

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: April 16, 2019 Consent Regular
 Ordinance Public Hearing

Department: Department of Housing and Economic Sustainability

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: a Resolution of the Board of County Commissioners of Palm Beach County, Florida, approving the Local Housing Assistance Plan (LHAP) as required by the State Housing Initiatives Partnership (SHIP) Program Act, Subsections 420.907-420.9079, Florida Statutes, and Rule Chapter 67-37, Florida Administrative Code; authorizing and directing the County Administrator, or designee, to execute any necessary documents and certifications needed by the State; authorizing the submission of the LHAP for review and approval by the Florida Housing Finance Corporation (FHFC); and providing an effective date.

Summary: Palm Beach County has participated in the SHIP Program since 1993. The State requires that Palm Beach County submit an LHAP to FHFC every three (3) years. The proposed LHAP which is due May 2, 2019, covers Fiscal Years 2019-2020, 2020-2021, and 2021-2022. By approving the LHAP and submitting it to FHFC, the County will be in a position to receive funding under the SHIP Program during the three (3) upcoming years when the State makes funding allocations to participating jurisdictions. The proposed LHAP maintains the existing strategies, which are: Purchase Assistance, First Mortgage Loan Assistance Program, Owner Occupied Housing Rehabilitation, Emergency Repairs, Replacement Housing, Disaster/Post Disaster/Mitigation Recovery, Foreclosure Prevention, Rental Housing Entry Assistance, Developer Assistance Rental Program, and Single Family New Construction. The LHAP strategies are detailed in Attachment 4.

Additionally, the proposed LHAP includes a definition for "Project Delivery Costs" which will be used to clarify costs associated with project implementation, and a first priority ranking for Veterans, Special Needs and Family Self Sufficiency (FSS) Program graduates. SHIP regulations require that at least 65% of a local jurisdiction's allocation be earmarked for homeownership activities. **These are State SHIP funds which require no local match.** Countywide (JB)

Background and or Policy Issues: On May 18, 1993, BCC adopted its Affordable Housing Ordinance (No. 93-8 as amended) pursuant to the SHIP regulations outlined by the FHFC. The County's Commission on Affordable Housing (CAH) which was created to administer the Robert E. Pinchuck Memorial Housing Trust Fund, was originally established by the BCC in 1990 and re-activated in 2018. Department of Housing and Economic Sustainability (DHES) staff met with the CAH at their March 14, 2019 public meeting to solicit their thoughts and comments on the proposed LHAP.

Continued on Page 3

- Attachment(s):**
- 1. Resolution
 - 2. Certification
 - 3. Local Housing Assistance Plan (LHAP) for Fiscal Years 2019-2022
 - 4. Summary Table

Recommended By: Jonathan Breen 4/15/19
Department Director Date

Approved By: [Signature] 4/15/19
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2019	2020	2021	2022	2023
Capital Expenditures					
Operating Costs					
External Revenues					
Program Income					
In-Kind Match (County)					
NET FISCAL IMPACT					

# ADDITIONAL FTE POSITIONS (Cumulative)					
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Is Item Included In Current Budget? Yes _____ No _____
 Does this Item include the use of Federal funds? Yes _____ No _____

Budget Account No.:

Fund _____ Dept _____ Unit _____ Object _____ Program Code/Period _____

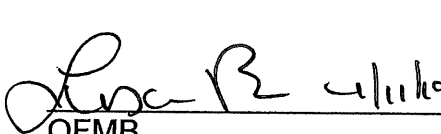
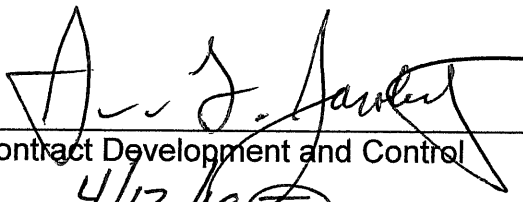
B. Recommended Sources of Funds/Summary of Fiscal Impact:

No Fiscal Impact

C. Departmental Fiscal Review:  4-8-19
 Shairette Major, Fiscal Manager II

III. REVIEW COMMENTS

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

 OFMB
 4/10/19
 Contract Development and Control
 4/12/19

B. Legal Sufficiency:

 4/15/19
 Assistant County Attorney

C. Other Department Review:

 Department Director

Background and or Policy Issues: Continued from Page 1

Additionally, on March 19, 2019, DHES provided a draft copy of the LHAP to our non-profit partners for comments. In order to receive funding, a new LHAP must be adopted by Resolution and submitted to the FHFC for approval on or before May 2, 2019, as required by the SHIP Act, Subsections 420.970-420.9079, Florida Statutes; and Rule Chapter 67-37. Per the current SHIP regulations, a local government's LHAP can be established for a three (3) year period and can be amended as necessary. The proposed LHAP establishes how Palm Beach County will utilize its SHIP allocation for the fiscal years identified in the LHAP.

RESOLUTION No.: R2019 - _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN (LHAP) AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE COUNTY ADMINISTRATOR, OR DESIGNEE, TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LHAP FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION (FHFC); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the State of Florida enacted the William E. Sadowski Affordable Housing Act, Chapter 92-317 of Florida Sessions Laws, allocating a portion of documentary stamp taxes on deeds to local governments for the development and maintenance of affordable housing; and

WHEREAS, the State Housing Initiatives Partnership (SHIP) Act, ss. 420.907-420.9079, Florida Statutes (1992), and Rule Chapter 67-37, Florida Administrative Code, requires local governments to develop a one- to three-year LHAP outlining how funds will be used; and

WHEREAS, the SHIP Act requires local governments to establish the maximum SHIP funds allowable for each strategy; and

WHEREAS, the SHIP Act further requires local governments to establish an average area purchase price for new and existing housing benefiting from awards made pursuant to the Act; The methodology and purchase prices used are defined in the attached LHAP; and

WHEREAS, as required by *section 420.9075, F.S.* It is found that five percent (5%) of the local housing distribution plus five percent (5%) of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan. The cost of administering the program may not exceed ten percent (10%) of the local housing distribution plus five percent (5%) of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(17), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.

WHEREAS, the Department of Housing and Economic Sustainability has prepared a three-year LHAP for submission to the FHFC; and

WHEREAS, the Palm Beach County Commissioners finds that it is in the best interest of the public for Palm Beach County to submit the LHAP for review and approval so as to qualify for said documentary stamp tax funds; and

NOW THEREFORE, BE IT RESOLVED BY THE PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS, WEST PALM BEACH, FLORIDA that:

Section 1: The Board of County Commissioners of Palm Beach County hereby approves the Local Housing Assistance Plan, as attached and incorporated hereto for submission to the Florida Housing Finance Corporation as required by ss. 420.907-420-9079, Florida Statutes, for fiscal years 2019-2020; 2020-2021 and 2021-2022.

Section 2: The County Administrator, or designee, is hereby designated and authorized to execute any documents and certifications required by the Florida Housing Finance Corporation as related to the Local Housing Assistance Plan, and to do all things necessary and proper to carry out the term and conditions of said program.

Section 3: This resolution shall take effect immediately upon its adoption.

The foregoing Resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and being put to a vote, the vote was as follows:

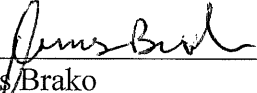
Commissioner Mack Bernard, Mayor	-	_____
Commissioner Dave Kerner, Vice Mayor	-	_____
Commissioner Hal R. Valeche	-	_____
Commissioner Gregg K. Weiss	-	_____
Commissioner Robert S. Weinroth	-	_____
Commissioner Mary Lou Berger	-	_____
Commissioner Melissa McKinlay	-	_____

The Mayor thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2019.

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

**APPROVED AS TO FORM AND
LEGAL SELF SUFFICIENCY**

**ATTEST: SHARON R. BOCK
CLERK & COMPTROLLER**

By: 
James Brako
Assistant County Attorney

By: _____
Deputy Clerk

**CERTIFICATION TO
FLORIDA HOUSING FINANCE CORPORATION**

Local Government or Interlocal Entity: **Palm Beach County**

Certifies that:

- (1) The availability of SHIP funds will be advertised pursuant to program requirements in 420.907-420.9079, Florida Statutes.
- (2) All SHIP funds will be expended in a manner which will insure that there will be no discrimination on the basis of race, color, national origin, sex, handicap, familial status, or religion.
- (3) A process to determine eligibility and for selection of recipients for funds has been developed.
- (4) Recipients of funds will be required to contractually commit to program guidelines and loan terms.
- (5) Florida Housing will be notified promptly if the local government /interlocal entity will be unable to comply with any provision of the local housing assistance plan (LHAP).
- (6) The LHAP provides a plan for the encumbrance of funds within twelve months of the end of the State fiscal year in which they are received and a plan for the expenditure of SHIP funds including allocation, program income and recaptured funds within 24 months following the end of the State fiscal year in which they are received.
- (7) The LHAP conforms to the Local Government Comprehensive Plan, or that an amendment to the Local Government Comprehensive Plan will be initiated at the next available opportunity to insure conformance with the LHAP.
- (8) Amendments to the approved LHAP shall be provided to the Florida Housing for review and/or approval within 21 days after adoption.
- (9) The trust fund exists with a qualified depository for all SHIP funds as well as program income or recaptured funds.
- (10) Amounts on deposit in the local housing assistance trust fund shall be invested as permitted by law.
- (11) The local housing assistance trust fund shall be separately stated as a special revenue fund in the local governments audited financial statements (CAFR). An electronic copy of the CAFR or a hyperlink to the document shall be provided to Florida Housing by June 30 of the applicable year.
- (12) Evidence of compliance with the Florida Single Audit Act, as referenced in Section 215.97, F.S., shall be provided to Florida Housing by June 30 of the applicable year.
- (13) SHIP funds will not be pledged for debt service on bonds.
- (14) Developers receiving assistance from both SHIP and the Low Income Housing Tax Credit (LIHTC) Program shall comply with the income, affordability and other LIHTC requirements, similarly, any units receiving assistance from other federal programs shall comply with all Federal and SHIP program requirements.

- (15) Loans shall be provided for periods not exceeding 30 years, except for deferred payment loans or loans that extend beyond 30 years which continue to serve eligible persons.
- (16) Rental Units constructed or rehabilitated with SHIP funds shall be monitored for compliance with tenant income requirements and affordability requirements or as required in Section 420.9075 (3)(e). To the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility.
- (17) The LHAP meets the requirements of Section 420.907-9079 FS, and Rule Chapter 67-37 FAC.
- (18) The provisions of Chapter 83-220, Laws of Florida have not been implemented (except for Miami-Dade County).

 Witness

 Chief Elected Official or designee

 Witness

 Type Name and Title

 Date

OR

 Attest:
 (Seal)

PALM BEACH COUNTY

**State Housing Initiatives Partnership
(S.H.I.P.) Program**

**LOCAL HOUSING ASSISTANCE PLAN
(LHAP)**

**Fiscal Years
2019/2020, 2020/2021, 2021/2022**



Department of Housing and Economic Sustainability
100 Australian Avenue
West Palm Beach, FL 33406

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I. Program Details:

A. LG(s)

Palm Beach County	
Does this LHAP contain an interlocal agreement?	No
If yes, name of other local government(s)	N/A

B. Purpose of the program:

- To meet the housing needs of the very low, low and moderate-income households;
- To expand production of and preserve affordable housing; and
- To further the housing element of the local government comprehensive plan specific to affordable housing

C. Fiscal years covered by the Plan: 2019-2020, 2020-2021, 2021-2022

D. Governance: The SHIP Program is established in accordance with Section 420.907-9079, Florida Statutes and Chapter 67-37, Florida Administrative Code. Cities and Counties must be in compliance with these applicable statutes, rules and any additional requirements as established through the Legislative process.

E. Local Housing Partnership: The SHIP Program encourages building active partnerships between government, lenders, builders and developers, not-for-profit and community-based housing providers and service organizations, providers of professional services related to affordable housing, advocates for low-income persons, real estate professionals, persons or entities that can provide housing or support services and lead agencies of the local continuums of care.

F. Leveraging: The Plan is intended to increase the availability of affordable residential units by combining local resources and cost saving measures into a local housing partnership and using public and private funds to reduce the cost of housing. SHIP funds may be leveraged with or used to supplement other Florida Housing Finance Corporation programs and to provide local match to obtain federal housing grants or programs.

G. Public Input: Public input was solicited through publicly noticed meetings. Additionally, a series of face to face and or roundtable meetings with social service providers and local lenders and neighborhood associations. Public input was solicited through the local newspaper in the advertising of the Local Housing Assistance Plan and the Notice of Funding Availability.

H. Advertising and Outreach: SHIP funding availability shall be advertised in a newspaper of general circulation and periodicals serving ethnic and diverse neighborhoods, at least 30 days before the beginning of the application period. If no funding is available due to a waiting list, no notice of funding availability is required.

I. Waiting List/Priorities: A waiting list will be established when there are eligible applicants for strategies that no longer have funding available. Those households on the waiting list will be notified of their status. Applicants will be maintained in an order that is consistent with the time applications were submitted as well as any established funding priorities as described in this plan. No waiting list shall be maintained beyond one year.

The following priorities for funding described/listed here apply to all strategies unless otherwise stated:

The County will accept applications during the advertised "Application Period" stated in the Notice of Funding Availability (NOFA). Once funding requests for housing strategies have been exhausted, all other interested parties will be placed on a waiting list. When funds are available for a particular strategy, the applicants from the waiting list will be contacted to complete/update the application for SHIP assistance.

Once there is a list of eligible applicants, they will be ranked giving first priority to households qualifying as Veterans (i.e active, non-active or surviving spouses of military personnel) and Special Needs. These applicants will further be ranked with priority given to very-low, then low, then moderate income groups.

J. Discrimination: In accordance with the provisions of ss.760.20-760.37, it is unlawful to discriminate on the basis of race, color, religion, sex, national origin, age, handicap, or marital status in the award application process for eligible housing.

K. Support Services and Counseling: Support services are available from various sources. Available support services may include but are not limited to: Homeownership Counseling (Pre and Post), Credit Counseling, Tenant Counseling and Foreclosure Counseling through qualified HUD approved agencies.

L. Purchase Price Limits: The sales price or value of new or existing eligible housing may not exceed 90% of the average area purchase price in the statistical area in which the eligible housing is located. Such average area purchase price may be that calculated for any 12-month period beginning not earlier than the fourth calendar year prior to the year in which the award occurs. The sales price of new and existing units, which can be lower but may not exceed 90% of the median area purchase price established by the U.S. Treasury Department or as described above.

The methodology used is:

U.S. Treasury Department	X
Local HFA Numbers	

M. Income Limits, Rent Limits and Affordability: The Income and Rent Limits used in the SHIP Program are updated annually by the Department of Housing and Urban Development and posted at www.floridahousing.org.

“Affordable” means that monthly rents or mortgage payments including taxes and insurance do not exceed 30 percent of that amount which represents the percentage of the median annual gross income for the households as indicated in Sections 420.9071, F.S. However, it is not the intent to limit an individual household’s ability to devote more than 30% of its income for housing, and housing for which a household devotes more than 30% of its income shall be deemed Affordable if the first institutional mortgage lender is satisfied that the household can afford mortgage payments in excess of the 30% benchmark and in the case of rental housing does not exceed those rental limits adjusted for bedroom size.

N. Welfare Transition Program: Should an eligible sponsor (a person or a private or public for profit or not- for- profit entity) be used, a qualification system and selection criteria for applications for awards to eligible sponsors shall be developed, which includes a description that demonstrates how eligible sponsors that employ personnel from the Welfare Transition Program, as defined by the federal/state government, will be given preference in the selection process.

O. Monitoring and First Right of Refusal: In the case of rental housing, the staff or entity that has administrative authority for implementing the local housing assistance plan assisting rental developments shall annually monitor and determine tenant eligibility or, to the extent another governmental entity provides periodic monitoring and determination, a municipality, county or local housing financing authority may rely on such monitoring and determination of tenant eligibility. However, any loan or grant in the original amount of \$10,000 or less shall not be subject to these annual monitoring and determination of tenant eligibility requirements. Tenant eligibility will be monitored annually for no less than 15 years or the term of assistance whichever is longer unless as specified above.

Eligible sponsors that offer rental housing for sale before 15 years or that have remaining mortgages funded under this program must give a first right of refusal to eligible nonprofit organizations for purchase at the current market value for continued occupancy by eligible persons.

P. Administrative Budget: A line-item budget is attached as Exhibit A. Palm Beach County will utilize the money deposited in the local housing assistance trust fund shall be used to administer and implement the local housing assistance plan.

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, states: “A county or an eligible municipality may not exceed the 5 percent limitation on administrative costs, unless its governing body finds, by resolution, that 5 percent of the local housing distribution plus 5 percent of program income is insufficient to adequately pay the necessary costs of administering the local housing assistance plan.”

Section 420.9075 Florida Statute and Chapter 67-37, Florida Administrative Code, further states: “The cost of administering the program may not exceed 10 percent of the local housing distribution plus 5 percent of program income deposited into the trust fund, except that small counties, as defined in s. 120.52(19), and eligible municipalities receiving a local housing distribution of up to \$350,000 may use up to 10 percent of program income for administrative costs.” The applicable local jurisdiction has adopted the above findings in the resolution attached as Exhibit E.

Q. Program Administration: Administration of the local housing assistance plan will be wholly performed and maintained by:

Entity	Duties	Percentage
Local Government	Palm Beach County	100%
Third Party Entity/Sub-recipient	N/A	

R. Project Delivery Costs: In addition to the administrative costs above, the County will charge reasonable project delivery costs to include but are not limited to, Architectural, engineering, inspections, work write-ups, specifications, contractor procurement, payments and oversight, relocation costs, costs to process and settle the financing for a project and the like for services provided by non-housing staff. The cost will be provided as a grant, noted below, not to exceed the strategies’ maximum award amounts, and shall not be included in the lien and/or deed against property:

- Up to \$7,000 for Replacement Housing Program
- Up to \$5,000 for Purchase Assistance, First Mortgage Loan Program, Owner Occupied Housing Rehabilitation
- Up to \$3000 for Emergency Repairs, Disaster Mitigation, Foreclosure Prevention, Developer Assistance Rental Program, Single Family New Construction, Developer Homeownership Program

S. Essential Service Personnel Definition: For purpose of SHIP funding, the county considers the following groups as Essential Services to our county: First Responders, Educators in K-12, Nurses, Active Military, National Guard stationed in the County.

T. Describe efforts to incorporate Green Building and Energy Saving products and processes: The County will, when economically feasible, employ the following Green Building requirements on rehabilitation and emergency repairs:

1. Low or No-VOC paint for all interior walls (Low- VOC means 50 grams per liter or less for flat paint; 150 grams per liter or less for non- flat paint);
2. Low flow water fixtures in bathroom – Water sense labeled products or the following specifications:
 - a) Toilets 1.6 gallons
 - b) Faucets 1.5 gallons
 - c) Showerheads 2.2 gallons/minutes or less;
3. Energy Star qualified refrigerator;
4. Energy star qualified dishwasher, if provided;
5. Energy Star qualified washing machine; if provided in units;
6. Energy star qualified exhaust fans in all bathrooms; and
7. Air conditioning: Minimum SEER of 14. Packaged units are allowed in studios and one bedroom units with a minimum of 11.7EER.

These requirements may be adjusted for rental development if the requirements of other construction funding sources require a more prescriptive list.

- U. **Describe efforts to meet the 20% Special Needs set-aside:** Priority will be given to households qualifying as special needs households as defined by Section 393.063 Florida Statutes, Section 420.0004(5) Florida Statutes, Section 420.0004(7), and section 401.1451(13) Florida Statutes. The 20% special needs will apply to all strategies.
- V. **Describe efforts to reduce homelessness:** Palm Beach County is a direct entitlement community for HUD's Emergency Solutions Grant (ESG) Program and Community Development Block Grant (CDBG) Program, which provides funding to the Homeless Resource Center. Additionally, homelessness prevention is addressed through SHIP strategies, and services collaborated with the Department of Community Services and other organizations focused on homelessness.

Section II. LHAP Strategies:

A. Purchase Assistance	Code 1/2
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- a. **Summary:** Funding will be available to SHIP and HOME Match income eligible first-time homebuyers for purchase assistance with or without rehabilitation or new construction. SHIP funds will be awarded to assist with gap financing, lot acquisition; down payment; rehabilitation of the unit to be purchased; and closing costs. Prospective homebuyers must qualify as a First Time Homebuyer under the HUD definition: *An individual who has no ownership in a principal residence during the 3-year period ending on the date of purchase of the property. This provision is limited to a spouse (if either meets the above test, they are considered first-time homebuyers). A single parent who has only owned with a former spouse while married. An individual who is a displaced homemaker and has only owned with a spouse. An individual who has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.*
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$105,000
- e. **Terms:**
 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded mortgage and note.
 2. **Interest Rate:** 0%
 3. **Years in loan term:** 30 years
 4. **Forgiveness:** The loan will be forgiven at the end of term.
 5. **Repayment:** If loan defaults, the original loan amount will be due and payable
 6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence. If any of these occur, the original loan amount will be due and payable.

In the event of death of the qualifying homeowner(s) during the loan term the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its right of first refusal to purchase the

property at its appraised market value for continued occupancy by income eligible persons. If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justifying pursuing a recapture.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first-served basis with priority ranking for Veterans, Special Needs and Family Self Sufficiency (FSS) Program graduates from a local Public Housing Authority (PHA).

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- Applicant must first secure a first mortgage approved by a lender.
- If the Property is determined to have mold or Chinese drywall, the property is ineligible for purchase assistance.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County.
- Applicant may not currently own or have assets exceeding \$200,000 in liquid assets and real estate.

B. First Mortgage Loan Assistance Program	Code 1/2
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a. **Summary:** Funding will provide first mortgage loan assistance to income eligible households. Maximum loan amounts are based upon established affordability guidelines and creditworthiness, based upon established underwriting guidelines.

b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022

c. **Income Categories to be served:** Very low, low and moderate

d. **Maximum award:** \$317,647

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a fixed rate loan secured by a recorded mortgage and note.
2. **Interest Rate:** Based on the average 30 year fixed loan rate published monthly.
3. **Years in loan term:** 30 years
4. **Forgiveness:** Loan will be satisfied at the end of the term
5. **Repayment:** The loan will be amortized with monthly principal and interest payments.
6. **Default:** The loan will be determined to be in default if any of the following occurs: sale, transfer or conveyance of property; loss of homestead exemption status; or failure to occupy the home as a primary residence. If any of these occur the original loan amount will be due and payable.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as its primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

- f. **Recipient Selection Criteria:**
Applicants will be ranked for assistance based on a first qualified, first serve basis with priority ranking for Veterans, Special Needs and Family Self Sufficiency (FSS) Program graduates.
- g. **Sponsor Selection Criteria:** N/A
- h. **Additional Information:**
 - FICO Credit Score: Middle FICO score must be at least 630, if less than three scores the lowest score must be 630, if not lower than 630, the borrower is deemed ineligible
 - If the property is determined to have mold or Chinese drywall, the property is ineligible for purchase assistance.
 - Applicant may not currently own or have assets exceeding \$200,000 in liquid assets and real estate.

C. Owner Occupied Housing Rehabilitation	Code 3
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- a. **Summary:** Funding will assist income- eligible owner- occupied applicants (structure of one to two dwelling units) with:
 - Rehabilitation: Assist with substantial rehabilitation to correct code violations or incipient items that will become a code violation, eliminate housing conditions which threaten the life, health or safety of occupants, connect residents to public utilities, and adapt residences to meet accessibility.
 - Utility Connection: Funding will assist with:
 - a. Sewer and water connection system fees required by local water utilities; and
 - b. Costs to install service lines from the meter to the primary residence.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low, moderate
- d. **Maximum Award:**

Rehabilitation Maximum Award	Utility Connection Maximum Award
\$80,000	\$13,000

Eligible household(s) will not be provided more funding than needed to bring the home up to current code and to make the home habitable.

- e. **Terms**
 1. **Repayment loan/deferred loan/grant:** Funding will be awarded as a deferred loan secured by a recorded mortgage and note.
 2. **Interest Rate:** 0%
 3. **Years in loan term:**

Strategy	Lien
Housing Rehabilitation	15 years
Utility Connection	5 years

4. **Forgiveness:** The loan will be forgiven at the end of the term.
5. **Repayment:** If loan defaults, the outstanding balance will be due and payable
6. **Default:** The loan will be in default or in violation of the deed restriction if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the County may exercise its rights of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first-served basis with priorities established in paragraph I of the Program Details Section I. of this plan.

g. **Sponsor Selection Criteria and Duties:** N/A

h. **Additional Information:**

- If the property is determined to have mold or Chinese drywall, the property is ineligible for purchase assistance.
- Rehabilitation /Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the Department of Housing and Economic Sustainability.
- Applicant may not currently own assets exceeding \$200,000 liquid assets and real estate (excluding their primary residence).
- Mortgage Payments and taxes must be current/paid up to date.
- Applicants must provide proof of current homeowners insurance. In the event that the homeowner does not have an existing homeowner’s insurance policy; this program may incorporate the payment of a one (1) year insurance premium showing Palm Beach County as an additional insured. Future payments are the sole responsibility of the homeowner(s).
- Written consent will be required from affected multifamily unit owners (i.e. duplex, triplex, etc.) when required work affects multiple owners. Assistance may not be provided if consent is not provided and/or if conditions require work on an adjoining ineligible property (ex: failing common roof cannot be successfully repaired without work on portion of roof on adjoining investor-owned unit).

D. Emergency Repairs	Code: 6
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a. **Summary:** Funding will provide financial assistance to income eligible owner occupied residences to address emergency conditions such as roofing, electrical, plumbing or structural repairs. This strategy can be used for an applicant who has applied for but will not receive assistance through the housing rehabilitation strategy within the next three months. When an applicant is assisted with emergency repairs, they will not lose their place on the rehabilitation waiting list. However, the amount of funds expended for the emergency repairs will be counted towards the maximum award if the applicant receives subsequent assistance through the rehabilitation strategy and a lien on the assisted dwelling will be placed in accordance with established rehabilitation guidelines. Funds may also be awarded to pay insurance deductibles for any emergency repairs covered by the homeowner’s policy.

b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022

c. **Income Categories to be served:** Very low, low and moderate

d. **Maximum award:** \$53,000

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funding will be awarded as a deferred loan secured by a recorded mortgage and note.

2. **Interest Rate:** 0%
3. **Years in loan term:** 15 years
4. **Forgiveness:** The loan will be forgiven at the end of the term.
5. **Repayment:** If loan defaults, the outstanding balance will be due and payable
6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence

In the event of death of the qualifying homeowner during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due and payable.

In the event of a sale, the county may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible person. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justifying pursuing a recapture.

f. **Recipient Selection Criteria:**

Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I. of this plan.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- If the Property is deemed to have mold or Chinese drywall, the property is ineligible for purchase assistance.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the Department of Housing and Economic Sustainability
- Applicants may not currently own or have assets exceeding \$200,000 in liquid assets and real estate.
- Mortgage payments and taxes must be current/paid up to date.
- Applicants must provide proof of current homeowner's insurance policy; this program may incorporate the payment of a one (1) year insurance premium showing Palm Beach County as an additional insured. Future payments are the sole responsibility of the homeowner(s).
- Written consent will be required from affected multifamily unit owners (i.e. duplex, triplex, etc.) when required work affects multiple owners. Assistance may not be provided if consent is not provided and/or if conditions require work on an adjoining ineligible property (Ex: failing common roof cannot be successfully repaired without work on portion of roof on adjoining investor-owned unit).

E. Replacement Housing	Code 4
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- a. **Summary:** Funding will provide financing to homeowners residing in dilapidated structures which are beyond rehabilitation. The total funding allocation cannot exceed the current approved LHAP's maximum home value.

Eligible uses of funding include, but are not limited to:

- Demolition of the existing property
- Construction cost of a replacement home on the same lot (or) purchase of an existing home

- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$317,647
- e. **Terms:**
 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred loan and/or a payable low interest loan secured by a recorded mortgage and note.
 2. **Interest Rate:** 0% for deferred loan/ 4% for payable low interest loan
 3. **Years in loan term:** 30 years
 4. **Forgiveness:** The loan(s) will be satisfied at the end of the term
 5. **Repayment:** If loan defaults, the outstanding balance will be due and payable
 6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of property; conversion to a rental property; loss of homestead exemption status; failure to maintain homeowner's insurance; failure to occupy the home as primary residence.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

- f. **Recipient Selection Criteria:**
Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I. of this plan.
- g. **Sponsor/Sub-recipient Selection Criteria:** N/A
- h. **Additional Information:**
 - Department of Housing and Economic Sustainability staff will determine the size of the replacement home utilizing similarities to current residence.
 - Mortgage payments and taxes must be current/paid up to date.
 - Applicants must provide proof of current homeowner's insurance. In the event that the homeowner does not have an existing homeowner's insurance policy; this program may incorporate the payment of a one (1) year insurance premium showing Palm Beach County as an additional insured. Future payments are the sole responsibility of the homeowner(s).

F.	Disaster/Post Disaster/Mitigation/Recovery	Code 5
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- a. **Summary:** Funding will be awarded to income eligible applicants in need of home repairs directly caused by a disaster that is declared by Executive Order of the United States President or the Governor of the State of Florida. Assistance will be prioritized as follows:
 1. Immediate threats to health and life safety in cases where the home is still habitable.
 2. Repairs necessary to correct code violations.
 3. Interim repairs to avoid further damage; tree and debris removal required to make the individual housing unit habitable.
 4. Payment of insurance deductibles for rehabilitation of homes covered under homeowner insurance and homeowner association policies.
 5. Security deposits and rental assistance for displaced recipients
 6. Retrofitting residences with mitigation features (installation of roofing straps, shutters, storm doors, hurricane impact windows and garage doors) that help prevent future storm damage.

- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$68,000
- e. **Terms:**
 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded mortgage and note
 2. **Interest Rate:** 0%
 3. **Years in loan term:** 15 years
 4. **Forgiveness:** The loan will be forgiven at the end of term.
 5. **Repayment:** If loan defaults, the outstanding balance will be due and payable
 6. **Default:** The loan will be in default if any of the following occurs: sale, transfer, or conveyance of the property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of a sale, the County may exercise its right of first refusal to purchase the property at its appraised market value for continued occupancy by income eligible persons. The seller is prohibited from receiving a financial benefit i.e. no cash out.

If the home is foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

- f. **Recipient Selection Criteria:**
 - Applicants will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I of this plan.
 - Must provide proof of homeowner’s insurance. In the event that the homeowner does not have an existing homeowner’s insurance policy, they are ineligible to participate in program.
 - Must file for and use proceeds from insurance as first option.
- g. **Sponsor Selection Criteria:** N/A
- h. **Additional Information:**
 - Funds for disaster mitigation will only be allocated from unencumbered funds, program income or additional funds awarded through Florida Housing Finance Corporation for the disaster.
 - Applicant may not currently own or have assets exceeding \$200,000 in liquid assets and real estate.
 - Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County procured by the Department of Housing and Economic Sustainability

G. Foreclosure Prevention	Code 7
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- a. **Summary:** Funding will be provided to assist with delinquent mortgage payments (PITI), property taxes, and homeowners insurance. Additionally, funding may assist with late fees, attorney’s fees, homeowners’ association payments, special assessments, other foreclosure associated costs, and mortgage delinquency and default resolution counseling.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate

d. **Maximum award:** \$23,000

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded mortgage and note
2. **Interest Rate:** 0%
3. **Years in loan term:** 5 years
4. **Forgiveness:** The loan amount will be forgiven at the end of the term.
5. **Repayment:** If loan defaults, the outstanding balance will be due and payable
6. **Default:** The loan will be in default if any of the following occurs: sale, transfer or conveyance of property; conversion to a rental property; loss of homestead exemption status; or failure to occupy the home as primary residence.

In the event of death of the qualifying homeowner(s) during the loan term, the loan may be assumed by a SHIP eligible heir who will occupy the home as a primary residence. If the legal heir is not SHIP eligible or chooses not to occupy the home, the original loan amount will be due payable.

If the home foreclosed on by a superior mortgage holder, the County will make an effort to recapture funds through all available legal remedies if it is determined that adequate funds may be available to justify pursuing a recapture.

f. **Recipient Selection Criteria:**

In addition to being selected on a first –qualified, first-served basis, applicants must:

1. Provide proof of the arrearage in the form of notification from the first mortgage lender of applicant’s delinquency and/or intent to foreclose (this cannot be from a private mortgage holder). Verification of applicants’ ability to avoid default by showing that the first mortgage lender is willing to stop foreclosure upon assistance being provided.
2. Provide evidence of a hardship that caused the arrearage (considerable loss of income/employment, death of a household member, divorce, unexpected medical expenses, or unanticipated home repairs or costs associated with increases escrows).
3. Receive counseling from a HUD approved agency or Neighborworks approved agency trained in foreclosure counseling. Agency must verify that homeowner has the ability to make future mortgage payments after assistance is received.
4. Provide written documentation from HUD approved agency showing evidence of the ability to make future mortgage payments after assistance is used which includes an explanation of how the hardship has been overcome and an indication of the budget plan what will allow for resumption of payments.

g. **Sponsor Selection Criteria:** N/A

h. **Additional Information:**

- Participants can only receive assistance once
- Assessed value of the property may not exceed the established maximum sales price.

H. Rental Housing Entry Assistance	Code 23
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- a. **Summary:** Funding will be provided to individuals or families that are in need of assistance with obtaining a lease agreement on a rental unit and qualify under 420.9072(10). This may include rental security deposits, utility deposits, connection fees, housing stability counseling and rent equal to no more than twelve (12) months rental payments.

- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low and low
- d. **Maximum award:** \$ 10,000
- e. **Terms:**
 - 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a grant
 - 2. **Interest Rate:** N/A
 - 3. **Years in loan term:** N/A
 - 4. **Forgiveness:** N/A
 - 5. **Repayment:** N/A
 - 6. **Default:** N/A
- f. **Recipient Selection Criteria:** Recipients will be ranked for assistance based on a first qualified, first served basis with the priorities established in paragraph I of the Program Details in Section I of this plan. Assistance will be limited to a one time grant per household.
- g. **Sponsor Selection Criteria:** Funding may be awarded through the non-profit organizations with documented housing delivery experience. Successful non-profits will be selected according to the following criteria:
 - Organization's past experience with direct assistance
 - Outreach capability to targeted client groups and ability to serve County residents.
 - Proof of ability to income certify applicants utilizing State SHIP standards.
- h. **Additional Information:**
 - The Lease Agreement must be at least twelve (12) months

I. Developer Rental Assistance Program	Code 14/21
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- a. **Summary:** Funding will provide assistance to not-for-profit and for-profit housing developers to acquire, construct and/or rehabilitate affordable rental or single family units. Additionally, this strategy will provide developers applying for Low Income Housing Tax Credits, State Apartment Incentive Loan (SAIL), State HOME Investment Partnerships Program or other multi-family funding, with a local government contribution or other leverage/match financing for affordable rental projects. All SHIP assisted units must be occupied by income eligible families.
- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very Low and Low
- d. **Maximum Award:** \$68,000 per unit
- e. **Terms:**
 - 1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a loan secured by a recorded mortgage and note.
 - 2. **Interest rate:** Rate will be determined through the request for proposal (RFP) process, and will not exceed 3%.
 - 3. **Years in loan term:** 15 years and will not exceed a term equal to a primary lender.
 - 4. **Forgiveness:** Loan amount will be satisfied when all the terms in the contract has been met
 - 5. **Repayment:** Repayment terms and fees will be established through the request for proposal (RFP) process or negotiated.

6. **Default:** For all awards, a default will be determined as: sale, transfer, or conveyance of property; conversion to another use; failure to maintain standards for compliance as required by any of the funding sources. If any of these occur, the original loan amount will be due and payable.
- f. **Recipient Selection Criteria:** Management of the development will select potential renters for the SHIP assisted units on a first qualified, first served basis. All applicants for residence in a SHIP assisted unit must meet income qualifications of the program as determined and reported by the developers' management company for the development.
- g. **Sponsor Selection Criteria and Duties:** The County will advertise the availability of funds. Sponsors of affordable rental development will be selected through a request for proposal (RFP) utilizing the County's established guidelines. The RFP will require proof of developer experience in providing affordable rental housing, proof of financial capacity, evidence of site control (or contract for sale), proof of ability to proceed once all funding is closed, and a housing unit design plan meets with the county's' hosing element in the Comprehensive Plan.

The county reserves the right to select developments that meet the above requirements, or utilize a competitive or non-competitive solicitation process, and:

1. Are in areas of immediate need due to lack of available units.
2. Propose to preserve and improve existing units.

All funding awards will be subject to closing on other funding sources.

h. **Additional Information:**

- Other state, federal, private and local funds are required as SHIP funds will be used as gap financing only
- Developers will be required to meet compliance reporting requirements on the development necessary to meet the statutory requirements for monitoring of SHIP rental units.
- Assisted development must commit to rent stipulations as established by HUD for the term of the mortgage and all other stipulations of the loan agreement. Assisted development must commit to rent stipulations as established by HUD for the term of the mortgage and all other stipulations of the loan agreement. The housing must remain affordable, and all SHIP assisted units must be occupied by income eligible persons during affordability period.

J. Single Family New Construction	Code 10
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- a. **Summary:** Funding will be awarded to contractors, Non-profits and For-profit housing developers to construct affordable single family units for eligible first time homebuyers. Funds can be used for site acquisition, soft costs, site development, infrastructure improvements, demolition, construction and other eligible construction related costs.

Perspective homebuyers must qualify as a First time Homebuyer under the HUD definition: An individual who has had no ownership in a principal residence during the 3-year period ending on the date of the purchase of the property. This provision is limited to a spouse (if either meets the above test, they are considered first time homebuyers). A single parent who has only owned with a former spouse while married. An individual who is a displaced homemaker and has only owned a principal residence not permanently affixed to a permanent foundation in accordance with applicable regulations. An individual who has only owned a property that was not in compliance with state, local or model building codes and which cannot be brought into compliance for less than the cost of constructing a permanent structure.

- b. **Fiscal Years Covered:** 2019-2020, 2020-2021 and 2021-2022
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$ 317,647

e. **Terms:**

1. **Repayment loan/deferred loan/grant:**

Developers- Funds will be awarded as a repayable predevelopment and or construction loan secured by a recorded mortgage and note.

Homebuyers- Funds will be awarded as a deferred payment loan secured by a recorded mortgage and note.

2. **Interest Rate:** 0% for Developers and Homebuyers

3. **Years in loan term:** 2 years for Developers and 30 years for Homebuyer

4. **Forgiveness:** The County will satisfy the promissory note to the developer and tender a recorded satisfaction upon sale of the property.

5. **Repayment:** The County will require the developer to execute a restrictive covenant with a two (2) year period, mortgage and promissory note. Upon sale of the property, the loan will be paid and the County will satisfy the promissory note to the developer and tender a recorded satisfaction.

6. **Default:** The loan will be in default if the developer does not successfully acquire and construct affordable housing and sell to an eligible homebuyer within the contractual timeframe. The County will recapture the subsidy or property if the housing has not been completed within two years of the date of the recorded Mortgage Agreement.

f. **Recipient Selection Criteria:** Applicants must be income eligible and will be ranked for assistance based on a first-qualified, first- served basis with the priorities established in paragraph I of the Program details in Section of this plan.

g. **Sponsor Selection Criteria and Duties:** Developers will apply to the County through a competitive or non- competitive solicitation process or be selected by the Board of County Commissioners. Proof of experience in constructing affordable housing, financial capacity to carry out the project, and provide a housing unit design plan that meets the County's housing element in the Comprehensive Plan will be required.

The County reserves the right to select developments that meet all of the above requirements and:

1. Are in areas of immediate need due to lack of available affordable units.

h. **Additional Information:**

- The County can act as developer on County owned properties, in which the selected contractors will be required to adhere to terms of this strategy. As such, there will not be predevelopment and/or construction loan agreement.
- If the property to be developed is encumbered by an existing mortgage, the County may choose not to fund the project.
- Developers will be required to meet the SHIP program compliance reporting requirements.
- Prospective homebuyers must first secure a first mortgage approval by a lender.
- Prospective homebuyers may not currently own or have assets exceeding \$200,000 in liquid assets or real estate.

III. LHAP Incentive Strategies

A. **Name of the Incentive Strategy: EXPEDITED PERMITTING**

To ensure the review of affordable housing projects is expedited to a greater degree than other projects, Palm Beach County has instituted a "Pre-Application Review Process", in which Workforce and Affordable Housing Developers are encouraged to participate.

The pre-application review process will occur prior to the submittal of a Zoning or Building permit application, for purposes of establishing a density bonus determination. The pre-application shall be established by the Planning Director, and made available to the public and be subject to Sufficiency Review. The Planning Director shall provide a written density determination letter within ten days of determining the pre-application is sufficient. The determination shall be based on the sector analysis, size, location and

development characteristics of the project with consideration given towards affordability, accessibility, proximity to mass transit or employment centers, compatibility, quality of design, pedestrian and vehicular circulation, open space, and resource protection. The Planning Director shall prepare a report for the applicant, Development Review Officer (DRO) Committee, Zoning Commission (ZC), or Board of County Commissioners (BCC), whichever is appropriate, making a determination of compliance with this chapter, consistent with the Plan and recommend approval, approval with conditions, or denial of the request.

Also, Palm Beach County updated its Unified Land Development Code (ULDC) (*located in Article 5, CHAPTER G, Section 1*) ordinance (#2006-055) in 2006. The ULDC allows for the following processes with regards to expedited review for a proposed Affordable Housing Development:

a. Design Review

Review of multifamily or townhouse structures by the Building Division and Fire Rescue shall be allowed concurrent with final DRO review, prior to permit application.

b. Platting

- 1) If only a boundary plat is required for an existing single lot, building permits may be issued after submittal of the final plat for recordation.
- 2) If a subdivision plat is required, permits will be concurrently reviewed, but only issued at recording of the plat.
- 3) Pursuant to Article 3.E.1.G.1.a, Permits, Building permits may be issued for sales offices, sales models, gate houses, entry features, and utilities may be issued prior to the recording of a final plat.

This expedited permitting incentive has been in operation since November 2006. More recently, the County has begun providing expedited processing of building permits for residential construction funded through Department of Housing and Economic Sustainability programs.

B. Name of the Incentive Strategy: ONGOING REVIEW OF POLICIES AND PROCESS IMPACTING HOUSING COST

Comprehensive Plan Housing Element Policy 1.1-h calls for the County to review and streamline existing ordinances, codes, and regulations related to the permitting process in order to reduce excessive requirements that increase the cost of housing, and to add other provisions that increase private sector production of affordable housing. The Planning, Zoning, and Building Department (PZB) is designated to lead these efforts, with assistance from the Department of Housing and Economic Sustainability (DHES) and other departments. When considering changes to the Comprehensive Plan or Unified Land Development Code (ULDC) that might increase the cost of housing, PZB regularly solicits review and comment from the DHES. Further, Countywide PPM CW-O-057 requires that an economic impact analysis be prepared for proposed County ordinances that may have an economic impact on commerce, employment, or incomes.

C. Name of the Incentive Strategy: INVENTORY OF COUNTY OWNED LANDS SUITABLE FOR AFFORDABLE HOUSING

The Palm Beach County Comprehensive Plan Housing Element, Policy 1.1-i, requires an inventory of all surplus County owned land and foreclosed properties that may be suitable for affordable housing. The County's Property and Real Estate Management Division is responsible for identification of such properties, and for coordinating with the Palm Beach County School Board, the South Florida Water Management District, and other public landowners to produce a list of viable sites for affordable housing developments and special needs housing, including rural and farmworker households. DHES is responsible for review of the inventory in order to advise on suitability of properties for affordable housing purposes. The County may make direct land grants to private not-for-profit agencies, and may also make land for affordable housing available to developers in exchange for other land that will serve a public purpose. Countywide Policy and Procedure Memorandum *CW-L-023 Requirements for the Acquisition, Disposition, Lease, and Exchange of Real Property* establishes procedure requirements

for disposition of County-owned real estate, including donation to not-for-profit entities. Recipients for disposition of County owned property must be selected through a competitive process, except for not-for-profit recipients whom may be selected on a non-competitive basis, however, all dispositions must be approved by the Board of County Commissioners.

D. Name of the Incentive Strategy: IMPACT FEE AFFORDABLE HOUSING ASSISTANCE PROGRAM

The Impact Fee Affordable Housing Assistance Program (IFAHAP) was developed to implement direction by the Palm Beach County Board of County Commissioners (BCC) to secure a funding source for the creation of affordable housing. In November 2009, the BCC authorized utilization of impact fee investment earnings on roads, parks, and public buildings to support affordable housing within Palm Beach County (R2009-2013). Under IFAHAP, the BCC designates during each budget development process 50% of the investment earnings realized during the prior year on the roads, parks and public building impact fee fund balances, but not to exceed a total of \$3 million annually. Once the Office of Financial Management and Budget establishes the amount of funding available for the IFAHAP; Department of Housing and Economic Sustainability staff advertises a Notice of Funding Availability (NOFA) that offers the funds on a first-come, first-serve basis. The funds are provided in the form of credits to offset impact fees due on new housing development serving up to 140% AMI households. Approved projects must apply for a building permit within one (1) year of approval and be completed within four (4) years. Funds not contracted/awarded to a project within two (2) years and not spent within four (4) years will revert back to the original impact fee type and zone for use on County capital improvement projects. The County is currently exploring the option of utilizing investment earnings from school impact fees to fund the IFAHAP.

Additionally, the County allows for the payment of impact fees with development financing provided through the SHIP and HOME programs.

E. Name of the Incentive Strategy: FLEXIBLE DENSITIES FOR AFFRODABLE HOUSING

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide similar opportunities to developers to increase density from 30 up to 100 percent in accordance with the ULDC Article 5.G.1.H.1. (WHP, adopted 2006) and Article 5.G.2.E.1. (AHP, adopted 2010). The County's Transfer of Development Rights Program (TDR) allows a property owner to achieve a density bonus by purchasing the increase in density in new residential developments within the Urban/Suburban Tier in unincorporated Palm Beach County.

Projects requesting a density bonus greater than 30 percent are required to conduct a sector analysis as described in Article 5.G.1.H of the ULDC. [Ord. 2006-055]

- WHP projects, including relocated WHP units, shall be equitably distributed so that there is no undue concentration of very low and low-income households.
- Table 5.G.1.H, WHP Density Bonus Guide indicates the maximum density bonus permitted and the concentration of very-low and low income housing within a sector will be one factor taken into consideration when determining the maximum density bonus permitted.

Table 5.G.1.H - WHP Density Bonus Guide

% of Very Low & Low Income Households in Sector	> 50%	40-50%	20-40%	0-20%
Maximum Density Bonus (1)	up to 40%	up to 60%	up to 80%	up to 100%
[Ord. 2009-01] [Ord. 2010-005]				
Notes:				
1. The Planning Director may recommend a density bonus in excess of the Maximum Density Bonus where the project serves to mitigate existing very low and low income concentrations by including a mix of higher income market rate units or Medium 1, Medium 2 and Middle Income WHP units. [Ord. 2006-055]				

- Other factors to be considered include:
 - the location of the proposed development and its relationship to the study area;
 - the housing type(s) proposed;
 - if the development site is located within:
 - 1/4 radius of a public park (neighborhood or regional park, not a golf course); civic uses (schools/libraries); a mass transit facility/route; child care facilities; medical facilities; a super market; a community commercial facility; employment opportunities; and
 - 1/2 mile radius of social services; a regional commercial facility; an industrial facility; additional civic uses and employment opportunities.
- Prior to submittal of a WHP pre-application, the applicant shall meet with the Planning Director or designee to establish the sector within which the distribution analysis shall be conducted.
- The boundaries of the sector shall be approved by the Planning Director or designee.
- The maximum density bonus permitted or a bonus in excess of the maximum shall be recommended by the Planning Director or designee. [Ord. 2010-005]

F. Name of the Incentive Strategy: RESERVATION OF INFRASTRUCTURE CAPACITY FOR AFFORDABLE AND WORKFORCE HOUSING

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide identical "traffic performance standards mitigation" opportunities to developers in accordance with the Unified Land Development Code (ULDC) Article 5.G.1.E.2. (WHP, adopted 2006) and Article 5.G.2.D.2. (AHP, adopted 2010). This allows developments with WHP/AHP units to exceed Level of Service D by 30%, increasing the available concurrency for traffic and reserving that traffic for those WHP/AHP developments that need it. Level of Service (LOS) is a measure of the operation of a roadway based upon traffic volumes in relation to road capacity. LOS is represented by the letters A through F with A representing the condition with the least driver delay and F representing conditions with the most driver delay. In general, LOS D describes high-density areas where speed and freedom to maneuver in the roadway is stable but severely restricted.

Traffic Performance Standards (TPS) mitigation for WHP are described in Article 5.G.1.E. of the ULDC and provides for the following:

- WHP Special Methodologies
 - TPS mitigation shall be permitted for WHP projects in accordance with County Comprehensive Plan Transportation Element Policy 1.2-d (4). [Ord. 2006-055] [Ord. 2011-016]
- WHP Traffic Concurrency Hall Pass
 - TPS mitigation shall also include the option of applying for a WHP Traffic Concurrency Hall Pass separate from a development order application. The WHP Traffic Concurrency Hall Pass serves as a provisional traffic concurrency approval for a period of not more than 90 days, during which it must be merged into an application submitted for a Concurrency Reservation approval. The WHP Traffic Concurrency Hall Pass is described further in Art. 2.F. [Ord. 2006-055]

The County's Comprehensive Plan Transportation Element Policy 1.2-d acknowledges that under certain limited circumstances dealing with transportation facilities, countervailing planning and public policy goals may come into conflict with the requirement that adequate public facilities be available concurrent with the impacts of such development. The policy further acknowledges that under certain circumstances, lower level of service standards for specific roadway segments and intersections are appropriate. As a result, the Comprehensive Plan Transportation Element Policy provides for lower transportation facilities level of service standard for certain purposes on roadway segments and intersections as described in Policy 1.2-d.4:

- For the public purpose of allowing developments that include Workforce and Affordable Housing units (as defined in Housing Element Policies 1.5-g and 1.5-i) to be constructed, the level of service standard permitted for all housing units beyond the standard density (as defined in Future Land Use Element Table III.C.1) on affected segments and intersections shall be up to 30% above the LOS D volume on those segments and intersections.

G. Name of the Incentive Strategy: ALLOWANCE OF AFFORDABLE ACCESSORY RESIDENTIAL UNITS IN RESIDENTIAL ZONING DISTRICTS

Definitions and supplementary standards for specific uses, such as Accessory Dwellings, are included in the County's Unified Land Development Code (ULDC).

According to Article 4.B.1.A.1. (adopted 2005) of the ULDC:

- An accessory dwelling unit is located on the same lot as a principal single family dwelling. An accessory dwelling is a complete, independent living facility equipped with a kitchen and provisions for sanitation and sleeping.
 - Number of Units
 - A maximum of one accessory dwelling may be permitted as an accessory use to a principal single family dwelling unit which is owner occupied. The accessory dwelling may be attached to the principal dwelling or freestanding.
 - Maximum Floor Area
 - On less than one acre: 800 square feet.
 - On one acre or more: 1000 square feet.
 - The floor area calculation shall include only the living area of the accessory dwelling under a solid roof. [Ord. 2005-041]
 - Additional Floor Area
 - Floor area under a solid roof that is utilized as a porch, patio, porte cohere, carport, or garage shall not exceed 500 square feet.
 - Maximum Number of Bedrooms/Baths
 - One bedroom and one bathroom.
 - Compatibility
 - The accessory dwelling shall be architecturally compatible in character and materials with the principal dwelling.
 - Property Development Regulations (PDRs)
 - The accessory dwelling shall comply with the PDRs applicable to the principal dwelling.
 - No Separate Ownership
 - The accessory dwelling shall remain accessory to and under the same ownership as the principal dwelling and shall not be subdivided or sold as a condominium.
 - Kitchen Removal
 - An agreement to remove all kitchen equipment shall be executed for the dwelling unit prior to the issuance of a Building Permit. The agreement shall require the kitchen to be removed if the principal dwelling is no longer owner occupied.
 - No Separate Electrical Service
 - Both the principal single family dwelling and the accessory dwelling shall be connected to the same meter. Separate electric service shall be prohibited. [Ord. 2005-041]

The Planning, Zoning, and Building Department is currently undertaking a review of property development regulations as they relate to density concepts, and may identify changes that will facilitate development of accessory dwelling units.

H. Name of the Incentive Strategy: REDUCTION OF PARKING AND SETBACK REQUIREMENTS FOR AFFORDABLE HOUSING

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide identical "setback reduction" opportunities to developers in accordance with the Unified Land Development Code (ULDC) Article 5.G.1.E.4.h. (WHP, adopted 2006) and Article 5.G.2.D.4.h. (AHP, adopted 2010).

Flexible regulations are described in Article 5.G.2.D.4 of the ULDC and are applicable to:

- Projects with Future Land Use (FLU) designations of:
 - Medium Residential, 5 units per acre (MR-5)
 - High Residential, 8 units per acre (HR-8)
 - High Residential, 12 units per acre (HR-12)
 - High Residential, 18 units per acre (HR-18)
- Projects approved as a Planned Development District (PDD)
- Projects approved as a Traditional Development District (TDD)

Projects with these designations may deviate from the residential requirements of Table 3.D.1.A, Property Development Regulations, or Table 3.D.2.B, Zero Lot Line Property Development Regulations, as follows: [Ord. 2009-040]

- Single Family Dwelling units may be permitted up to a maximum ten percent deviation for the following Property Development Regulations:
 - lot size;
 - width and frontage;
 - building coverage; and
 - side and rear setbacks. [Ord. 2009-040]
- Single Family Dwelling units limited to one floor with no loft or other similar feature, may be permitted up to a maximum 20 percent deviation for the following Property Development Regulations:
 - building coverage; and
 - front and side street setbacks. [Ord. 2009-040]
 - Zero Lot Line lots may be permitted up to a maximum lot width reduction of five feet, and ten percent deviation from the minimum lot size, building coverage, and front setback for units with front loading garages. [Ord. 2009-040]

PBC Zoning Division staff is currently analyzing revisions to parking code, and is proposing a nearly 50% reduction in parking requirements for Congregate Living Facilities, as well as reviewing options for Shared Parking, Parking Demand Studies, and reductions for multi-family uses.

I. Name of the Incentive Strategy: ALLOWANCE OF FLEXIBLE LOT CONFIGURATIONS, INCLUDING ZERO-LOT-LINE CONFIGURATIONS FOR AFFORDABLE HOUSING

The County's Comprehensive Plan Concentrations of Affordable Housing Policy 1.5 enables the public, private, and not-for-profit sectors to:

- provide affordable housing
- support the distribution of housing for very low, low, moderate and middle income households
- use the Workforce Housing Program (WHP) and the Affordable Housing Program (AHP) to avoid undue concentrations of very low and low income housing through the County

The Unified Land Development Code (ULDC) allows for "Density Bonus Development Options" for both WHP and AHP developments (Article 5.G.1.E.4 a-k and Article 5.G.2.E.4 a-k). Setback deviations are included in certain instances, and zero-lot-line deviations are allowed.

J. Name of the Incentive Strategy: SUPPORT FOR AFFORDABLE HOUSING IN TRANSPORTATION ORIENTED DEVELOPMENT

When determining the WHP/AHP density bonus, proximity of the site to mass transit and employment opportunities are considered, thereby providing an incentive for affordable development in closer proximity to the same. Most transit services suitable for TODs and related development opportunities are located in municipal areas, and are not subject to County property development regulations. However, for the unincorporated County, Comprehensive Plan Policy 4.4.9-a requires that not less than 20% of the total residential units of a TOD shall be designated for workforce housing or affordable housing through the associated programs.

SUMMARY TABLE Palm Beach County State Housing Initiative Partnerships (SHIP) Local Housing Assistance Programs (LHAP) Fiscal Years 2019-2022		
Strategy	Existing Language	Proposed Language
Purchase Assistance	Funding will provide an income eligible first time homebuyer up to \$105,000 to assist with the purchase of an existing home or new construction	While we do not recommend a change to the maximum award amount, we do recommend removing the tiered funding approach and allow all income categories the opportunity to receive the maximum funding
First Mortgage Loan Assistance Program	Funding will provide an income eligible homebuyer up to \$317,647 as a first mortgage loan to purchase of an existing home or new construction	No change is recommended to the existing strategy's language
Owner Occupied Housing Rehabilitation	Funding will assist income-eligible owner-occupied applicants with: <u>Rehabilitation</u> – provide up to \$80,000 for substantial rehabilitation to correct code violations <u>Roof Repair/Replacement Program</u> – provide up to \$38,000 to exclusively address deteriorated roofing to eliminate substandard and unsafe conditions <u>Utility Connection</u> – provide up to \$13,000 to assist with sewer and water connection	Remove the Roof Repair/Replacement program <u>Rehabilitation</u> – provide up to \$80,000 for substantial rehabilitation to correct code violations <u>Roof Repair/Replacement Program</u> – provide up to \$38,000 to exclusively address deteriorated roofing to eliminate substandard and unsafe conditions <u>Utility Connection</u> – provide up to \$13,000 to assist with sewer and water connection
Emergency Repairs	Funding will provide an income eligible owner-occupied applicant up to \$40,000 to assist with addressing emergency conditions such as roofing, electrical, plumbing and structural repairs	No change is recommended to the existing strategy's language
Replacement Housing	Funding will provide an income eligible homeowner residing in a dilapidated structure that is beyond rehabilitation to receive up to \$317,647 to demolish and replace the existing property	No change is recommended to the existing strategy's language
Disaster/Post Disaster/Mitigation/Recovery Program	Funding will provide an income eligible applicant up to \$58,000 to assist with retrofitting and home repairs directly caused by a disaster that is declared by an Executive Order of the U.S. President or Florida Governor	Increase the maximum award amount Funding will provide an income eligible applicant up to \$68,000 to assist with retrofitting and home repairs directly caused by a disaster that is declared by an Executive Order of the U.S. President or Florida Governor
Foreclosure Prevention	Funding will provide an income eligible applicant up to \$18,000 to assist with delinquent mortgage payments and other fees associated with foreclosure	Increase the maximum award amount Funding will provide an income eligible applicant up to \$23,000 to assist with delinquent mortgage payments and other fees associated with foreclosure
Rental Housing Entry Assistance	Funding will provide income eligible individuals or families up to \$10,000 to assist with rental security deposit, utility deposit, connection fees and housing stability counseling	No change is recommended to the existing strategy's language

<p>Veterans Homeownership & Preservation Program (VHPP)</p>	<p>Veterans Homeownership & Preservation Program Funding will provide assistance to income eligible active duty military personnel and veterans, including eligible surviving spouses of military personnel to acquire a new or existing single family residence or rehabilitate an existing home. Assistance can be used for leveraging with existing veterans housing ownership programs, gap financing, and land acquisition with housing development, down payment assistance, closing costs, and rehabilitation/repair to correct code violations or incipient items that will become a code violation</p>	<p>Remove VHPP strategy and include veteran's preference as a priority for all SHIP funded strategies Veterans Homeownership & Preservation Program Funding will provide assistance to income eligible active duty military personnel and veterans, including eligible surviving spouses of military personnel to acquire a new or existing single family residence or rehabilitate an existing home. Assistance can be used for leveraging with existing veterans housing ownership programs, gap financing, and land acquisition with housing development, down payment assistance, closing costs, and rehabilitation/repair to correct code violations or incipient items that will become a code violation</p>
<p>Developer Assistance Rental Housing</p>	<p>Funding will provide up to \$43,000 per unit to developers and owners of affordable rental housing to construct or rehabilitate affordable rental units</p>	<p>Increase the maximum per unit award amount Funding will provide up to \$68,000 per unit to developers and owners of affordable rental housing to construct or rehabilitate affordable rental units.</p>
<p>Single Family New Construction</p>	<p>Funding will provide up to \$317,647 to assist contractors, Non-profits and For-profit housing developers to construct affordable single-family units for eligible first time homebuyers.</p>	<p>No change is recommended to the existing strategy's language</p>