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**HOUSING ELEMENT**

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# HOUSING ELEMENT

## I. INTRODUCTION

### A. Purpose

The purpose of the Housing Element is to: 1) identify existing and projected deficits in the supply of housing to meet the needs of the County's population, particularly the very low and low income families; 2) analyze housing trends and the causes, scope and nature of any housing problems, 3) develop appropriate plans, programs and policies to bring about the accomplishment of the necessary housing, whether through private-sector efforts, non-profit, public/private partnerships or the public sector, and 4) to guide and coordinate all housing activities to eliminate duplications and increase efficiency of the housing delivery system.

The Housing Element of the Comprehensive Plan has several characteristics that distinguish it from other Plan elements. First, housing is primarily provided by the private sector, and market demand largely dictates the type and location of housing projects. The County's development regulations (e.g., Zoning and Building Codes) only guide the private sector in the development and construction of housing. Second, because housing is an essential human need, the public sector has the responsibility to ensure adequate, safe housing, especially for low, and very low income families, elderly and other disadvantaged groups. Third, the primary criterion for those seeking housing is not local jurisdiction except for those families who can afford to choose a specific location. Factors determining housing selection include personal choice, financial limitation, value, safety and rent.

### B. Assessment and Conclusions

There are two types of housing issues being addressed in the Housing Element, affordable housing and housing for "special needs" populations.

The report by the Florida Department of Community Affairs, titled "Affordable Housing Needs Assessment" in regards to unincorporated Palm Beach County projects a housing need of 131,118 affordable owner-occupied units and 28,376 affordable renter-occupied units by the year 2010. These units reflect the demand above and beyond the current housing supply.

The County's affordable housing activities need to be focused on directing programs and activities to ensure that supply is provided to meet demand, and maintaining existing housing units through policies to eliminate substandard housing and provide for relocation.

Geographic dispersal must also be addressed in order to avoid the concentration of affordable housing in specific areas of the County, and at the same time consideration must also be given to the availability of public services and employment opportunities when locating affordable housing.

The housing needs of special needs populations, including rural and farmworker households, goes beyond the issue of affordability. The creation or preservation of adequate housing to meet specific special needs must be addressed, whether it be for foster care, group homes, farmworkers or other special needs.

The 1996 Evaluation and Appraisal Report (EAR), prepared by the Planning Division for the Housing Element found a lack of organized data related to affordable housing and housing for "special needs populations in the County to be a hindrance which did not allow for a full assessment of housing conditions, and prevented a comprehensive ongoing assessment of progress made through the County's programs and other public and private sector efforts. Plan policies needed to identify an implementing agency to ensure that such data are gathered and the progress of housing related programs is evaluated.

### **C. Definitions**

In order to understand the housing problem in Palm Beach County as described in this Element, the following definitions have been established for income categories, "affordable housing" and three related definitions.

#### **Income Categories:**

**Very low** One or more natural persons or a family, the total annual adjusted gross household income of which is fifty (50%) percent or less of the median adjusted gross income for households within the County.

**Low** One or more natural persons or a family, the total annual adjusted gross household income of which is more than fifty percent (50%) but less than or equal to eighty (80%) percent of the median annual adjusted gross income for households within the County.

**Moderate** One or more natural persons or a family, the total annual adjusted gross household income of which is greater than eighty percent (80%) but less than or equal to one hundred twenty (120%) percent of the median annual adjusted gross income for households within the County.

**Middle** One or more natural persons or a family, the total annual adjusted gross household income of which is greater than one hundred twenty percent (120%) but less than or equal to one hundred fifty (150%) percent of the median annual adjusted gross income for households within the County.

**High** One or more natural persons or a family, the total annual adjusted gross household income of which exceeds one hundred fifty (150%) percent of the County's median income.

**Affordable Housing:** Means that monthly rents including utilities or monthly mortgage payments including property taxes, insurance and utilities do not exceed thirty (30%) percent of that amount which represents the percentage of the median adjusted gross annual income for the households composed of very low-income persons, low-income persons and moderate-income persons.

**Adjusted for Family Size:** Means adjusted in a manner which results in an income eligibility level which is lower for households with fewer than four (4) people, or higher for households with more than four (4) people than the base income eligibility determined for very low-income persons, low-income persons and moderate-income persons based upon a formula established by the United States Department of Housing and Urban Development (HUD).

Department of HUD definitions for affordable housing are based on a sliding scale by family size. For families less than or greater than four, please see HUD Income Guidelines.

**Adjusted Gross Income:** means all wages, assets, regular cash or non-cash contributions or gifts from persons outside the household, and such other resources and benefits as may be determined to be income by the United States Department of Housing and Urban Development, adjusted for family size, less deductions allowable under Section 62 of the Internal Revenue Code.

**Persons Who Have Special Housing Needs:** means persons who have incomes not exceeding moderate-income and who because of particular social, economic, or health related circumstances have greater difficulty acquiring or maintaining affordable housing. Such persons may, for example, encounter resistance to their residing in particular communities, increased housing cost resulting from unique needs and high risk of institutionalization. As set out in the State of Florida Comprehensive Housing Affordability Strategy (1991) these individuals include: persons with developmental disabilities; persons with mental illness/chemical dependency; persons with AIDS and HIV disease; runaway and abandoned youth; single-parent families; public assistance recipients; migrant and seasonal farmworkers; refugees and entrants; and the elderly and disabled adults.

## **II. GOAL, OBJECTIVES AND POLICIES**

It is the **GOAL** of Palm Beach County to facilitate the provision of an adequate supply of safe, sanitary and affordable housing to meet the needs of the County's residents, with special attention to the needs of very low, and low income households in addition to special populations.

### **OBJECTIVE 1.1 Provision of Affordable Housing**

The County through the Department of Housing and Community Development, shall provide ongoing implementation and monitoring of programs, and shall pursue and secure additional funding sources. The Commission on Affordable Housing shall have primary responsibility for evaluating programs, recommending policies and continuing to administer and maintain the Affordable Housing Trust Fund. These efforts shall be directed toward meeting the need projected by the Florida Department of Community Affairs, in its Affordable Housing Needs Assessment for unincorporated Palm Beach County, with special attention to the needs of very low, and low income households in addition to special populations, including rural and farmworker households. *[9J-5.010(3)(b)1 and 7 F.A.C]*

**Unincorporated Cumulative Surplus/  
Deficit of Affordable Occupied Units by Income Category**  
(households minus 1990 existing units, positive number means deficit of affordable units)

Income Categories	Owner-Occupied Units				Renter-Occupied Units			
	1995	2000	2005	2010	1995	2000	2005	2010
<b>Very Low</b> (50% of median)	24219	32436	39540	46651	11177	14023	16582	18995
<b>Low</b> (80% of median)	13306	22253	30589	39438	-4036	-955	1828	4495
<b>Moderate</b> (120% of median)	5348	18811	31497	45029	-6891	-2662	1183	4886
<b>Total</b>	42873	73500	101626	131118	250	19593	19593	28376

Source: Affordable Housing Needs Assessment, April, 1996, Florida Department of Community Affairs.  
Prepared by Shimberg Center for Affordable Housing, University of Florida.

**1995 Estimate of Migrant Workers and Migrant Workers Housing: Palm Beach County**

Total Migrant Workers	Demand: Migrant Workers & Household Members	Capacity: Migrant Worker Housing	Need: Capacity minus Demand
23,030	27,888	10,865	- 17,023

Source: Migrant Farmworker Housing Needs Assessment, April, 1997, Florida Department of Community Affairs.  
Prepared by Shimberg Center for Affordable Housing, University of Florida.

**Policy 1.1-a:** For the period through 2010, Palm Beach County shall utilize the strategies identified in the Five-Year Consolidated Plan for Palm Beach County in its efforts to meet the need of very low, low and moderate income households identified in the Palm Beach County Affordable Housing Study, November 17, 2006: 2,178 rental units annually, and 4,476 ownership units annually, with special attention to special needs populations, including rural and farmworker households.

**Countywide Incremental Affordable Housing Need Projections by Income Category No Greater Than 120% of Area Median Income (AMI) 2005-2010**

Income Categories	Owner-Occupied Units			Renter-Occupied Units		
	2005	2010	Change	2005	2010	Change
<b>Very Low</b> (0-50% of AMI)	84,698	93,256	8,558	59,808	65,569	5,761
<b>Low</b> (50-80% of AMI)	39,191	43,358	4,167	18,412	20,207	1,795
<b>Moderate</b> (80-120% of AMI)	84,267	93,922	9,655	33,306	36,638	3,332
<b>Total Need</b>			<b>22,380</b>			<b>10,888</b>

Source: Affordable Housing Needs Projections 2005-2010, Palm Beach County Affordable Housing Study, November 17, 2006. Prepared by Strategic Planning Group, Inc., Jacksonville, Florida.

**Policy 1.1-b:** The Commission on Affordable Housing shall have responsibility for reviewing progress and making recommendations on affordable housing policies in the County through an annual report and special reports as needed on:

1. an evaluation, reassessment and setting, of targets and yearly affordable housing priorities as they have been established in all County housing programs, including the federal subsidy programs, based on progress and revised estimates of projected demand;
2. a proposal for adjustment to a particular program, if necessary, based on the program's evaluation;
3. recommendations on the utilization of economic solutions to address a portion of the affordable housing concerns;
4. a progress report on responsibilities of the Commission of Affordable Housing established under the State Housing Initiative Partnership Program, the Robert Pinchuck Memorial Affordable Housing Trust Fund, and other responsibilities pursuant to the Affordable Housing Ordinance; and
5. recommendations on any affordable housing related issues.

The Commission on Affordable Housing shall continue to evaluate the County's progress in encouraging affordable housing for very low, low and moderate income persons. For this purpose, the Commission on Affordable Housing shall monitor and track the number and location of all affordable units being funded and built through all the County's housing programs. If, by July 1998, it is determined by the Commission on Affordable Housing that the County has not achieved at least a 25 percent increase in the delivery of housing units affordable to very low, and low income persons, above the number delivered by Housing and Community Development in 1994 as measured by the CHAS Annual Performance Report and/or the Annual Consolidated Performance Report, then the Commission on Affordable Housing shall recommend by November 1, 1998, alternative mandatory programs to increase the production of units required to meet the County's need, with special attention to the needs of special populations, including rural and farmworker households. The Commission shall consider and make recommendations on mandatory programs if the Commission concludes such programs will increase the availability of very low and low income housing.

**Policy 1.1-c:** The Commission on Affordable Housing shall continue to provide for the administration of local activities related to the State Housing Initiative Partnership (SHIP) program, and the Robert Pinchuck Memorial Affordable Housing Trust Fund.

**Policy 1.1-d:** The Department of Housing and Community Development shall continue to provide for the administration of formula grants for the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program and its related programs, and the Emergency Shelter Grant Program (ESGP).

**Policy 1.1-e:** Department of Housing and Community Development, the Commission on Affordable Housing, private not-for-profit and for-profit agencies when warranted, shall pursue additional funding and utilize all available federal state and local programs and resources to meet the housing needs of very low and low income households, including rural and farmworker households. [9J-5.010(3)(c)7 F.A.C.]

**Policy 1.1-f:** The County shall continue to expand the housing stock through the utilization of the Affordable Housing Trust Fund and other efforts to identify and secure additional funding sources; including:

The Affordable Housing Trust Fund will continue to provide subordinate below-market interest rate financing and/or grants for land acquisition, construction and other related costs for the development of affordable housing units countywide. The Fund will continue to assist not-for profit facilitators with pre-development expenses associated with very low and low income housing development. Some disbursements from the Housing Trust Fund will be grants, but the majority of funds should be revolving loans, with borrowers paying back into the trust; thereby ensuring a permanent source of financing. The County shall require that interest and loan principal repayments from Housing Trust Fund grants and loans be returned to the Housing Trust Fund.

The Housing Trust Fund, through the continuation of the Hardship Fee Program, and the Rental Impact Fee Assistance/Competitive Program, shall allow for the payment of Impact Fees for newly constructed housing units for very low and low income families. The Housing Trust Fund shall make payments directly to the appropriate Impact Fee Trust Funds when financing such Impact Fee payments.

**Policy 1.1-g:** The Department of Housing and Community Development and the Commission on Affordable Housing shall provide the ongoing monitoring and tracking of affordable housing units being funded and built through both County and private sector efforts, and the evaluation of progress being made in meeting the current and projected affordable housing need, including rural and farmworker households.

**Policy 1.1-h:** The County shall continue the review and streamlining as needed, of those ordinances, codes and regulations related to the permitting process, in order to continue the reduction of excessive requirements and amend or add other provisions that increase private sector participation in adding to the supply of affordable housing, pursuant to the requirements of Section 9J-5.010(3)(c)1. & 2., F.A.C.. The County shall consider its existing Affordable Housing Incentive Plan and designate the Department of Housing and Community Development as the lead agency, with assistance from Planning Zoning and Building, the Commission on Affordable Housing, Engineering and other appropriate Departments. *[9J-5.010(3)(c)1 and 2 F.A.C.]*

**Policy 1.1-i:** The County shall inventory all surplus County-owned land and foreclosed properties that could be used to promote affordable housing provision and production. The Property and Real Estate Management Division shall coordinate identification of such lands with municipalities, the Palm Beach County School Board, the South Florida Water Management District and other public land owners in Palm Beach County, to produce a list of viable sites for affordable housing developments and special needs housing, including rural and farmworker households. The Commission on Affordable Housing shall be responsible for the review of the inventory, and as part of their annual report the Commission will provide a list of viable sites, and make these lands available for affordable housing development and special needs housing, using a competitive Request for Proposal process. The County shall also provide direct land grants to private not-for-profit agencies.

The County shall make land available for exchange with developers and property owners, securing land for public purposes while offering exchange sites for affordable housing.

**Policy 1.1-j:** Planning, Zoning and Building shall establish a Task Force to establish principals and criteria to guide the location and development of single room occupancy units, including accessory apartments, as alternatives for affordable housing in the unincorporated County.

**Policy 1.1-k:** The County shall increase its effectiveness addressing Housing needs by:

1. designating the Planning, Zoning and Building Department as the lead department for all data efforts for the Housing Element;
2. coordinating housing policy objectives with all County agencies, such as the Department of Planning, Zoning and Building; the Department of Housing and Community Development, the Commission on Affordable Housing; and the Housing Finance Agency, and designate the Department of Housing and Community Development as the lead agency for coordinating all housing efforts.
3. The County shall also assist and encourage public/private partnerships with private community-based non-profit agencies and other private sector agencies that further County housing policy objectives, in order to improve cooperation among participants involved in housing production and to enhance the feasibility of producing and delivering affordable housing. The County could assist such agencies by paying administrative costs, by entering into joint ventures on land acquisition and by providing infrastructure. [9J-5.010(3)(c)1 F.A.C.]

**Policy 1.1-l:** The Department of Housing and Community Development with the assistance of the Commission on Affordable Housing shall continue to coordinate with the municipalities in the provision of affordable housing within their city limits, to assist the County with the provision of affordable housing pursuant to the requirements of Section 9J-5.010(3)(c)10., F.A.C.. Among the strategies to be explored are:

1. Tax abatements;
2. Provision of infrastructure for affordable projects by practices such as tax increment financing;
3. Conveyance of public property;
4. Payment into the County's Housing Trust Fund; and
5. Incentives and interlocal agreements with municipalities that will assist the County with the provision of affordable housing affordable housing units within the Revitalization and Redevelopment Overlay and CDBG Target Areas.

The feasibility of these strategies shall be evaluated and recommendations made to the Commission on Affordable Housing by the Department of Housing and Community Development.

**Policy 1.1-m:** The Department of Housing and Community Development with the assistance of Planning, Zoning and Building shall provide for the coordination, outreach and information dissemination of all aspects of the housing delivery system including availability and location of affordable housing assisted with Federal, State, or County funds.

**Policy 1.1-n:** The Commission on Affordable Housing, with the assistance of the Department of Housing and Community Development and Planning, Zoning and Building, shall provide education-awareness programs, so that the public can gain a better understanding of the need for affordable housing. These programs should also address residents' aversion to the proximity of affordable housing and the general negative public perception regarding affordable housing.

**Policy 1.1-o:** The County shall preserve affordability of affordable housing units developed through the Workforce Housing program. The household income levels to be targeted will include a combination of low-income (60%-80% of median income) moderate income (80-120% of median income) and middle income (120-150% of median income) households. The affordable units shall be made available at a rate affordable to the specified income groups, and only to income-eligible households for a period of to be set forth in the Unified Land Development Code (ULDC). All Workforce Housing program criteria shall continue to be subject to the review and approval of the Board of County Commissioners.

**Policy 1.1-p:** Planning, Zoning and Building shall continue to ensure the Unified Land Development Code contains minimum standards and specifications for the construction of manufactured structures, mobile homes or buildings in residential zoning districts, and include supporting infrastructure and public facilities. To ensure the availability of adequate sites manufactured structures or buildings shall be permitted in all residential zoning districts, subject to the limitations set forth in the Future Land Use Element, and further restricted by the Palm Beach County Unified Land Development Code. [9J-5.010(3)(b)3 and 9J-5.010(3)(c)5 F.A.C.]

**Policy 1.1-q:** Planning, Zoning and Building, and the Engineering Department shall provide for the continuation of the Traffic Performance Standards Methodology for affordable housing pursuant to the Transportation Element.

**Policy 1.1-r:** Planning, Zoning and Building shall encourage through the development review process, affordable and public housing developments to include day care and adult care facilities, and basic accommodations for the provision of job training, empowerment training and entrepreneurial training programs. [9J-5.010(3)(c)8 F.A.C.]

**Policy 1.1-s:** The County shall develop a program to address the housing needs of the elderly and other special needs groups with very low, low, and moderate incomes.

**Policy 1.1-t:** *Deleted in Amendment Round 03-1.*

**Policy 1.1-u:** The Commission on Affordable Housing and Housing and Community Development Department shall provide assistance, including financial and/or technical assistance, to home buyers within the Revitalization and Redevelopment Overlay and CDBG Target Areas to purchase adjacent or attached housing units to a maximum of 4 units with the provision that one unit be occupied by the purchaser, and the additional units be rented to very low and/or low income households.

**Policy 1.1-v:** The Commission on Affordable Housing and Housing and Community Development Department shall direct at least 25 % of applicable housing program funds and community development program funds to areas within the Revitalization and Redevelopment Overlay and CDBG Target Areas.

**Policy 1.1-w:** The County shall identify sites (County owned properties) that are adequate for workforce housing.

## **OBJECTIVE 1.2      Substandard Housing**

The County shall provide for the elimination of substandard housing through code enforcement and shall establish principles to guide housing conservation, rehabilitation and demolition. [9J-5.010(3)(b)2 and 5 F.A.C.]

**Policy 1.2-a:** The County shall provide for increased code enforcement activities and designate the Code Enforcement Division responsible for the following:

1. Provide annual inspections of the housing stock in the County's most blighted unincorporated neighborhoods where code violations are most prevalent; and
2. Provide for continued special concentrated code enforcement activities such as "target area programs" and the utilization of the "Community Support Team", where warranted.

**Policy 1.2-b:** The Department of Housing and Community Development with the assistance of the Code Enforcement Division and the Commission on Affordable Housing shall maintain an ongoing record of the number and the location of substandard housing units being rehabilitated and brought to standards. An annual report shall be prepared which summarizes these activities, assesses whether existing substandard housing conditions are being reduced and revisits and reassesses the setting of biannual goals/targets for reducing existing substandard housing units.

**Policy 1.2-c:** The County shall provide for the input and assistance of private, not-for-profit community-based organizations and other private interests to coordinate activities designed to eliminate or rehabilitate substandard housing stock, and shall encourage public/private partnerships to accomplish this objective. The County shall target these activities within its most blighted districts. The Commission on Affordable Housing and the Department of Housing and Community Development shall participate in these activities to ensure adequate completion of this task. [9J-5.010(3)(c)1 and 4 F.A.C.]

**Policy 1.2-d:** The County shall continue to permit mixed-use and other innovative reuses, including single room occupancies (SRO's) of the existing housing stock that result in the removal of substandard housing units.

**Policy 1.2-e:** The County shall facilitate quality affordable housing, through stabilization of neighborhoods and identification and improvement of existing housing and neighborhoods, including those of historical significance, through rehabilitation and adaptive reuse strategies, in order to increase affordable housing stock. [9J-5.010(3)(c)3 F.A.C.]

**Policy 1.2-f:** Planning, Zoning and Building, shall continue to locate, identify and evaluate additional historically significant housing properties associated with the archeological, architectural, historical, engineering and cultural development of the unincorporated portion of Palm Beach County through the update of its historic sites survey, and list the sites in the Florida Master Site File (FMSF). [9J-5.010(3)(c)3 F.A.C.]

**Policy 1.2-g:** The Department of Housing and Community Development shall continue to pursue federal and state funding, including CDBG funds, for the rehabilitation or demolition of substandard housing. Allocation of funds from the Housing Trust Fund should also be provided.

### **OBJECTIVE 1.3 Relocation Housing**

The County shall provide for relocation housing and minimize the displacement of very low and low-income households. *[9J-5.010(3)(b)6 F.A.C.]*

**Policy 1.3-a:** The County, within its Community Development Block Grant (CDBG) areas, and to the extent required by regulations of the funding sources being utilized (CDBG and/or HOME), shall provide a replacement unit for every dilapidated dwelling unit that is demolished by the County, and shall assist in the relocation of displaced persons as funds are available. The County shall pursue all available sources of funding to assist in the relocation of those persons of very low and low income. *[9J-5.010(3)(c)9 F.A.C.]*

**Policy 1.3-b:** The County shall require that developers, following development approval, facilitate the relocation of very low and low income families displaced by a proposed project, through, at a minimum, the provision of information on available, affordable units in the area, to the displaced very low and low income households and service agencies. *[9J-5.010(3)(c)9 F.A.C.]*

### **OBJECTIVE 1.4 Provision of Special Needs Housing**

The County shall provide for the creation and preservation of housing and programs to adequately address the needs of all households with "special needs" populations, including rural and farmworker populations, and shall ensure the provision of foster care, group homes and other special needs facilities in a range of land use categories in accordance with Section 9J-5.010(3)(b)1 and 4. The efforts indicated in the following policies shall be directed toward the target of assisting approximately 3,600 persons with special needs as identified in the County's "Five-Year Consolidated Plan, 1995-2000," and the farmworker housing deficit identified in Objective 1.1.

**Policy 1.4-a:** Utilizing the best available data for special needs population housing needs, such as the "Residential Survey Analysis Report," October, 1996, conducted by the Health and Human Services Planning Association, Inc., and the Department of Community Affairs, Affordable Housing Needs Assessment, April 1996, the County shall address special needs housing through the following;

1. The Department of Housing and Community Development and the Commission on Affordable Housing shall continue to help address the county's special needs housing deficiencies by establishing policies and procedures that will provide continued financial assistance to proposed eligible housing projects that will produce shelter and homeownership opportunities to the: disabled; elderly; farmworker; lower-income; and single-parent headed households. Special Needs housing and services shall remain of the highest priority in the Department of Housing and Community Development's Five Year Consolidated Plan. Also, the Commission on Affordable Housing shall market its available

- housing assistance to include housing opportunities for all eligible special needs individuals and households.
2. The Department of Housing and Community Development, the Commission on Affordable Housing and the Community Services Department shall provide technical assistance to not-for-profit housing agencies and service provision agencies that provide services and/or housing to special needs households. Such technical assistance shall enable those housing agencies and service providers to locate suitable state, federal and charitable funding sources and make appropriate applications for funding. Local funding sources shall continue to include the Community Development Block Grant (CDBG) program, the Home Investment Partnership Program, the Emergency Shelter Grant Program (ESGP), the State Housing Initiative Partnership (SHIP) program, and the Robert E. Pinchuck Memorial Affordable Housing Trust Fund. The above mentioned county agencies shall also continue to directly apply for state and federal special needs housing funds when warranted. These programs shall provide assistance to individuals and/or households including the: disabled; elderly; homeless; and farmworkers.
  3. Provide coordination and outreach with agencies involved in the development of housing for all special needs populations, including rural and farmworker populations. *[9J-5.010(3)(c)7 F.A.C.]*

**Policy 1.4-b:** The County, through the Building Division and the Department of Housing and Community Development, where applicable, shall provide for the compliance of housing projects, including special needs housing projects, with the Americans with Disabilities Act (ADA).

**Policy 1.4-c:** The County shall provide for foster care, group homes and other special needs facilities to be permitted in residential neighborhoods. Farmworker housing is currently permitted in the Agriculture Reserve (AGR), Agriculture Production (AP) and Special Agriculture (SA) land use categories.

**Policy 1.4-d:** The location of special needs and farmworker housing shall be guided by the following principals and criteria. Special needs housing shall be located in proximity to the appropriate support infrastructure, services and facilities including Palm Tran and existing transportation disadvantaged programs. Special needs housing shall be permitted in all appropriate residential, commercial and institutional land use categories, through the use of group homes, Congregate Living Facilities (CLF's), accessory apartments and rental housing associated with places of worship. Farmworker housing shall be located in proximity to areas of agriculture employment and shall require a minimum of twenty-five (25) acres. The Department of Housing and Community Development, with the assistance of the Planning, Zoning, and Building Department and the Community Services Department, shall be responsible for establishing any additional principles and criteria as may be necessary.

**Policy 1.4-e:** The Department of Housing and Community Development and the Commission on Affordable Housing shall provide the ongoing tracking of the number of units being funded and built through both County and private sector efforts, and the evaluation of progress being made in meeting the current and projected housing needs of special needs populations.

**Policy 1.4-f:** The County shall help develop and manage housing programs for migrant farmworkers, through organizations including but not limited to the United States Department of Agriculture Rural Housing Service, United States Department of Agriculture Rural Development, Palm Beach County Public Housing Authority, Centro Campensino, Neighbors Organized for Adequate Housing (NOAH), and the agri-businesses.

**Policy 1.4-g:** The County shall participate with non-profit agencies and other support groups to plan and coordinate arrangements for low-cost rental housing and non-housing support services such as information services, technical assistance and financial assistance for farmworkers and their families.

**Policy 1.4-h:** The County shall coordinate with, and use the resources of the Department of Community Affairs Division of Housing and Community Development, United States Department of Agriculture Rural Development, and the Department of Housing and Urban Development to administer programs to improve housing opportunities for farmworkers.

**Policy 1.4-i:** The County shall continue to provide information and referral services to migrant workers for legal assistance to obtain adequate housing.

**Policy 1.4-j:** The County, through the Commission on Affordable Housing, shall give priority and establish special criteria for farmworker housing.

## **OBJECTIVE 1.5 Concentrations Of Affordable Housing**

The County shall make adequate provisions to enable the public, private and not-for-profit sectors to provide affordable housing, and shall support the distribution of housing for very low, low and moderate income households, to avoid concentrations of affordable housing throughout the County through the Workforce Housing Program.

**Policy 1.5-a:** The County shall provide for a sufficient amount of land for residential use to meet future housing needs, including very low, low, and moderate income, and to accommodate the projected population. The Planning Division shall be responsible for analysis and recommendations to the BCC for this task.

**Policy 1.5-b:** *Deleted in Amendment Round 04-1.*

**Policy 1.5-c:** *Deleted in Amendment Round 04-1.*

**Policy 1.5-d:** The Commission on Affordable Housing, Housing and Community Development Department, and Planning Division shall pursue changes to Federal and State affordable housing funding program regulations which may presently require a proposed housing development to be 100% affordable in order to be eligible for receipt of the program funds.

**Policy 1.5-e:** The Department of Housing and Community Development with the assistance of the Commission on Affordable Housing shall provide incentives to increase the presence of moderate, or higher income households within areas of high concentrations of affordable housing. These incentives may include subsidy programs

to reduce the purchase cost of units, and/or regulatory relief to facilitate the rehabilitation of housing units.

**Policy 1.5-f:** The Planning, Zoning and Building Department shall revise the Unified Land Development Code (ULDC) to eliminate processing fees for residential Zoning petitions, which are for the purpose of providing affordable housing units in areas of low concentrations of very low, and low income households.

**Policy 1.5-g:** The County shall establish a mandatory Workforce Housing Program to allow new residential developments within the Urban/Suburban, Exurban and Rural Tiers, the opportunity to provide a percentage of housing units for low, moderate and middle income households (60% to 150% of area median income) as a means to meet affordable housing needs and to disperse that needed housing in the unincorporated County. In order to achieve and encourage affordable housing units within residential developments incentives shall be offered to all developments that have a minimum of 10 permitted residential units and meet additional program criteria.

**Workforce Unit Requirements:**

Workforce Housing developments shall be required to provide a percentage of the standard density, PUD density and density bonus as units for income eligible households. These percentages shall be identified in the ULDC.

For land uses LR1, RR 2.5, RR 5, RR10 and RR20 the PUD density does not apply. The Agricultural Reserve Tier is not included.

The Workforce Housing development evaluation shall address specific criteria, including but not limited to:

1. Eligible developments must have a minimum number of 10 permitted units;
2. Workforce units can be both rental units and for sale units;
3. Workforce units built on site will be designed to be compatible with the overall development;
4. Workforce units built on-site can be clustered or integrated within the development;
5. Rental unit and resale unit affordability controls shall be guaranteed for a period to be set forth in the Unified Land Development Code (ULDC);
6. Workforce units may be allowed based on location, and land use compatibility, in any of the following land use categories: Commercial (mixed use); Industrial (mixed use); Economic Development Center; Institutional and Public Facilities, Traditional Town Development (TTD); Multiple Land Use (MLU) and, any Limited Urban Service Area located outside of the Urban/Surban Tier.

**Incentives shall include:**

1. For LR-1, LR-2, LR-3, RR-2.5, RR-5, RR-10 and RR-20 a density bonus of up to 30%.
2. Traffic performance standards mitigation,
3. An expedited permit, zoning, and land use site plan approval process including engineering plating procedures.
4. A method to effectively offset impact fees and other development fees for the Workforce units only, may be included.

Density Bonus Greater than 30%

For land uses MR-5, HR-8, HR-12, and HR-18 a density bonus greater than 30%, up to 100% shall be permitted when all program criteria are met and the increased density creates no compatibility issues with adjacent properties.

When a density bonus of greater than 30 % is sought, the Workforce Housing development evaluation shall address the specific criteria (#1 - 6.) listed above and in addition the following criteria:

1. Eligible developments are to be located inside the Urban/Suburban Tier, the Scientific Community Overlay, and any designated Limited Urban Service Area (LUSA) located within the Urban/Suburban Tier, consistent with surrounding uses and land use categories;
2. Developments are required to be located near mass transportation and/or employment centers in order to receive a 100% density increase.
3. Existing very-low and low income concentrations; and
4. Review of County Housing Study Sector.

The specific program criteria including developer incentives will be set forth within the Unified Land Development Code (ULDC).

**Policy 1.5-h:** The Planning Division shall prepare an annual report that describes all Workforce Housing Program activities during the previous year. The annual report shall be provided to the Board of County Commissioners.

### ABBREVIATED AMENDMENT HISTORY

Action	Date	Ord. No.	Effective Date
<i>Adopted</i>	<i>08/31/89</i>	<i>89 - 17</i>	<i>09/11/89</i>
<i>Revised</i>	<i>09/18/90</i>	<i>90 - 32</i>	<i>10/04/90</i>
<i>Revised</i>	<i>08/22/91</i>	<i>91 - 31</i>	<i>09/15/91</i>
<i>Revised</i>	<i>12/16/91</i>	<i>91 - 48</i>	<i>12/27/91</i>
<i>Revised</i>	<i>04/20/92</i>	<i>92 - 06</i>	<i>05/01/92</i>
<i>Revised</i>	<i>06/14/93</i>	<i>93 - 09</i>	<i>06/28/93</i>
<i>Revised</i>	<i>10/04/96</i>	<i>96 - 32</i>	<i>11/22/96</i>
<i>Revised</i>	<i>12/20/96</i>	<i>96 - 51</i>	<i>01/29/97</i>
<i>97-1 EAR Re-write Adopted (text and map revisions)</i>	<i>09/22/97</i>	<i>97 - 32</i>	<i>12/03/97</i>
<i>97-2 EAR Revisions Adopted (model element format adopted)</i>	<i>11/17/97</i>	<i>97 - 51</i>	<i>01/14/97</i>
<i>98-1 Revisions - Special Needs Housing and Geographic Dispersal</i>	<i>09/16/98</i>	<i>98 - 45</i>	<i>11/12/98</i>
<i>99-1 Revisions - Addition of Policy 1.1-t for consistency with the Managed Growth Tier System</i>	<i>08/17/99</i>	<i>99 - 29</i>	<i>10/14/99</i>
<i>99-1 Revisions - Updates and Revisions</i>	<i>08/17/99</i>	<i>99 - 32</i>	<i>10/14/99</i>
<i>01-1 Revisions – MGTS Related</i>	<i>08/27/01</i>	<i>2001 - 45</i>	<i>10/22/01</i>
<i>01-2 Revisions – Regarding affordable housing</i>	<i>12/05/01</i>	<i>2001 - 76</i>	<i>01/28/02</i>
<i>02-1 Revisions – Regarding affordable housing</i>	<i>08/28/02</i>	<i>2002 - 53</i>	<i>10/25/02</i>
<i>03-1 Revisions – Policy 1.1-a and deletion of Policy 1.1-t.</i>	<i>08/21/03</i>	<i>2003 - 42</i>	<i>10/27/03</i>
<i>04-1 Revisions – Regarding Workforce Housing Program</i>	<i>08/24/04</i>	<i>2004-27</i>	<i>02/02/05</i>
<i>05-2 Revisions – Workforce Evaluation Timeframe</i>	<i>11/28/05</i>	<i>2005-55</i>	<i>01/24/06</i>
<i>06-1 Revisions – Workforce Housing</i>	<i>08/21/06</i>	<i>2006-22</i>	<i>10/23/06</i>
<i>08-1 Affordable Housing Study - To update references and to identify sites for WFH</i>	<i>08/21/08</i>	<i>2008-33</i>	<i>10/17/08</i>
<i>08-1 Definitions, References &amp; Clarifications – To revise Policy 1.4-c for consistency with special needs housing language in the FLUE</i>	<i>08/21/08</i>	<i>2008-33</i>	<i>10/17/08</i>

**Note:** For a complete history of the specific changes to this element, please contact the Planning Division at (561) 233-5300.

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