

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

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**PREPARED BY:**

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**SUBMITTED TO:**

**FLORIDA HOUSING FINANCE CORPORATION**

## **BACKGROUND**

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

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

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

## **COMMITTEE COMPOSITION**

The County Commission (re-appointed) appointed members to the Committee on May 22, 2008. Section 420.907 of the Florida Statutes lists the categories from which committee members must be selected. There must be at least 8 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	Date Appointed
1	Casey Cane	Homebuilding Industry	05/22/2008
2	Norris Counts	Banking Industry	05/22/2008
3	Robyn Fiel	Mortgage/Real Estate Professional	05/22/2008
4	Steven Beal	Low-Income Advocate	05/22/2008
5	Dennis Long	Resident of Jurisdiction	05/22/2008
6	Joseph Heidenreich Jr.	Homebuilding Labor	03/12/2012
7	Barbara Green	Not-for-Profit Housing Provider	03/12/2012
8	Jerry Custin	Employer Representation	03/12/2012
9	Robert Ironsmith	Resident of Jurisdiction	03/12/2012
10	Bruce Proud	Essential Service Personnel	03/12/2012
11	Vacant	Local Planning Agency/For-Profit Housing Provider	

## **AFFORDABLE HOUSING INCENTIVES**

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

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

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

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

Staff presented the latest affordable housing practices and recommendations on incentives to the AHAC Committee. Each of the eleven affordable housing incentives recommended by the State were thoroughly examined and discussed with AHAC Committee members. This plan is a result of the recommendations from the AHAC Committee and meetings held with County staff members to determine the feasibility of the recommendations. If approved by the County Commissioner, the recommendations will be used to amend the Local Housing Assistance Plan (LHAP) and the local Comprehensive Plan – Housing Element.

Pinellas County is currently in the process of updating the Land Development Code. Updates were significantly delayed due primarily to consultant and staffing issues; however, the Land Development Code internal work group is back on track systematically reviewing and updating most of the Code chapters. After public review in early 2018, the Land Development Code is

scheduled to be ready to begin the County adoption process in the spring of 2018. A presentation was made to the AHAC Committee in November 2016 on proposed updates to the Land Development Code. Additionally, staff will ensure the AHAC Committee has an opportunity to provide input during the public review period and will keep the AHAC Committee informed of any proposed Land Development Code updates that may affect the existing affordable housing incentives.

## **EXPEDITED PERMITTING**

Meeting Synopsis: Staff detailed for the AHAC Committee the process a builder/developer must follow in order to be eligible to receive expedited permitting and the process followed to expedite the permitting process. Additionally, staff provided background information on the adoption of the current incentive.

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

AHAC Committee members inquired about how often the incentive is used and how quickly an affordable housing development application moves through the system vs. a normal development. The AHAC Committee inquired if it was possible to identify the number of affordable housing development that applied for this incentive. Staff provided that currently it is possible to track projects that apply for/receive assistance through County federal and state housing programs. Staff also provided that a new technology is being implemented that will have better tracking capabilities.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: In addition to information available on the County's website, the AHAC Committee identified the need to better educate/inform housing developers of the incentives available for developing affordable housing. Staff will develop a marketing plan for promoting the available incentives.

## **MODIFICATION OF IMPACT FEES**

Meeting Synopsis: Staff provided details on the existing incentive and summarized previous discussions related to this incentive to the AHAC Committee. Previous AHAC Committee discussions identified potential options of having impact fees paid by the homeowner over time or have the County pay the fees, either up front or over time. Staff reminded the AHAC Committee that although the County can waive review fees for unincorporated areas of the County, each municipality within the County assess their own fees. The AHAC Committee inquired if it was possible to require the municipalities to follow the County's incentives.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: Staff will research ideas and provide updates to the AHAC Committee for additional discussion at a future meeting.

## **FLEXIBLE DENSITIES**

Meeting Synopsis: Staff detailed to the AHAC Committee the purpose of flexible density bonuses as affordable housing incentives and provided information to the AHAC Committee on the County's current density bonus incentive. Staff also informed the AHAC Committee that the density bonus is not available in all non-SHIP entitlement jurisdictions in the County. Staff reminded the AHAC Committee that one of the proposed Land Development Code updates is to increase zoning category densities, which would in turn increase maximum densities for affordable housing developments.

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

In order to achieve additional density in single-family districts, a reduction in the required lot size by up to 30 percent may be authorized. However, lot sizes should be controlled on periphery lots adjacent to single-family districts to maintain neighborhood compatibility.

Periphery lots may be reduced in size no more than ten percent of the existing required lot size. To be eligible for such bonus, development must comply with the County's concurrency management ordinance. (138-240(23)(a).

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## RESERVATION OF INFRASTRUCTURE CAPACITY

Meeting Synopsis: Staff provided the purpose of an incentive for the reservation of infrastructure capacity. No discussion was held by the AHAC Committee.

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

Implementation: N/A

## PARKING AND SETBACK REQUIREMENTS

Meeting Synopsis: Staff detailed the purpose of this incentive and provided a reminder to the AHAC Committee of previous discussions related to this incentive. There was no new discussion on this incentive.

Existing Strategies: *Reduction of parking requirements:* Parking requirements may be reduced where it can be shown that such reduction will be compatible with the surrounding neighborhood and not cause an adverse impact to the neighborhood. Such reduction shall be reviewed by the board of adjustment pursuant to section 138-240(23).

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## **AFFORDABLE ACCESSORY RESIDENTIAL UNITS**

Meeting Synopsis: Staff relayed information to the AHAC Committee related to the purpose of affordable accessory residential units and provided information to the AHAC Committee on the County's current affordable accessory residential unit incentive.

Staff provide the AHAC Committee with information on Ordinance 15-32, which updated the Land Development Code relating to the definition of Accessory Dwelling Units. Updates to the Code include: increasing the floor area of the accessory units from a maximum of 500 square feet or 20 percent of the floor area of the primary unit (whichever is less) to a maximum of 750 square feet or 50 percent of floor area of the primary unit (whichever is less); Changing the requirement that the primary dwelling unit be owner-occupied to allowing with the primary or accessory dwelling unit shall be owner-occupied; and adding a restriction that mobile homes and recreation vehicles are not permitted to be used as accessory dwelling units.

Existing Strategies: *Guest Cottages:* Will be permitted in all areas permitting single-family homes subject to size limits, design guidelines, parking and that the primary unit be owner-occupied.

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## **FLEXIBLE LOT CONFIGURATIONS**

Meeting Synopsis: Staff relayed information to the AHAC Committee related to the allowance of zero-lot-line configurations. Staff informed the AHAC Committee that this incentive is rarely requested, however, requests to reduce lot widths and setback occur at the same time to save on land costs. The AHAC Committee inquired of the purpose of having an incentive if it is rarely used. Staff informed the AHAC Committee that if they felt incentives were not being utilized the AHAC Committee had the option of recommending that the incentive be discontinued. AHAC Committee discussed how this incentive could be used and that zero-lot-configuration developments are occurring in other locations around the State.

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

- a. Zero lot line configuration when not located on the periphery of the AHD may be permitted provided no setback is required on one side of the lot and the setback on the opposite side is double on one side of the lot and the setback on the opposite side is double the normal requirement of the district in which the AHD is located. All

other requirements must be met including article 4 division 11 of this chapter shall be applicable.

- b. Zero lot line configuration proposed on the periphery of an AHD where located in a single-family residential district may be permitted as a special exception pursuant to article II division 7 of this chapter.

**AHAC Committee Recommendation:** Incentive to remain without revision.

**Implementation:** Staff will research the background of this incentive and provide updates to the AHAC Committee for additional discussion at a future meeting.

## **MODIFICATION OF STREET REQUIREMENTS**

**Meeting Synopsis:** Staff detailed the purpose of this incentive and provided a reminder to the AHAC Committee of previous discussions related to this incentive. AHAC Committee discussed whether this incentive was for an entire development or just right-of-way and if the when the incentive allows street modifications is the illumination of public streets/sidewalks taken into consideration.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

**Implementation:** Staff will research additional information related to this incentive and provide updates to the AHAC Committee for additional discussion at a future meeting.

## **PROCESS OF ONGOING REVIEW / ESTABLISHMENT OF ONGOING OVERSIGHT**

**Meeting Synopsis:** Staff detailed the purpose of this incentive to the AHAC Committee. Staff informed the AHAC Committee that it is the role of Staff to review proposed updates to policies, procedures, ordinance, regulations or other provisions that would affect the cost of producing housing. Staff will provide the AHAC Committee with all proposed changes to allow the AHAC Committee an opportunity to review and comment on all proposals that would potentially affect the production of affordable housing. Staff informed the AHAC

Committee that information is being gathered on the review processes of the other SHIP jurisdictions within the County.

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: Staff will continue to research best practices related to the ongoing review and oversight of policies, procedures, ordinances and regulations that increase the cost of housing. Staff will bring forward a final recommendation for the AHAC Committee's consideration.

## **PUBLIC LAND INVENTORY**

Meeting Synopsis: Staff detailed the purpose of this incentive and provided a reminder to the AHAC Committee of previous discussions related to this incentive. Staff provided the AHAC Committee with information on the Pinellas Community Housing Land Trust and noting that it is a long-term receptacle for properties acquired, purchased or in the case of the County, declared as surplus. The land trust properties are kept in perpetual long-term affordability through a 99-year lease with the developer. Staff informed the AHAC Committee that the Community Development Division is responsible for keeping an updated inventory of land that could potentially be used for affordable housing.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## **QUALIFIED BUYERS OR RENTERS**

Meeting Synopsis: Staff detailed the purpose of this incentive and provided a reminder to the AHAC Committee of previous discussions related to this incentive. Staff informed the AHAC Committee that the purpose of this incentive is to create a pool of individuals that are eligible to purchase or rent affordable housing units. Staff provided information on the housing agencies that receive funding to administer classes to help prepare residents become homeowners and to provide budgeting and foreclosure classes. The agencies and participants are provided information on affordable housing developments throughout the county.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## **SUPPORT OF DEVELOPMENT NEAR TRANSPORTATION HUBS**

Meeting Synopsis: Staff detailed the purpose of this incentive and provided a reminder to the AHAC Committee of previous discussions related to this incentive. The AHAC Committee discussed the existing incentive of permitting up to ten units per acre in commercial zoning districts. The AHAC Committee discussed safety, fire egress and parking lot codes. Staff identified that all development standards of the zoning district would have to be followed.

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

**AHAC Committee Recommendation:** Incentive to remain without revision.

Implementation: No action necessary.

## **ADDITIONAL RECOMMENDATIONS**

### **AFFORDABLE GREEN BUILDING**

Meeting Synopsis: Staff relayed to the AHAC Committee that the County does not currently have a green building incentive for affordable housing developments. The AHAC Committee discussed the topic of green building and discussions revolved around green building products and the possibility of incorporating green building without obtaining official green building certifications (i.e., the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) rating system for new construction) due to the cost of obtaining the certifications. Another topic the AHAC Committee discussed was incorporating energy efficiency and solar energy into affordable housing developments.

**AHAC Committee Recommendation:** The AHAC Committee did not recommend a green building incentive; however, the AHAC Committee does feel there should be additional conversations about the potential for a green building incentive.

**Implementation:** Staff will research additional information related to green building and the AHAC Committee will discuss possible green building incentives at a future meeting.

## **INCLUSIONARY ZONING**

Inclusionary Zoning assists in the preparation of mixed-use environments with multiple housing types and income levels. By linking the production of affordable housing to private market development, inclusionary zoning expands the supply of affordable housing while dispersing affordable units throughout the municipality.

**Meeting Synopsis:** Staff informed the AHAC Committee that the County does not currently have an inclusionary zoning incentive. Staff informed the AHAC Committee that an inclusionary zoning study was prepared for the County in 2007. Based on public input, the Board determined not to adopt a mandatory inclusionary housing requirement. No additional discussion was held by the AHAC Committee.

**AHAC Committee Recommendation:** The AHAC Committee did not recommend an inclusionary zoning incentive.

**Implementation:** No action necessary.