, and the median income for an individual household was \$49,261 for females and \$65,893 for males. The median non-family income was \$54,317. According to HUD, the median family income in Wellington is \$122,370, significantly higher than that of residents in West Palm Beach and Boca Raton, where the median income is \$71,138 and \$88,620 for 2022 respectively. The higher median income level in Wellington relative to the rest of the area is due to a smaller portion of the population earning a higher income than others in the area, which provides outliers in the data comparison and gives a distortion to the depiction of the area.

Based on the 2018-2022 American Community Survey 5-Year Estimates, 4.6% of the labor force was unemployed, a decrease from August 2020 rate of 8.1% due to impact of Covid-19 unemployment cases. The decrease is linked to the impact in result from Covid-19 pandemic.

Employment

The largest sector of the labor force in Wellington is in educational services, and health care and social assistance at 13.80% of the workforce. Other large sectors of the workforce include Professional, Scientific, & Technical Services at 10.10% and Construction at 7.74%.



TABLE 2: CIVILIAN EMPLOYED POPULATION 16 YEARS AND OVER BY INDUSTRY

Industry	Workforce by Industry	Percentage
Agriculture, Forestry, Fishing & Hunting	623	2.20%
Mining, Quarrying, & Oil & Gas Extraction	39	0.14%
Construction	2,232	7.74%
Manufacturing	1,443	5.00%
Wholesale Trade	961	3.33%
Retail Trade	3,636	12.6%
Transportation & Warehousing	762	2.64%
Utilities	370	1.30%
Information	417	1.45%
Finance & Insurance	1,755	6.10%
Real Estate & Rental & Leasing	942	3.27%
Professional, Scientific, & Technical Services	2,914	10.10%
Management of Companies & Enterprises	21	0.07%
Administrative & Support & Waste Management Services	1,068	3.70%
Educational Services	2,044	7.09%
Health Care & Social Assistance	3,978	13.80%
Arts, Entertainment, & Recreation	984	3.41%
Accommodation & Food Services	1,734	6.02%
Other Services, Except Public Administration	1,256	4.36%
Public Administration	1,648	5.72%
Total	28,827	100.00%

Source: 2018-2022 ACS 5-Year Estimates

Based on 2018-2022 ACS estimates, 6.3% of the total population in Wellington fell below the poverty line. 9.0% of all residents aged 65 or older had fell below the poverty level (2018-2022 ACS, S1701).



Protected Class Analysis

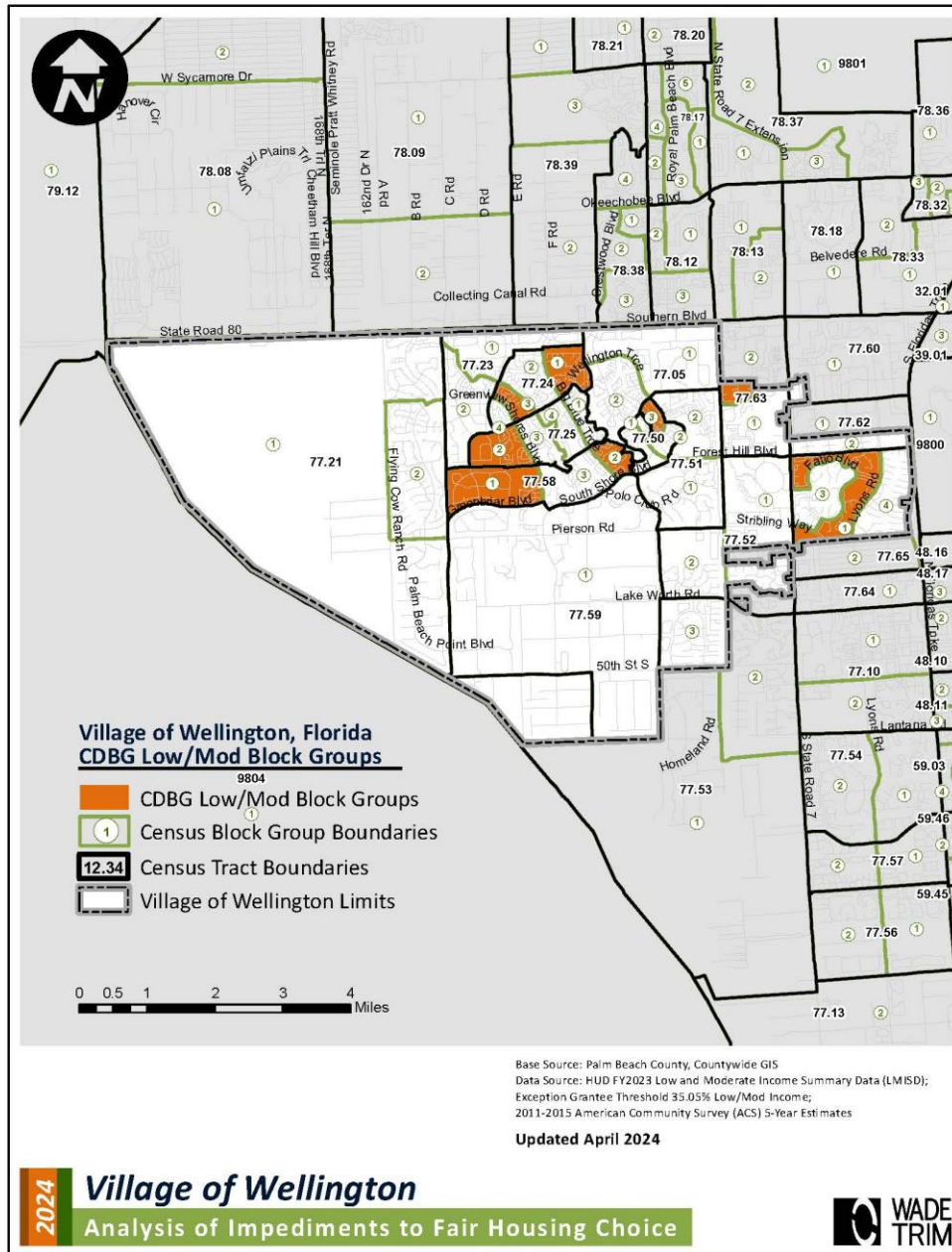
Race/Ethnicity

Historically, the non-Hispanic White population has been the majority in Wellington. Over the past 10 years, the population of non-Hispanic White population has decreased by about 5,079 persons. The Black/African American share of the total population also decreased by 597 persons since 2012. In contrast, there was a significant increase in the Hispanic/Latino population over the last 10 years. Over the last 10 years, the Hispanic/Latino population increased by 5,970 persons since 2012. The reader should be aware that the definitions and classifications used from one decennial census to the next are subject to change. The sharp decrease in population falling into the “Other Population/Two or More Races” category is indicative of such a change in the Census itself and should not be interpreted strictly as a dramatic drop in this population group. For the purposes of this draft plan, the best available data is reflected in the analysis below.

Wellington, as a CDBG grantee, is designated as an “exception grantee” by HUD. Instead of the typical 51% threshold nationally, the HUD-calculated threshold to be considered low- and moderate-income in Wellington is 35.05% of a Block Group’s population (as of FY 2023). The following map shows HUD-designated low- and moderate-income areas by Block Group, where 35.05% of the population earns 80% or less of the area median income.

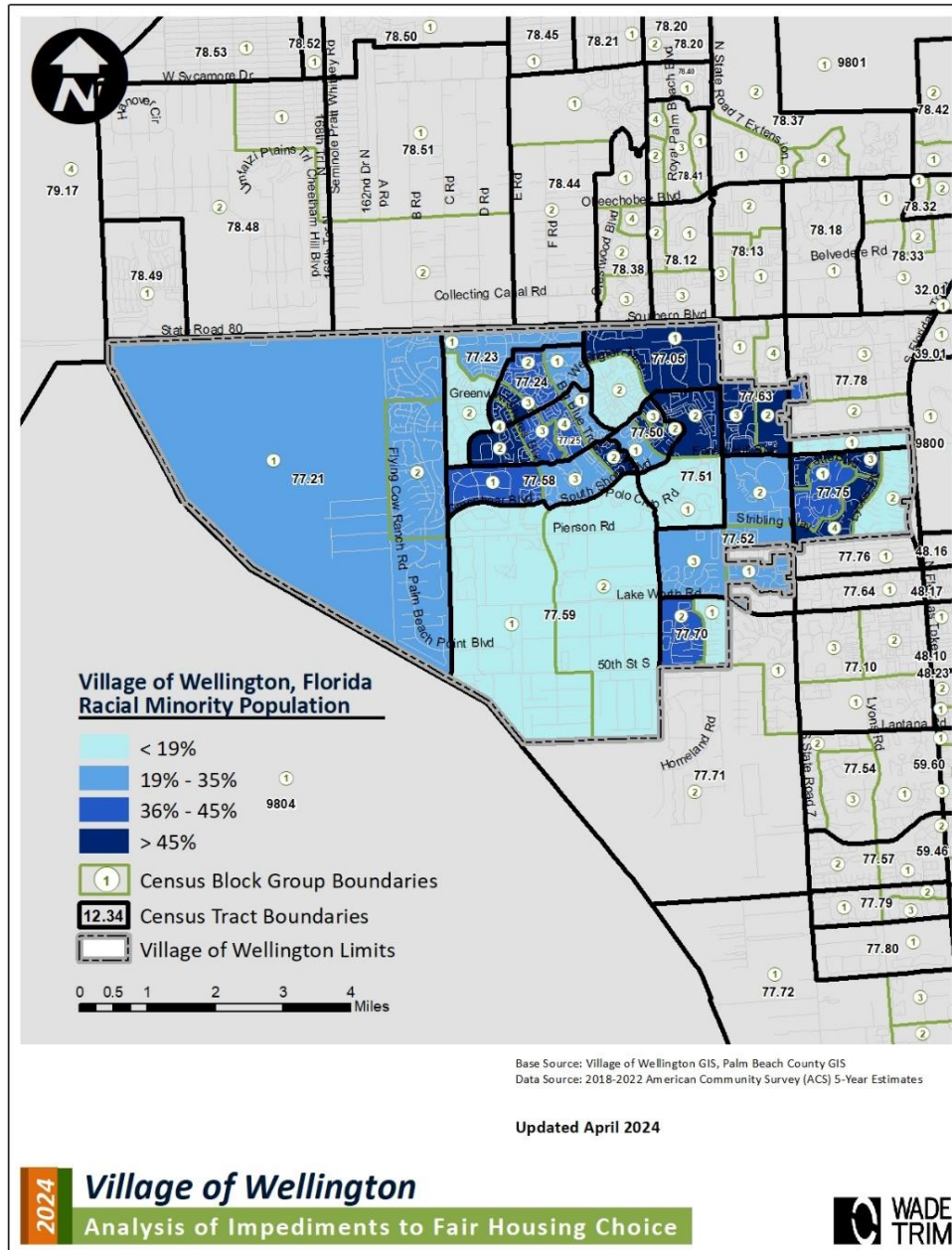


FIGURE 5: LOW- AND MODERATE-INCOME POPULATION IN WELLINGTON



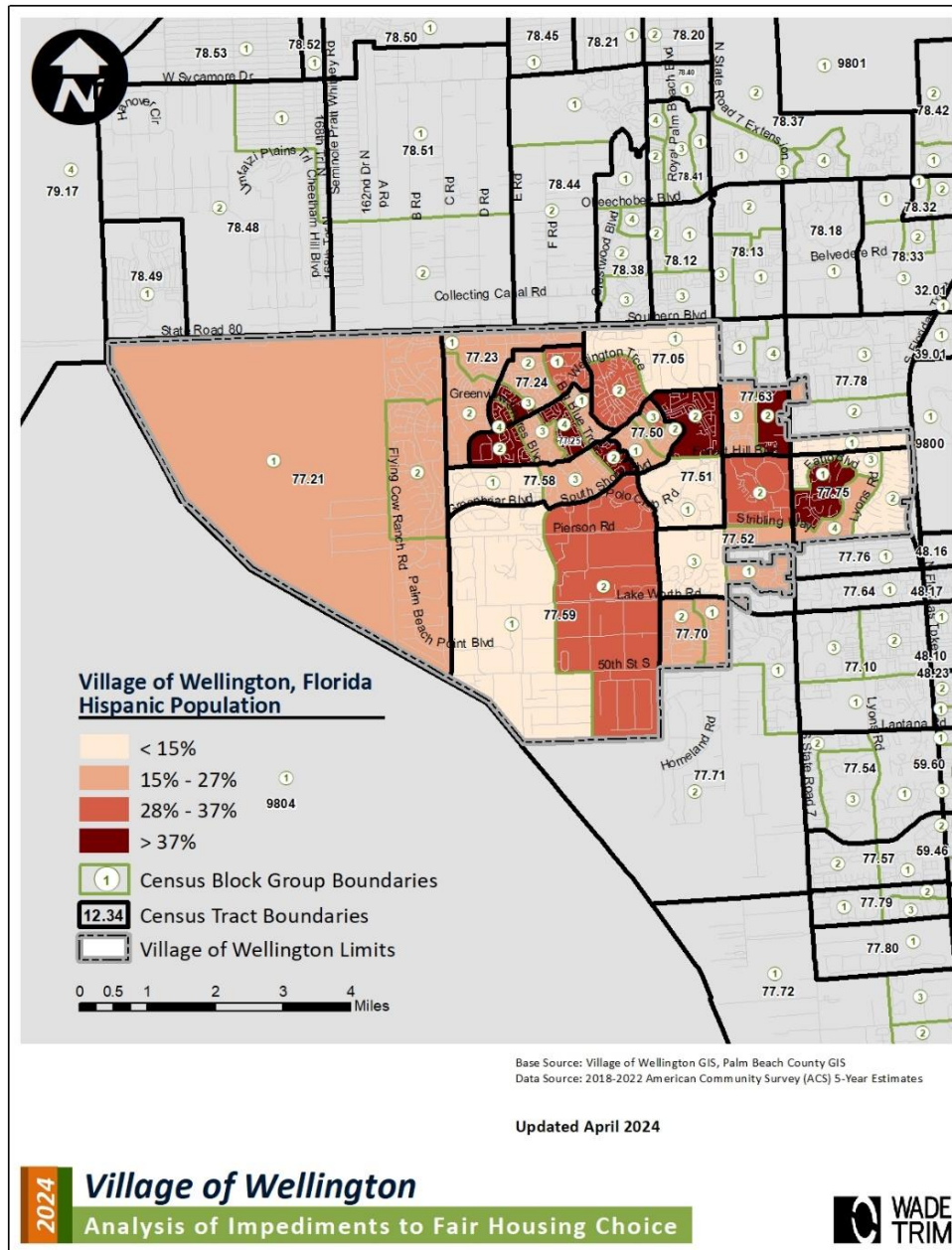
The following map shows the percentage of racial minority population living in Wellington. The areas with the greatest concentration (i.e., 45% or greater) of racial minority population were Census Tracts 77.05, 77.24, 77.25, 77.50, 77.51, 77.58, 77.63, and 77.75. These Census Tracts are located in north central and eastern Wellington.

FIGURE 6: RACIAL MINORITY POPULATION IN WELLINGTON



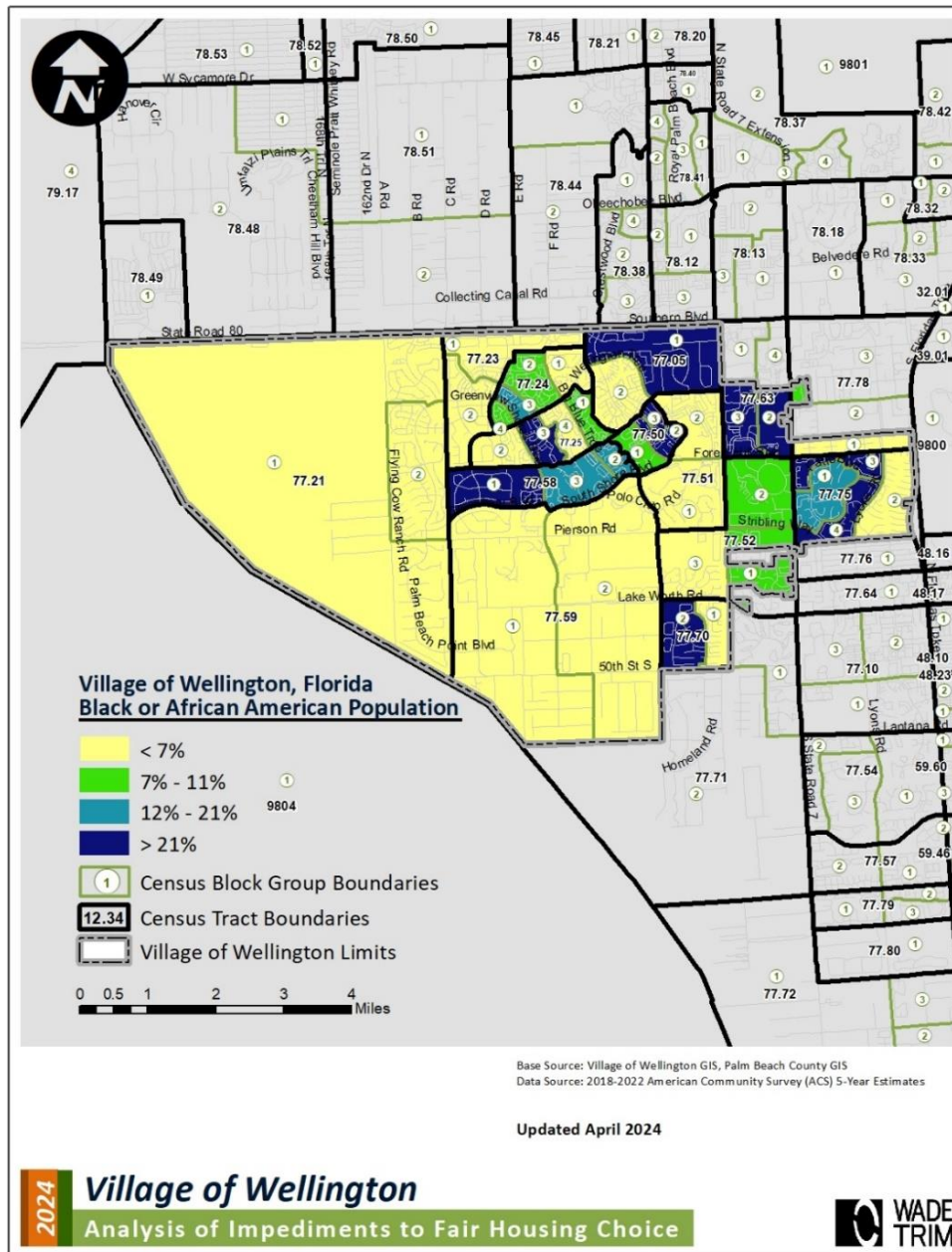
The total percentage of the Hispanic/Latino population increased approximately 55.4% over the past 10 years and now comprises 27.3% of the total population of Wellington. According to the 2022 ACS estimates, the areas with the greatest concentration (i.e., 37% or greater) of Hispanic/Latino population were Census Tracts 77.24, 77.25, 77.51, 77.58, 77.63, and 77.75.

FIGURE 7: HISPANIC OR LATINO POPULATION IN WELLINGTON



The following map shows the percentage of African Americans residing in each Census Tract. In 2022, the Black/African American population comprised 10.9% of the total population of Wellington. According to 2022 ACS estimates, the areas with the greatest concentration (i.e., 21% or greater) of Black/African American population were Census Tracts 77.05, 77.25, 77.50, 77.58, 77.63, 77.70, and 77.75.

FIGURE 8: BLACK/AFRICAN AMERICAN POPULATION IN WELLINGTON



The race and ethnicity data for Wellington show that some Hispanic/Latino and Racial Minority populations are concentrated in the same areas. Historically, concentrations of racial and ethnic minority populations have aligned with lower income areas, where there is more multi-family housing. Concentrations of racial and ethnic minority populations overlap with HUD-designated low- and moderate-income areas in six (6) Census Tracts in Wellington: 77.24, 77.25, 77.50, 77.58, 77.63, and 77.75. These neighborhoods may be at risk of greater housing inequity due to the convergence of demographic and socioeconomic factors. However, according to HUD’s Affirmatively Furthering Fair Housing Mapping Tool (2020), there are no specific HUD-designated Racially or Ethnically Concentrated Areas (R/ECAPs) of Poverty in Wellington.

National Origin

According to the 2018-2022 ACS 5-Year Estimates, 25% of the total population of is foreign born (2018-2022 ACS, S0503). Of note, a significant percentage of fair housing complaints in Wellington over the past 10 years cited national origin as the basis of complaint.

TABLE 3: NATIONAL ORIGIN IN WELLINGTON

National Origin	2022 Estimates	Percentage of Total Population
Total Population	61,373	100%
Total Foreign Born	15,324	25%

Source: 2018-2022 ACS 5-Year Estimates

Sex

The proportion of males versus females in Wellington has not shown a significant shift from the 2012 ACS to the 2022 ACS. The following table indicates 47.5% of the population in Wellington is male and 52.5% of the population is female.

TABLE 4: POPULATION BY GENDER IN WELLINGTON

Year	Total Population	Male	Male Percentage	Female	Female Percentage
2012	56,391	27,317	48.4%	29,074	51.6%
2022	61,373	29,131	47.5%	32,242	52.5%

Source: 2012-2022 ACS 5-Year Estimates



Familial Status

A comparison of the 2012 and 2022 Census data reveals a moderate rise in the number of householders living alone (over 65), which increased by 3.5% in a 10-year period. There was a slight increase for householders living alone, which increased by 2.2%. The data also reveal that married couples and married couples with children both saw a moderate decrease in overall percentage (2.8% and 3.2% respectively) but an increase in total households of that type (2018-2022 ACS, DPO2).

TABLE 5: FAMILIAL STATUS IN WELLINGTON

Household Type	2012	Percentage	2022	Percentage
Total Households	18,536	100%	21,163	100%
Married Couple Families	12,007	64.8%	13,130	62%
Married Couple Families w/ Children	5,726	30.9%	5,860	27.7%
HH Living Alone	2,930	15.8%	3,808	18%
HH Living Alone (Over 65)	1,090	5.9%	2,004	9.4%

Sources: 2012 and 2022 ACS 5-Year Estimates

Disability

Of the total civilian noninstitutionalized population in Wellington, 9.3% have a disability. Considering disability by age, 47.5% of persons 75 years or older in Wellington have a disability, whereas 14.1% of persons aged 65 to 74 years have a disability. This means that over half (61.6%) of persons 65 years or older in Wellington have some type of disability. Of all persons 65 or older, 13% have two or more types of disability. Ambulatory and independent living difficulties represent the highest percentages of disability reported. (2018-2022 ACS, S1810)

TABLE 6: DISABILITY IN WELLINGTON

Household Type	Population	Percentage
Total Civilian Noninstitutionalized Population	61,289	5,691 9.3%
Under 5 years	2,896	0 0.0%
5 to 17 years	12,545	608 4.8%
18 to 34 years	10,435	454 4.4%
35 to 64 years	24,527	1,510 6.2%
65 to 74 years	6,139	865 14.1%
75 years and over	4,747	2,254 47.5%

Sources: 2012 and 2022 ACS 5-Year Estimates



Fair Housing Education

Assessing Information About Fair Housing

Public awareness of fair housing issues and laws is critical to reducing fair housing violations and provides citizens with the option to take action in the form of filing a fair housing complaint. A logical assumption can be made that the more complaints that are filed the more likely people are aware of their rights and what is covered under the Fair Housing Act. The baseline measurement regarding public awareness of fair housing issues come from a national survey conducted in 2000 by HUD. The survey revealed that “majorities of the adult public were knowledgeable about and approved of most aspects of the law, although the size of the majorities varies across these aspects”⁸ In addition, only a very small percentage of survey respondents who asserted their fair housing rights had been violated took action. In 2005, a follow up survey was conducted by HUD to measure the increase of national public awareness of fair housing rights and the survey revealed very little change in public awareness overall, however public support for fair housing had dramatically increased.

The overarching goal of the fair housing act is to ensure that citizens know their rights and what to do if their rights have been violated. In general, fair housing services can typically include the investigation and resolution of housing discrimination complaints, discrimination auditing and testing, and education and outreach, including the dissemination of fair housing information such as written material, workshops, and seminars. In addition, landlord/tenant counseling is a fair housing service that involves informing landlords and tenants of their rights and responsibilities under fair housing law and other consumer protection legislation as well as mediating disputes between tenants and landlords.

There are several key players in the housing industry who participate in fair housing education and compliance efforts in Wellington and throughout Palm Beach County: The Fair Housing Center of the Greater Palm Beaches and the Legal Aid Society of Palm Beach County. These organizations provide fair housing counseling services to inform residents of their fair housing rights and monitor pending fair housing issues.

The Fair Housing Center is a full service, community-based fair housing agency that provides comprehensive fair housing services to residents throughout the State of Florida. The agency advocates and pursues enforcement of meritorious claims, educates residents on fair housing and conducts outreach campaigns designed to facilitate open housing opportunities for all people.

The Legal Aid Society of Palm Beach County educates housing providers and the public about fair housing, including how to identify and report housing discrimination, lending discrimination,

⁸ Martin D. Abravanel and Mary K. Cunningham, *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law*, U.S. Department of Housing and Urban Development, February 2006.

Source: <http://www.fhco.org/pdfs/DoWeKnowMoreNowSurvey2006.pdf>



mortgage rescue scams, and predatory lending. The Legal Aid Society conducts workshops for persons at risk for discriminatory and predatory lending practices; hosts presentations for real estate and lending professionals; develops and distributes booklets, brochures, and flyers in English, Haitian Creole, and Spanish; and publishes quarterly newsletters on fair housing law for caseworkers and housing advocates through contracts with homeownership centers.

Wellington promotes Fair Housing education through the Fair Housing webpage on the City's website. Here, citizens can find resources regarding Fair Housing programs and ordinances as well as navigate to additional regional resources for fair housing.

The Wellington Council acknowledges Fair Housing Month every April with a proclamation to promote fair housing and educate the citizenry on fair housing initiatives. Likewise, Wellington hosted a Fair Housing Seminar during Fair Housing Month in April of 2023. The webinar was posted on the city website, advertised through flyers and numerous social media platforms and numerous newsletters. The webinar featured speakers from Palm Beach County's Office of Equal Opportunity and the Department of Housing and Economic Development. Attendees had the opportunity to learn about programs and services offered through these offices and gain a better understanding of the Fair Housing Laws in Florida. Wellington will have an additional Fair Housing Seminar on the April 17, 2024, at 12pm.

Fair Housing Complaints

HUD's Office of Fair Housing and Equal Opportunity (FHEO) administers federal laws and establishes national policies that ensure all Americans have equal access to the housing of their choice. Individuals who believe they are victims of housing discrimination can choose to file a fair housing complaint through their respective Regional FHEO. Typically, when a complaint is filed with the agency, a case is opened and an investigation of the allegations of housing discrimination is conducted.

If the complaint is not successfully mediated, the FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. Where reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a "Determination", as well as a "Charge of Discrimination", and a hearing is scheduled before a HUD administrative law judge. Either party [complainant or respondent] may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in Federal court.

The study "*How Much Do We Know*", published by HUD in 2002, reports that only half of the public could correctly identify as unlawful six out of eight scenarios describing illegal fair housing conduct. Less than one-fourth of the public knows the law in two or fewer of the eight cases. In addition, 14% of the adult population claims to have experienced some form of housing discrimination at some point in their lives. Of those who thought they had been discriminated against, 83% indicated they had done nothing about it, while 17% say they did pursue a



complaint. In HUD's follow-up study *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law* [published in 2006] "41% of the former survey respondents said it was "very likely" they would do something about future discrimination compared to only 20% at most, of the latter; African Americans are even somewhat more prone to say they would be likely to respond"⁹ The survey revealed that 46% of those who reported having experienced discrimination in the past and done nothing about it said they would very likely do something about future discrimination.

Individuals with more knowledge are more likely to pursue a complaint than those with less knowledge of fair housing laws. Therefore, there is an association between knowledge of the law, the discernment of discrimination, and attempts to pursue it. Locally, it is critical that there are efforts in place to educate, to provide information, and to provide referral assistance regarding fair housing issues in order to better equip persons with the ability to recognize and resist housing discrimination.

Complaints Filed With HUD

Region IV of the FHEO receives complaints by households regarding alleged violations of the Fair Housing Act for cities and counties throughout Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee. The mission of the FHEO is to protect individuals from employment, housing, and public accommodation discrimination, and hate violence. To achieve this mission, the FHEO maintains databases of and investigates complaints of housing discrimination, as well as complaints in the areas of employment, housing, public accommodations and hate violence.

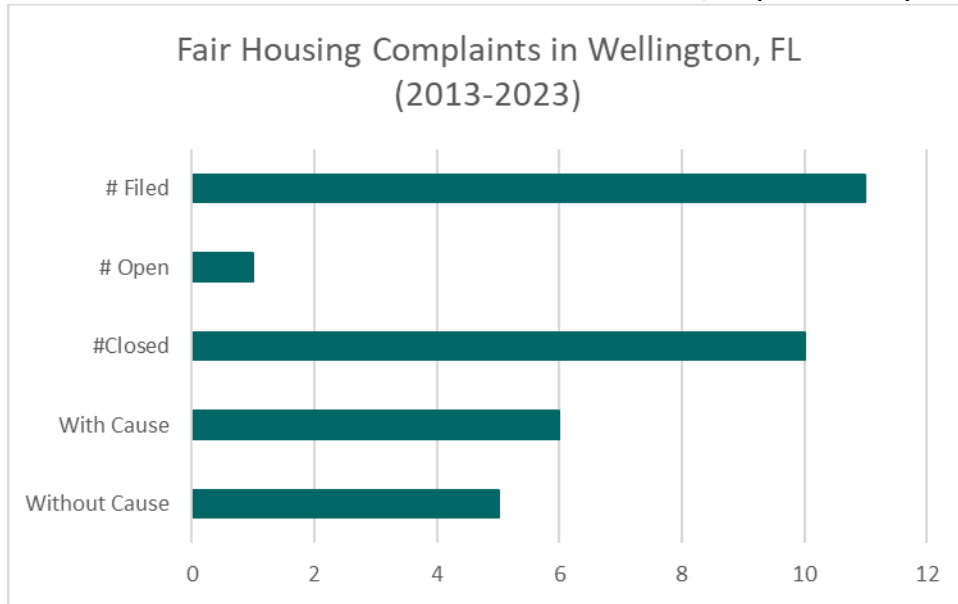
From January 1, 2013, through December 31, 2023, there were 11 fair housing complaints originating in Wellington, Florida. Of these complaints, 6 were determined to have cause and were settled, 1 complaint held a settlement compensation of \$400. Of the 11 cases filed, 10 have been closed.

⁹ Martin D. Abravanel and Mary K. Cunningham, *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law*, U.S. Department of Housing and Urban Development, February 2006.

Source: <http://www.fhco.org/pdfs/DoWeKnowMoreNowSurvey2006.pdf>

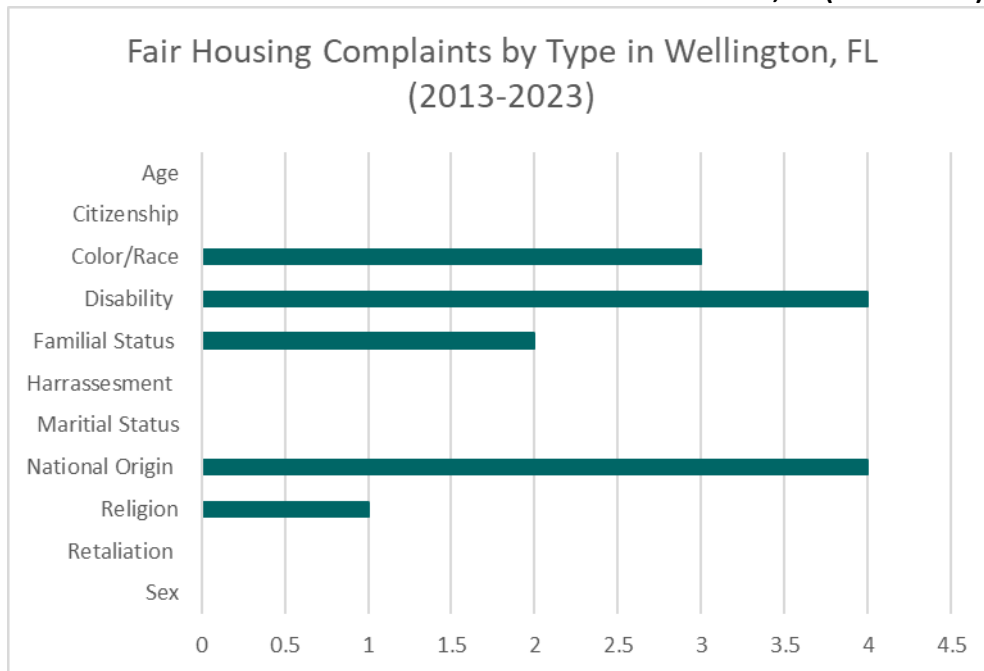


FIGURE 9: FAIR HOUSING COMPLAINTS IN WELLINGTON, FL (2013-2023)



Source: Atlanta HUD Office of Fair Housing and Equal Opportunity (FHEO)

FIGURE 10: FAIR HOUSING COMPLAINTS BY TYPE IN WELLINGTON, FL (2013-2023)



Source: Atlanta HUD Office of Fair Housing and Equal Opportunity (FHEO)

Note: Of the 11 total complaints received, 3 complaints had more than one reason for filing, thus 14 complaint reasons are listed.



The number of fair housing complaints in Wellington is limited. However, most complaints to the FHEO were based on disability or national origin, representing 73% of the total complaints filed, while color/race followed at 27% of total complaints filed. Familial status was the basis of 18% of total complaints filed. A lack of filed complaints does not indicate that a problem does not exist. It should be noted that these complaint numbers may exceed the total number of filings, due to multiple discrimination allegations within a single complaint. Many households do not file complaints because they are uneducated about the process of filing a complaint. However, there are households that are aware that they are experiencing housing discrimination, but they are simply not aware that this discrimination is against the law. Finally, most households are more interested in achieving their first priority of finding decent affordable housing and prefer to avoid going through the process of filing a complaint and following up to ensure the case is resolved.

Home Mortgage Disclosure Act Data

Data Analysis

A key aspect of fair housing choice is equal access to credit for the purchase or improvement of a home, particularly in light of the lending/credit crisis. Lending practices of financial institutions and the access to financing for all households, particularly minority households and those with lower incomes can be examined by reviewing the Home Mortgage Disclosure Act (HMDA) data. Lending patterns in low- and moderate-income neighborhoods and areas of minority concentration can also be examined through this data.

However, public data on lending does not contain detailed information to make conclusive statements of discrimination but can still point out potential areas of concern. Furthermore, except for outreach and education efforts, local jurisdictions' ability to influence lending practices is limited. The Home Mortgage Disclosure Act (HMDA) was passed by Congress in 1975 and amended in 1989. This law mandates that financial institutions such as banks, savings and loan associations, mortgage companies, and credit unions, report information concerning their home lending activity. As promulgated by rules, these lenders must disclose the number of loan applications by census tract, and by the income, race, and gender of the applicant and co-applicant. Each year, the lender must report the number of loan applications it approved and denied. The lender must also indicate how many of its loan approvals were not accepted (the institution approved the loan, but the applicant refused). Finally, the lender must specify how many applications were withdrawn (the applicant withdrew his application before the bank made a credit decision), and how many applications were incomplete (the applicant did not provide all the necessary information).

This section examines details 2022 HMDA data for the West Palm Beach-Boca Raton-Boynton Beach MSA, which includes an analysis of Loan Application Records (LAR) and Transmittal Sheet (TS) raw data collected under the Home Mortgage Disclosure Act (HMDA).



The analysis of HMDA data within the West Palm Beach-Boca Raton-Boynton Beach MSA will assist local and regional leaders to identify credit needs that are not being met by lenders. Thus, the HMDA analysis will encourage local policymakers, community leaders, and financial institutions to collaborate on marketing to promote affordable lending products that reach protected groups.

The HMDA data will provide insight into the lending patterns that exist in a community. However, the HMDA data analysis alone is only an indicator of potential problems therefore the data cannot be used to conclude definite redlining or discrimination practices. While a trend may be present in the loan originations and denials, it is not possible to determine if discriminatory practices led to such a trend based on HMDA data alone. To determine if the lending sector could be considered an impediment to fair housing choice, the reasons for denial must be a known factor. Based on HMDA data, it is unclear if these minority applicants were denied for authentic economic reasons; such a determination could only be made with further research, including testing of the mortgage lending and underwriting practices in Wellington. Likewise, HMDA data is only available for Metropolitan Statistical Areas at its smallest geography, and thus gives us a wider snapshot of the housing market instead of a more pinpointed snapshot for Wellington.

Lending Practices

While the housing market in Wellington remains exceptionally strong compared to the Great Recession years, Wellington has experienced a slight decrease in loan originations in 2022 from 2021, as evidenced by the slight drop of home purchase loans in the 2022 HMDA data. In 2022, 1,704 home loans were originated in Wellington, which includes 80 loans for home improvement, 1,576 loans for home purchases and 48 refinance loans. 1,702 loans of the 1,704 loans originated were for the purchase of 1-4 family properties.

A further analysis of the 2022 HMDA data for originations by loan purpose reflects a major improvement in the number of refinance loan applications since the COVID-19 pandemic and immediate post-COVID years. A total of 48 refinance loans were originated in Wellington in 2022.

As indicated in the table below, the highest number of home loan originations for purchases and refinance loans were in the loan amount ranging from \$300,000 to \$399,999. Very few home loan originations were for multifamily.



TABLE 7: LOAN AMOUNTS BY PROPERTY TYPE, HOME PURCHASE (2022)

LOAN AMOUNT	1-4 FAMILY	MULTIFAMILY
LESS THAN \$50,000	36	
\$50,000-\$74,999	69	
\$75,000-\$99,999	62	
\$100,000-\$124,999	92	
\$125,000-\$149,999	90	
\$150,000-\$174,999	22	
\$175,000-\$199,999	58	
\$200,000-\$249,999	144	
\$250,000-\$299,999	114	
\$300,000-\$399,999	240	
\$400,000-\$499,999	197	
\$500,000-\$599,999	151	
\$600,000-\$699,999	115	
\$700,000-\$799,999	45	
\$800,000-\$899,999	26	
\$900,000-\$999,999	27	
\$1,000,000-\$4,999.999	78	2
\$\$5,000,000 OR MORE	8	

Source: University of Florida, Shimberg Center for Housing Studies, data for “Wellington”, as sourced from FFIEC/HMDA



Loans Approval and Denials

The HMDA data also contains information about the reasons for denials of the loan applications, which is important when determining programs and activities to assist homebuyers. Denials were reviewed by denial reason. This particular data field in the HMDA database is not required to be reported by responding institutions. Consequently, there are a number of denial reasons missing from the data. Nevertheless, the main difficulties that borrowers seem to face relate to high debt-to-income ratios, incomplete applications, and lack of collateral. The leading cause of denials was debt-to-income ratio followed by credit history.

TABLE 8: LOAN APPLICATION APPROVED/DENIED BY RACE/ETHNICITY

RACE	LOAN ORIGINATED	APPLICATION DENIED	OTHER
AMERICAN INDIAN OR ALASKA NATIVE	4	9	4
ASIAN	66	33	50
BLACK OR AFRICAN AMERICAN	74	77	61
NATIVE HAWAIIAN OR OTHER PACIFIC ISLANDER	1	5	2
WHITE	1,133	433	480
HISPANIC OR LATINO	46	33	16
NOT HISPANIC OR LATINO	1,428	611	713
INFORMATION NOT PROVIDED	362	127	183
NOT APPLICABLE	38	2	11

Source: University of Florida, Shimberg Center for Housing Studies, data for “Wellington” sourced from FFIEC/HMDA

*Other includes applications that were approved but not accepted, applications withdrawn by the applicant, and files closed for incompleteness.

In a further review of loan application dispositions from the perspective of approval or denial by race and ethnicity, White applicants experienced a rejection rate of 26.8%. Most minority groups did not fare nearly as well. African Americans had their applications denied 57% of the time, which is much higher than the 23% rate experienced by Whites. Asians were rejected 28% of the time. Hispanics were rejected 53% of the time.



Summary of Findings

The HMDA data analysis illustrates the condition of the housing market, as the number of total loan originations has slightly decreased in the last year but remains much higher than rates seen during the Great Recession years. The denial rates for selected racial and ethnic minorities, especially Hispanics and Latinos reflect much higher denial rates. This percentage can imply a need for enhanced understanding of credit and credit markets by minority consumers. This may put some homeowners at risk of losing their homes. This implies a need to better understand credit and credit markets, especially subprime loans by lower income consumers of these credit products.

Affordable Housing Snapshot

Affordability is an important part of fair housing choice and individuals being able to obtain secure, safe, and decent housing. It is also a significant factor for residents attempting to select housing that meets their current family needs. HUD defines “housing affordability” as housing-related expenses, rent or mortgage and utilities that do not cost more than 30 percent of a family’s income.¹⁰ Homeowners or renters who are paying more than 30 percent of their income on housing-related costs are at risk for experiencing cost burdens. Gross cost burden is generally defined as individuals paying 30-50 percent of gross household income while severe cost burden is generally defined housing costs that exceed 50 percent of gross household income. Such a housing affordability standard allows sufficient income for other basic elements of living, such as food, medical care, transportation, and clothing.

HUD presents affordability data by income ranges based on median family income. HUD divides low and moderate-income households into categories, based on their relationship to the median family: extremely low-income (earning less than 30 percent of the MFI), very low-income (earning between 30 and 50 percent of the MFI), low-income (earning between 51 and 80 percent of the MFI) and moderate-income (earning between 81 and 120 percent of the MFI).

According to HUD, the 2022 Median Family Income (MFI) for the West Palm Beach-Boca Raton, FL HUD Metro Area was \$90,300. The income limit for a four-person household making 30% of median income was \$27,750, which is considered extremely low income, while the income limit for a four-person household making 80% of median income was \$73,600, which is considered low income. According to the 2022 ACS estimates, the 2022 Median Family Income (MFI) for a four-person household in Wellington is \$138,242. (2018-2022 ACS, S1903)

¹⁰ U.S. Department of Housing and Urban Development, <http://www.hud.gov/offices/cpd/affordablehousing/index.cfm>



TABLE 9: FY 2023 INCOME LIMITS FOR WEST PALM BEACH-BOCA RATON, FL

Median Income: \$98,300	Income Limit Category		
	Extremely Low*	Very Low (50%)	Low (80%)
1 Person	\$20,450	\$34,100	\$54,550
2 Person	\$23,400	\$39,000	\$62,350
3 Person	\$26,300	\$43,850	\$70,150
4 Person	\$30,000	\$48,700	\$77,900
5 Person	\$35,140	\$52,600	\$84,150
6 Person	\$40,280	\$56,500	\$90,400
7 Person	\$45,420	\$60,400	\$96,600
8 Person	\$50,560	\$64,300	\$102,850

Source: HUD User Dataset, FY 2023 Income Limits Summary, www.huduser.gov, *Definition of extremely low-income is the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guidelines established by the U.S. Department of Health and Human Services

Housing choices are fundamentally limited by household income and purchasing power. Cost, therefore, restricts housing choice, particularly for those with lower incomes. In many cases, minority households have a much higher incidence of poverty and are therefore disproportionately impacted by housing costs as are other individuals included in the protected classes that may have limited incomes. For example, a single person residing in Wellington earning minimum wage (\$12.00 per hour) and working 40 hours per week for 52 weeks per year earns an annual income of \$24,960, which is just slightly above the extremely low-income limit category as shown in the table above.

Housing Characteristics

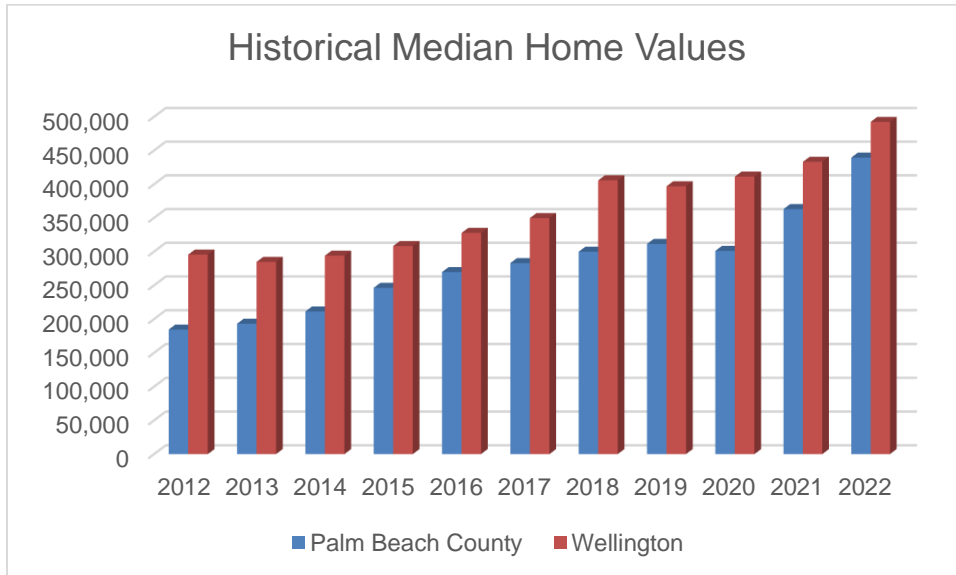
According to the 2022 American Community Survey 5-Year Estimates, Wellington has an estimated 23,678 housing units, of which 2,515 or 10.6% were vacant. According to the 2022 ACS data, 61.4% of the units in Wellington’s housing stock were built after 1990. The most common type of housing in Wellington is single-family detached units which totals 17,013 units or 71.9% of the total housing stock. While 6,596 units or 27.9% of the total housing stock was multi-family or attached units; mobile homes comprised less than 1% of the total housing units for Wellington with only 69 mobile home units (2018-2022 ACS, DP04).



Affordable Homeownership

According to the American Community Survey 5-Year Estimates, the median value for a home in Wellington, in 2022 was \$492,400, which would not be considered affordable for low- to moderate-income households. This is compared to a median home price of \$295,600 in 2012. At the same time in 2012, the median home price in Palm Beach County was \$184,400.

FIGURE 11: HISTORICAL MEDIAN HOME VALUES



Source: 2012 and 2022 ACS 5-Year Estimates



As shown in the table below sourced from the American Community Survey 5-Year Estimates, recent home sales trends show that 2.4% of home sales ranged between \$100,000 and \$199,999. The greatest number of home sales (41.5%) fell within a range of \$500,000 to \$999,999. Housing costs have continued to increase due to the recent population increases and the demand for more housing in the area. Approximately 11% of all homes in Wellington cost under \$299,000. (2018-2022 ACS)

TABLE 10: AFFORDABILITY SNAPSHOT

Affordability Snapshot	
Median value of home	\$492,300
Total Owner-Occupied Housing units with a mortgage	10,304
Total Owner-Occupied Housing units without a mortgage	5,748
HOME VALUE OF OWNER-OCCUPIED UNITS	
Less than \$99,999	255
\$100,000 to \$199,999	393
\$200,000 to \$299,999	1,199
\$300,000 to \$499,999	6,451
\$500,000 to \$999,999	6,667
\$1,000,000 or more	1,087

Source: 2018-2022 ACS 5-Year Estimates, U.S. Census Bureau, www.census.gov



As indicated in the table below sourced from Rocket Homes, Wellington had an average median sales price ranging from \$446,000 for a 2-bedroom home to \$1,000,000 for a 5-bedroom home in March 2024. Wellington has a diverse municipal area with spots of high-density development along with areas that are required to have a minimum of 10 acres for each lot. Upon examination of the median sales price of homes in the area, it is evident that recent economic conditions in the State of Florida had led to a substantial increase in home prices. This has reduced the affordable housing options available in Wellington, however there are still viable affordable housing options available. The above table also demonstrates the stratification that is present within Wellington.

TABLE 11: MARCH 2024 HOME PRICES

Number of Bedrooms	Median Sales Price, March 2023	Median Sales Price, March 2024	Change from 2023 to 2024
1 Bedroom	\$2,700,000	\$5,500,000	106.9%
2 Bedroom	\$420,000	\$446,000	6.2%
3 Bedroom	\$550,000	\$587,700	6.9%
4 Bedroom	\$755,000	\$764,500	1.3%
5+ Bedroom	\$1,000,000	\$1,000,000	-1.7%

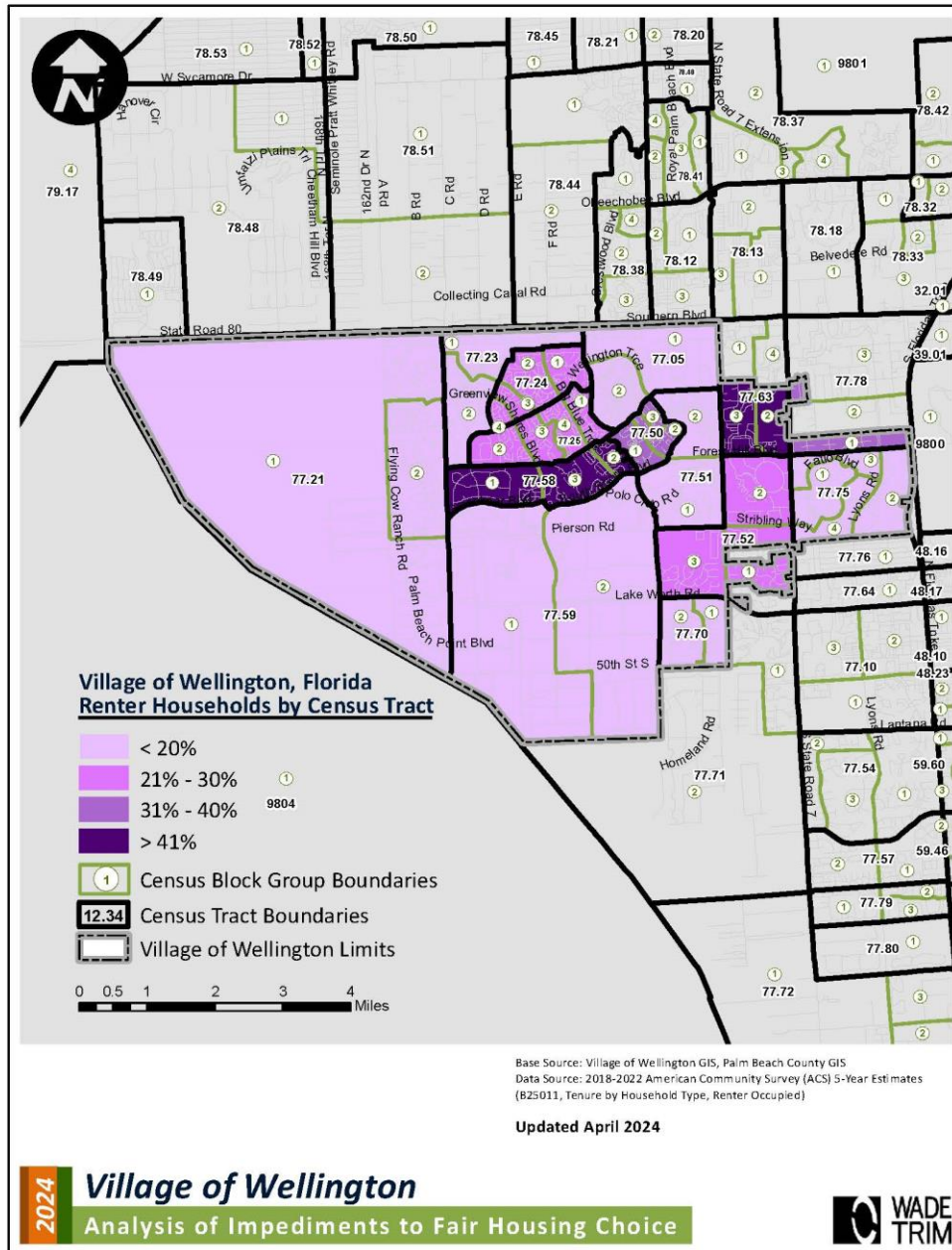
Source: March 2024 Wellington Housing Market Report, Rocket Homes

Affordable Rental Housing

The 2022 American Community Survey 5-Year Estimates counted a total of 23,678 housing units in the Wellington area with an occupancy rate of 89.4%. According to the 2022 ACS estimates, it is estimated that 24.2% or 5,111 households rented their homes. The map below shows areas where renters are most concentrated, in Census Tract 77.58 and 77.63.



FIGURE 12: PERCENTAGE OF RENTER HOUSEHOLDS

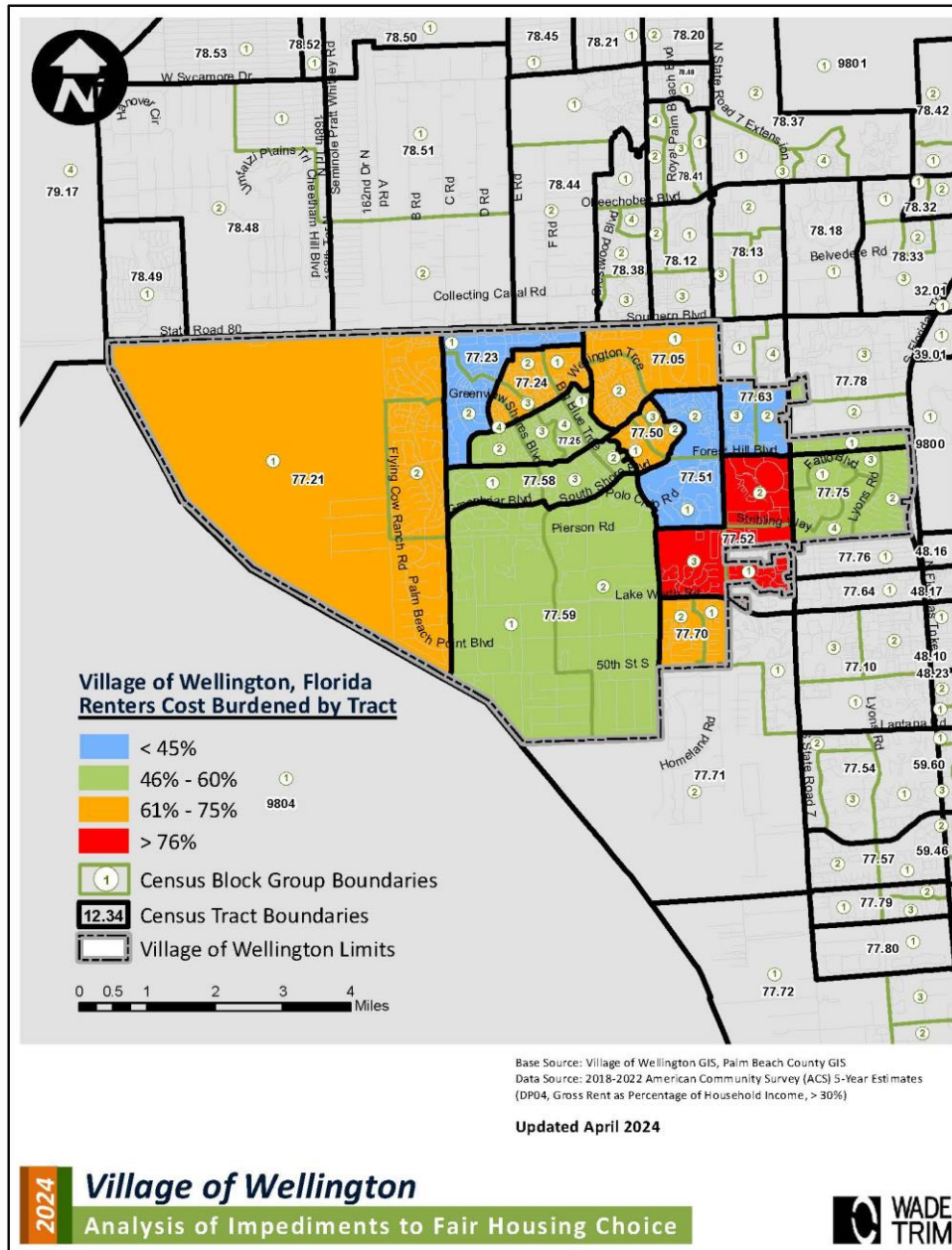


According to the National Low Income Housing Coalition's "Out of Reach" 2023 Annual Report, in Florida, the average wage for a renter is \$22.52 per hour. To afford the HUD Fair Market Rent (FMR) for a two-bedroom apartment in Florida (average cost \$1,591) at this wage, a renter must earn \$5,302 monthly or \$63,622 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates to an hourly Housing Wage of \$30.59.

By comparison, the average wage for a renter in the West Palm Beach-Boca Raton, FL MSA, which includes Wellington, is \$26.54 per hour. The HUD Fair Market Rent (FMR) for a two-bedroom apartment in the West Palm Beach-Boca Raton, FL MSA is \$1,881, and to afford this level of rent plus utilities, without paying more than 30% of income on housing, a household must earn at least \$75,240. As noted in the following map, the highest concentrations of renters who are cost burdened in Wellington occurs in Census Tract 77.52.



FIGURE 13: PERCENTAGE OF RENTERS COST BURDENED



Household Income Costs

As indicated in the following table, Wellington has approximately 36% of its homeowners spending more than 30% of their annual household income on housing-related costs. Cost burdens on homeowners are predicted to continue to increase in Wellington due to the increasing cost of living in the area, which is a result of the smaller areas of wealthier households who have higher valued properties and larger household incomes as well.

TABLE 12: HOUSING COSTS AS PERCENTAGE OF INCOME IN WELLINGTON

Housing Costs as Percentage of Income (Owners with a Mortgage)	
Less than 20.0 percent	3,722
20.0 to 24.9 percent	1,855
25.0 to 29.9 percent	995
30.0 to 34.9 percent	1,059
35.0 percent or more	2,634

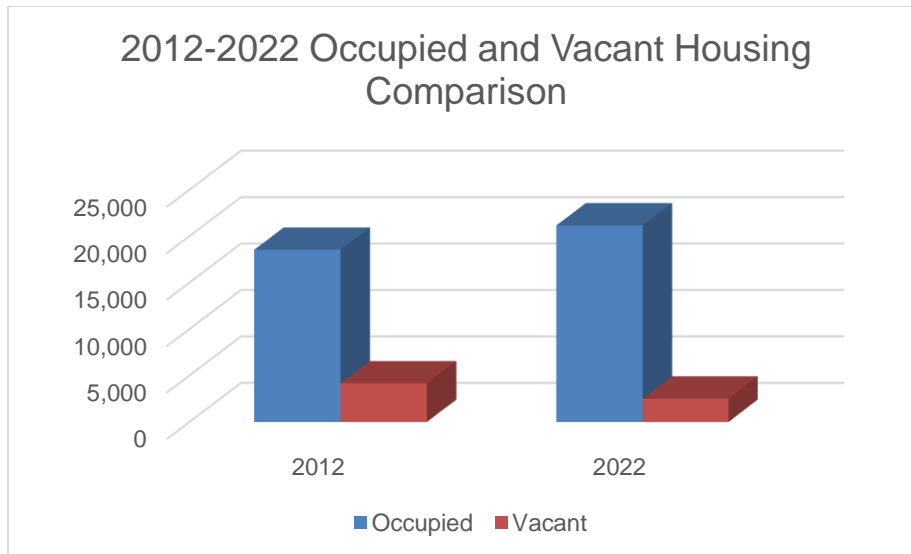
Source: 2018-2022 American Community Survey, U.S. Census Bureau, www.census.gov

Vacancy

According to the 2012 ACS estimates, the overall vacancy rate for Wellington was 4,155 units or 18.3% however; in the 2022 ACS estimates 2,515 units or 10.6% of houses were vacant. Low vacancy rates are reflective of high demand, which will continue to add pressure to increase rents. Low vacancy rates could also mean that prospective renters, particularly low-income renters, have a difficult time finding housing. The chart below provides a snapshot of Wellington’s 2012-2022 occupied and vacancy status by type of housing unit. (2012, 2022 ACS, B25002)



FIGURE 14: OCCUPIED AND VACANT HOUSING COMPARISON



Source: 2012 and 2022 ACS 5-Year Estimates, www.census.gov

Foreclosure Data

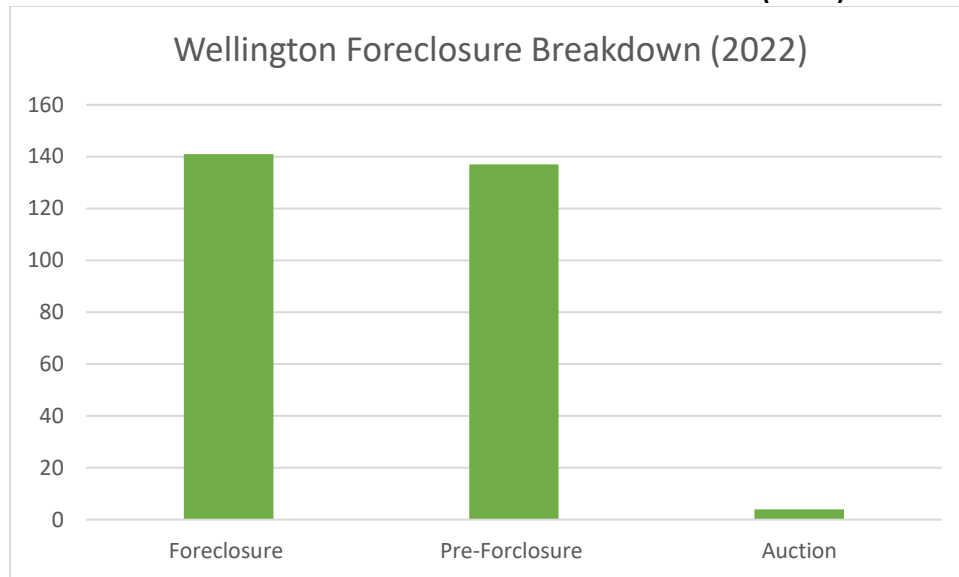
The national housing market has experienced a catastrophic downfall due to the excess housing supply, lending disruptions and high unemployment rates. Additionally, foreclosure rates have also increased due to the high quantity of sub-prime mortgages and adjustable-rate mortgages that were issued during the housing market boom.

Similar to other areas of the country, Wellington has experienced a dramatic decrease in foreclosure rates. The decreasing number of foreclosures has had a positive impact on the community. Much of this decrease can be attributed to lingering effects of the COVID-19 pandemic and an exceptionally strong economy and housing market in the State of Florida. As of March 2022, Wellington had 141 foreclosures, a number that was as high as 2,019 in May 2011, 137 pre-foreclosures and 4 auctions.





FIGURE 15: WELLINGTON FORECLOSURE BREAKDOWN (2022)



Source: Foreclosure in Wellington, FL, 2022, www.realtytrac.com



Public Housing Assistance and Housing Choice Vouchers

While Wellington itself does not have an established Housing Authority, the Palm Beach County Housing Authority does provide housing assistance for low and moderate-income residents in Wellington. The Palm Beach Housing Authority (PBCHA) was established to provide affordable housing to low-income families through a variety of rental assistance programs, such as Section 8 Program, Affordable Housing Apartment Units, and Public Housing throughout Palm Beach County.

The mission of PBCHA is to provide safe and affordable housing for low and moderate-income families, elderly, and disabled individuals who strive for self-sufficiency and/or independent living. The PBCHA is committed to increasing the quality housing opportunities to residents through effective and responsive management and responsible stewardship of public and private funds.

Counting both public housing units and housing units subsidized by Housing Choice Vouchers, the PBCHA controls a total of four (4) developments which includes Drexel House, Dyson Circle, Schall Landing, and Seminole Estates located throughout the County. Additionally, the PBCHA manages numerous single-family homes throughout Palm Beach County and 2,998 housing choice vouchers throughout the County.

TABLE 13: PUBLIC HOUSING INVENTORY - PALM BEACH COUNTY HOUSING AUTHORITY

	Public Housing	Housing Choice Vouchers
Total Units	428	2,998
% Occupied	97	74
% Disabled	16	14
% Minority	94	92
% Black	71	78
% Hispanic	24	14
Total Persons Housed	1,170	6,442
Months Waiting	53	16
Months from Move-In	103	124

Source: HUD User, <https://www.huduser.gov/portal/datasets/assths.html>



Infrastructure

Transportation

Public transportation can play a significant role in increasing access to the supply of affordable housing to groups in need and others protected under fair housing laws. The issue at hand regarding transportation and fair housing choice revolves around the ease with which a citizen can travel from home to work if he/she lives in a lower income area or an area of minority concentration. If public transportation from a lower cost neighborhood is inefficient in providing access to employment centers, that neighborhood becomes inaccessible to those without dependable means of transportation, particularly very low-income residents, the elderly, and persons with disabilities.

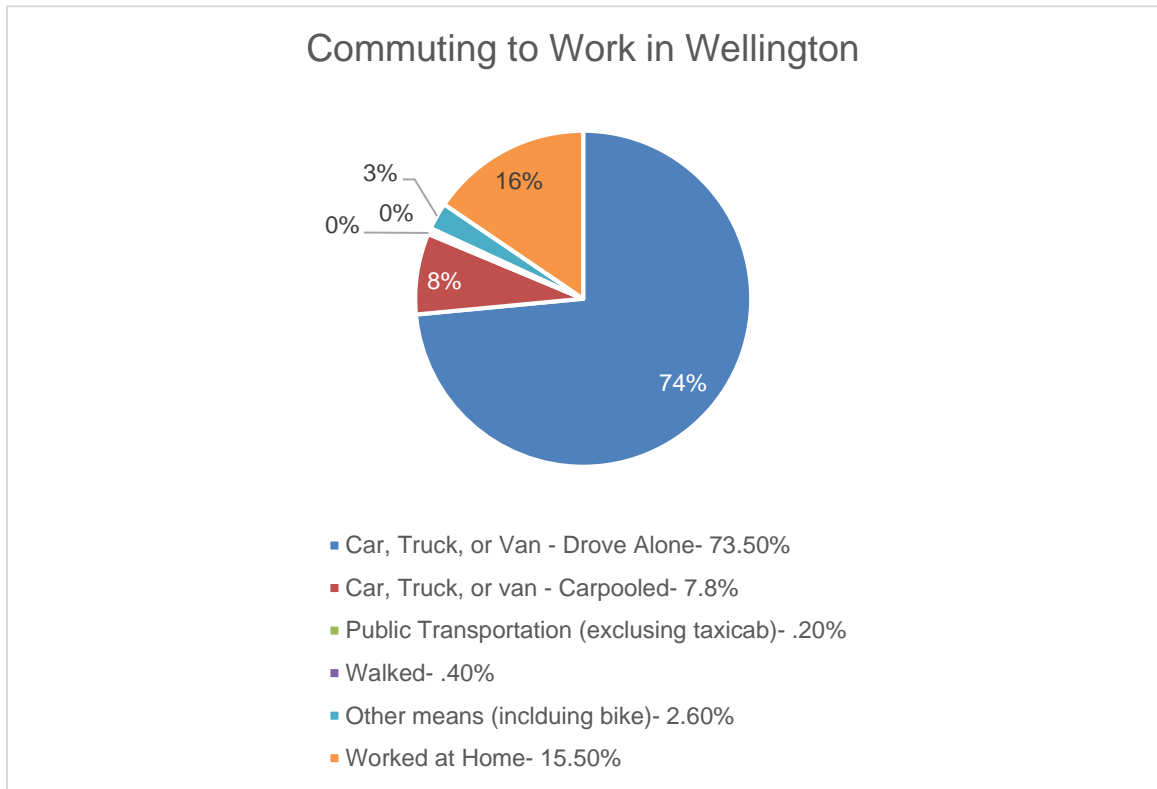
Commuting in Wellington, Florida

Wellington does not operate its own transit system; however, residents can utilize the County transit system called Palm Tran. Palm Tran offers public transportation services for local residents and individuals who may be commuting to the area. Many transportation modes exist, such as driving, carpooling, public transportation, biking and walking, the most common choice for commuting to work is driving alone. According to the 2018-2022 American Community Survey estimates, 81.3% of workers using a private automobile for daily transportation to work in Wellington.

As depicted in the following table, 73.5% of residents in Wellington commute to work using a car, truck, or van and drove alone; 7.8% commute to work by carpooling; 0.2% commute to work by public transportation; 0.4% commute to work by walking; 2.6% commute by other means; and 15.5% of residents worked from home.



FIGURE 16: COMMUTING TO WORK IN WELLINGTON



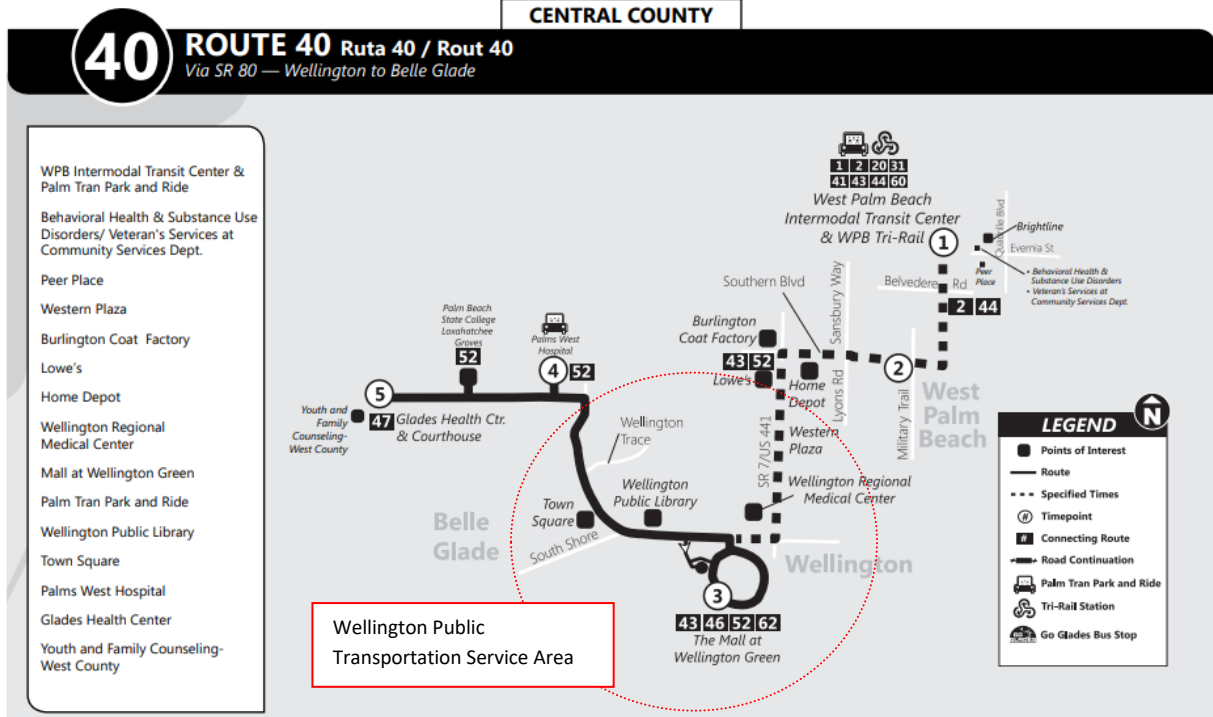
Source: U.S. Census Bureau, 2018-2022 ACS 5-Year Estimates

Public Transportation

Palm Tran provides fixed-route bus transportation to the residents of Wellington. Buses operate on a 30-minute frequency during weekday peak rush hours and 60-minute frequency mid-day and weekends. Route 40 and Route 52 services the Wellington area. Route 52 has no Sunday service. Although the bus routes are limited in this area, the community has established Palm Tran CONNECTION to provide specialized door-to-door service for the elderly and eligible disabled persons.



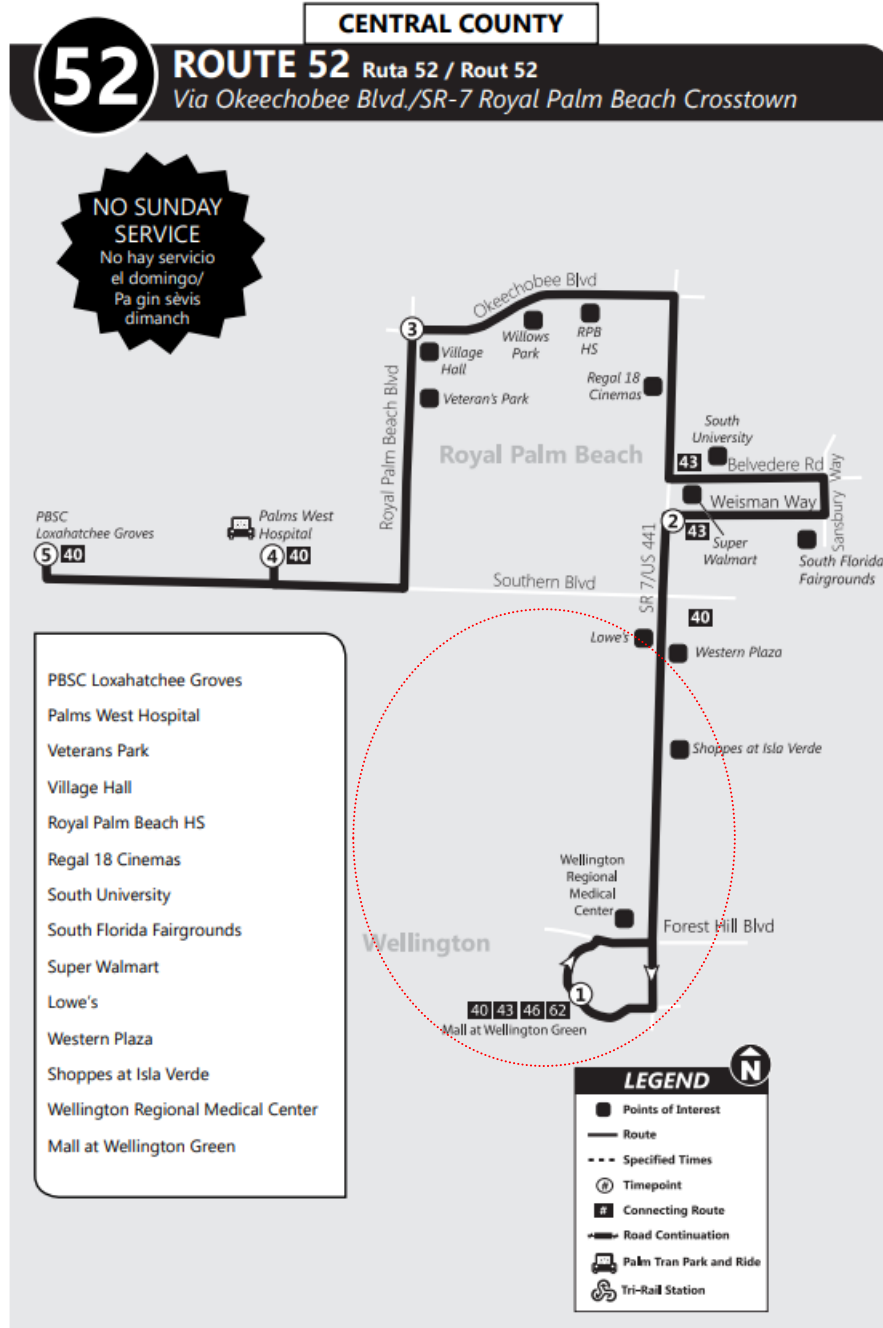
FIGURE 17: PALM TRAN ROUTE 40



Source: Palm Beach Transit - http://www.pbcgov.com/palmtran/maps_schedules/



FIGURE 18: PALM TRAN ROUTE 52



Source: Palm Beach Transit - http://www.pbcgov.com/palmtran/maps_schedules/



Water/Sewer Infrastructure

Wellington owns and operates one water treatment plant that serves approximately 56,000 persons. Wellington currently has a treatment capacity of 12.3 million gallons per day, with 8.25 million gallons of storage capacity. The water used by residents and businesses in Wellington are pumped by eleven high service pumps which have a rating of 24,000 gallons per minute of pumping capacity for peak flows. Wellington receives its water through 18 groundwater production wells that have a depth of 80 to 120 feet.

Wellington also operates a wastewater treatment facility with a permitted treatment capacity of 6.5 million gallons per day. Through 106 lift stations, sewage is pumped under pressure to the wastewater treatment facility where it is processed.”

Summary of Findings

Wellington has experienced significant growth over the last decade; as such, Wellington has recognized some of the unique needs of its community and implemented strategies to overcome these needs.

The assessment of transportation in Wellington did not reveal any impediments to fair housing for residents.

The assessment of Wellington’s water and sewer did not reveal any impediments to fair housing for its residents.

Land Use & Zoning

Comprehensive planning is a critical means by which governments address the interconnection and complexity of their respective jurisdictions. The interconnectedness of land uses means that a decision as to the use of a particular piece of property has consequences not only for surrounding property, but for a myriad of other issues as well. For example, a decision to use a parcel of land for development of a shopping mall (a land use decision) will alter the values and uses of surrounding property. The same decision may also impact traffic patterns or increase environmental concerns by increasing impervious areas and runoff. For this reason, “[t]he land-use decisions made by a community shape its very character – what it’s like to walk through, what it’s like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how well the natural environment survives, and whether the community is an attractive one or an ugly one.”¹¹ By extension, decisions regarding land use and zoning can have profound impact on affordable housing and fair housing choice, as will be discussed within this section.

From a regulatory standpoint, local governments are tasked with implementing measures to control land use through zoning, which often define the range and density of housing resources that can be introduced into a community. In communities across the United States (but not

¹¹ John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.



necessarily in Wellington), the zoning provisions that most commonly result in impediments to fair housing choice include the following:

- Restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, or require inordinately large lot sizes that deter affordable housing development.
- Restrictive definitions of family that impede unrelated individuals from sharing a dwelling unit.
- Placing administrative and siting constraints on group homes (i.e., congregate living facilities).

Land Development Regulations of Wellington

Wellington regulates all land development within the jurisdiction through its Land Development Regulations (LDR), under the guidance provided by Wellington's Comprehensive Plan.

The LDR was adopted on June 28, 2005. Its purpose and intent is: 1) "to implement and ensure that all development orders approved in the Village are consistent with the Comprehensive Plan;" 2) "It is also the purpose of the Village Council that this Code establish comprehensive and consistent standards and procedures for the review and approval of all proposed development of land in the Village;" and 3) "It is the further purpose of the Village Council that the development review, approval, and permitting process under this Code be efficient, in terms of time and expense, effective, in terms of addressing the natural resource and public facility implications of proposed development, and equitable, in terms of consistency with established regulations and procedures, respect for the rights of property owners, and consideration of the interest of the citizens of the Village."¹²

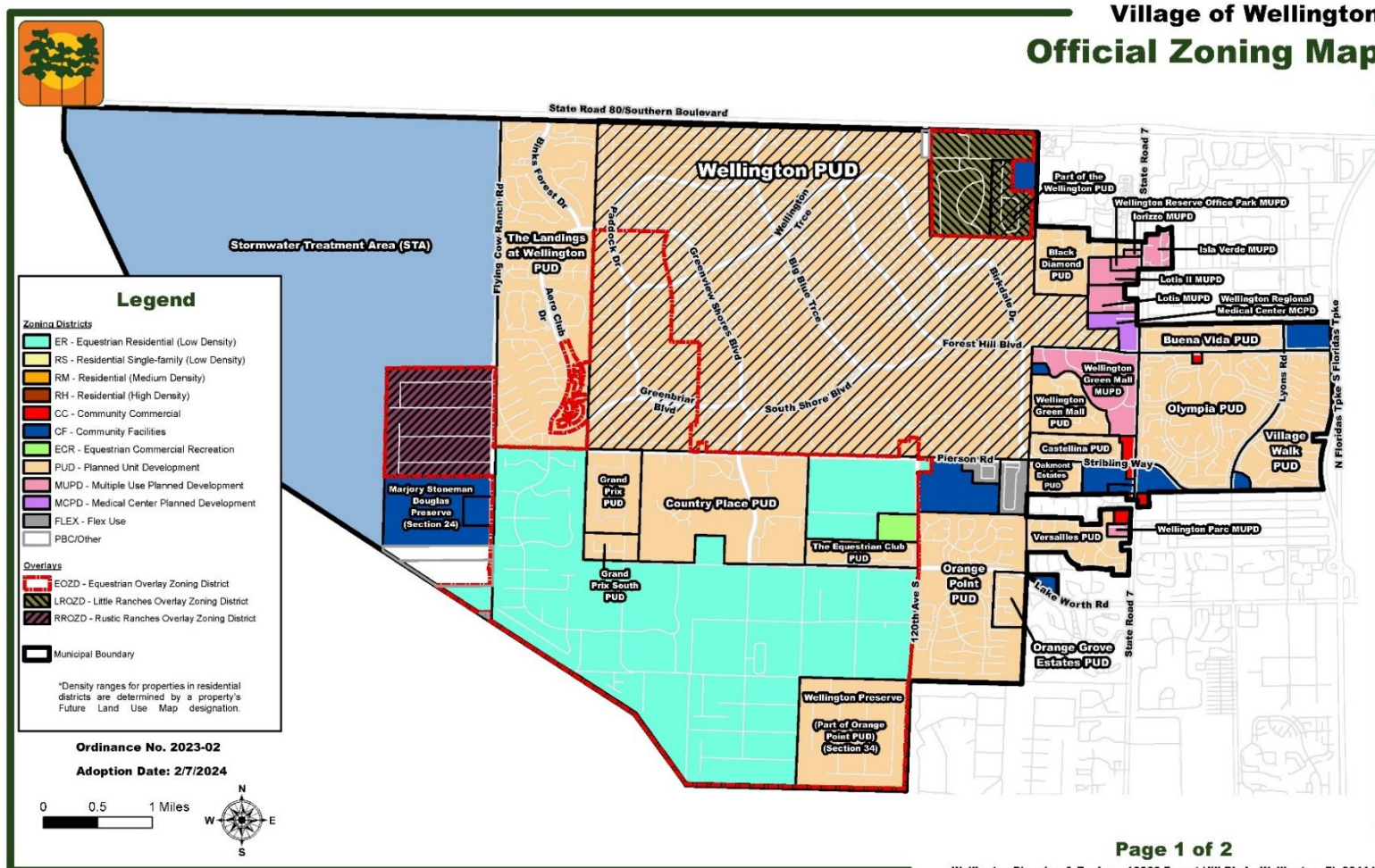
Wellington is permitted to exercise the planning and zoning authority granted by the applicable provisions of Chapter 163, Part II, Florida Statutes, which is also known as the Community Planning Act¹³ This ordinance consolidates all regulations that govern development in Wellington into one document. The LDR includes tables, charts and other graphics that make its provisions more accessible. A map depicting current land use as shown through existing zoning districts (as of February 7, 2024, when the most recent zoning map was adopted) within Wellington appears below.

¹² Wellington Land Development Regulations, "General Provisions"
https://library.municode.com/FL/Wellington/codes/unified_land_development_code

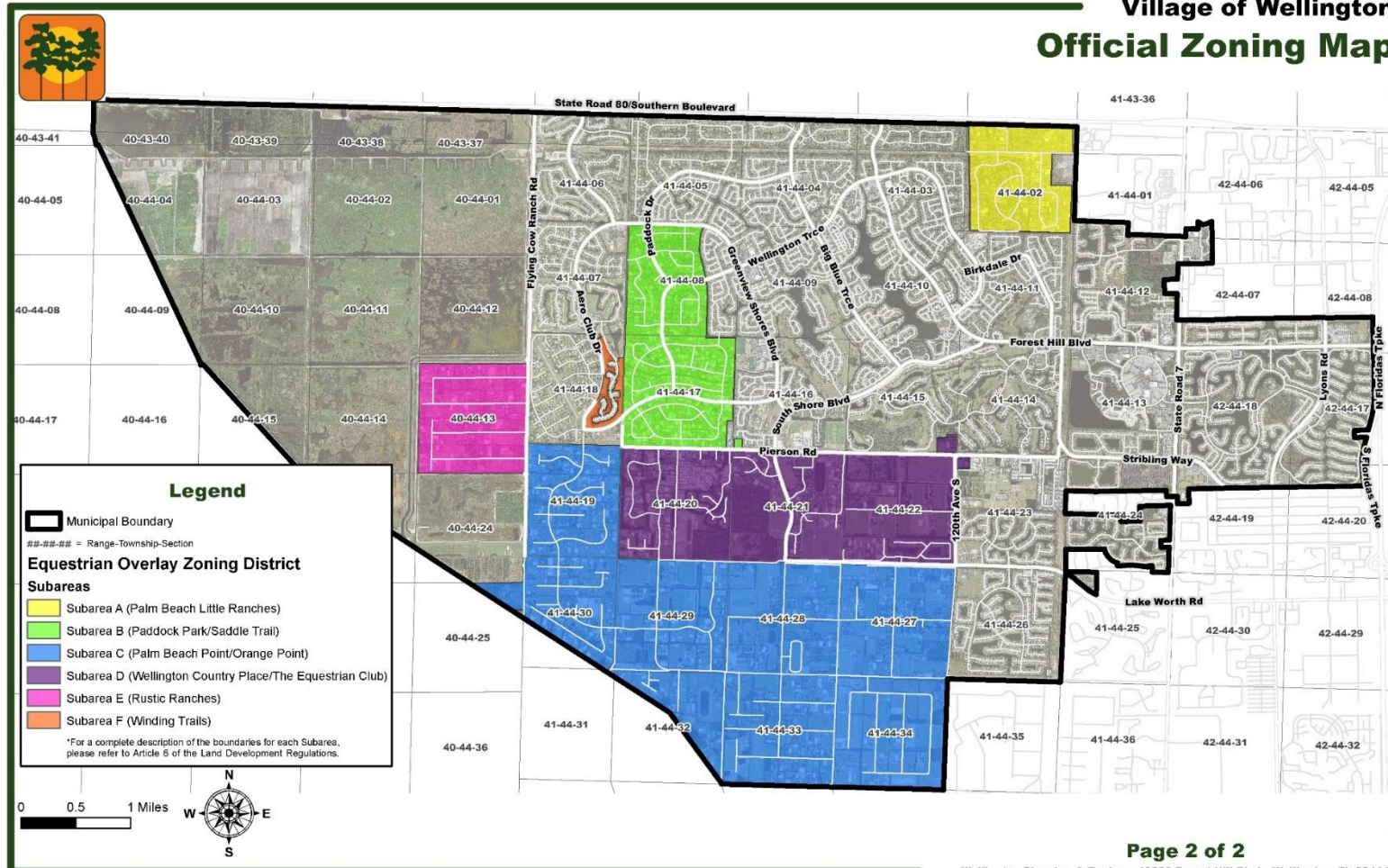
¹³ Wellington, Florida Comprehensive Plan, 2024. <https://www.wellingtonfl.gov/850/Comprehensive-Plan-Update>



FIGURE 19: WELLINGTON ZONING MAP



Village of Wellington Official Zoning Map



Source: Wellington LDR, Planning, Zoning and Strategic Division, 2024



Residential Districts – There are currently six Wellington zoning districts that permit residential uses: Residential Single-Family (RS), Residential Medium Density (RM), Residential High Density (RH), Equestrian Residential (ER), Multiple Use Planned Development District (MUPD) and Planned Unit Development (PUD). Of the six zoning designations that allow residential uses, four allow multi-family units: RM, RH, MUPD and PUD. Zoning areas, specifically those that do not permit multi-family units, have minimum lot size requirements ranging from 6,000 square feet (in the RS zoning district) to 10 acres (in the ER zoning district).

This wide range provides significant flexibility to housing developers and permits a variety of housing options, including single-family detached, in an affordable price range. In areas where land values are especially high, a zoning provision requiring lot sizes of 10 acres or more would substantially diminish the ability of a developer to construct affordable housing, but in Wellington, these “Equestrian Residential” districts are offset by ample low-density, single-family districts (including RS) and medium and high-density districts permitting detached single-family homes (including RM and RH). Accordingly, Wellington’s LDR does not appear to impose unreasonably restrictive lot sizes that would effectively disallow affordable housing development.

Housing choice should include more options than just single-family detached dwellings. While Wellington’s LDR provides the ability to make single family detached homes affordable for many moderate-income households, low- and very-low-income families may require even less expensive options to avoid cost burden. As such, the LDR’s treatment of multi-family and other attached forms of housing units must be evaluated as well.

All zoning districts allow “zero lot line” home developments, which means a dwelling can be constructed close to the property line with no setback, sometimes even adjoining and sharing a wall with an adjacent dwelling. Small patio homes or garden homes are made possible by such provisions and can provide low-cost housing, often popular with seniors. Developments that typically employ a “zero lot line” include townhomes, duplexes, condominiums, etc. and are usually found in higher density zoning districts. The presence of these zones that allow for “zero lot lines” provides development of housing that can accommodate lower-income households affordably.

Particularly important in multi-family districts is an examination of building height maximums. A multi-family zone with a low maximum building height will restrict the number of units a developer can produce on a certain sized lot, thus reducing the number of units construction and maintenance costs can be spread between and making the resulting housing more expensive. In the residential districts, the maximum building height is 35 feet, effectively restricting development to 3 stories. However, the PUD and MUPD district permits buildings up to 72 feet under certain requirements, allowing creation of twice as many units on the same size lot with a 35-foot height maximum. This height is only permitted for certain future land use designations and for certain uses along the State Road 7 Corridor. These regulations, then,



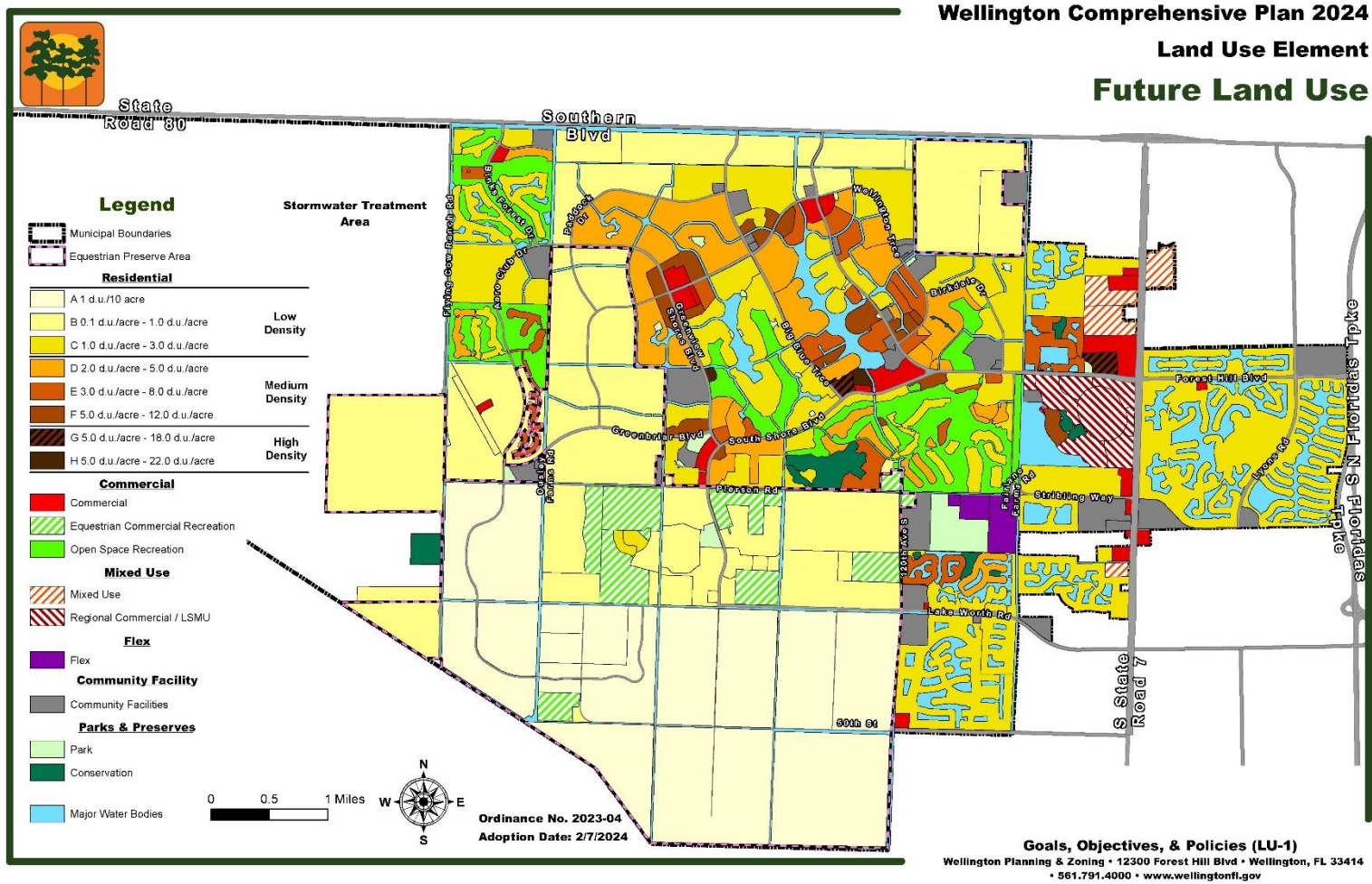
could permit development of apartments with relatively very low rents, expanding housing options for those with low incomes.

In Wellington, mobile homes and manufactured homes are prohibited, except as temporarily provided in the PUD and EOZD overlay zoning district. Mobile and manufactured home definitions may be found in the LDR, but neither definition appears to encompass modular homes. Typically, a permanent housing unit constructed on-site of prefabricated pieces, a modular home offers an affordable option for detached, single-family homeownership to households who may not be able to afford a traditionally constructed home. To the degree developers or residents find that modular homes may meet a need in terms of expanding fair and affordable housing choices, further exploration and accommodation of this housing type should be considered by the government of Wellington.

A map depicting the future land use plan for Wellington, including locations of the various zoning districts that have been examined is displayed on the next page.



FIGURE 20: WELLINGTON FUTURE LAND USE MAP



Source: Wellington Comprehensive Plan 2024, Planning, Zoning and Strategic Division, 2024



Definition of “Family”

The Wellington LDR defines family as:

“... either a single person occupying a dwelling unit and maintaining a household, including not more than one (1) boarder, roomer, or lodger as herein described; or two (2) or more persons related by blood, marriage, or adoption occupying a dwelling, living together and maintaining a common household, including not more than one (1) such boarder, roomer, or lodger; or not more than four (4) unrelated persons occupying a dwelling, living together and maintaining a non-profit housekeeping unit as distinguished from a group occupying a boarding or lodging house, hotel, club or similar dwelling for group use. A common household shall be deemed to exist if all members thereof have access to all parts of the dwelling.¹⁴

Sharing rent payments with unrelated roommates is a common method for low- and moderate-income individuals to achieve affordable housing with little to no cost burden. Additionally, the help of an unrelated live-in aide is sometimes desired by the elderly or persons with disabilities. The LDR’s broad definition of family allowing a combination of persons who may or may not be related to live together in a dwelling unit is unrestrictive and increases fair housing choice.

Restrictions on Residential Uses

Personal Care Homes, or congregate living facilities, are residential facilities that provide meals and one or more personal care services on a fee basis to resident clients (e.g. convalescent and nursing facilities, foster homes for children, and facilities for the aged, ill, or disabled). These facilities are permitted with up to six persons in RS, RM, RH, PUD, RS, ER and MUPD districts with only an approved permit from the staff level. Those facilities housing more than six (6), but no more than fourteen (14) persons are allowed as a conditional use approved by the Wellington Council in RM, RH, PUD and MUPD districts. For all facilities housing more than fourteen persons, they are allowed in PUD, MUPD, and MCPD districts with a conditional use permit required from the Wellington Council.

Shelters for victims of domestic violence or child abuse are not permitted within Wellington’s LDR. However, there are several areas of the LDR where concessions are made for transitional services and emergency shelters. For example, weather-related or public emergency type of shelter may be permitted by the Director of Community Services within any zoning district for a period of up to six months, with an optional three-month extension. In addition, transitional housing is included in Wellington’s definition of Congregate Living Facilities.

Conditional Uses

Some residential uses, such as larger congregate living facilities, are permissible in residential zones through approval of a Conditional Use Permit. All congregate living facilities that house less than six persons may be approved at the staff level without the necessity for a Conditional Use Permit. With larger scale congregate living facilities, the administrative burden required for

¹⁴ Wellington Unified Land Development Code, “General Provisions” <http://library.municode.com/index.aspx?clientId=14703>



the granting of a Conditional Use Permit can prevent many would-be applicants from ever applying and instead seeking to locate elsewhere. The process involves a public notice of request for the Condition Use, which must be published in the newspaper, posted at the subject property, and mailed to nearby property owners. A public hearing is held and approvals from a Planning Zoning Adjustment Board and Wellington's Council must be obtained.

Summary of Findings

The review of Wellington's zoning code revealed the code is not unreasonably restrictive on lot minimums and provides for relatively small minimum lot sizes in multiple zoning districts. Additionally, zones for multi-family and other attached dwellings are present and have maximum building heights conducive to development of a variety of housing options. The definition of "family" used in Wellington's LDR is sufficiently broad so as not to restrict the ability of residents to live with roommates or aides, which may be preferences particularly for low-income or elderly or disabled residents.

Wellington provides for three different types of congregate living facilities, ranging from no more than six persons to more than 14 persons, with some types requiring compatibility consideration by the Wellington Council, or approval by conditional use or by PUD development order (if located within a PUD). These provisions allow for the incorporation of other housing options for groups of people (e.g., persons experiencing homelessness, recovering from addictions to drugs or alcohol, or those under judicial or corrective control) to live in residential neighborhoods if compatible with basic standards of compatibility and code compliance.



Current Impediments

Impediment #1. Public Awareness of Fair Housing Laws

Education regarding fair housing laws is critical to preventing housing discrimination and should be an ongoing activity to raise awareness of fair housing issues among residents and professionals in Wellington. As Wellington continues to grow and expand with an increasingly diverse population, fair housing education must be continuous and presented in a context that is relevant to the current community, including formats that are linguistically appropriate and culturally sensitive.

Recommendation

Wellington and its local non-profit agencies, including agencies that provide non-profit legal assistance, should continue to work collaboratively to distribute promotional fair housing education materials to make Wellington residents fully aware of their fair housing rights and how to file a fair housing complaint. Additionally, Wellington should also conduct further educational outreach campaigns to target housing providers and consumers using multiple media vehicles in English, Spanish, and other languages common to Wellington residents. Wellington should actively ensure that all CDBG publications, notices, and materials posted in the local newspaper and on Wellington's website are translated into Spanish and other languages representative of the population.

Impediment #2. Financial Aspects of Housing Attainment

Understanding of the financial aspects of housing attainment is critical to housing stability. Financial counseling, along with down payment assistance, are needed in the community, particularly due to the lack of affordable housing. Based on the analysis of loan origination Wellington, residents may benefit from housing counseling, and other training such as credit counseling to improve loan originations and discourage lending discrimination.

Recommendation

Wellington and its local non-profit agencies, including agencies that provide non-profit housing counseling and credit counseling, should continue to work collaboratively to provide training opportunities related to the financial aspects of housing attainment. Other assistance, such as down payment or other housing-related assistance may also help to address housing insecurity in an unaffordable housing market.

Impediment #3. Convergence of Demographic/Socioeconomic Factors

The overall demographic composition of Wellington is becoming more diverse. However, there remain neighborhoods in Wellington where concentrations of racial and ethnic minority populations overlap with HUD-designated low- and moderate-income areas. Such neighborhoods are located in Wellington's northern center, including portions of Sugar Pond Manor, Paddock Park II, and Saddle Trail Park, and several smaller subdivisions between Big Blue Trace and Wellington Trace (north of S. Shore Blvd.); and in eastern Wellington, including



portions of Black Diamond and all of Olympia. Although there are no specific HUD-designated Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs) in Wellington, it is important to note that the convergence of demographic and socioeconomic factors may contribute to fair housing issues, including the potential for housing discrimination. Over the past 10 years, the majority of complaints filed with the Atlanta FHEO were based on disability or national origin (73% of complaints filed), followed by color/race (27%) and familial status (18%).

Recommendation

Wellington has little influence over the housing market aside from land use planning and other regulatory decisions as a local government. Patterns of residential development are influenced by a variety of historical and contemporary factors, many of which are not under Wellington's control. However, Wellington should continue to invest in neighborhoods and leverage its federally funded programs to support a diverse community. In addition to raising public awareness of fair housing laws and financial paths to housing attainment, Wellington should foster diverse housing options, including a wide variety of types and unit sizes (e.g., missing middle housing), with accessibility for all potential residents. These efforts can provide more housing choice within the community and decrease the likelihood of discrimination based on specific protected classes.

Impediment #4. Unaffordable Housing and Cost Burden

Housing affordability, although not a direct impediment to fair housing choice, is an indirect contributing factor to fair housing issues. With a limited supply of affordable housing and increasing demand for housing generally, there is competition for housing units in Wellington. According to the 2018-2022 American Community Survey 5-Year Estimates, over half (57%) of renters and nearly 36% of homeowners with a mortgage in Wellington are cost burdened, paying more than 30% of their income on housing costs. The highest concentration of renters who are cost burdened in Wellington occurs in Census Tract 77.52; however, cost burden is widespread throughout Wellington. As it becomes more difficult to find housing and stay housed in Wellington, such competition creates the potential for inequitable housing choice.

Recommendation

Unaffordable housing may be the most significant contributing factor to Fair Housing issues in Wellington, simply by its extent and the competition it creates. Again, Wellington has little influence over the housing market aside from land use planning and other regulatory decisions as a local government. Wellington should continue to coordinate with regional affordable housing initiatives, including but not limited to those of non-profit partners, Palm Beach County, Treasure Coast Regional Planning Council, and the Continuum of Care, by seeking ways to increase both the supply of and equitable access to affordable housing within the community for all residents.



Impediment #5. Zoning Restrictions and Housing Choices

Wellington's LDR is a comprehensive document. Overall, it is supportive of uses that are essential to the success of local governments including various residential uses and nonresidential uses ranging from commercial to recreational. However, there are some zoning restrictions within the LDR that may contribute to fair housing issues within Wellington.

Of the six zoning designations that allow residential uses, four allow multi-family units: RM, RH, MUPD, and PUD. Zoning districts that do not permit multi-family units have minimum lot size requirements ranging from 6,000 square feet (in the RS zoning district) to 10 acres (in the ER zoning district). Congregate living facilities and other alternative housing arrangements, although allowed, may be restricted by process.

Recommendation

It is recommended that Wellington continue to consider LDR amendments that increase housing options across all residentially zoned areas. While it is not recommended that any zoning district be eliminated from the LDR, it is recommended that diverse housing types and unit sizes be considered in support of affordable housing. This may be accomplished in various ways, not limited to affordable (and accessible) housing incentives, conditional zoning, and other means that allow for alternative review of projects. This may also be accomplished through LDR amendments to existing planned unit development (PUDs) within Wellington. Although Wellington's nonresidential zoning districts are limited, Wellington should remain aware of emerging State incentives for affordable housing, such as the Live Local Act.

In addition, it is recommended that Wellington continues to be proactive in its review of planning documents prior to adoption, to ensure that regulatory barriers to fair and equitable housing are eliminated for future development while maintaining the integrity of the community.

Conclusion

Through this document, several impediments to fair housing choice were identified, including public awareness of fair housing laws, limited understanding of financial aspects of housing, converging demographic and socioeconomic factors, unaffordable housing and cost burden, and land use/zoning decisions. These impediments, and the factors contributing to them, may limit a citizen's ability to exercise their right to fair and equitable housing choice under the law. It is imperative that citizens know their rights and that housing providers know their responsibilities.

Wellington [through the Planning, Zoning and Strategic Division], will continue to work towards achieving Fair Housing Choice for its residents. This Analysis of Impediments to Fair Housing Choice (AI) report includes recommendations to address the impediments and contributing factors identified. These recommendations will assist Wellington in achieving fair housing choice communitywide.

