

DRAFT

**Affordable Housing Advisory Committee
Report to Board of County Commissioners
SHIP Affordable Housing Incentive Strategies**

October 2020

Prepared by:

Sheri Harris, Housing Section Manager
Housing & Community Development

Submitted to:

Florida Housing Finance Corporation

BACKGROUND

As a recipient of State Housing Initiative Partnership funds, the County established an affordable housing advisory committee in May 2008, as required by the Florida Statute section 420.9076. The Affordable Housing Advisory Committee (AHAC Committee) is responsible for reviewing policies, land development regulations, the Comprehensive Plan Policy, and other aspects of the County's policies and procedures that affect the cost of housing. In addition, the AHAC Committee is responsible for making recommendations to encourage affordable housing.

Since 2008, The AHAC Committee was required to submit an incentive report every three years. This year the report will be required on an annual basis. The report includes recommendations by the committee as well as comments on the implementation of incentives for at least the following eleven distinct areas:

- The processing of approvals of development orders or permits, as defined in s. 163.3164(7) and (8), for affordable housing projects is expedited to a greater degree than other projects.
- The modification of impact-fee requirements, including reduction or waiver of fees and alternative methods of fee payment for affordable housing.
- The allowance of flexibility in densities for affordable housing.
- The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.
- The allowance of affordable accessory residential units in residential zoning districts.
- The reduction of parking and setback requirements for affordable housing.
- The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- The modification of street requirements for affordable housing.
- The establishment of a process by which a local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.
- The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- The support of development near transportation hubs and major employment centers and mixed-use developments.

COMMITTEE COMPOSITION

The County Commission (re-appointed) appointed members to the Committee on May 22, 2008. Section 420.9076 of the Florida Statutes identifies the requirements of the Committee composition. The committee must consist of at least 8, but not more than 11 committee members and, effective October 1, 2020, the committee must consist of one locally elected official. The committee shall consist of representation from at least 6 of the following categories:

- Citizen actively engaged in the residential home building industry in connection with affordable housing.

- Citizen actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- Citizen representative of those areas of labor actively engaged in home building in connection with affordable housing.
- Citizen actively engaged as an advocate for low-income persons in connection with affordable housing.
- Citizen actively engaged as a for-profit provider of affordable housing.
- Citizen actively engaged as a not-for-profit provider of affordable housing.
- Citizen actively engaged as a real estate professional in connection with affordable housing.
- Citizen actively serving on the local planning agency pursuant to s. 163.3174.
- Citizen residing within the jurisdiction of the local governing body making the appointments.
- Citizen who represents employers within the jurisdiction.
- Citizen who represents essential services personnel, as defined in the local housing assistance plan.

The AHAC Committee Members, during the period covered by this report, were:

Name	Category Represented	Membership Term
Paul Burroughs	Banking Industry	02/26/19 - 02/25/23
Kim Wagner	For Profit Housing Provider	12/10/19 -12/31/22
Robyn Fiel	Mortgage/Real Estate Professional	04/02/19 - 04/01/22
Steven Beal	Low-Income Advocate	08/25/20 - 08/25/24
Dennis Long	Resident of Jurisdiction	02/02/18 - 02/02/22
Robert Ironsmith	Resident of Jurisdiction	10/31/17 - 10/31/20
Kevin Kenney	Essential Services Personnel	10/31/17 - 10/31/20
Elizabeth Van Scoyoc	Essential Services Personnel	10/31/17 - 10/31/20
Pat Gerard	Elected Official	08/27/20 - 12/31/20
Vacant		
Vacant		

On October 20, 2020, the following four appointments were made to the Committee to replace members with expiring terms or vacant positions:

Name	Category Represented	Membership Term
TBD – 10/20/2020		

AFFORDABLE HOUSING INCENTIVES

The intent of the Pinellas County Affordable Housing Incentives is to provide private sector builders and developers with regulatory and financial incentives to produce affordable housing in Pinellas County. The incentives listed below are made available by the Board of County Commissioners in order to encourage development of affordable housing in unincorporated Pinellas County.

- Expedited Permit Processing
- Review Fees May be Waived or Paid by the County.
- Allowance for Increased Density Levels
- Reduction of Parking Requirements
- Reduction of Setback Requirements
- Allowance of Zero-Lot-Line Configurations
- Street Design (Modification of Street Requirements)
- Donation of Publicly Owned Land
- Identifying Qualified Buyers or Renters
- Accessory Housing Units – Guest Cottages
- Affordable Housing Development (Mixed-Use Developments)

Projects seeking to use affordable incentives must be certified as Affordable Housing Developments prior to receiving any incentives listed above.

The Housing & Community Development Department administers the Affordable Housing Development (AHD) certification process to identify projects that meet the definition of affordable housing. Developers interested in applying to receive AHD incentives must complete an Affordable Housing Development application and identify those incentives for which they intend to apply. County staff reviews AHD applications, determines AHD certification eligibility and advises applicants of the affordability restrictions and requirements. Projects certified as affordable housing projects receive expedited permit processing and waiver of review fees.

Staff has prepared this draft report for discussion and approval of the recommendations to the Board of County Commissioners in December 2020. This report outlines the latest affordable housing practices and recommendations on incentives to the AHAC Committee. Each of the eleven affordable housing incentives recommended by the State were thoroughly examined and discussed with AHAC Committee members. This plan is a result of the recommendations from the AHAC Committee held with County staff members to determine the feasibility of the recommendations. If approved by the County Commissioner, the recommendations will be used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan – Housing Element.

Pinellas County is currently in the process of updating the Land Development Code. Staff will be providing the Board of County Commissioners information regarding updates to be considered. These workshops will begin in early 2021. Staff will provide information regarding these workshops to allow for input and consideration for future recommendations to be included in the next report.

EXPEDITED PERMITTING

Current Process: Builders and developers must submit an Affordable Housing Development application to the Housing and Community Development Department. County staff reviews AHD applications and determines AHD certification eligibility. If a project is certified as an AHD, the developer is provided with a certification to be submitted with the permit and review application. Applications with the certification are given priority review with a target to complete the review process in two weeks. In addition to expedited permit processing, AHDs are entitled to permit and review fee waivers.

Existing Strategy: Expedited Permit Processing: The County Administrator shall provide a review process, which gives AHD's priority in the permit review process. A two-week turn-around time shall be the desired goal for the processing of a site plan for such development. To assist in achieving this goal a pre-application meeting will be required between the applicant and county site plan review staff. The development review administrator will serve as an ombudsman to assist the applicant in achieving an expeditious review.

AHAC Committee Recommendation: Incentive to remain without revision.

MODIFICATION OF IMPACT FEES

Previous AHAC Committee discussions identified potential options of having impact fees paid by the homeowner over time or have the County pay the fees, either up front or over time.

Existing Strategy: Review fees may be waived or paid by the County: The County Administrator is authorized to waive all fees for affordable housing units, except where "bond covenants" (i.e. on water, sewer connection fees) or other legal constraints prevent such waiving. Subsidies for payment of fees may be provided in the form of deferred payment or low interest loans. The department of community development shall administer a program to assist the applicant subject to available funds.

AHAC Committee Recommendation: Incentive to remain without revision.

FLEXIBLE DENSITIES

Existing Strategy: Allowance of increased density levels: A density bonus of up to 50 percent above the normal density permitted by this chapter may be provided as a special exception pursuant to article II, division 7 of this chapter. Such bonus shall be subject to compatibility with the surrounding natural and physical environment, site constraints, concurrency management requirements and shall be in keeping with the purpose and intent of this chapter.

In order to achieve additional density in single-family districts, a reduction in the required lot size by up to 30 percent may be authorized. However, lot sizes should be controlled on periphery lots adjacent to single-family districts to maintain neighborhood compatibility. Periphery lots may be reduced in size no more than ten percent of the existing required lot size. To be eligible for such bonus, development must comply with (138-211).

AHAC Committee Recommendation: Incentive to remain without revision.

RESERVATION OF INFRASTRUCTURE CAPACITY

AHAC Committee Recommendation: The AHAC Committee will not establish a reservation of infrastructure capacity incentive at this time.

PARKING AND SETBACK REQUIREMENTS

Existing Strategies: *Reduction of parking requirements:* Parking requirements may be reduced where it can be shown that such reduction will be compatible with the surrounding neighborhood and not cause an adverse impact to the neighborhood. Such reduction shall be reviewed by the board of adjustment pursuant to section 138-211.

Reduction of setback requirements: Setback requirements may be reduced up to 25 percent provided such reductions are not permitted for structures along the periphery of the AHD. Reductions along the periphery or in excess of the 25 percent limitation may be considered by the board of adjustment.

AHAC Committee Recommendation: Incentive to remain without revision.

AFFORDABLE ACCESSORY RESIDENTIAL UNITS

Existing Strategies: *Guest Cottages:* In residential districts, accessory apartments, garage apartments, and guest houses may be permitted as accessory uses to any single-family detached home in all residential districts subject to the applicable district regulations and the following requirements:

AHAC Committee Recommendation: Incentive to remain without revision.

FLEXIBLE LOT CONFIGURATIONS

Existing Strategy: *Allowance of zero-lot-line configurations:* Zero lot line configurations will be permitted in all single-family residential districts as follows:

- a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is double the normal requirement of the district in which the AHD is located. All other requirements must be met including article 4 division 11 of this chapter shall be applicable.
- b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.

AHAC Committee Recommendation: Incentive to remain without revision.

MODIFICATION OF STREET REQUIREMENTS

Existing Strategy: *Street Design (Modification of street requirements):* Modifications in street layout and design may be permitted subject to site constraints, type and intensity of development, and compatibility with surrounding development. The county public works director or his designee may recommend such modifications as deemed appropriate to achieve the intent of this section. However, such recommendation will be in keeping with standard, safe engineering practice and construction standards generally shall not be modified.

AHAC Committee Recommendation: Incentive to remain without revision.

PROCESS OF ONGOING REVIEW / ESTABLISHMENT OF ONGOING OVERSIGHT

The role of Staff is to review proposed updates to policies, procedures, ordinance, regulations or other provisions that would affect the cost of producing housing. Staff will provide the AHAC Committee with all proposed changes to allow the AHAC Committee an opportunity to review and comment on all proposals that would potentially affect the production of affordable housing.

AHAC Committee Recommendation: Incentive to remain without revision.

PUBLIC LAND INVENTORY

Existing Strategy: *Donation of publicly owned land.* County ordinance 88-47 currently permits donations of escheated property to nonprofit organizations. Using state or federal housing funds, the County may also make deferred payment or low-interest loans to both nonprofits and for-profits for the purchase of property when the use meets the requirements of the funding source.

AHAC Committee Recommendation: Incentive to remain without revision.

QUALIFIED BUYERS OR RENTERS

The purpose of this incentive is to create a pool of individuals that are eligible to purchase or rent affordable housing units. Several agencies receive funding to administer classes to help prepare residents become homeowners and to provide budgeting and foreclosure classes. The agencies and participants are provided information on affordable housing developments throughout the county.

Existing Strategy: *Identifying qualified buyers or renters.* Existing sources will be identified and made available to AHD's to provide assistance in locating a qualified pool of homebuyers and renters for the affordable units. The department of community development will make this information available.

AHAC Committee Recommendation: Incentive to remain without revision.

SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS

Existing Strategy: *Affordable housing development.* Up to ten units per acre shall be permitted in commercial zoning districts provided all development standards of the zoning district are adhered to. Where residential development is provided as upper floors above commercial uses, the allowable floor area permitted for the commercial use shall not be reduced.

AHAC Committee Recommendation: Incentive to remain without revision.