

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	20 <u>07</u>	20 <u>08</u>	20 <u>09</u>	20 <u>10</u>	20 <u>11</u>
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	=====	=====	=====	=====	=====
# ADDITIONAL FTE POSITIONS (Cumulative)	_____	_____	_____	_____	_____

Is Item Included In Current Budget? Yes _____ No _____
 Budget Account No.: Fund _____ Department _____ Unit _____ Object _____
 Program _____

B. Recommended Sources of Funds/Summary of Fiscal Impact:
 There is no fiscal impact associated with this item.

C. Departmental Fiscal Review: *Pat O'Connell*

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

John Smith 10-3-06 *Ann J. Jacobs 10/3/06*
SS 9/30/06 OFMB Contract Dev. and Control
pm 9-29-06 *E. Jones 10/3/06*

B. Legal Sufficiency:
Maureen B. [Signature]
 Assistant County Attorney

C. Other Department Review:

 Department Director

Continued from Page 1

Background and Policy Issues: To obtain input on this direction, an informal committee was created, comprised of County staff, representatives of housing related non-profits, the home building industry, real estate interests, the business community and several municipalities, among others. Additionally, meetings were held with the Gold Coast Builders Association, Community and Economic Council, several home-builders as well as private planning agencies servicing the home building industry. Pursuant to these meetings and due a need to mitigate an ever-worsening affordable housing crisis, the BCC directed PZ&B staff to begin the process to implement a Mandatory WHP Program. Additionally, in March of 2006 the BCC also directed staff to implement an interim Mandatory Workforce Housing Program. The BCC transmittal hearing for necessary Plan amendments was held on April 5, 2006, and an adoption hearing was held on August 21, 2006. The regulatory requirements contained in the proposed ULDC amendments are based on the Plan amendments, as well as the framework of the Interim Policy. In addition, the Department of Housing and Community Development has also commissioned an update to the PBC Affordable Housing Study. This Study is anticipated to be presented to the BCC on October 17, 2006 and will provide updated affordable housing needs projects for PBC.

Industry Input: Given that one of the key incentives of the Mandatory WHP is the provision of a 30-percent density bonus, among other factors, staff recognizes a need to incorporate minor changes to some property development regulations (PDRs), as well as other related requirements such as open space limitations that may conflict with increased densities. Staff is proposing to expand the use of existing Traditional Neighborhood Development PDRs and design standards, which generally allow for greatly reduced lot sizes and improved community development design standards, among other incentives. However, staff readily recognized the need to proof all potential design scenarios and have conducted four industry meetings to obtain input from key Industry representatives to address potential concerns, and more importantly take into consideration any ideas or solutions.

Industry Meetings:

Monday, June 12, 2006: - The meeting was held from 9:00 a.m. to 11:30 a.m., with Zoning staff providing a brief introduction to the WHP; outlining a two phase approach to amending the ULDC (Phase I – incorporating mandatory WHP and minor design related amendments [October 2006], and Phase II – which will involve a comprehensive review of the ULDC to possibly incorporate form based, smart growth and other flexible design regulations [2007]); clarifying intent to solicit industry input on ULDC amendments needed to address design limitations associated with the density bonus incentive; and, outlining Zoning staff concepts to address issue. A total of 62 combined Zoning and industry comments and suggestions were discussed.

Tuesday, June 27, 2006: This meeting was held from 1:00 p.m. to 4:00 pm. and served as a follow up to the June 12, 2006 meeting. Staff reiterated that the purpose and intent was primarily intended to focus on design issues associated with density bonus incentives, as well as the need for written backup or documentation to justify any examples being suggested by industry. A summary table of both staff and industry comments was provided, that included a breakdown, or phasing, of when some amendments or suggestions could be incorporated: Phase I would coincide with the ULDC amendments to implement the Plan requirement for an Inclusionary WHP, while Phase II would be undertaken in conjunction with a Smart Growth Initiative proposed for 2007. Additional notations, or use of the term Pending, was included where Planning and Zoning staff did not have authority to address comments and additional Department involvement would be required.

Thursday, August 10, 2006: This meeting was held from 2:00 p.m. to 4:00 p.m. (extended to 5:00 p.m.) as a continued follow up of the June 27, 2006 meeting, with additional Engineering staff in attendance to enable industry and staff to focus on Engineering related issues raised by industry. While there was tentative agreement on some issues, additional supporting documentation or examples are still required from industry, and pending the submittal of such, additional time for staff to review and ascertain the feasibility, and in many cases public welfare and safety issues, related to industry recommendations.

Friday, September 1, 2006: Pursuant to August 23, 2006 BCC direction, staff met with industry to reconcile several remaining items, including agreed upon compromises for PDD performance standards.

Background and Policy Issues (continued from Page 3)

SEPTEMBER 13, 2006 LDRAB/LDRC: The proposed Code Amendments were submitted for review to the Land Development Regulation Advisory Board (LDRAB) and Land Development Regulation Commission (LDRC) on September 13, 2006. All proposed ULDC amendments were found to be consistent with the Plan.

SEPTEMBER 26, 2006 BCC ZONING HEARING: On September 26, 2006, the BCC approved (5-2) the request to approve the Workforce Housing Program Ordinance, as amended, on Preliminary Reading and to advertise for 1st Public Hearing, on Tuesday, October 17, 2006. Amendments included, the following:

- Revise the percentage of required WHP units to 6 % for Standard Density (originally 7%); 20 % for PDD Density (originally 25%); and, 40 % for the Density Bonus (originally 50%).
- Make the maximum buy out option cost no more than \$81,500 (originally \$90,000).

1 **Section 4. Severability**

2 If any section, paragraph, sentence, clause, phrase, word, map, diagram, or any other item
3 contained in this Ordinance is for any reason held by the Court to be unconstitutional,
4 inoperative, void, or otherwise invalid, such holding shall not affect the remainder of this
5 Ordinance.

6 **Section 5 Providing for a Savings Clause**

7 All development orders, permits, enforcement orders, ongoing enforcement actions, and all
8 other actions of the Board of County Commissioners, the Zoning Commission, the Development
9 Review Committee, Enforcement Boards, all other County decision-making and advisory
10 boards, Special Masters, Hearing Officers, and all other County officials, issued pursuant to the
11 regulations and procedures established prior to the effective date of this Ordinance shall remain
12 in full force and effect.

13 **Section 6. Inclusion in the Unified Land Development Code**

14 The provisions of this Ordinance shall be codified in the Unified Land Development Code
15 and may be reorganized, renumbered or re-lettered to effectuate the codification of this
16 Ordinance.

17 **Section 7. Providing for an Effective Date**

18 The provisions of this Ordinance contained in Exhibit A shall become effective upon the
19 effective date of the amendments to the Palm Beach County Comprehensive Plan transmitted
20 as item 2.D.1, Workforce Housing Program in amendment round 2006-01, or December 1st,
21 2006, whichever occurs last.

22
23 **APPROVED and ADOPTED** by the Board of County Commissioners of Palm Beach

24 County, Florida, on this the _____ day of _____, 20_____.

SHARON R. BOCK, CLERK &
COMPTROLLER

PALM BEACH COUNTY, FLORIDA, BY
ITS BOARD OF COUNTY
COMMISSIONERS

By: _____
Deputy Clerk

By: _____

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

By: _____
County Attorney

25
26
27 Filed with the Department of State on the _____ day of _____, 20_____.

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