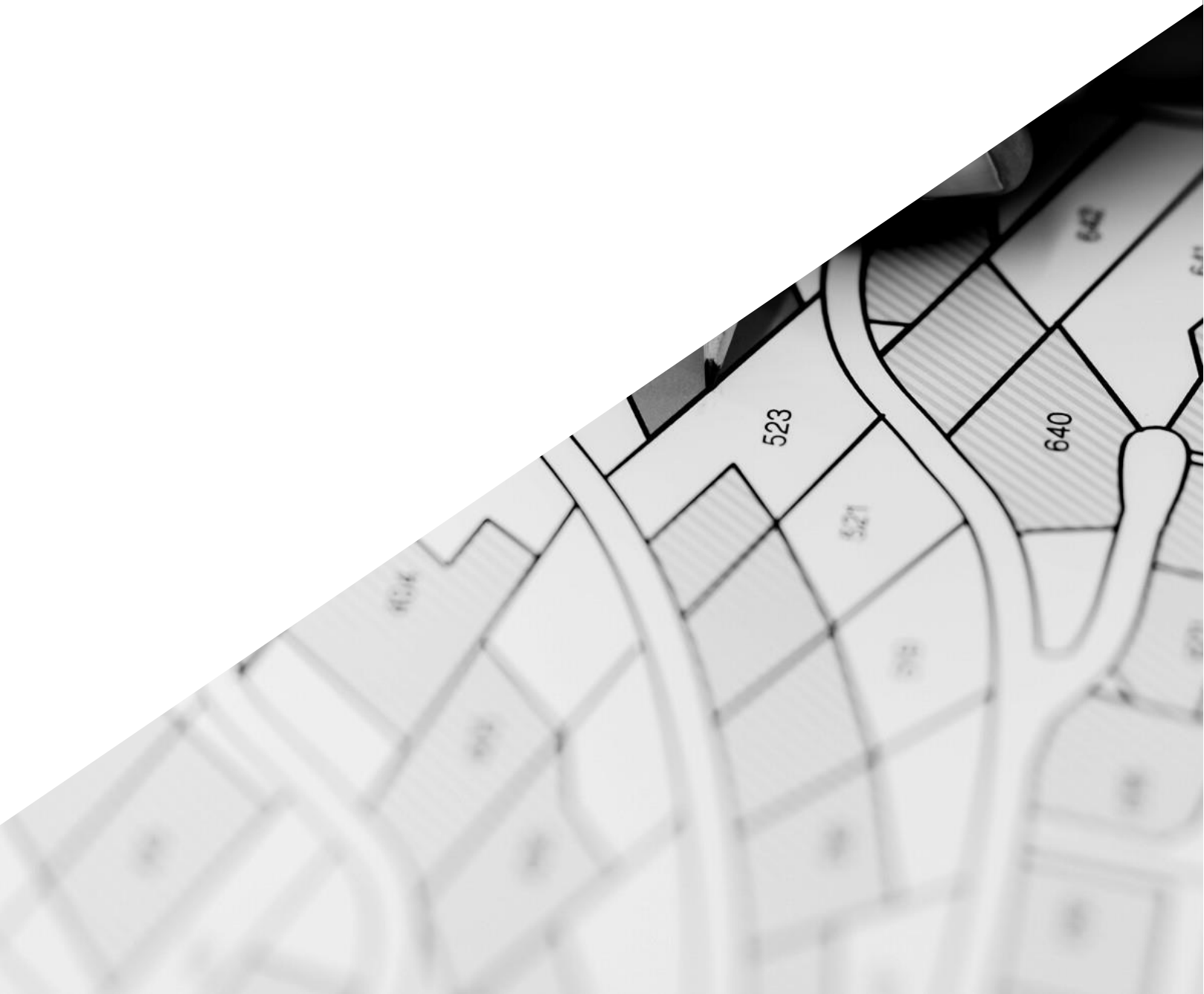


Affordable Housing Advisory
Committee of Flagler County
and Palm Coast

Annual Affordable Housing 2023 Report of Recommendations



Affordable Housing Advisory Committee
Report to Flagler County Board of County Commissioners and Palm
Coast City Council
On Affordable Housing Incentive Strategies

Date
November 14, 2023

PREPARED BY:
The Joint Affordable Housing Advisory Committee of Flagler County and the City
of Palm Coast

SUBMITTED TO:
FLORIDA HOUSING FINANCE CORPORATION FLORIDA
HOUSING COALITION

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BACKGROUND

As a recipient of State Housing Initiative Partnership (SHIP) funds, the Flagler County Board of County Commissioners established an Affordable Housing Advisory Committee (AHAC) as required by the Florida Statutes, Sec. 420.9076.

The AHAC is responsible for reviewing and evaluating procedures, ordinances, regulations, or plan provisions related to land development code, building requirements, and processes for permitting and site plan reviews which could incentivize the production of affordably priced housing. The committee is specifically directed by the SHIP Statute to consider and evaluate the implementation of the incentives set out at Florida Statutes, Sec. 420.9076 (4)(a)-(k). Based on the evaluation, the committee may recommend to local government that it make modifications of, exceptions to, or creation of new plans, policies, procedures, and other governing vehicles to encourage production of affordable housing.

Flagler County and the City of Palm Coast have entered an interlocal agreement (ILA) for Flagler County to administer the program on behalf of the City of Palm Coast. Under this ILA, the Affordable Housing Advisory Committee is a joint committee between the two local governments.

As approved by the Flagler County Board of County Commissioners and by the Palm Coast City Council, the recommendations are used to amend relevant policies, procedures, ordinances, regulations, or plan provisions, and in doing so, the county then amends the Local Housing Assistance Plan (LHAP) to reflect those changes.

COMMITTEE COMPOSITION

The Flagler County Board of County Commissioners and the Palm Coast City Council alternate appointing members to the Committee per interlocal agreement executed April 7, 2009. This joint committee is a standing committee which meets monthly as prescribed in its bylaws, ratified September 22, 2022.

Each AHAC must have a locally elected official from the county or municipality participating in the SHIP program. Under statute, the elected official from the Flagler County Board of County Commissioners is the required member. The City of Palm Coast has agreed to appoint a Council Member to the joint committee. There must be at least eight but no more than eleven members with members each representing a minimum of six of the following categories:

- (a) A citizen who is actively engaged in the residential home building industry in connection with affordable housing.
- (b) A citizen who is actively engaged in the banking or mortgage banking industry in connection with affordable housing.
- (c) A citizen who is a representative of those areas of labor actively engaged in home building in connection with affordable housing.
- (d) A citizen who is actively engaged as an advocate for low-income persons in connection with affordable housing.
- (e) A citizen who is actively engaged as a for-profit provider of affordable housing.
- (f) A citizen who is actively engaged as a not-for-profit provider of affordable housing.
- (g) A citizen who is actively engaged as a real estate professional in connection with affordable housing.
- (h) A citizen who actively serves on the local planning agency pursuant to s. 163.3174. If the local planning agency is comprised of the governing board of the county or municipality, the governing board may appoint a designee who is knowledgeable in the local planning process.
- (i) A citizen who resides within the jurisdiction of the local governing body making the appointments.
- (j) A citizen who represents employers within the jurisdiction.
- (k) A citizen who represents essential services personnel, as defined in the local housing assistance plan.

Committee Member Name	Appointing Government	Appointment Date	Category
Committee Chair			
Nealon Joseph	Flagler County BOCC	October 2, 2021	(k)
Vice Chair			
Patricia "Trish" Giaccone	Flagler County BOCC	February 3, 2020	(f)
Commissioner Andy Dance	Flagler County BOCC	August 15, 2022	Elected Official
Council Member Cathy Heighter	City of Palm Coast	September 21, 2021	Elected Official
Valerie Clymer	City of Palm Coast	April 20, 2021	(b)
Rick Belhumeur	City of Palm Coast	September 20, 2022	(e)
Sandra Shank	Flagler County BOCC	April 18, 2022	(d)
Kim Carney	Flagler County BOCC	February 3, 2020	(g)

STAFF ASSIGNED TO AHAC

Flagler County

Gina Lemon, Development Review Planner

Devrie Paradowski, Housing Program Manager (SHIP Administrator)

Eduardo Diaz Cordero, Housing Program Coordinator (Staff Liaison to AHAC) Crystal Eubank, Administrative Assistant (Recording Secretary to AHAC)

City of Palm Coast

Jacqueline Gonzales, Site Development Coordinator

INCENTIVES REVIEWED FOR REPORT

The committee is required, per 420.9076 F.S., to review the local government's implementation of the following incentives prior to providing their report of recommendations.

- (a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.
- (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 housing for very-low-income persons, low-income persons, and moderate-income persons.
- (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.

SUMMARY OF DISCUSSION ON INCENTIVES

Municipality	Flagler County	Palm coast
(a) The processing of approvals of development orders or permits for affordable housing projects is expedited to a greater degree than other projects, as provided in s. 163.3177(6)(f)3.		
Current Policies	Expedited permits for affordable housing; affordable housing project developments processed at next available Planning Board.	Expedited permits for affordable housing; all building permit reviews are completed w/in 5-7 days. Affordable housing w/in 5 days.
Meeting Date July 25, 2023	<ul style="list-style-type: none"> • Would like form prompting ID of AH developer. • Currently evolved process involves adding prompt. • Could use the St. Petersburg form as template for process development—at least allowing for prompt 	<ul style="list-style-type: none"> • No specific comments for Palm Coast
Municipality	Flagler County	Palm coast
(b) All allowable fee waivers provided for the development or construction of affordable housing.		
Current Policies	Code allows affordable dwellings to be exempt from Educational Facilities Impact Fees w/10 year restrictive covenant Planned Affordable Development Code allows fee waivers for approved affordable housing projects.	City of Palm Coast to review county's Planned Affordable Development ordinance (PAD) when updating Comprehensive Plan. Variances allowed under MPD.
Meeting Date July 25, 2023	<ul style="list-style-type: none"> • Staff should review fund sources and feasibility of housing trust fund • Need specific process defined for surplus lands to consider using for trust fund to assist with impact fees 	<ul style="list-style-type: none"> • No specific comments for Palm Coast
Municipality	Flagler County	Palm coast
(c) The allowance of flexibility in densities for affordable housing.		
Current Policies	11% density bonus over max density for affordable housing projects meeting specifications in land development code. Property owners must maintain 15-year land use restriction/ affordability period for density bonus	Unified Land Development Code (ULDC) allows flexible densities under certain districts, such as Master Planned Development (MPD) zoning district.
Meeting Date July 25, 2023	<ul style="list-style-type: none"> • Staff from Growth Management should attend housing training—may need to attend conferences. 	<ul style="list-style-type: none"> • No specific comments regarding Palm Coast

Municipality			Flagler County	Palm coast
(d) The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.				
Current Policies	The Future Land Use Map (FLUM) identifies areas suitable for residential development and its density capacity.	Developments cannot be approved without sufficient infrastructure. Requirements listed in Concurrency Management System of the City's ULDC.		
Meeting Date August 22, 2023	<ul style="list-style-type: none"> • Need to increase accountability of Local Government to seek alternative resources to improve infrastructure such as grants. • The current density bonus, codified in 3.03.09.02.2 is not clear on the requirement for low income vs. moderate, which could leave one group perpetually out of benefit. 	<ul style="list-style-type: none"> • No specific comments for Palm Coast 		
Municipality			Flagler County	Palm coast
(e) Affordable accessory residential units.				
Current Policies	Guest quarters in agricultural zoning districts can be permitted with Special Exception approval by Planning Board. Allowances for residential zoning district familial suites may be permitted for moderate income or lower income persons. The Future Land Use Map (FLUM) identifies areas suitable for residential development and its density capacity.	The City of Palm Coast allows accessory structures without full kitchens in residential zoning districts so long as they are otherwise to code.		
Meeting Date August 22, 2023	<ul style="list-style-type: none"> • Flagler Beach considering allowing kitchens • No specific comments regarding ADU allowance in Flagler County 	Observed that kitchens are not allowed in ADU in Palm Coast, but bath and laundry hook-ups allowed		
Municipality			Flagler County	Palm coast
(f) The reduction of parking and setback requirements for affordable housing.				
Current Policies	Some zoning districts have zero lot line setbacks on the sides. Developers could rezone to the Planned Unit Development district, which enables customized setback and parking requirements.	Various zoning districts may have appropriate setback requirements for projects. Developers may opt to rezone and use the MPD, which allows flexibility in customizing setback and parking requirements.		
Committee Comments August 22, 2023	<ul style="list-style-type: none"> • Should align AHAC comments with PLDRB/Planning board comments • Adam suggested variances for AH be specific to a parcel, with additional criteria which sets bumpers for the relief being sought. 	<ul style="list-style-type: none"> • No Specific Comments 		

Municipality		Flagler County	Palm coast
(g) The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.			
Current Policies	Flagler County Planned Affordable Development (PAD) ordinance allows for flexible lot configuration for affordable housing.	Palm Coast ULDC allows zero lot line configurations for affordable housing. Developers may rezone under MPD, which allows flexibility in lot size, setbacks, coverage, etc., for specific projects.	
Committee Comments September 26, 2023	<ul style="list-style-type: none"> • Monitor Live Local Progress • Revisit Live Local in February 	<ul style="list-style-type: none"> • No specific comments for Palm Coast 	
Municipality		Flagler County	Palm coast
(h) The modification of street requirements for affordable housing.			
Current Policies	Flagler County’s minimum street right-of-way requirements are based on the minimum area needed to accommodate improvements located in the right-of-way, so that modification requests are unnecessary.	Palm Coast ULDC allows zero lot line configurations for affordable housing. Developers may rezone under MPD, which allows flexibility in lot size, setbacks, coverage, etc., for specific projects.	
Committee Comments September 26, 2023	<ul style="list-style-type: none"> • Monitor Live Local Progress • Revisit Live Local in February 	<ul style="list-style-type: none"> • No specific comments for Palm Coast 	
Municipality		Flagler County	Palm coast
(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.			
Current Policies	Continuing review of ordinance, codes, and regulations and the permitting process, with review by both Planning and Development Board and Affordable Housing Advisory Committee as well as other ad hoc committees.	Calculate impact to housing costs for regulations and include with record during formal hearing processes. Include input from advisory boards	
Committee Comments September 26, 2023	<ul style="list-style-type: none"> • Need to produce accountability path for these recommendations—St. Pete impact statement form recommended last year. • Can produce simple requirement for Agenda Staff Reports asking if it increases cost of housing and if so, how much. • Invite County Admin to beginning of year AHAC meeting to set course for year—should also be point of contact once recommendations are adopted 	<ul style="list-style-type: none"> • No specific comments for Palm Coast 	

Municipality			Flagler County			Palm coast		
(j) The preparation of a printed inventory of locally owned public lands suitable for affordable housing.								
Current Policies			Flagler County Housing Services requests a list of surplus lands from the Growth Management Department annually to present to the Affordable Housing Advisory Committee. Growth Management presents the list to the board for adoption per statute. Flagler County recognizes donating surplus lands to nonprofit affordable housing developers as an appropriate tool toward housing affordability.			The city compiles a list of surplus land that is suitable for affordable housing every three years. The list is made publicly available for review by housing providers.		
Committee Comments June 27, 2023			<ul style="list-style-type: none"> • Considered lands to be purchased by qualified individuals, donated to nonprofits, or sold to fund affordable housing. • Suggested ensuring private developers are not excluded. • Need to provide input into the identification lands as suitable for affordable housing (buildable, near infrastructure, platted, etc.). • Need mechanism to ensure long-term affordability (reduce re-sale for higher costs). • Lands can be auctioned, like St. Johns County, for trust fund • Nonprofits could be required to develop CLT • Recommendation on this may simply be to develop a process to identify lands and to transfer ownership for acceptable use for affordable housing. 			<ul style="list-style-type: none"> • No specific comments 		
Municipality			Flagler County			Palm coast		
(k) The support of development near transportation hubs and major employment centers and mixed-use developments.								
Current Policies			Flagler County's Future Land Use Map (FLUM) identifies a land use pattern that situates residential development close to schools, health care facilities, employment centers and major highways.			The City of Palm Coast's FLUM identifies areas appropriate for mixed use development and Village Center development appropriate for higher density residential development.		
Committee Comments June 27, 2023			<ul style="list-style-type: none"> • Do not exclude the needs of farmworkers for housing, understanding housing development in more rural areas may meet definition of transportation hub • Dense development needs to be near transport hubs so as not to interfere with wants/needs of current rural residents 			<ul style="list-style-type: none"> • No specific comments 		

RECOMMENDATIONS

The committee reviewed and discussed each of the 12 incentives identified by 420.9076 FS, at their regular monthly meetings in June, July, August and September. At the October 24th, 2023 regular meeting, the committee reviewed its considerations to develop recommendations to be considered during the Public Hearing on November 14th, 2023 at 3:00 pm.

The Flagler County Board of County Commissioner and Palm Coast City Council will have the opportunity to accept the report and may accept all, some or none of the recommendations. If the recommendations are accepted, appropriate staff must initiate implementation.

After reviewing and discussing the 12 incentives identified in Florida Statute 420.9076, the Affordable Housing Advisory Committee wishes to make the following recommendations to both the Flagler County Board of County Commissioners and to the Palm Coast City Council.

1. The committee recommends that staff develop a pre-application checklist for developers which informs the developers of the affordable housing incentives available to them. The Committee recommends staff develop such checklist using the attached form (See Appendix A) retrieved from the City of St. Petersburg.
2. Flagler County Board of County Commissioners and Palm Coast City Council are required by statute to establish a process by which they each consider, before adoption, policies, procedures, ordinances, regulations, or plan provisions that increase the cost of housing.

The committee recommends that staff develop and implement an impact statement form like the one used in the City of St. Petersburg (See Appendix B) when requesting any changes to policies, procedures, ordinances, regulations or plan provisions that increase the cost of housing.

3. The committee recommends that staff develop a process by which any policy, procedure, ordinance, regulation, or plan provision being considered which would impact affordable housing be brought before the Affordable Housing Advisory Committee for consideration and input prior to staff initiating the first steps leading toward implementing such changes.
4. The committee recommends that staff review Flagler County's Purchasing Manual in conjunction with the SHIP program to develop an expedited process for the use of SHIP funds in home rehabilitation and roof replacement.
5. The committee recommends that the County Administrator and Palm Coast City Manager or their Designee(s) attend a first quarter AHAC meeting following the adoption of the committee's recommendations in December, preferably during the February meeting, whereby the Administrator and Manager or their Designee(s) will present an implementation plan to the Affordable Housing Advisory Committee.

Appendix A



CERTIFICATION OF AFFORDABLE/WORKFORCE HOUSING FOR THE EXPEDITED PERMIT PROCESSING PROGRAM OR FOR CITY CODE CHAPTER 16 PARKING AND DESIGN STANDARD INCENTIVES

The City of St. Petersburg Planning and Development Services, Fire and Engineering Departments have all agreed to an expedited permit processing system for affordable/workforce housing developments that will provide a **10-day response time on the initial plan review**. The Expedited Permit Processing Program utilizes a streamlined review process to provide a financial savings for affordable housing developers. In addition, the City has recently amended Chapter 16 of the City Code to allow for reduced parking or reduced design requirements for certified/workforce housing developments. To determine if your application meets the definition of affordable/workforce housing for purposes of processing under this program, we need to ask a few questions. Please complete this form and submit it with the required attachments to:

City of St Petersburg
Housing and Community Development (HCD)
Department Attn: Mr. Joshua Johnson, Director
PO Box 2842, St. Petersburg, FL 33731-2842

Please attach a copy of:

- Aerial & Site Plan
- Sample of the restrictive covenant that will be placed upon the property. EVIDENCE THAT THE RESTRICTIONS HAVE BEEN RECORDED IN PINELLAS COUNTY PUBLIC RECORDS MUST BE PRODUCED PRIOR TO THE BUILDING PERMIT BEING ISSUED. Note: Duration of the Restrictions for new construction of multifamily = minimum of 20 years and 5 years for single family.

Section 1: Development Location, Zoning, and Ownership Information

1. Please provide an accurate description of the property:
Development Name: _____
Address: _____
County Parcel Identification Number: _____ Legal
Description: _____

2. Please state the current land use and zoning district designations for the property:
Land Use: _____
Zoning: _____
3. Name, address, phone number and e-mail of Developer/Applicant:

 Name: _____
 Address: _____
 Telephone: _____
 E-mail: _____

Name, address, phone number, and e-mail of current land owner, if not the same as Developer/Applicant: Name: _____

Address: _____ Telephone: _____ E-mail: _____

Signature of Property Owner: _____ Date: _____ Printed

Name of Property Owner: _____

4. Will the project be developed in phases? YES _____ NO _____

If yes, please provide a phasing plan identifying the number of Affordable/ Workforce Units by income designation in each phase.

Section 2: Eligibility

Please place a check mark in the appropriate category below to indicate how your development is eligible for the Expedited Permit Processing Program:

- A.** The proposed Residential or Mixed-Use Development has been **approved for a Workforce Housing Density/ Intensity Bonus** and prior to issuance of the building permit, a Restrictive Covenant will be recorded in the Official Record Books of Pinellas County.
- B.** The proposed Residential Development is being **funded by the City of St. Petersburg's Housing & Community Development Department** to produce or renovate housing where at least 50% of the units are affordable to households with incomes at or below 120% Area Median Income (AMI) as adjusted by household (HH) size and restrictive covenants will be recorded on the property.
- C.** The proposed Residential or Mixed-Use Development is a **Public/Private partnership (City or County)** or is located on City owned property, at least 50% of the total units produced or renovated will be restricted to households with incomes at or below 120% AMI, rents or sales prices will be affordable, and restrictive covenants will be recorded on the property.
- D.** The proposed Residential Development is **receiving Federal or State Funding** to produce or renovate housing where at least 50% of the units are affordable to households with incomes at or below 80% AMI and restrictive covenants will be recorded on the property.
- E.** The proposed single-family new construction will be affordable and sold to households with incomes at or below 120% AMI and **restrictive covenants** will be recorded on the property. Please complete the following tables to provide information regarding unit affordability.

TABLE I. TOTAL Number of Units Proposed for the Development (including the affordable and workforce units affordable to households at or below 80% AMI or 120% AMI)

Type of Unit	Rental	Owner Occupied (units for sale)
Efficiency		
1 Bedroom		
2 Bedroom		
3 Bedroom		
4 Bedroom		
TOTAL Units		
Number of above Units for 80% AMI or below HH		
Number of above Units for 120% AMI or below HH		

TABLE II. Rent or Proposed Sales Price for the 80% AMI Units

	Rental	Proposed Rent*	Owner Occupied**	Proposed Sales Price
Efficiency				
1 Bedroom				
2 Bedroom				
3 Bedroom				
4 Bedroom				
				TOTAL

TABLE III. Rent or Proposed Sales Price for the 80.01 to 120% AMI Units

	Rental	Proposed Rent*	Owner Occupied**	Proposed Sales Price
Efficiency				
1 Bedroom				
2 Bedroom				
3 Bedroom				
4 Bedroom				
TOTAL				

- *A The Current Florida Housing Finance Corporations Rent and Income Chart is attached, please ensure that proposed rents are within the published levels for 80% and 120% AMI.
- **B Please refer to the attached Home Purchase Affordability Charts to find the Maximum Sales Prices for 80% AMI & 120% AMI Households.

Section 3: Commitment and Certification

I acknowledge that I am voluntarily developing affordable units on the property identified in Section 1 and have truthfully provided the information in Sections 1 and 2 to demonstrate that the proposed development will meet the criteria to qualify for the City’s Affordable Housing Expedited Permit Processing Program or for the reduced parking or design standard allowed under Chapter 16 of the City Code.

Penalty for False or Fraudulent Statement:

Under Florida law, including but not limited to Chapter 817, Florida Statutes, fraud is both a tort and a crime and may be punishable as a felony.

Signature of Developer/Applicant: _____ Date: _____

Printed Name of authorized signatory: _____

Once this Certification of Affordable/Workforce Housing Development form is signed by the Director of Housing & Community Development, the applicant is eligible to check the “Affordable Housing” box on the Development Services Permit Application Form and qualifies for the Expedited Permit Processing Program for Affordable Housing.

City of St. Petersburg, Florida:

By: _____

Date: _____ Joshua A.

Johnson, Director
Housing & Community Development

Appendix B
City of St. Petersburg
Housing Affordability Impact Statement

Each year, the City of St. Petersburg receives approximately \$2 million in State Housing Initiative Partnership (SHIP) funds for its affordable housing programs. To receive these funds, the City is required to maintain an ongoing process for review of local policies, ordinances, resolutions, and plan provisions that *increase the cost of housing construction, or of housing redevelopment*, and to establish a tracking system to estimate the cumulative cost per housing unit from these actions for the period July 1– June 30 annually. This form should be attached to all policies, ordinances, resolutions, and plan provisions which increase housing costs, and a copy of the completed form should be provided to the City’s Housing and Community Development Department.

I. Initiating Department:

II. Policy, Procedure, Regulation, or Comprehensive Plan Amendment Under Consideration for adoption by Ordinance or Resolution:

III. Impact Analysis:

A. Will the proposed policy, procedure, regulation, or plan amendment, (being adopted by ordinance or resolution) increase the cost of housing development? (i.e. more landscaping, larger lot sizes, increase fees, require more infrastructure costs up front, etc.)

No (No further explanation required.)

Yes _____ Explanation:

If Yes, the **per unit cost increase** associated with this proposed policy change is estimated to be:
\$_____.

B. Will the proposed policy, procedure, regulation, plan amendment, etc. increase the time needed for housing development approvals?

No ____ (No further explanation required)

Yes ____ Explanation:

Appendix B

IV: Certification

It is important that new local laws which could counteract or negate local, state and federal reforms and incentives created for the housing construction industry receive due consideration. If the adoption of the proposed regulation is imperative to protect the public health, safety and welfare, and therefore its public purpose outweighs the need to continue the community's ability to provide affordable housing, please explain below:

CHECK ONE:

- The proposed regulation, policy, procedure, or comprehensive plan amendment will **not** result in an increase to the cost of housing development or redevelopment in the City of St. Petersburg and no further action is required. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

(signature)

Date

OR

- The proposed regulation, policy, procedure, or comprehensive plan amendment being proposed by resolution or ordinance *will increase housing costs* in the City of St. Petersburg. (Please attach this Impact Statement to City Council Material, and provide a copy to Housing and Community Development department.)

(signature)

Date

Copies to: City Clerk
Joshua A. Johnson, Director, Housing and Community Development