

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: February 6, 2024

Consent

Regular

Ordinance

Public Hearing

Department: Housing and Economic Development

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: the 3rd Amendment to the Palm Beach County's State Housing Initiatives Partnership (SHIP) Program Local Housing Assistance Plan (LHAP) for Fiscal Years 2022/2023, 2023/2024, and 2024/2025 (R2022-0374).

Summary: On December 21, 2023, the Commission on Affordable Housing (CAH) adopted its 2023 Affordable Housing Incentives Review and Recommendations Report (Report), including nine (9) recommendations addressing 11 affordable housing incentive areas identified in Section 420.9076(4), Florida Statutes. The recommendations were developed through a process that included input from community and industry stakeholders and consultation with the Department of Housing and Economic Development (DHED), the Department of Planning, Zoning and Building, the Engineering and Public Works Department, the Property and Real Estate Management Division (PREM), and County Administration. Staff supports seven (7) of the CAH recommendations which relate to expedited approvals, infrastructure capacity, street requirements, a countywide housing plan, inventory of public lands, transportation oriented development, and flexible zoning. Staff partially supports two (2) of the CAH recommendations which relate to fee waivers and accessory dwelling units. In regards to fee waivers, staff does not support waiver of building permit or impact fees. Staff does not support separate electrical metering of accessory dwelling units. A summary of the CAH recommendations and staff comments and recommendations is included as Attachment 1 to the Agenda Item. The report is provided as Attachment 2 to the Agenda Item.

The Board of County Commissioners (BCC) has the sole authority to approve the LHAP, amendments thereto, and the housing incentives contained therein. Staff recommends that the BCC approve the proposed 3rd Amendment to the Palm Beach County SHIP Program LHAP, Attachment 3 to the Agenda Item, incorporating the nine (9) staff supported CAH recommendations into the descriptions of affordable housing incentives which the County implements. The approved 3rd Amendment will be sent to the Florida Housing Finance Corporation by the March 20, 2024 deadline. **These are SHIP grant funds which require no local match.** Countywide (HJF)

Background and Policy Issues: On April 12, 2022, the BCC approved the SHIP Local Housing Assistance Plan (LHAP) for Fiscal Years 2022/2023, 2023/2024 and 2024/2025 (R2022-0374). The LHAP outlines the affordable housing funding strategies and incentives that the County will implement over the three-year period. As a condition of receiving SHIP funding, Section 420.9076, Florida Statutes requires that the County establish a local housing advisory committee. **Continued on page 3.**

Attachments:

1. Summary of CAH Incentive Recommendations and Staff Comments
2. 2023 Affordable Housing Incentives Review and Recommendations Report
3. Proposed 3rd Amendment to LHAP for FYs 2022/2023 – 2024/2024 (strike-out/underline)

Recommended By:  1-16-24
Department Director Date

Approved By:  1-24-24
Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2024	2025	2026	2027	2028
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 _____
 Does this item include the use of State funds? Yes _____ No _____

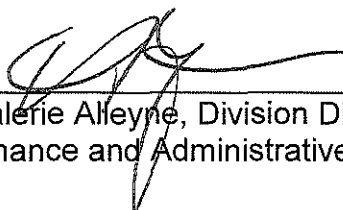
Budget Account No.:

Fund 1100 Dept 143 Unit Various Object Various Program Code/Period _____

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

No Fiscal Impact

C. Departmental Fiscal Review:



 Valerie Alleyne, Division Director II
 Finance and Administrative Services, DHED

III. REVIEW COMMENTS

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

 _____ OFMB <u>QA</u> <u>1/17/24</u> <u>DA/17</u>	 _____ Sarah M. Bruni <u>1/22/24</u> Contract Development and Control
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B. Legal Sufficiency:



 Chief Assistant County Attorney

C. Other Department Review:

 Department Director

Background & Policy Issues: Continued from Page 1

The CAH was established on May 16, 2017 via the Affordable Housing Ordinance (No. 2017-017). The CAH is required to conduct an annual review of affordable housing incentives and to adopt recommendations. The County is required to select which recommendations it will incorporate into the LHAP within the following 90 days. On February 7, 2023 the BCC supported or partially supported all nine (9) of the CAH recommendations addressing eleven (11) affordable housing incentive areas identified in Florida Statute 420.9076(4) which related to expedited approvals, review of fees, infrastructure capacity, accessory dwelling units, street requirements, a countywide housing plan, inventory of public lands, development of transportation hubs and flexible zoning.

Summary of Commission on Affordable Housing Incentive Recommendations and Staff Comments/Recommendations

1.	Incentive Area	F.S. 420.9076(4)(a) - The expedited processing of approvals of development orders or permits for affordable housing is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)(3). (MANDATORY)	
		CAH Recommendation	Staff Comment / Recommendations
		The County should continue current efforts towards expediting development approvals and building permits for affordable housing projects. Expedited approval should be offered to all projects with at least 65% of total housing units affordable/workforce. The CAH strongly recommends that the County create a position or designate an individual to be responsible for and to shepherd development applications through the approval process.	SUPPORTED. Collaborating with Information Systems Services to implement an option within the online permit application to identify and expedite qualifying projects. PZB is establishing policies and procedures to address expedited processes. Priority is given to affordable and workforce housing. Pre-application meetings are currently being offered to all developers and the procedures for such will be codified in a Policy and Procedure Memorandum (PPM). Currently considering appointing a "shepherd" position to assist applicants move through the approval process.
2.	Incentive Area	F.S. 420.9076(4)(b) - All allowable fee waivers provided for the development of construction of affordable housing.	
		CAH Recommendation	Staff Comment / Recommendations
		Maintain current incentive strategy: Provide transparent fee structure and clear directions to the public. Offer reduction in fees for affordable/workforce housing and/or defer collection of fees. Require municipal fee reduction for SHIP projects.	PARTIALLY SUPPORTED. The County does not support additional fee waiver/reduction or deferral, and building permit fees cannot be reduced per F.S. 553.80. The County waives the customary fee for letters of determination addressing workforce or affordable housing potential density bonuses and program requirements. Further, the Comprehensive Plan Policy 1.5.f describes the elimination of processing fees for residential households. The County operates an Impact Fee Affordable Housing Program that is funded with up to \$3M annually in interest earnings from Roads, Parks, and Public Building impact fee collections. The funds are offered to developers and owner-builders to pay impact fees due to new residential construction serving households up to 140% of Area Median Income. Additionally, the County does not charge any impact fees on residential development in the western Glades Region of the County.
3.	Incentive Area	F.S. 420.9076(4)(c) - The allowance of flexibility in densities for affordable housing.	
		CAH Recommendation	Staff Comment / Recommendations
		See "Flexible Zoning" on page 3.	See response at recommendation #12 -- Flexible Zoning.
4.	Incentive Area	F.S. 420.9076(4)(d) - The reservation of infrastructure capacity for housing for very-low-income person, low-income person, and moderate-income persons.	
		CAH Recommendation	Staff Comment / Recommendations
		Maintain current incentive strategy: WHP/AHP developments can exceed roadway Level of Service (LOS) standards by 30%, increasing the available concurrency for traffic.	SUPPORTED. Engineering and Public Works. The County's Comprehensive Plan allows WHP/AHP developments to exceed roadway Level of Service (LOS) standards by 30%, increasing the available concurrency for traffic and reserving that traffic for those WHP/AHP developments. Staff can maintain and implement current traffic LOS for WHP and AHP developments. PZB supports incentives for affordable/workforce housing.

Summary of Commission on Affordable Housing Incentive Recommendations and Staff Comments/Recommendations

5.	Incentive Area	F.S. 420.9076(4)(e) - Affordable accessory residential units.
	CAH Recommendation	Staff Comment / Recommendations
	The County should address restrictions on ADUs in order to allow for greater opportunity, including the elimination of requirements for an electrical feed from the main home. ADUs should not be counted as a separate housing unit for purposes of density calculations.	PARTIALLY SUPPORTED. The Planning, Zoning, and Building Department recently amended code to eliminate the requirement that an ADU kitchen be removed when the owner vacates the primary housing unit. The County is currently reviewing the ADU requirement that the electrical feed come through the meter of the primary unit, and the impact of additional density on public facilities and infrastructure.
6.	Incentive Area	F.S. 420.9076(4)(f) - The reduction of parking and setback requirements for affordable housing.
	CAH Recommendation	Staff Comment / Recommendations
	See "Flexible Zoning" on page 3.	See response at recommendation #12 -- Flexible Zoning.
7.	Incentive Area	F.S. 420.9076(4)(g) - The allowance of flexible lot configurations, including zero-lot line configurations for affordable housing.
	CAH Recommendation	Staff Comment / Recommendations
	See "Flexible Zoning" on page 3.	See response at recommendation #12 -- Flexible Zoning.
8.	Incentive Area	F.S. 420.9076(4)(h) - The modification of street requirements for affordable housing.
	CAH Recommendation	Staff Comment / Recommendations
	Maintain current incentive strategy: The County should continue to base street and related requirements for affordable housing on sound engineering practices.	SUPPORTED. PBC Engineering and Public Works. The County Engineer bases all street requirements on sound engineering practices, and therefore already implements the recommendation. The County's Comprehensive Plan Transportation Element permits WHP/AHP developments to generate vehicular traffic on streets beyond the level otherwise allowable. The County's roadway standards are derived from the Manual of Florida Department of Transportation's Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (commonly known as the Florida Greenbook). The roadway width and/or section cannot be further reduced without compromising the functionality or durability of the roadway network.
9.	Incentive Area	F.S. 420.9076(4)(i) - The establishment of a process by which local government considers, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing (MANDATORY).
	CAH Recommendation	Staff Comment / Recommendations
	The County should consider adoption of a comprehensive countywide housing plan for workforce and affordable housing.	SUPPORTED. The County has been assessing the impact of the Live Local Act. The Housing Leadership Council's <i>Housing For All</i> Plan would capitalize on some of these opportunities. The Plan will be presented to the Board of County Commissioners on January 23rd with a recommendation to "endorse and support" the plan.

Summary of Commission on Affordable Housing Incentive Recommendations and Staff Comments/Recommendations

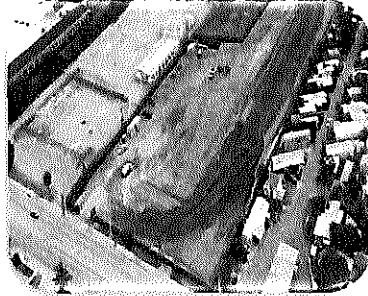
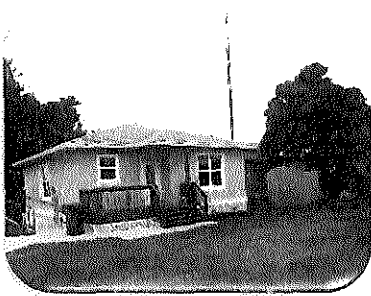
10.	Incentive Area	F.S. 420.9076(4)(j) - The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
	CAH Recommendation	Staff Comment / Recommendations
	The County should make available online a regularly-updated inventory of all County owned properties, and offer a clear process for disposition so that private industry and not-for-profit organizations can utilize available lands for the development of affordable and workforce housing.	SUPPORTED. The Live Local Act requires the County to publish a list of surplus properties every three years and requires the municipalities to publish their own list. PREM reviewed all County surplus properties in 2023, and nearly all were less than one acre in size and could not be used for major development or multifamily development. One 6-acre parcel was determined as suitable for affordable housing, and declared by the Board of County Commissioners to be surplus. The property will be offered via a competitive process to developers of affordable and workforce housing. Countywide Policy and Procedure Memorandum CW-L-023 Requirements for the Acquisition, Disposition, Lease, and Exchange of Real Property establishes procedural requirements for disposition of County-owned real estate, including donation to not-for-profit entities.
11.	Incentive Area	F.S. 420.9076(4)(k) - The support of development near transportation hubs and major employment centers and mixed-use developments.
	CAH Recommendation	Staff Comment / Recommendations
	Maintain current incentive strategy: County should review with local governments and transportation providers a comprehensive solution for affordable housing near transportation hubs.	SUPPORTED. The County will continue to work with other local government jurisdictions and transportation providers to develop a comprehensive solution to providing housing near transportation hubs. PZB would be part of this discussion, however, this effort might best be led by a consultant, possibly through the League of Cities or Regional Planning Council.
	Incentive Area	N/A
	CAH Recommendation	Staff Comment / Recommendations
	"Flexible Zoning". The County should consider adoption of alternative PDRs community-wide, including an approval process designed to develop a flexible self-regulating development order.	SUPPORTED. Planning, Zoning and Building (PZB) is working on revisions to the ULDC and considering changes to create flexible Property Development Regulations (PDRs) and standards community-wide. With this approach, each development would propose its own PDRs which would then be subject to staff review and approval by elected officials. This approach would contribute to housing affordability by allowing greater utilization of smaller sites and infill sites, as well as by offering the flexibility necessary to bring alternative housing product types to market. Further, this approach would facilitate the development approval process by avoiding the time and expense associated with obtaining the numerous variances necessary to utilize density bonuses. These alternative regulations would not be limited to only affordable/workforce housing projects.



Annual Affordable Housing Incentives Review and Recommendations Report

Commission on Affordable Housing

December 2023



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

December 7, 2023

PREPARED BY:
Palm Beach County Commission on Affordable Housing

SUBMITTED TO:
Florida Housing Finance Corporation

I. BACKGROUND

As required by the Florida Statute section 420.9076 as recipient of State Housing Initiative Partnership funds, the County established an affordable housing advisory committee on May 17, 2017 through the Palm Beach County Affordable Housing Ordinance (No. 2017-17). The affordable housing advisory committee, known as the Commission on Affordable Housing (CAH) 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 CAH is responsible for making recommendations to encourage affordable housing.

The CAH is required to submit an incentive report annually. The report includes recommendations by the committee as well as comments on the implementation of incentives for at least the following eleven distinct areas:

- (a) The expedited processing of approvals of development orders or permits for affordable housing.
- (b) All allowable fee waivers provided for the development or construction of affordable housing.
- (c) The allowance of flexibility in densities for affordable housing.
- (d) The reservation of infrastructure capacity for affordable housing.
- (e) Affordable accessory residential units.

- (f) The reduction of parking and setback requirements for affordable housing.
- (g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.
- (h) The modification of street requirements for affordable housing.
- (i) 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.
- (j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.
- (k) The support of development near transportation hubs and major employment centers and mixed-use developments.

II. COMMITTEE COMPOSITION

The County Commission re-appointed members to the CAH on June 15, 2021 and appointed 2 members on December 5, 2023. Section 420.907 of the Florida Statutes lists the categories from which committee members must be selected. There must be no less than 8 and no more than 11 committee members, with 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 appointed AHAC Committee members are included here, along with their category affiliation.

Name	Category Represented	Appointed	Reappointed
Mack Bernard	Local Elected Official	2/9/21	6/15/21
Len Tylka	Resident of the Jurisdiction	7/1/18	6/15/21
Aquannette Thomas	Mortgage Banking Industry	2/9/21	6/15/21
Adam Campbell	Labor Engaged in Home Building	7/1/18	6/15/21
Ezra Krieg	Advocate for Low Income Persons	7/1/18	6/15/21
Elliott Johnson	For-Profit Provider of Affordable Housing	2/9/21	6/15/21
Shirley Erazo	Not-for-Profit Provider of Affordable Housing	12/5/23	N/A
Lynda Charles	Real Estate Professional	7/10/21	N/A
Corey O’Gorman	Resident of the Jurisdiction	7/1/18	6/15/21
Amy Robbins	Employers Within the Jurisdiction	2/9/21	6/15/21
Tim Kubrick	Essential Services Personnel	12/5/23	N/A

III. AFFORDABLE HOUSING INCENTIVES

The 2023 affordable housing incentives review is built upon the 2022 review process, and work commenced immediately following Board of County Commissioners approval of a LHAP amendment to incorporate certain incentives from the 2022 report. During the course of monthly meetings, the CAH discussed incentive review requirements and process, incentives utilized in other jurisdictions, current affordable housing practices, and County programs, policies, and procedures. Discussions included representatives from the County’s Planning, Zoning, and Building Department, the County Engineer, the Property and Real Estate Management Division (PREM), and County Administration. In addition, the CAH garnered participation from various community stakeholders and housing industry players to share their ideas and experience as it relates to affordable housing incentives. This report reflects the recommendations of the CAH, which resulted from this process. Recommendations that are approved by the Board of County Commissioners will be included in an amendment to the Local Housing Assistance Plan (LHAP). Where applicable, the Comprehensive Plan and County land development regulations, policies, and procedures may be revised to implement the approved recommendations.

F.S. 420.9076(4)(a) – The expedited processing of approvals of development orders or permits for affordable housing is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.

Existing Incentive Strategy: Expedite approvals / permits for projects ≥65% affordable/workforce units. Offer pre-application meeting and guidance in approval processes, and utilize external entities to conduct review.

Summary of AHAC Discussion: The CAH continued discussion on the status of expedited permits with County staff administering the processes. The CAH discussed tracking the percentage of units that will meet the required 65% AMI threshold and if Planning, Zoning, and Building

Department (PZB) would further incentivize construction of more units or make the process more affordable to developers who construct additional units. The CAH discussed the proposed position / liaison to shepherd projects through the development approval process. There would need to be a method to advertise the availability of the expediting services and that of the liaison. The CAH suggested that some type of marketing materials be located at HED to help get the word out. The CAH also discussed self-regulating development orders and having an outside agency assist with the work necessary for permits issued.

County staff from PZB as well as the County Engineer updated the CAH on expedited permitting. PZB are collaborating with Information Systems Services to implement an option within the online permit application to identify and expedite qualifying projects. PZB is establishing policies and procedures to address expedited processes. Priority is given to affordable and workforce housing. Pre-application meetings are currently offered to all developers and the procedures for such will be codified in a Policy and Procedure Memorandum (PPM). PZB is currently considering appointing a "shepherd" position to assist applicants move through the approval process.

CAH also discussed increasing review agency capacity through additional funding for increased staffing to more quickly process the current high volume of development applications. Discussion included identification of a shepherd or expeditor, either a County employee(s) or contracted entity, to liaise with all offices involved in development review in order to coordinate and expedite approvals. It was noted that the County's Building Division has a good reputation among local builders. County staff from the Planning Zoning, and Building Department (PZB) as well as the County Engineer participated in the discussion. There was consensus that an individual(s) designated to coordinate the review/approval process across multiple departments/divisions should at a high level, such as an assistant county administrator or department director, in order that directives/requests would carry weight and spur action. At initial time of submittal, applications would need to be identified for expedited processing by some mechanism that was recognized by all reviewing entities. Additionally, there would need to be a mechanism established to validate that applications met criteria for expedited processing. PZB staff suggested that the role of the facilitator could also include a preliminary review of the application for completeness, and that this could significantly expedite processing by avoiding repetitive application submittals to correct obvious errors and major deficiencies. In recognition that reviewing County agencies are constrained by organizational capacity and currently face a large volume of development applications, the CAH suggested that the County might explore its ability to certify outside agencies (design professionals) to conduct reviews of affordable projects and make approvals in order to increase processing capacity and to expedite approvals. The CAH drafted a resolution for the County to consider adopting that would establish a process for expedited development review and the assignment of an individual to coordinate that process. The resolution was based on the County's existing resolution and process for Business Development Board projects. The discussion included criteria, income targeting requirements, and reporting mechanism. Also considered was the fact that the County resolution would only expedite projects located within the unincorporated area over which the County holds development approval authority, but would not assist those projects located within municipalities which are home to 55% of the county's total population. The CAH will look to

revisit the 65% threshold for expediting after implementation and assessment of its effectiveness.

AHAC Recommendation: The County should continue current efforts towards expediting development approvals and building permits for affordable housing projects. Expedited approval should be offered to all projects with at least 65% of total housing units affordable/workforce. The CAH strongly recommends that the County create a position or designate an individual to be responsible for and to shepherd development applications through the approval process.

F.S. 420.9076(4)(b) – All allowable fee waivers provided for the development or construction of affordable housing.

Existing Incentive Strategy: Provide transparent fee structure and clear directions to the public. Offer reduction in fees for affordable/workforce housing and/or defer collection of fees. Require municipal fee reduction for SHIP projects.

The County waives the customary fee for letters of determination addressing workforce or affordable housing potential density bonuses and program requirements. Further, the Comprehensive Plan Policy 1.5-f describes the elimination of processing fees for residential zoning petitions providing affordable housing units in areas of low very low, and low income households. The County operates an Impact Fee Affordable Housing Assistance Program that is funded with up to \$3M annually in interest earnings from Roads, Parks, and Public Building impact fee collections. The funds are offered to developers and owner-builders to pay impact fees due on new residential construction serving households up to 140% of Area Median Income. Additionally, the County does not charge any impact fees on residential development in the western Glades Region of the county.

Summary of AHAC Discussion: The CAH discussed if the passage of the Live Local Act would affect County staff's opposition to additional fee waivers, reductions, or deferrals. Fees associated with density bonuses should be eliminated or drastically reduced.

The CAH discussed numerous fees and in-lieu payments that contribute to cost of residential development. Thoughts included offering fee variability based on extent of affordability that would result in a reduction or total waiver. Also discussed was fee deferral, whereby the County would not collect certain development fees until the time that the housing unit was completed and put into service. The CAH also recognized the County's need to compensate for revenues forgone in any reduction in the affordable housing fees.

Numerous fees and in-lieu payments that contribute to cost of residential development. Thoughts included offering fee variability based on extent of affordability that would result in a reduction or total waiver. Also discussed was fee deferral, whereby the County would not collect certain development fees until the time that the housing unit was completed and put into service.

The CAH also recognized the County's need to compensate for revenues forgone in any reduction in the affordable housing fees.

AHAC Recommendation: Maintain current incentive strategy.

F.S. 420.9076(4)(c) The allowance of flexibility in densities for affordable housing.

Existing Incentive Strategy: "Flexible Zoning". The County should consider adoption of alternative Property Development Regulations (PDRs) community-wide, including an approval process designed to develop a flexible self-regulating development order.

The County's Workforce Housing Program (WHP) and Affordable Housing Program (AHP) provide opportunities to developers to increase density up to 100 percent in accordance with the ULDC. Per Article 5.G.2.E.1. (AHP), AHP projects requiring a density bonus of greater than 30% are required to conduct a two-step sector analysis. The first step considers the concentration of very low and low income housing within the sector in determining the minimum density bonus permitted. Step two considers the location of the proposed development with regard to neighborhood amenities, including public transit, employment and shopping opportunities, and educational, medical, social service and recreational facilities, in determining whether additional density may be added.

The County's Workforce Housing Program was substantially revised in 2019, to facilitate additional density where appropriate. Under the revised WHP, Density Bonuses up to and including 50% do not require special review and approval processes. Projects seeking a density bonus of greater than 50%, up to 100%, require enhanced staff review, and approval by the Board of County Commissioners. The enhanced review is intended to balance the County's objectives of promoting the production of workforce housing while preserving the quality and character of existing communities. First, a project's proposed approach to WHP is assessed using a Point System, to determine the extent to which the project furthers the County's WHP objectives. WHP units delivered on-site, as for-sale, single-family, units in areas with Workforce-income households below the overall concentration in the County are most desirable and earn the most potential density bonus for the parent project. Second, the suitability of the site to accommodate the density bonus, and the compatibility with the surrounding area, is assessed. An overall density bonus is then recommended to the Board of County Commissioners considering the outcome of both the point system application and the suitability assessment.

The County's Transfer of Development Rights Program (TDR) is a voluntary program administered by the Zoning Division that allows a property owner to achieve a density bonus for new residential development within the Urban/Suburban Tier in unincorporated Palm Beach County. The owner purchases the increase in density from the Palm Beach County TDR Bank, or from a property owner with land in a designated area, without going through the land use amendment process. TDR provides for increased density of up to five (5) units per acre based on geographic location, and requires that thirty-five percent (35%) of all TDR units be WHP Units.

Summary of AHAC Discussion: See “Flexible Zoning” page 13.

AHAC Recommendation: See “Flexible Zoning” page 13.

F.S. 420.9076(4)(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.

Existing Incentive Strategy: WHP/AHP developments can exceed roadway Level of Service (LOS) standards by 30%, increasing the available concurrency for traffic.

The County requires all developments to have the appropriate concurrency for public facilities and infrastructure, but does not require developments to ensure there is infrastructure capacity in place for any other developments, including affordable and workforce housing. However, the Comprehensive Plan allows for a 30% concession in Traffic Performance Standards for affordable and workforce housing. This increases the available concurrency for traffic and reserves that traffic for those affordable and workforce developments that need it.

Summary of AHAC Discussion: The CAH acknowledged the need to maintain traffic and other concurrency, and concluded that the current incentive offered by the County is helpful.

AHAC Recommendation: Maintain current incentive strategy.

F.S. 420.9076(4)(e) – Affordable accessory residential units.

Existing Incentive Strategy: Address restrictions to allow for greater opportunity, including requirements for electrical feed from main home and covenant to remove ADU kitchen. Do not count ADUs as separate housing unit in density calculations.

County land development regulations allow Accessory Dwelling Units in certain residential zoning designations. Per earlier CAH recommendation, the County recently removed the prior requirement that the kitchen of the ADU be removed when the owner vacates the main home. The County is currently reviewing the ADU requirement that the unit electrical feed come through the meter of the main house, and the issue of whether ADUs be counted for density.

Summary of AHAC Discussion: The CAH discussed strengthening the language for ADUs. Separate electrical metering for ADUs would facilitate the creation of additional housing units. PZB staff recently amended code to eliminate a requirement that an ADU kitchen be removed when the owner vacate the primary housing unit and are considering the question of separate electric services for ADUs.

ADUs are an important tool to help meet local affordable housing needs, and by their very nature serve affordable housing needs. Greater flexibility in the allowance of ADUs will increase the

development potential of the County's limited remaining supply of vacant land, and also increase the potential for additional development on existing properties. Greater proliferation of ADUs will increase the overall housing stock and exert mitigating pressure on prices, thereby contributing to affordability. The County's current land development regulations governing ADUs excessively restrict development and impose unnecessary requirements on the property owner. The market tends to price ADUs affordably compared to comparable units, and without the need for government price intervention. There could be a tax incentive to keep the ADU affordable. This will create requirements for monitoring that will require new processes and staffing. The County's current requirement for a single electric meter poses a disincentive to develop ADUs and a disincentive to rent out an existing ADU. ADUs should not be counted as a separate unit in density calculations for zoning compliance. The proliferation of ADUs will have real impacts on infrastructure and demand for public services. Also, proliferation of ADUs could negatively impact neighborhoods by shifting character from homeownership with increased tenancy, and regulations should be crafted with this in mind. For example, the widespread use of ADUs for short-term rentals would negatively impact neighborhoods and fail their potential to serve affordable housing needs. The County is currently drafting revisions to PDRs to remove the requirement for kitchen removal in the ADU after the owner vacates the main structure.

AHAC Recommendation: The County should address restrictions on ADUs in order to allow for greater opportunity, including requirements for an electrical feed from the main home. ADUs should not be counted as a separate housing unit for purposes of density calculations.

F.S. 420.9076(4)(f) The reduction of parking and setback requirements for affordable housing.

Existing Incentive Strategy: "Flexible Zoning". The County should consider adoption of alternative Property Development Regulations (PDRs) community-wide, including an approval process designed to develop a flexible self-regulating development order.

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.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP).

Flexible regulations are described in ULDC Articles 5.G.1.B.2.f.3) and 5.G.2.D.4., and are applicable to projects with Medium Residential, 5 units per acre (MR-5), High Residential 8 units per acre (HR-8), High Residential 12 units per acre (HR-12), or High Residential 18 units per acre (HR-18) Future Land Use designations, or if approved as a Planned Development District or Traditional Development District. 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, ZLL Property Development Regulations (PDRs), as follow:

- Single Family Dwelling (SFD) units may be permitted up to a maximum ten percent deviation for the following PDRs: lot size; width and frontage; building coverage; and, side, and rear setbacks.

- SFD 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 PDRs: building coverage; and front and side street setbacks.
- 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.

Summary of AHAC Discussion: See “Flexible Zoning” page 13.

AHAC Recommendation: See “Flexible Zoning” page 13.

F.S. 420.9076(4)(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.

Existing Incentive Strategy: “Flexible Zoning”. The County should consider adoption of alternative Property Development Regulations (PDRs) community-wide, including an approval process designed to develop a flexible self-regulating development order.

The ULDC Article 5.G.1.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP) provide for flexible lot configurations, including zero-lot-line configurations, as described above.

Summary of AHAC Discussion: See “Flexible Zoning” page 13.

AHAC Recommendation: See “Flexible Zoning” page 13.

F.S. 420.9076(4)(h) The modification of street requirements for affordable housing.

Existing Incentive Strategy: The County should continue to base street and related requirements for affordable housing on sound engineering practices.

The County’s Comprehensive Plan Transportation Element Policy 1.2-d.4 permits Workforce and Affordable Housing developments to generate vehicular traffic on streets beyond the level otherwise allowable. Opportunities for Traffic Performance Standards mitigation are codified in ULDC Article 5.G.1. B.2.f.1. (WHP) and Article 5.G.2.D.2. (AHP).

Summary of AHAC Discussion: This incentive is intended to address reduction of development cost of affordable housing through the reduction of street width, numbers of parking spaces, and similar design modifications. However, the County has addressed the incentive in terms of traffic volume or Level of Service standards, but this is not intent. The CAH also discussed that street and related requirements (storm water runoff, etc.) cannot be reduced to the extent that it is detrimental to adequate functionality. Current incentive strategies are misaligned with intent of incentive strategy.

AHAC Recommendation: Maintain current incentive strategy.

F.S. 420.9076(4)(i) — 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.

Existing Incentive Strategy: County should consider adoption of a comprehensive countywide housing plan for workforce and affordable housing.

The State requires that all proposed changes to the Unified Land Development Code, Comprehensive Plan, Zoning Code, and Zoning Map are reviewed and approved through a public hearing process. In Palm Beach County, the bodies that perform the review and approval functions are the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC). The ULDC provides that the composition of the LDRAB include seats specifically for a residential builder (Gold Coast Builder's Association), an architect (American Institute of Architects), and a realtor (Broward, Palm Beaches and St. Lucie Realtors) in addition to other professions. These experts provide input and insight to staff on how proposed changes may impact the cost of housing, and help inform BCC decision making. In addition, when any significant changes are proposed to the Workforce Housing Program, the County's process is to hire a consultant to calculate the potential impacts on the cost of developing housing and the effect on project profitability.

Summary of AHAC Discussion: The County should develop a plan of action for taking advantage of opportunities presented by the Live Local Act, and those actions should be reflected in a countywide housing plan. The CAH discussed if County staff conducted an analysis of how Live Local Act provisions could be incorporated into current housing policy and whether the Housing Leadership Council's "Housing for All" plan will be adopted by the BCC. The CAH suggested that individual members review the Palm Beach County Comprehensive Plan Housing Element to get familiar with policies regarding Workforce and Affordable Housing.

AHAC Recommendation: The County should develop a plan of action to take advantage of opportunities presented by the Live Local Act.

F.S. 420.9076(4)(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.

Existing Incentive Strategy: Make available online a regularly-updated inventory of surplus lands and offer clear process for disposition so private industry and not-for-profits can utilize for affordable/workforce housing.

The 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 (PREM) 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. The Department of Housing and Economic Development is responsible for review of the inventory in order to advise on suitability of properties for affordable housing purposes. Countywide Policy and Procedure Memorandum (PPM) *CW-L-023 Requirements for the Acquisition, Disposition, Lease, and Exchange of Real Property* establishes procedures for disposition of County-owned real estate. Surplus property may be donated to a not-for-profit entity, but must be sold to for-profit entity. Recipients for disposition of County owned property must be selected through a competitive process, except for not-for-profits whom may be selected on a non-competitive basis. All dispositions must be approved by the Board of County Commissioners.

The majority of surplus County-owned lands are undevelopable or face significant development constraints due to property size, shape, access limitations, easements, adjacent uses, and/or remote location. A smaller subset of these surplus lands has the potential for affordable housing development. Mainly, these are small vacant lots within established neighborhoods that have the potential to be developed with a single-family home or a small multi-family structure (duplex, triplex, etc.). Additionally, existing homes occasionally come into County ownership through foreclosure, and may be suitable for affordable housing purposes. PREM posts online a listing of all County-owned surplus property; surplus being that for which the County has no existing or projected future need.

Summary of AHAC Discussion: PREM provided information on determining surplus property. The Live Local Act requires the County to publish a list of surplus properties every three years and requires municipalities to publish their own list. PREM reviewed surplus properties earlier in the year and 179 vacant parcels remained after eliminating Parks, environmentally-managed lands, and properties controlled by the Airports Department. Of the 179 parcels, 121 parcels were less than one acre in size and could not be used for major development or multifamily development. After elimination of those parcels, only one 6-acre parcel was determined as suitable for affordable housing declared by the Board of County Commissioners to be surplus. This property will be offered via a competitive process to developers of affordable and workforce housing.

The CAH discussed the inventory of public lands and the process the County goes through to determine whether county owned land is surplus or not. Discussion continued as to if there were any surplus in the park space to convert to affordable housing. Most Park parcels come with restrictions at state or federal level. The CAH would like to see the one acre or less on the list of properties. The parcels could be adjacent to each other and could be useful. Provide the list and let developers do their own due diligence as well as request the list from the municipalities.

The limited supply and high cost of land pose a huge challenge to affordable development in Palm Beach County. The provision of surplus County lands for affordable housing has the potential for a significant positive impact on affordable housing supply. The list of surplus County land should be made accessible to developers so that private industry can determine if properties are viable for development. First preference should be given to not-for-profits that will maintain property affordable in perpetuity. It is not clear how to access the inventory or request land from the County. The CAH was provided with the County PPM that outlines the requirements and process for disposition of County owned real estate, and PREM participated in CAH meetings to answer questions regarding County policies for property disposition. The CAH requested an inventory and mapping of all county owned land, not just those properties deemed surplus. PREM provided a listing of all 2,564 County-owned parcels and access to the GeoNav GIS application where detailed property information is contained. The CAH would like to know what plans the County is making to utilize these properties for housing and would like to make recommendations on the potential alternatives. The CAH urges the County to consider actively marketing available properties to the development community through a competitive selection process. Likewise, the School District of PBC should make available a similar inventory.

AHAC Recommendation: The County should make available online a regularly-updated inventory of all County-owned properties, and offer a clear process for disposition so that private industry and not-for-profit organizations can utilize available lands for the development of affordable and workforce housing.

F.S. 420.9076(4)(k) The support of development near transportation hubs and major employment centers and mixed-use developments.

Existing Incentive Strategy: County should review with local governments and transportation providers a comprehensive solution for affordable housing near transportation hubs.

Transit Oriented Development (TOD) is a type of development that includes a mixture of housing, office, retail, and other amenities integrated into a walkable neighborhood and located within a half-mile of quality public transportation. It should be noted that there are limited opportunities for TOD in the unincorporated area over which Palm Beach County has jurisdiction, and that opportunities for TOD along passenger rail lines are present exclusively within local municipalities. More generally, when determining the available density bonus in the County's Affordable Housing Program, proximity of the proposed site to mass transit and employment opportunities are among the items considered, thereby providing an incentive for affordable development in closer proximity to the same. Likewise, proposed project proximity to transportation and employment is taken into consideration competitive funding processes administered by HED. The countywide housing plan should address TOD.

Summary of AHAC Discussion: Transportation costs are a major factor in affordability. Distance between place of residence and place of employment increases cost of living. Locally, transportation hubs are more often located in municipalities. County could purchase land at

transportation hubs within municipalities in order to develop affordable housing. County should play a more active role facilitating development of transportation hubs.

AHAC Recommendation: Maintain current incentive strategy.

Additional Incentive – Flexible Zoning.

Summary of AHAC Discussion: PZB explained the County is working through changes to the ULDC that are necessary to implement the flexible development order. The necessary changes may be effected early 2024. The CAH recommended that the County consider producing an implementation plan in order to keep the process moving forward.

Transfer of development rights (TDR) bonuses should be provided as a matter of course when applicable. Vary cost of density bonuses in relation to the targeted area median income level of a proposed development. Utilization of revenue generated by density fees. County's expansion model should address the need for increased density and mixed-use developments. Importance of neighborhood revitalization and community redevelopment. The CAH discussed if the County track percentage of units that met workforce/affordable housing threshold in projects where expedited permitting was offered. Consider if the goal was to incentivize construction of additional units or to increase affordability for developers. The CAH discussed providing County staff with draft language for the self-regulating development order and whether steps would be taken to ensure smaller developers and nonprofit entities were aware of available incentives. Flexible zoning should remain a priority as the County updates the ULDC. PZB staff are working on revisions to ULDC. Considering changes that would allow self-regulating development orders. PZB maintains statistics for all projects. More than 25% of units designated as workforce or affordable housing. Would review examples of draft language. Beneficial for PUDs and larger developments and will be prioritized. Possibility of a liaison who could work with PZB and HED.

The County's zoning code is a prescriptive code; it defines exactly what is allowable, and conversely, what is not allowed. Further, the code focuses on suburban style development. Although the code works well for suburban development, it is not conducive to housing affordability. Economic conditions and the development landscape have changed, and it is time for the County's Property Development Regulations (PDRs) to catch up. Other jurisdictions within Florida, such as Collier County, Port St. Lucie, and to a lesser extent Palm Beach Gardens, have adopted a self-regulating approach to PDRs. With this approach, each development proposes its own PDRs which are then subject to staff review and approval by elected officials. This approach contributes to housing affordability by allowing greater utilization of smaller sites and infill sites, as well as by offering the flexibility necessary to bring alternative housing product types to market. Further, this approach facilitates the development approval process by avoiding the time and expense associated with obtaining the numerous variances necessary to utilize density bonuses offered by the County. The County could employ the option of a self-regulating development order for affordable and workforce housing through amendments to the ULDC. Smaller builders do not build to a scale at which a self-regulating development order could be

utilized, however, larger developments and PUDs could certainly do so. When combining two or more separate single-family lots/parcels through unity of title, the County should allow two or more housing units to be constructed on the single lot. This would facilitate greater development of smaller multifamily housing such as duplexes and triplexes.

AHAC Recommendation: The County should consider adoption of alternative PDRs community-wide, including an approval process designed to develop a flexible self-regulating development order.

IV. IMPLEMENTATION

Following adoption of this Report, the Department of Housing and Economic Development will further discussions with other departments and County leadership regarding implementation of the incentive recommendations. Within 90 days following adoption, an amendment to the Local Housing Assistance Plan will be brought to the Board of County Commissioners for consideration. The amendment will identify the incentive recommendations which the County will implement and will outline a general plan.

PALM BEACH COUNTY

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

**LOCAL HOUSING ASSISTANCE PLAN
(LHAP)**

**Fiscal Years
2022/2023, 2023/2024, 2024/2025**



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

LHAP Approved by BCC April 12, 2022
LHAP Approved by FHFC July 14, 2022
Amendment 1 Approved by BCC February 7, 2023
Amendment 1 Approved by FHFC March 9, 2023
Amendment 2 November 28, 2023

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I. Program Details:

A. LG(s)

Name of Local Government	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: 2022-2023, 2023-2024, 2024-2025

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 face-to-face meetings with housing providers, social service providers, 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.

The following priorities for funding (very low income, special needs, etc.) described/listed here apply to all strategies unless otherwise stated in an individual strategy in Section II:

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), Special Needs as defined in 420.0004 (13) and elderly 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 and Transportation.
- 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 average 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 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 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 finds that the moneys deposited in the local housing assistance trust fund are necessary 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 performed by:

Entity	Duties	Admin. Fee Percentage
Local Government: Palm Beach County	Administering programs	10%
Third Party Entity/Sub-recipient	N/A	N/A

- R. **First-time Homebuyer Definition:** For any strategies designed for first time homebuyers, the following definition will apply: *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 includes 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.*

- S. **Project Delivery Costs:** In addition to the administrative costs above, the County will charge no more than 5% of the maximum award for 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 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 and Single Family New Construction
- Up to \$3,500 for Developer Rental Assistance
- Up to \$2,500 for Emergency Repairs and Disaster Mitigation
- Up to \$1,000 for Foreclosure Prevention

- T. **Essential Service Personnel Definition (ESP):** ESP includes teachers and educators, other school district, community college and university employees, police and fire personnel, health care personnel, active military, county employees and skilled building trades personnel.
- U. **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 16. Packaged units are allowed in studios and one-bedroom units with a minimum of 14 SEER.

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

- V. **Describe efforts to meet the 20% Special Needs set-aside:** The 20% special needs set-aside will be accomplished by giving priority in all strategies. The county opens their application portal for special needs households first, prior to other interested parties. Additionally, the county has established, for both rental and homeownership Request for Proposals (RFP), priority ranking, and awards extra points for projects that units are designated for individuals with special needs
- W. **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 for SHIP and HOME Match for 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.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- 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, Promissory Note and Declaration of Restrictions.
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:** None required as long as loan is in good standing.
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 priorities established in paragraph I of the Program Details Section I. of this plan.

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

h. **Additional Information:**

- Applicant must first secure a first mortgage from an approved lender.
- If the property is determined to have Chinese drywall, the property is ineligible for purchase assistance.
- If the initial property inspection indicates evidence of toxic black mold, the applicant will be required to obtain a mold specific inspection.
- Rehabilitation/Repairs will be performed by a State certified licensed contractor, or a contractor licensed to do business in Palm Beach County.
- Applicant(s) cannot currently own a home
- Applicant may not currently own or have liquid assets exceeding \$200,000, and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence).

- 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. Approved homebuyers will be required to contribute a minimum of 3.5% of the purchase price. The purchase price cannot exceed \$450,000.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$434,000
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a fixed rate loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.
 2. **Interest Rate:** 4%
 3. **Years in loan term:** 30 years
 4. **Forgiveness:** N/A
 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; foreclosure, 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 lower than 630, the borrower is deemed ineligible
 - If the property is determined to have Chinese drywall, the property is ineligible for purchase assistance.

- If the homebuyer and/or county's inspection indicates evidence of toxic black mold, the homebuyer will be required to obtain a mold inspection.
- 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 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence).

C. Owner Occupied Housing Rehabilitation	Code 3,8
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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 rehabilitation to correct code violations, items that will become a code violation, hurricane hardening (impact windows, doors, etc.), 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:** 2022-2023, 2023-2024 and 2024-2025

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

d. **Maximum Award:**

Rehabilitation Maximum Award	Utility Connection Maximum Award
\$105,000	\$21,000

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:** Funds will be awarded as a deferred payment loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions
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:** None required as long as loan is in good standing.
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:**

- Applicants cannot receive assistance for both rehabilitation and utility connection; however, utility connection can be included as part of the rehabilitation assistance.
- If the property is determined to have Chinese drywall, the property is ineligible for purchase assistance.
- If the property indicates evidence of toxic black mold, the applicant will be required to obtain a mold inspection.
- 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.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- Mortgage payments, taxes and homeowners insurance must be current/paid up to date. *In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.*
- Units with adjoining roofs will require all owners to be income certified in order to receive assistance. If the non-applicant is not willing to participate in the program, then the applicant may only receive assistance to rehabilitate/repair the interior and non-adjoining exterior of the unit
- Applicants are ineligible to receive assistance if there is currently a Palm Beach County Rehabilitation/Repair Mortgage lien on the property.
- If code violation liens exist, participation in the program will be determined on a case-by-case basis as determined by the county inspector.
- Assessed value of the property may not exceed \$382,194.

- a. **Summary:** Funding will provide assistance to income eligible owner occupied residences to address emergency conditions such as roofing, electrical, plumbing, hurricane hardening (impact windows, doors, etc.) and structural repairs.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$52,500
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funding will be awarded as a deferred loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions
 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:** None required as long as loan is in good standing.
 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 determined to have Chinese drywall, the property is ineligible for purchase assistance.
 - If the property indicates evidence of toxic black mold, the applicant will be required to obtain a mold inspection.

- If code violation liens exist based on county inspection, participation in the program will be determined on a case-by-case basis.
- 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.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- Mortgage payments, taxes and homeowners insurance must be current/paid up to date. *In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.*
- Units with adjoining roofs will require all owners to be income certified in order to receive assistance. If the non-applicant is not willing to participate in the program, then the applicant may only receive assistance to repair the interior and non-adjoining exterior of the unit.
- Assessed value of the property may not exceed \$382,194.

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 (over 50% of assessed 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:** 2022-2023, 2023-2024 and 2024-2025

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

d. **Maximum award:** \$382,194

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, Promissory Note and Declaration of Restrictions. The repayable low interest loan amount will be determined on a case by case basis that is affordable to the respective homeowner.
2. **Interest Rate:** 0% for deferred loan/ 4% for repayable 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:** None required as long as loan is in good standing.
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:**

- The size of the replacement home, utilizing similarities to current residence, will be determined by staff.
- Mortgage payments, taxes and homeowners insurance must be current/paid up to date. *In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.*

F. Disaster Assistance	Code 5, 16
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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.
7. Rent and utility payments for households affected by a disaster

b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025

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

d. **Maximum award:** Home Repair Assistance: \$67,500. Rent and Utility Payment Assistance: \$10,000

e. **Terms:**

1. **Repayment loan/deferred loan/grant:** Home Repair Assistance: Funds will be awarded as a deferred payment loan secured by a recorded Mortgage, Promissory Note and a Declaration of Restrictions. Rent and Utility Payment Assistance: Grant.
2. **Interest Rate:** Home Repair Assistance: 0%. Rent and Utility Payment Assistance: Grant.
3. **Years in loan term:** Home Repair Assistance: 15 years. Rent and Utility Payment Assistance: N/A.

4. **Forgiveness:** Home Repair Assistance: The loan will be forgiven at the end of term. Rent and Utility Payment Assistance: N/A
5. **Repayment:** Home Repair Assistance: None required as long as loan is in good standing. Rent and Utility Payment Assistance: N/A
6. **Default:** Home Repair Assistance: 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.

Rent and Utility Payment Assistance: N/A

f. **Recipient Selection Criteria:**

Home Repair Assistance:

- 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.
- Applicants must file for and use proceeds from insurance and/or FEMA as first option.

Rent and Utility Payment Assistance:

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:** Home Repair Assistance: N/A Rent and Utility Payment Assistance: N/A

h. **Additional Information:**

Home Repair Assistance:

- 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.
- Applicants must provide proof of current homeowners insurance. In the event that the homeowner does not have homeowner's insurance, this program may utilize funding from the awarded amount to pay one (1) year insurance premium.
- Assessed value of the property may not exceed \$382,194.
- Applicant may not currently own assets exceeding \$200,000 and/or combination of liquid and non-liquid assets exceeding the current purchase price limit (excluding their primary residence). Repayable home equity loans are not to be included as an asset.
- 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.

Rent and Utility Payment Assistance: N/A

- a. **Summary:** Funding will be provided to assist with delinquent mortgage payments (PITI), up to three (3) months additional payments, 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:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$21,000
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded as a deferred payment loan secured by a recorded Mortgage and Promissory 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:** None required as long as loan is in good standing.
 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.
 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. Complete counseling from a HUD approved agency or NeighborWorks approved agency trained in foreclosure counseling.
- g. **Sponsor Selection Criteria:** N/A

- h. **Additional Information:**
- Participants can only receive assistance once during the term of the lien.
 - Assessed value of the property may not exceed \$382,192.

H. Rental Housing Assistance	Code 23, 13
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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(7)(b). This may include first and last month rent, rental security deposits, utility deposits and connection fees. Funds may be awarded to homeless very low-income households for: (1) first and last month's rent, security and utility deposit assistance; and (2) rent subsidies paying the monthly rent for up to 12 months. To be eligible for rent subsidies, the household receiving assistance must include at least one adult who is a person with special needs as defined in S. 420.0004 (13) or homeless as defined in S. 420.621. This strategy will also provide eviction prevention assistance not to exceed 6 months in the form of a rent and utility payments.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very low, low and moderate
- 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.
- 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 capacity 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

- a. **Summary:** Funding will provide assistance to not-for-profit and for-profit housing developers to acquire, construct and/or rehabilitate affordable rental 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.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very Low, Low and Moderate
- d. **Maximum Award:** \$350,000 per unit
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:** Funds will be awarded for permanent financing in the form of a repayable loan secured by a Mortgage/ Promissory Note, and Declaration of Restrictions.
 2. **Interest rate:** Rate will be determined through the request for proposal (RFP) process, and will not exceed 3%.
 3. **Years in loan term:** Minimum of 15 years and will not exceed a term equal to a primary or be less than the term of a senior lender.
 4. **Forgiveness:** No forgiveness on the loan.
 5. **Repayment:** Yes, based on terms listed in the Promissory Note and Agreement. Repayment is required. Dependent on project debt service capacity, repayments on loans will structure as either:
 - Straight-line amortization of principal and interest
 - Interest only with balloon of principal at maturity
 6. **Default:** For all awards, a default will be determined as if the requirements as listed in the Promissory Note, Mortgage and Agreement are not met, which would include: sale, transfer, foreclosure or conveyance of property; conversion to an unapproved use; failure to maintain standards for compliance as required by any of the funding sources. If any of these occur, the outstanding loan amount will be due and payable.
- f. **Tenant 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.
- g. **Sponsor Selection Criteria and Duties:** The County will advertise the availability of funds. Sponsors of affordable rental development will typically be selected through a request for proposal (RFP). The RFP will require proof of developer experience in providing affordable rental housing, proof of financial capacity, evidence of site control, proof of ability to proceed once all funding is closed, and a housing unit design plan that meets County's' design standards.

The county reserves the right to select developments that meet the above requirements, on a non-competitive basis.

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

h. **Additional Information:**

- Other state, federal, private and local funds are required as SHIP funds will be used as gap financing.
- 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 Florida Housing Finance Corporation 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 homebuyers. Funds can be used for site acquisition, soft costs, site development, infrastructure improvements, demolition, construction and other eligible construction related costs.
- b. **Fiscal Years Covered:** 2022-2023, 2023-2024 and 2024-2025
- c. **Income Categories to be served:** Very low, low and moderate
- d. **Maximum award:** \$105,000 per unit (Homebuyer and developer)
- e. **Terms:**
1. **Repayment loan/deferred loan/grant:**

Developers- Funds will be awarded as a construction loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.

Homebuyers- Funds will be awarded as a deferred payment loan secured by a recorded Mortgage, Promissory Note and Declaration of Restrictions.
 2. **Interest Rate:** 0% for Developers and Homebuyers
 3. **Years in loan term:** Two (2) years for Developers and 30 years for Homebuyer
 4. **Forgiveness:** Developers – N/A. Homebuyers – the deferred loan will be forgiven at the end of term.
 5. **Repayment:** The County will require the developer to execute a restrictive covenant with a mortgage and promissory note. Upon sale of the housing unit, the subsidy will be transferred to the homebuyer. The homebuyer is not required to make repayment as long as the deferred loan is in good standing.
 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.

The loan of the homebuyer 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:** Homebuyers 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 design standards.

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.

III. LHAP Incentive Strategies

- A. **Name of the Incentive Strategy: EXPEDITED PROCESSING OF APPROVALS OF DEVELOPMENT ORDERS OR PERMITS FOR AFFORDABLE HOUSING IS EXPEDITED TO A GREATER DEGREE THAN OTHER PROJECTS**

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, gatehouses, 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 began providing expedited processing of building permits for residential construction funded through Department of Housing and Economic Development programs. These efforts typically reduce approval time by approximately 50%.

The County is collaborating with Information Systems Services to implement an option within the online permit application to identify and expedite qualifying projects. PZB is establishing policies and procedures to address expedited processes. Priority is given to affordable and workforce housing. Pre-application meetings are being offered to all developers and the procedures for such will be codified in a Policy and Procedures Memorandum (PPM). The County is currently considering appointing a "shepherd" position to assist applicants move through the approval process.

~~The County is currently developing a policy and procedure memorandum that will enhance the process for expedited development review and permitting of affordable and workforce housing. This enhanced process will include the designation of a staff liaison who will help guide the development applications through the various approval processes with County agencies.~~

~~The County will continue efforts towards expediting development approvals and building permits for affordable housing projects, including implementation of enhancements to permit application software that will provide for identification and tracking of expedited permits. Expedited approval will be offered to all projects with at least 65% of total housing units affordable/workforce. The County will offer a pre-application meeting and guidance in the development approval process. The County will allow review of permit applications by private entities in accordance with F.S. 553.791.~~

B. Name of the Incentive Strategy: PROCESS BY WHICH LOCAL GOVERNMENT CONSIDERS, BEFORE ADOPTION, POLICIES, PROCEDURES, ORDINANCES, REGULATIONS, OR PLAN

PROVISIONS THAT INCREASE THE FOR REVIEW OF POLICIES IMPACTING HOUSING COST OF HOUSING

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 Development (DHED) 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 DHED. 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. Furthermore, the State requires that all proposed changes to the Unified Land Development Code, Comprehensive Plan, Zoning Code, and Zoning Map are reviewed and approved through a public hearing process. In Palm Beach County, the bodies that perform the review and approval functions are the Land Development Regulation Advisory Board (LDRAB) and the Board of County Commissioners (BCC). The ULDC provides that the composition of the LDRAB include seats specifically for a residential builder (Gold Coast Builder's Association), an architect (American Institute of Architects), and a realtor (Broward, Palm Beaches and St. Lucie Realtors) in addition to other professions. These experts provide input and insight to staff on how proposed changes may impact the cost of housing, and help inform BCC decision making.

~~During 2022, County staff participated in a privately led initiative to develop a countywide affordable housing plan. The *Housing For All Plan*, developed by the Housing Leadership Council of Palm Beach County and community stakeholders, proposes a number of initiatives to generate 20,000 new affordable and workforce units during the following 10 year period. The Plan includes recommendations for changes to various County policies impacting the cost of housing. The County will review and consider Plan recommendations.~~

The County should develop a plan of action for taking advantage of opportunities presented by the Live Local Act, and those actions should be reflected in a countywide housing plan.

The County has been assessing the impact of the Live Local Act. The Housing Leadership Council's *Housing For All Plan* would capitalize on some of these opportunities. The Plan is anticipated to be presented to the Board of County Commissioners on January 23, 2024 with a recommendation to "endorse and support" the plan.

C. Name of the Incentive Strategy: THE PREPARATION OF A PRINTED INVENTORY OF COUNTY LOCALLY OWNED PUBLIC LANDS SUITABLE FOR AFFORDABLE HOUSING

The County should make available online a regularly-updated inventory of all County-owned properties, and offer a clear process for disposition so that private industry and not-for-profit organizations can utilize available lands for the development of affordable and workforce 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. Surplus properties are those which are vacant but are not (i) currently utilized or (ii) held for some future use. The County's Property and Real Estate Management

Division (PREM) is responsible for identification of such properties. DHED is responsible for review of the inventory in order to advise on suitability of properties for affordable housing purposes. PREM has made available through its website a list of surplus properties which is periodically updated.

The Live Local Act requires the County to publish a list of surplus properties every three years and requires the municipalities to publish their own list. PREM reviewed surplus properties earlier in the year and after elimination of the 179 parcels, 121 parcels were less than one acre in size and could not be used for major development or multifamily development. After elimination of those parcels, only one 6-acre parcel was determined as suitable for affordable housing declared by the Board of County Commissioners to be surplus. The property will be offered via a competitive process to developers of affordable and workforce housing.

The County makes no determination or recommendation as to developability or availability of any property, and the County reserves the right to revise the list at its discretion. Countywide Policy and Procedure Memorandum *CW-L-023 Requirements for the Acquisition, Disposition, Lease, and Exchange of Real Property* establishes procedural 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. PREM has posted on its website information on the process for disposition of surplus properties.

D. Name of the Incentive Strategy: ALL ALLOWABLE FEE WAIVERS PROVIDED ASSISTANCE WITH FEES FOR THE DEVELOPMENT OF CONSTRUCTION OF AFFORDABLE HOUSING

The County does not support additional fee waiver/reduction or deferral, and building permit fees cannot be reduced per F.S. 553.80. The County waives the customary fee for letters of determination addressing workforce or affordable housing potential density bonuses and program requirements. Further, the Comprehensive Plan Policy 1.5-f describes the elimination of processing fees for residential zoning petitions providing affordable housing units in areas of very low, and low income households.

The County operates an Impact Fee Affordable Housing Assistance Program (IFAHAP) that is funded up to \$3M annually in interest earnings from Roads, Parks, and Public Building impact fee collections. The funds are offered to developers and owner-builders to pay impact fees due on new residential construction serving households up to 140% of Area Median Income. Additionally, the County does not charge any impact fees on residential development in the western Glades Region of the county. Additionally, the County allows for the payment of impact fees with development financing provided through the SHIP, HOME, and other programs.

The County currently offers on the Zoning/Planning and Building Division website a free and publically accessible tool for the comprehensive estimation of fees associated with a development application through the ePZB system. This is a transparent development fee structure with clear directions for determining fees, including utilities fees. Existing fee schedules are listed and made public. The County will waive zoning fees for affordable housing projects. ~~Building permit fees cannot be waived/reduced per Florida Statute 553.80.~~

E. Name of the Incentive Strategy: ALLOWANCE OF FLEXIBLE FLEXIBILITY IN DENSITIES FOR AFFORDABLE 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. B.2.f.1. (WHP) and Article 5.G.2.D.2. (AHP). 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. PZB supports incentives for affordable/workforce housing. 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 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~~**
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 County should address restrictions on ADUs in order to allow for greater opportunity, including the elimination of requirements for an electrical feed from the main home. ADUs should not be counted as a separate housing unit for purposes of density calculations.

The Planning, Zoning, and Building Department recently amended code to eliminate a requirement that an ADU kitchen be removed when the owner vacates the primary housing unit and are considering the question to separate electric services for ADUs. The County is currently reviewing the ADU requirement that the unit electrical feed come through the meter of the house, and the issue of whether ADUs be counted for density. The County is also drafting revisions to PDRs to remove the requirement for kitchen removal in the ADU after the owner vacates the main structure. is currently developing a ULDC Amendment proposal that includes use of ADUs and associated requirements. The process will involve a review of existing requirements, and will address restrictions on ADUs in order to allow for greater opportunity, including the elimination of requirements for an owner covenant to remove the kitchen when the owner vacates the main dwelling unit.

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.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP).

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:

- 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.
- 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.
 - 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.

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. The ULDC Article 5.G.1.B.2.f.3.h. (WHP) and Article 5.G.2.D.4.h. (AHP) provide for flexible lot configurations, including zero-lot-line configurations.

J. Name of the Incentive Strategy: SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS AND MAJOR EMPLOYMENT CENTERS AND MIXED-USE FOR AFFORDABLE HOUSING IN

TRANSPORTATION-ORIENTED DEVELOPMENTS

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.

The County has identified priority redevelopment areas along segments of Military Trail and Congress Avenue within the Urban Redevelopment Area. Within these areas, the County has designated transect-based land use designations and zoning districts, which place an emphasis on regulating building form and placement in relation to the public realm. These forms support redevelopment that can capitalize on existing bus service on these corridors and provide for development at higher densities than traditional future land use and zoning designation. Additionally, County staff is involved with ongoing transit studies, along with municipal representatives and partner agencies. During January 2021, the County hosted a Mobility Planning Summit that addressed various issues around transportation and land development. The Summit spurred plans for a forthcoming Board of County Commissioners mobility workshop that will provide a venue for a discussion to include residential development at transportation hubs.

The County will continue to work with other local government jurisdictions and transportation providers to develop a comprehensive solution to providing affordable housing near transportation hubs, possibly through a consultant or through the League of Cities or Regional Planning Council.

K. **Name of the Incentive Strategy: MODIFICATION OF STREET REQUIREMENTS FOR AFFORDABLE HOUSING**

The County's Comprehensive Plan Transportation Element Policy 1.2-d.4 permits Workforce and Affordable Housing developments to generate vehicular traffic on streets beyond the level otherwise allowable. Opportunities for Traffic Performance Standards mitigation are codified in ULDC Article 5.G.1 B.2.f.1. (WHP) and Article 5.G.2.D.2 (AHP).

Roadway design standards are derived from Florida Department of Transportation's Florida Greenbook. The County Engineer bases street and related requirements for affordable housing on sound engineering practices.

The County should continue to base street and related requirements for affordable housing on sound engineering practices.

L. **Name of the Incentive Strategy: FLEXIBLE ZONING**

This incentive addresses various incentive areas identified in Statute, including the allowance of flexibility in densities for affordable housing, the reduction of parking and setback requirements for affordable housing, and the allowance of flexible lot configurations, including zero-lot line configurations for affordable housing.

The County will consider adoption of alternative Property Development Regulations (PDRs) community-wide, including an approval process designed to develop a flexible self-regulating development order. With this approach, each development would propose its own PDRs which

would then be subject to staff review and approval by elected officials. This approach would contribute to housing affordability by allowing greater utilization of smaller sites and infill sites, as well as by offering the flexibility necessary to bring alternative housing product types to market. Further, this approach would facilitate the development approval process by avoiding the time and expense associated with obtaining the numerous variances necessary to utilize density bonuses. These alternative regulations would not be limited to only affordable/workforce development.

The County is working on revisions to the ULDC and considering changes that would allow self-regulating development orders. Planning, Zoning and Building (PZB) maintains statistics for all projects. More than 25% of units designated as workforce or affordable housing. PZB would also review examples of draft language beneficial for PUD's and larger developments and will be prioritized. Possibility of a liaison who could work with PZB and HED.