



AHAC Incentive Strategies

July 25, 2024



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FLORIDA HOUSING FINANCE CORPORATION

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Florida Housing Coalition

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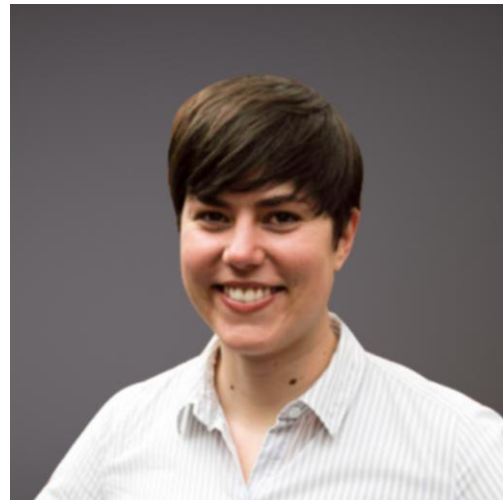
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Webinar Logistics

- All participants are on mute
- Please type in your questions and comments into the chat
- We will not identify who has asked a question unless the question is made public
- Webinar is recorded
- PPT is provided as a handout
- For follow-up information or problems downloading handouts, please contact: glazer@flhousing.org





Topics Covered Today

- *Overview of AHAC Responsibilities*
- *Introduction to Housing Incentives*
- *Timeline of AHAC Tasks*
- *Discussion of AHAC incentive strategies*

Affordable Housing Advisory Committee (AHAC)

- Main responsibility: to produce an annual report with recommendations on local affordable housing incentives.
- 420.9076(4): “Annually, the [AHAC] shall review the established **policies and procedures, ordinances, land development regulations**, and adopted local government **comprehensive plan** . . . and **shall recommend specific actions or initiatives to encourage or facilitate affordable housing** while protecting the ability of the property to appreciate in value.”



Review



Recommend

Recommended Incentives for Affordable Housing

- **Recommend** the **modification or repeal** of existing policies, procedures, ordinances, regulations, or plan provisions;
- **Recommend** the **creation of exceptions** applicable to affordable housing; or
- **Recommend** to **amend** the local government comprehensive plan and corresponding regulations, ordinances, and other policies



Making Housing Affordable

- Increase the income of the household needing assistance
- Decrease interest rate on money you borrow to make affordable housing.
- Decrease housing-related debt
- Reduce the cost of building*

*AHAC Regulatory Reform makes a difference here



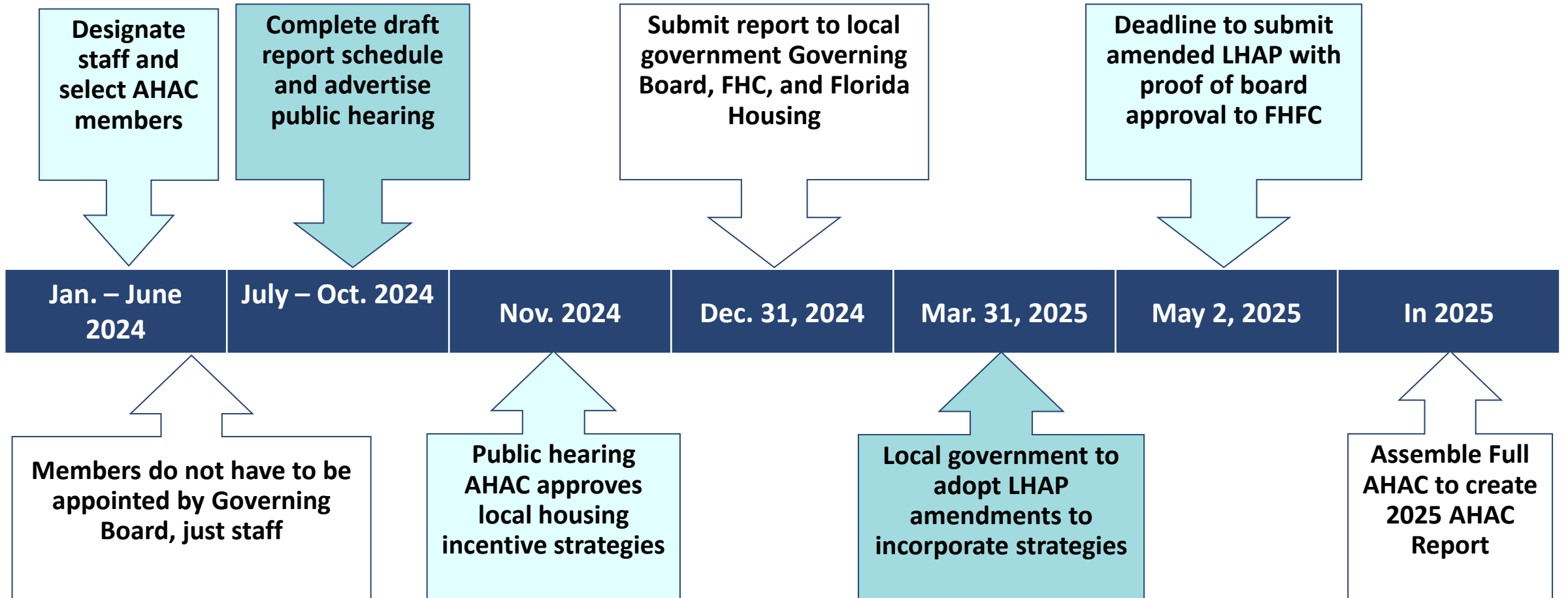
Summary of AHAC Responsibilities

- Review existing **plans, policies, procedures**, and laws that impact affordable housing development.
- **Recommend improvements** to existing policies or create new incentives that encourage/facilitate affordable housing.
- Produce a **report** that recommends and evaluates, at minimum, the 11 incentives required by s. 420.9076(4).
 - Staff will assist the AHAC in meeting its obligations.
- Approve the final report by “affirmative vote of a majority of the membership of the [AHAC] taken at a **public hearing**.”

An Elected Official on the AHAC

- An official with the Commission that oversees the city/county's Local Housing Assistance Plan (LHAP)
- Elected official counts as one of the 8--11 members but does not count under a statutorily defined category
- Elected official must participate in AHAC meetings as committee works to produce an AHAC report. Does not have any special authority on the committee

AHAC Report Timeline



AHAC REPORT TEMPLATE

INCENTIVE STRATEGIES REPORT TEMPLATE

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

SUBMITTED TO: _____
BOARD OF CITY/COUNTY COMMISSION

SUBMITTED TO: _____
FLORIDA HOUSING FINANCE CORPORATION

DATE SUBMITTED: _____

PREPARED BY: _____

BACKGROUND

As a recipient of State Housing Initiative Partnership funds, the City/County established an Affordable Housing Advisory Committee on DATE as required by the Florida Statutes, Sec. 420.9076. The AHAC is responsible for reviewing and evaluating local plans, policies.

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Possible AHAC Outcomes

- Recommend adding new incentive strategies
- Recommend changing existing incentive strategies
- No recommendations for anything new
- Commission accepts recommendations & implements recommendations
- Commission takes no action

SHIP Funding is Contingent on AHAC Activity

If the AHAC does not produce an annual report, the SHIP Jurisdiction is out of compliance and cannot receive new funding





Discussion of Incentives & Recommendations

The AHAC Incentives. S. 420.9076(4)

a) Expedited Permitting*	b) Fee Waivers	c) Flexibility in densities
d) Reservation of infrastructure capacity	e) Affordable accessory residential units	f) Reduction of parking and setback requirements
g) Flexible lot configurations	h) Modification of street requirements	i) Housing impact statement*
j) Inventory of publicly owned lands suitable for affordable housing	k) Support of development near transportation hubs, major employment centers, and mixed-use developments	

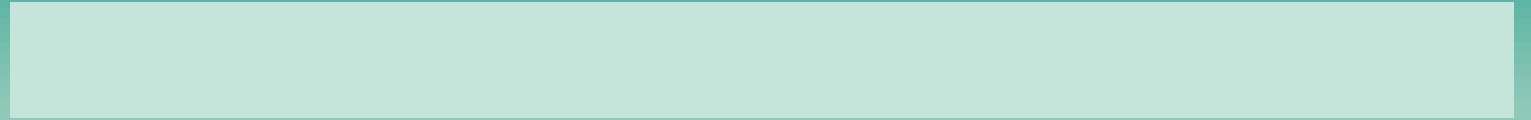
*Required incentive to implement

Tips for a Good AHAC

- A thorough **review** and **understanding** of existing policies is fundamental to make effective recommendations
- Utilize the development experience of the AHAC members
- Involve planning staff
- Consider forming subcommittees to study certain incentives
- Focus on several incentives per year – not all at once each time
- Encourage creativity
- Always ask: How does this policy affect the cost, amount, or size of housing?



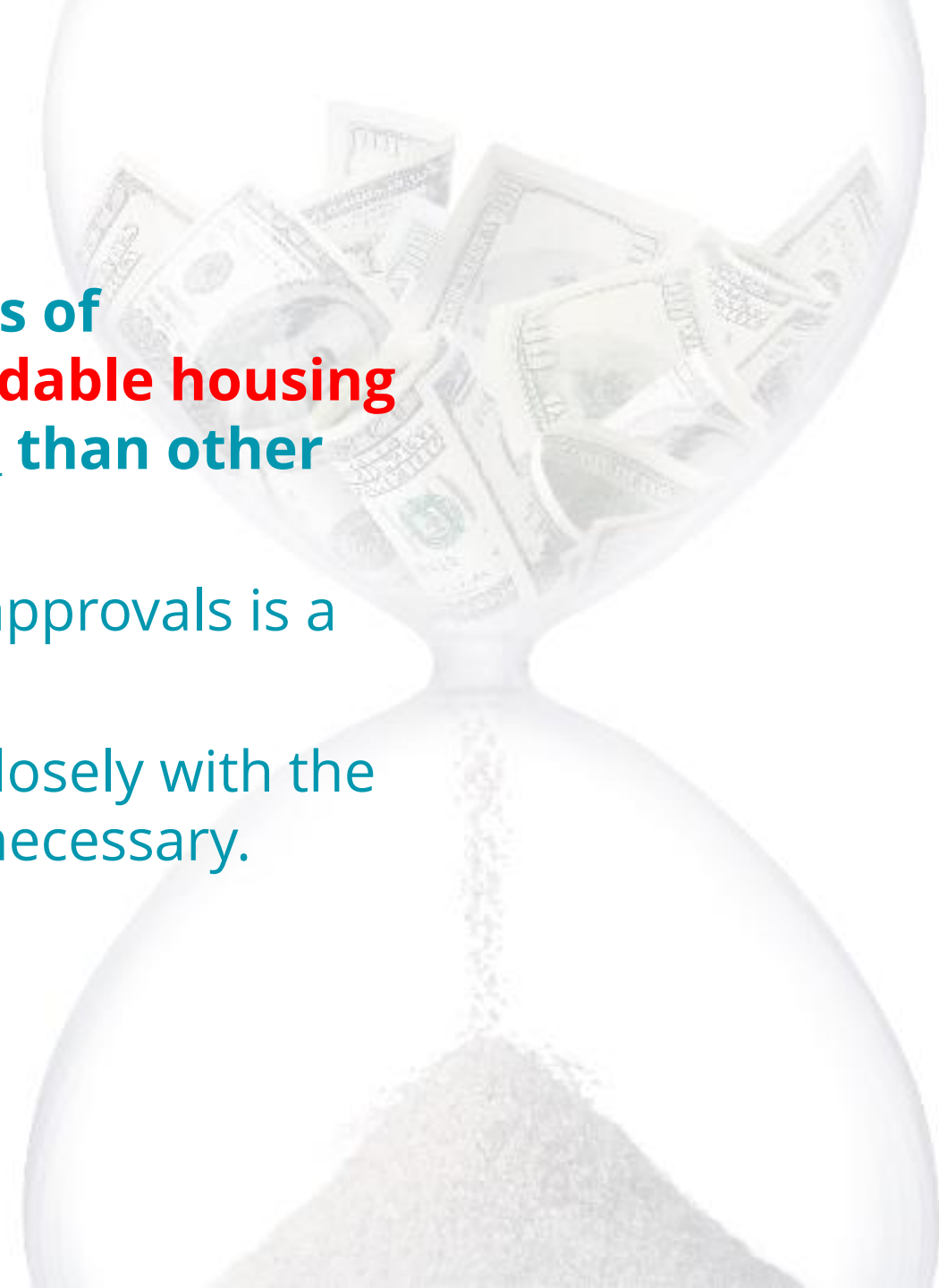
Expedited Process of Development Approvals



a) Expedited Permitting

Strategy (a): “The processing of approvals of development orders or permits for **affordable housing projects** is expedited to a greater degree than other projects.”

- The time it takes to review development approvals is a factor in the overall cost of a project.
- Gives housing staff opportunity to work closely with the developer to offer additional support as necessary.
- Purpose: **Time is Money!**



What Qualifies for Expedited Attention?

- Define: What is an affordable housing project?
 - Must, at minimum, follow SHIP definition of “affordable”
 - Generally, local governments only expedite permits for affordable developments that receive government subsidy
- Possible nuances:
 - Projects that set aside 100% of its units for affordable housing can receive quicker review than a project with only 20% affordability
- **Best practice:** Expedite permits for all housing developments that contain a set % of affordable units up to 120% AMI, not just developments that receive local, state, or federal housing funding

. . . to a greater degree than other projects

- SHIP statute requires that affordable projects be expedited “to a greater degree than other projects”
- No specific timeframes, just “to a greater degree”
- **Ask:** How long does it typically take for a project to be approved?
- **Best practices:**
 1. Have a clear system for identifying the projects that receive expedited approval
 2. Designate an ombudsman that can shepherd affordable projects through the process
 3. Coordinate housing & planning staff

What should be expedited?

- All steps in the development approval process should be expedited for affordable projects
- Opportunities for expedited attention:
 - Various levels of site plan review
 - Rezoning
 - Inspections
 - Environmental reviews
 - Public hearings
- This may require greater communication between departments responsible for steps in the permitting process

AHAC Ideas: Expedited Permitting

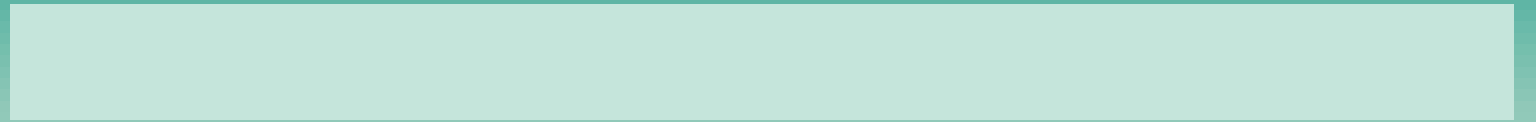
REVIEW

RECOMMEND

Look at the definition of “affordable housing project” to determine which projects are eligible for expedited approval.	Broaden the definition of “affordable housing projects” to include all projects that serve up to a certain income level, subsidized or not.
Recruit a planning staff member or building official to explain the permitting process.	Identify an ombudsman to shepherd affordable projects through the approval process.
Study the typical time it takes to permit various types of development.	Create a clear method to identify projects receiving expedited attention.
Identify each step of the permitting process that can be expedited.	Quality check to ensure affordable housing projects are being expedited to the intent of the SHIP requirement.
	Coordinate between different departments responsible for approvals.



Ongoing Regulatory Review Process



Ongoing Regulatory Review Process

(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.”

- SHIP statute or rule do not define a specific “process” to undertake
- Purpose: This process does not require any specific action to be taken but it does require local government to consider how proposed actions affect the cost of housing development.
- Basics of a good ongoing review process:
 - Step 1: Identify if a proposed policy could increase housing costs
 - Step 2: Determine what those costs may be
 - Step 3: Present findings to City/County Commission



Step 1: Identify Proposed Policies that Could Increase the Cost of Housing

- **Idea for Process:**

1. Create a “housing impact statement” form
2. Designate a staff member in charge of the ongoing review process
3. Send the proposal to the designated staff member who can identify whether it may increase housing costs before policy is introduced at public meeting.
4. Have staff member check “yes” or “no” on the housing impact statement form w/a brief description of the policy’s potential impacts
5. Then, move to Step 2.

- Proposals that likely meet this standard:
 - Any zoning and land use changes
 - Fee or tax policies



Step 2: Determine the Costs of Identified Policies

- If a policy has been identified in Step 1, the next step is to determine its potential cost
- Entities/people that could determine costs:
 - Staff member in charge of housing impact statement process in Step 1
 - Economic development director
 - Planning official
 - Building official
 - Housing director
 - AHAC Committee



Step 3: Present Findings to City/County Commission

- A “housing impact statement” form could be provided as part of the public meeting package.
- **Best practice:** Every agenda item should have a check box on whether the proposed policy may increase the cost of housing. If the box is checked yes, include the housing impact statement form.

AHAC Ideas: Ongoing Process of Review

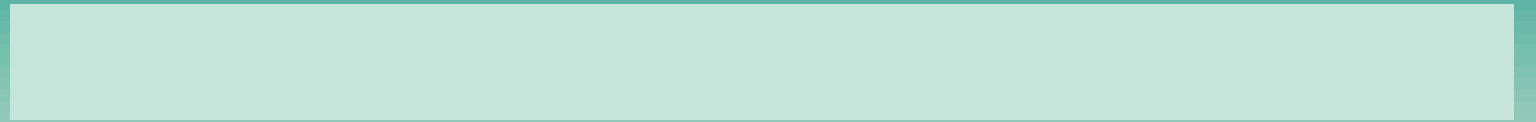
REVIEW

RECOMMEND

Recruit a development professional to provide a presentation on costs of development attributable to local government policies.	Designate a staff position to lead the ongoing review process.
Ask whether City or County Commissioners are adequately apprised of the potential costs of proposed policies.	Utilize the AHAC's expertise (or relevant local government office, if applicable) to review proposed policies.
	Make it a consistent process to send all zoning & land use proposals to the designated ongoing review staffer before public approvals.
	Include housing impact findings in agenda items for proposed policies.
	Create a housing impact statement form for ease of administration.



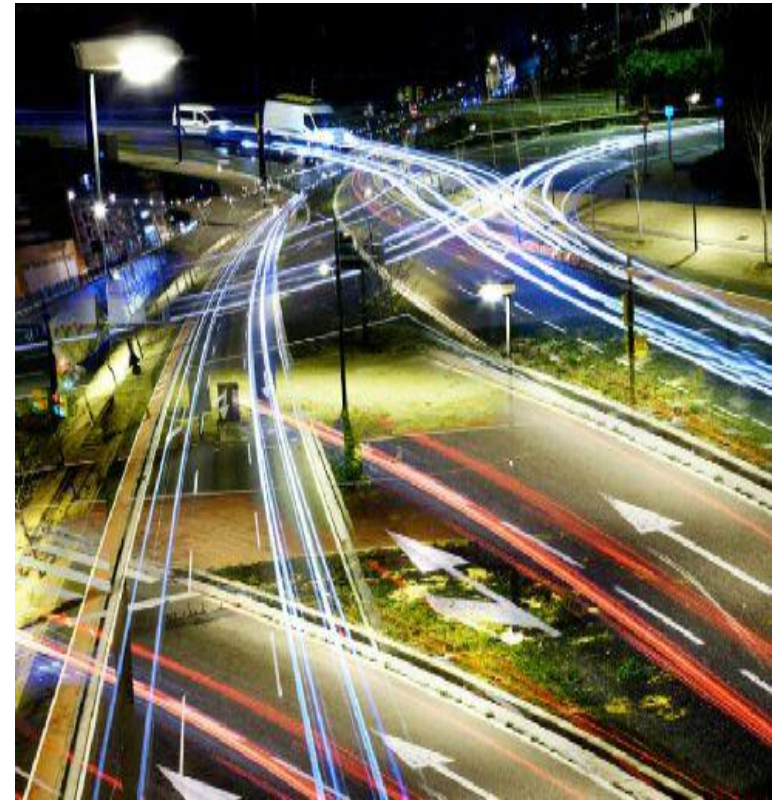
Transit-Oriented & Mixed-Use Development



Transit-Oriented & Mixed-Use Development

(k) “The support of development near transportation hubs and major employment centers and mixed-use developments.”

- Purpose: decrease transportation costs & create walkable communities
- Create dense housing options around transit lines & employment centers

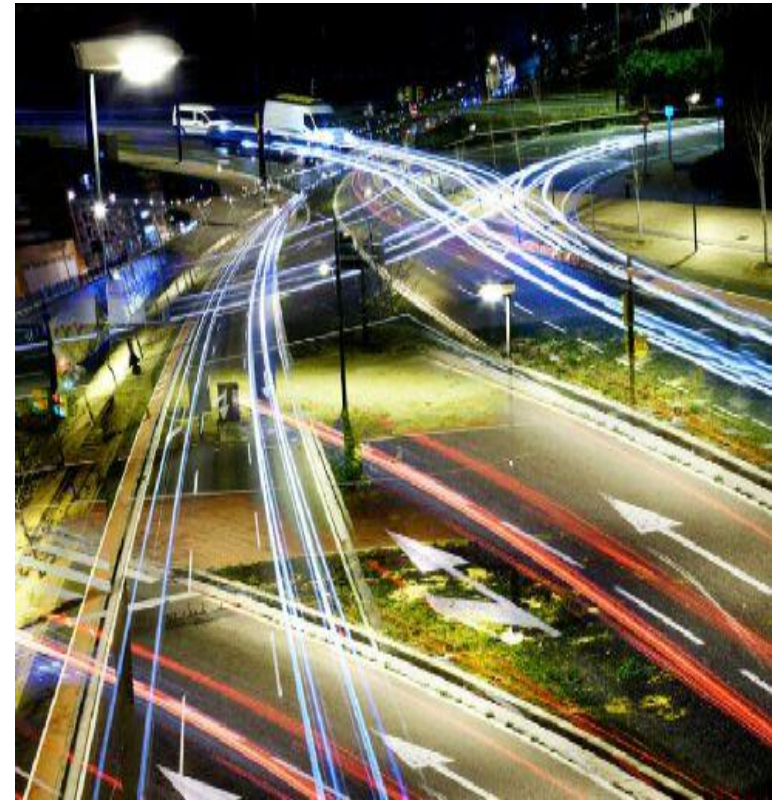


Transit-Oriented & Mixed-Use Development

Why start with transit-oriented, mixed-use, and employment areas?

“Catch-all” strategy focused on locations that are often:

- Near existing infrastructure, which may influence geographic variation in impact fees
- Well suited for additional density and regulatory flexibility (housing types, height, parking, setbacks, etc.) to enable use of density
- Aligned with more urban street design



Considerations

- Weigh what is allowed by right for housing in general with additional entitlements for affordable housing
- Require or incentivize high-density, large scale affordable housing around transit and major employment centers
- Facilitate small-scale multi-family in transition to small-scale, single-family neighborhoods
- Create and implement community plans around employment/ transit centers
- Use this strategy in concert with other regulatory incentives proposed by the AHAC
- Implement regulations through base zoning or overlay districts

Statutory land use flexibility for affordable housing

- S.125.01055(6) (counties) & s. 166.04151(6) (cities) allow local governments to approve an affordable housing development on any parcel zoned **commercial** or **industrial** without needing a rezoning or comprehensive plan amendment.
- At least **10%** of units must be affordable (local government can require more).
- AHAC could recommend the City or County use this tool for mixed-use, walkable development with additional entitlements for affordable developments.

Examples

Collier County Transit Oriented Development Subdistrict

- Allows residential development at 13 units/gross acre along existing or proposed transit routes of the Collier Area Transit system within a portion of the Urban Mixed Use District.
- Includes additional density bonus of 12 units/acre for development that includes affordable housing.

Sarasota Commercial Corridor Density Bonus Program

- 3 new Urban Mixed-Use zone districts created, allowing up to 3x the base density of the Future Land Use classification and a height bonus of one or two stories, depending on the zone district
- Requires 15% of units above base density affordable at 120% AMI and below for at least 30 years
- At least 1/3 of attainable housing units must serve 80% AMI or below; no more than 1/3 can serve 100% - 120% AMI.

AHAC Ideas: Transit-Oriented and Mixed-Use Development

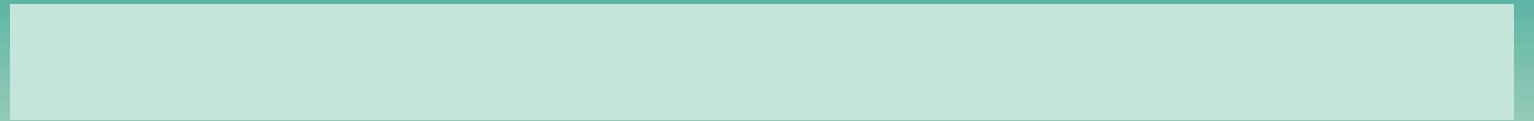
REVIEW

RECOMMEND

Identify transportation and employment hubs	Regulatory reform near transit and employment centers to allow more housing (by right or density bonus program)
Assess long-range transportation plans for future improvements	Use HB 1339 affordable housing land use flexibility to create walkable communities in commercial areas
	Engage with long-range transportation plan updates to promote housing



Fee Waivers for Affordable Housing



Fee Waivers for Affordable Housing

(b) “All allowable fee waivers provided for the development or construction of affordable housing.”

- The AHAC can make recommendations on how to structure fees to reduce the cost of affordable housing development.
- Fees to consider for waiver or reduction:
 - Impact fees
 - Permitting fees
 - Inspection fees
 - Site plan review
 - Rezoning or other hearing fees
 - Engineering Fees

Creative Fee Options

Fee Waiver

- F.S. 163.31801 – Florida Impact Fee Act allows local governments to waive or provide an exception to impact fees for affordable housing without using any revenues to offset the impact

Fee Deferral – postpone payment of fees until units are occupied, sold, or other pre-determined point

Fee Modification – adjust for smaller or lower cost units

- Impact fees collected on a square footage basis may facilitate small unit development
- Fees collected on a per unit basis are regressive and disproportionately harm smaller units

Alternative sources of payment for fees – using SHIP, General Revenue, or other source

Policy considerations

- Income Eligibility – max of 120% AMI per Florida Impact Fee Act
- Term of affordability – strike a balance between amount of assistance provided and length of affordability
- Required set-asides – ex) fee waivers only available for developments with 25% of units dedicated as “affordable”
- Housing types & number of units – ex) fee waivers only for multifamily developments of a certain size
- Location
- Prioritizing nonprofit organizations
- Serving only developments receiving another affordable housing subsidy?

Process considerations

- Compliance monitoring
- Certifying eligible households
- Resale procedures – if ownership units are assisted
- Default & enforcement – clear standards for what happens if property owner violates affordability period
- Ensuring the fee relief actually results in a lower purchase or rent price.

Fee Flexibility Examples

Polk County

- Provides full waiver of impact fees for affordable housing for household making less than 80% AMI w/mitigation of 50% of impact fee costs for housing serving 80-120% AMI households

Collier County

- Defers impact fees for income eligible homeowners until home is sold; mortgage refinance; loses homestead exemption.

Manatee County

- Livable Manatee Incentive Program – provides 100% impact fee waivers for eligible developments (developments that have at least 25% of its units as affordable housing)

Orlando

- Has a strategy in its LHAP to pay for certain impact fees (up to \$5,082 per unit)

AHAC Ideas: Fee Waivers for Affordable Housing

REVIEW

RECOMMEND

Explain the current fee structure & provide estimated \$\$\$ of fees for different development types	Create a fee waiver program for affordable units based on AMI served
Provide information on fee waivers that have been provided in the past including affordability terms	Explore charging fees by square footage rather than by unit type
Recruit legal staff to provide guidance on fees that can be waived or reduced	In addition to fee waivers, explore fee deferrals and modifications

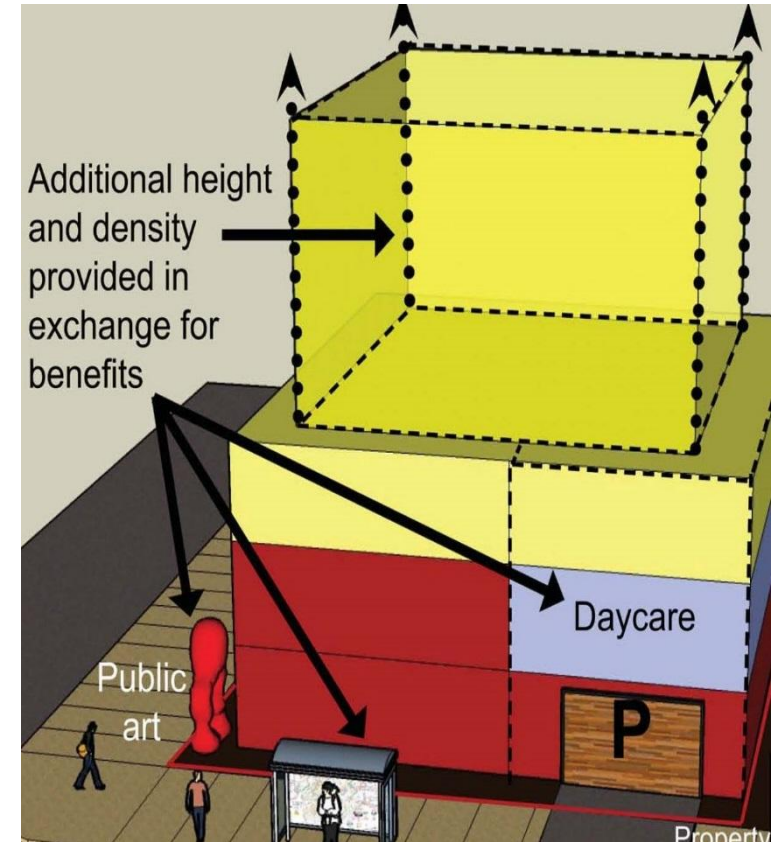


Flexibility in densities for affordable housing

Flexibility in densities

Strategy (c): “The allowance of flexibility in densities for affordable housing.”

- Flexibility in densities allow more homes to built in a given area
- Purpose: increased density offers an economic incentive to build affordable units & creates more housing supply
- This strategy must be done in conjunction with parking/setbacks & flexible lot configuration strategy



Unlocking density

To unlock the greatest density, all other land development regulations must facilitate it. Otherwise, density maximums may not be reached.



However, high density does not always mean big buildings



5.9 units/acre with detached single-family homes

Photo credit: theurbanist.org



15 units/acre with small-scale multifamily allowances

Photo credit: theurbanist.org

Density bonuses for affordable housing

- Increasing in popularity throughout the state
- Most programs do not attract private sector involvement
- Work best in areas with high market demand, limited land availability, and restrictive zoning codes
- Affordable housing density incentive programs are most effective when local government has not already given too much away to the private sector
- No one-size-fits all solution: a functioning density bonus program requires local study

Study first, policy design second

1. Know your maximum densities.

- What densities does the current land development code/comprehensive plan allow?

2. Study your development patterns.

- Are builders constructing up to maximum by-right densities?
- Are there certain places in the local government where builders are pushing up against max densities?

3. Identify your restrictive zoning policies.

- If builders aren't constructing to maximum densities, why not?
- What other standards in the land use code prevent maximum densities from being **unlocked**?

4. Engage the private sector.

- What does the private sector want that they don't already have?
- What other incentives does the private sector want?

Program and Policy considerations

- **Structure.** Will incentives be provided through case-by-case negotiation? Through a standardized policy that is more rigid but more predictable?
- **Coverage.** Which areas will the density bonus cover? Whole city? High growth areas where density bonuses may be most effective?
- **Unit threshold.** What will be the unit threshold for density bonus?
- **Incentives.** What additional incentives can be offered?
- **Calculating bonus units.** How are number bonus units to be determined?
- **Stakeholder engagement.** Who are key stakeholders to interview to find out what which incentives will be most enticing?

Policy considerations

- **Term of affordability.** How long will the units be affordable?
- **Compliance monitoring.** Who will monitor and ensure long-term affordability? Best to have local government staff monitor to remove burden from private sector.
- **Penalties.** What will the penalties be for non-compliance?
- **Reporting.** What will the annual reporting process look like?
- **Staff capacity.** Which staff will be dedicated to the program's success?

Examples

Palm Beach County

- The County's Workforce Housing Program provides opportunities to increase density up to 100 percent based on affordable housing provided
- Density bonuses of 50% or below do not require special review and approval process; bonuses over 50% require enhanced staff review
- Point system to determine the extent a project furthers County objectives

Polk County

- Allows higher densities and intensities via the Comprehensive Plan within Transit Corridors & for affordable housing projects

AHAC Ideas: Flexibility in densities

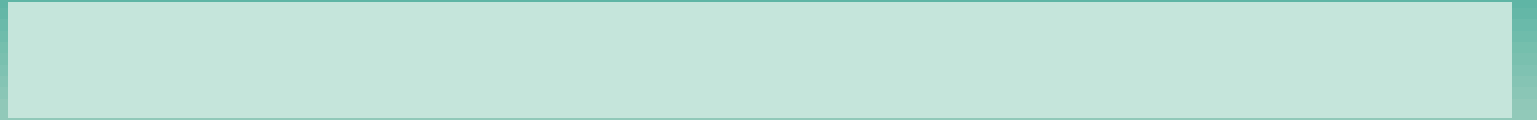
REVIEW

RECOMMEND

Recruit a planner to help visualize maximum allowable densities in the current zoning code and comprehensive plan	Increase maximum allowable densities in targeted areas of the City or County with density minimums
Study if and where maximum allowable densities are reached	Develop or improve a density bonus program for affordable housing
Explore housing types allowed	Allow more housing types by-right in more parts of the jurisdiction
Assess how current density bonus policies are working	Implement land use flexibility for affordable housing in s. 125.01055(6) or s. 166.04151(6) for counties & cities, respectively
	Explore developing an inclusionary zoning ordinance (additional requirements in State law)



Reservation of Infrastructure Capacity



Infrastructure Capacity

(d).“The reservation of infrastructure capacity for housing for very-low-income persons, low-income persons, and moderate-income persons.”

- Some parts of Florida may not have enough water, sewer capacity, or transportation concurrency for all potential development
- Without existing infrastructure capacity, developers may not build in certain areas
- **Purpose:** strategize how to pair infrastructure investments with housing development and smart growth
- Majority of AHAC reports have no recommendations on this strategy

Infrastructure to consider

Roadways

Public transit

Water supply

Wastewater

Broadband

Stormwater

Flood protection

Schools

Parks

Hospitals

Public infrastructure funding

- AHAC could make recommendations on how best to target publicly-funded infrastructure investments
- **Ask:** Where has my City/County invested in roads, water, sewer, stormwater? Have my City/County's investments excluded certain neighborhoods?
- **Idea:** in the decision-making process for infrastructure improvements, have LMI neighborhoods as a priority or consideration

AHAC Ideas: Infrastructure Capacity

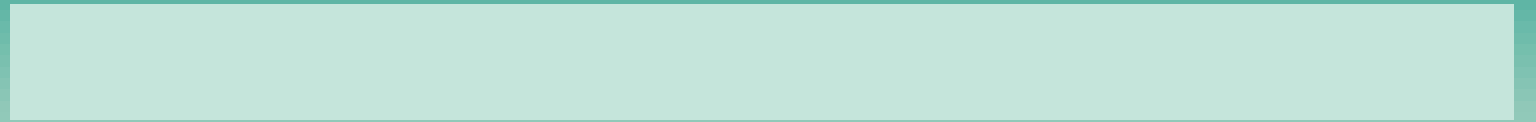
REVIEW

RECOMMEND

Assess long-range infrastructure plans (road projects, public transit, stormwater, sewer, etc.)	Require or incentivize developments that utilize publicly-funded infrastructure to contain affordable homes
Study historical infrastructure investment trends	Target infrastructure investments to underserved neighborhoods
Recruit a local Metropolitan Planning Organization to discuss long-range planning	Explore incorporating affordable housing into the infrastructure decision making process
Identify funds that can be devoted to infrastructure for affordable housing	



Accessory Dwelling Units



Accessory Dwelling Units

(e) “Affordable accessory residential units.”

- An ADU is an accessory living unit, with a separate kitchen, bathroom, and sleeping area, on the same lot as a primary unit
- Can be attached or detached from primary unit
- Also called granny flats, mother-in-law suites, carriage houses, backyard apartments, etc.
- Zoning is not the only barrier to ADU growth, but can be the first barrier to overcome



Zoning for ADUs

- **Location.** ADUs should be allowed by-right in all single-family districts.
- **Owner-occupancy restrictions.** Allow owners to occupy either the primary unit or ADU, or have no owner-occupancy requirements.
- **Use restrictions.** Allow ADUs to be rented freely on the market.
- **By-right v. conditional use.** Allow ADUs by-right w/predictable standards.
- **Size.** Allow up to 800-1200 sq feet with no minimum size and allow ADUs larger than maximum size for large lots.
- **Minimum lot size.** Reach a solution that allows the most lots to contain a lawful ADU.
- **Setbacks.** Consider zero-lot-line or other configurations that do not burden smaller lots.
- **Parking.** Flexible standards; stay away from “one-spot per ADU rule”
- **Density.** Exempt ADUs from calculating density.

Bottom-line: Too many restrictions will prevent ADU development altogether

Supporting ADU growth

In addition to zoning reforms, local government can otherwise facilitate ADU development through:

- Homeowner education
- Pre-approved design plans
- De-minimus impact fees
- Financing support for affordable rental ADUs

Collect data on how ADUs are used & where they are permitted

ADU Zoning Reform Examples

St. Petersburg

- 2019: Amended ADU regulations to exempt ADUs from density calculations, reduce minimum lot size requirements, and eliminate minimum unit size
- 2022: Amended ADU regulations to expand where ADUs are allowed, clarified unit sizes, increase max ADU size, and lessened parking regs
- Collects real-time data on ADU permitting

Orlando

- Does not require parking for ADUs of a certain size

Sarasota

- Zoning reforms in 2019 in City and County to allow ADUs in most single-family districts

AHAC Ideas: Accessory Dwelling Units

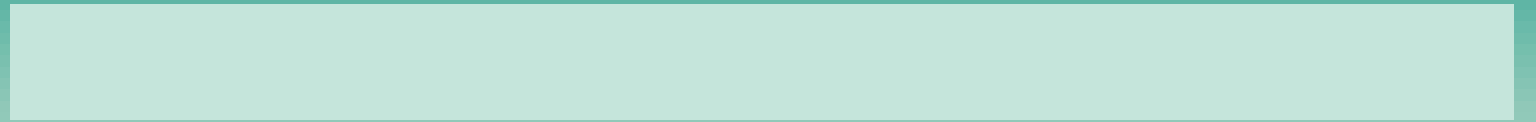
REVIEW

RECOMMEND

Study existing ADU regulations	Adopt or revise an ADU ordinance containing best practices
Recruit a planner to assess how many more lots could contain ADUs if certain regulations were lessened	Explore ADU financing & education program for lower-income homeowners
	Designate a staff person to help homeowners navigate the permitting process



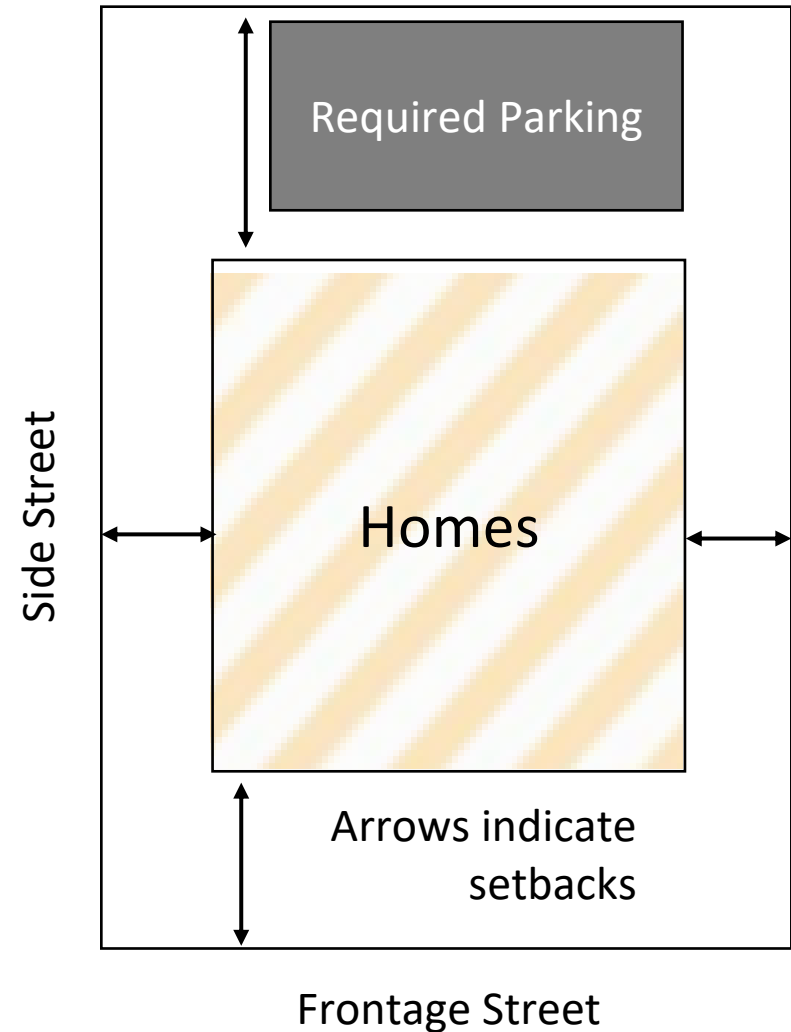
Parking & Setback Requirements



Parking & Setback Requirements

(f) “The reduction of parking and setback requirements for affordable housing.”

- Purpose: lower development costs (with fewer required minimum parking spaces) and ensure that more buildable land is available for housing development
- A key way to unlock density



Parking reductions

- AHAC can make recommendations on reducing parking requirements and by allow parking reductions in exchange for affordable units
- Possible recommendation: Lower required parking close to transit stations or major bus lines or where on-street or nearby parking will suffice
- Possible recommendation: Remove minimum parking reductions and decide standards on case-by-case basis, rather than one-size-fits-all solution

Parking reduction examples

- **Jacksonville (2019)** - Elimination of parking minimum requirements in Downtown
- **St. Petersburg (2019, 2022)** - Reduced parking requirements for affordable multi-family construction and for units near high-frequency transit routes; parking exemption for ADU based on certain conditions
- **Panama City (2020)** - Removed parking requires in Downtown District for development on lots of 10,000 sq ft or less, buildings constructed prior to 1945, or buildings less than 5 stories in height
- **Gainesville (2022)** - Eliminated parking minimums, replaced with maximums
- **Orlando (2022)** - Removed certain parking minimums in the Downtown Parking Area of the Central Business District

Setback reductions

- Stringent setback requirements prevent missing middle housing types such as duplexes and triplexes, and small unit development generally
- They also may prevent smaller lots from having livable units – pair setback reform with minimum lot size reform
- Like other strategies, setbacks can be reduced by-right or on a case-by-case basis in exchange for affordability; coordinate with stormwater management
- Possible recommendation: lower setback requirements to encourage zero-lot line development and cluster development
- Possible recommendation: allow certain setback reductions by-right that do not require additional meetings or reviews

Setback reduction examples

- **Clearwater** - allows flexibility of use, lot width, **setbacks**, height, and off-street parking in negotiation with the Planning and Development Dept for Comprehensive Infill Redevelopment Projects applicable to certain districts and with a beneficial use such as affordable housing.
- **Gainesville** - in 2023, reduced side setbacks from 7.5 feet to 5 feet in the single-family residential RSF-4 zoning district to enable the development of single-family homes on many smaller lots.

AHAC Ideas: Parking & Setbacks

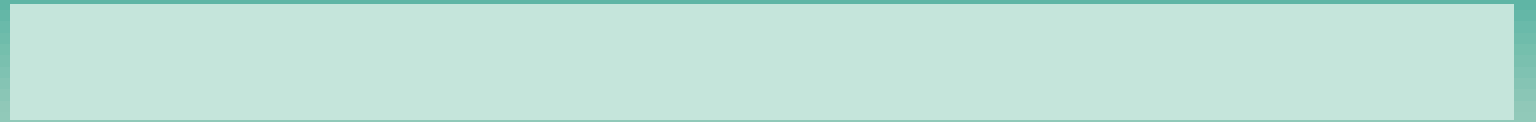
REVIEW

RECOMMEND

Recruit a planner or engineer to visualize the City or County's parking and setback requirements in various districts	Remove parking minimums and consider parking demand strategies (e.g., paid parking) in target areas such as those in downtowns, near transit stations
Conduct an unused parking space study	Remove minimums for affordable housing developments
Utilize development experience on the AHAC to assess the cost of a parking space	Lower setback requirements to facilitate missing middle housing types and small lot development
Create a map visualizing area dedicated to parking	Conduct a study on how underused parking can be adapted into housing
Recruit planning staff to assess how many more units could be built through various setback reductions	Offer parking & setback reductions in exchange for affordable units



Flexible Lot Configurations

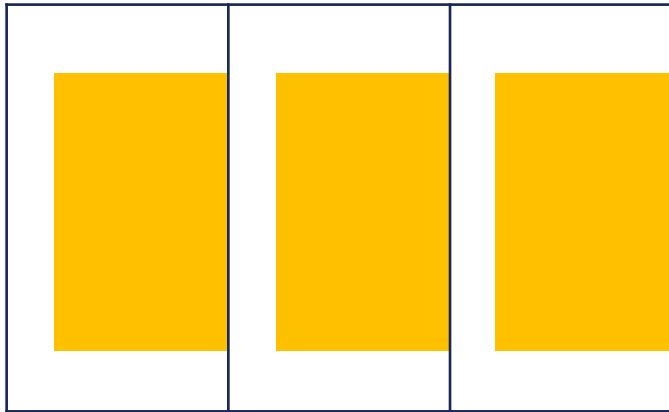


Flexible Lot Configurations

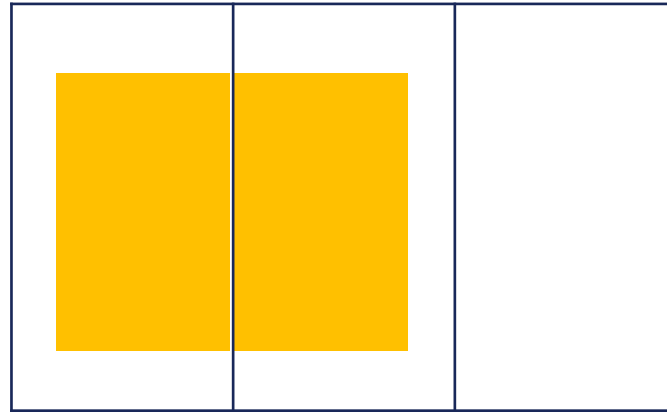
(g) “The allowance of flexible lot configurations, including zero-lot-line configurations for affordable housing.”

- As with the previous two strategies, this strategy aims to allow more housing units on single lots and allow smaller lots to contain homes
- Concepts under this strategy can include:
 - Zero-lot-line development: homes built to the edge of the property line w/very low or no setback standards
 - Attached and semi-detached housing types
 - Cluster development: buildings grouped together on a site
 - Minimum lot size reform
 - Lot width reform

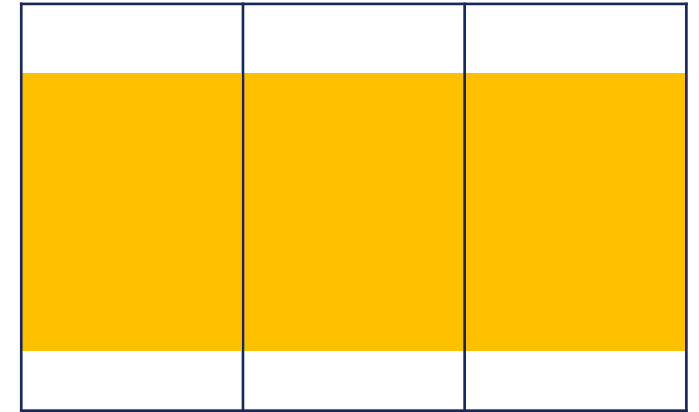
Flexibility with Proximity to Lot Lines



Detached zero-lot-line



Semi-detached



Attached

Cluster Development



Photo credit:
theurbanist.org

Minimum Lot Size Reform

- A high minimum lot size requirement:
 - Decreases the possible density of a given area
 - Legally caps the number of buildable lots
 - Requires purchase of more land – driving up costs
 - Lowers the number of potential homes
- Lowering minimum lot size requirements can unlock greater densities, facilitate smaller housing types, & promote housing affordability
- Possible recommendation: lower minimum lot sizes and allow attached housing by-right to facilitate more homes on smaller lots



Examples

Houston, TX (1998)

- Lowered min. lot size requirement for single-family homes from 5,000 sq ft to 3,500 sq ft w/allowances to go to 1,400 sq foot
- Between 1999 and 2016, 25,269 new residential parcels smaller than 5,000 square feet were developed (credit: Better Cities Project)

Orlando

- Permits zero-lot-line development as a design option for 1 or 2-family dwellings.

AHAC Ideas: Flexible Lot Configurations

REVIEW

RECOMMEND

Study minimum lot size and lot width requirements of the jurisdiction	Create an easy process to provide lot flexibility for affordable developments
Recruit planner or engineer to visualize how flexible lot configurations can unlock density	Allow zero-lot-line, attached, semi-detached housing
	Reduce minimum lot size and minimum lot area requirements



Modification of Street Requirements

Modification of Street Requirements

(h).“The modification of street requirements for affordable housing”

- **Purpose:** Certain street requirements may increase the cost of development and alter how much and where housing can be built
- Street placement & street design shapes the overall site plan and impacts the overall engineering of a project
- Think requirements like sidewalks, speed bumps, road width, road shape, curb and gutters, etc..
- This strategy is one of the more difficult AHAC incentives to make tangible recommendations on

Modification of Street Requirements

- Example: *An allowance for parking on only one side of the street.*
 - Could reduce the required width for the road, reduces paved area and accompanying drainage/water retention (and reduces those resulting costs)
 - Avoid unintended consequence of creating a substandard neighborhood.
- Other examples:
 - Lowering road widths and sidewalk widths could devote more land for housing
 - Tighter road curves can facilitate more units

AHAC Ideas: Modifications of Street Requirements

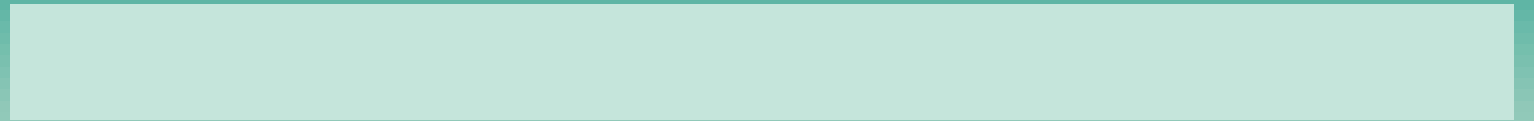
REVIEW

RECOMMEND

Recruit an engineer to explain the impacts that street requirements may have on the number and size of units built	Explore subsidizing costly street requirements for nonprofit housing developments
Visualize recently approved projects and how street requirements could have been modified	Revisit existing street requirements and their impact on efficiency of land
	Allow variances for affordable developments and reduce number of meetings associated with street design review
	Pair this strategy with expedited permitting



Printed Inventory of Publicly Owned Lands



Affordable Housing Land Inventory

- (j) “The preparation of a printed inventory of locally owned public lands suitable for affordable housing.”
- Connected to Florida’s “surplus land statutes” at ss. 125.379 (counties) and 166.0451 (municipalities).
- These statutes require local governments to identify publicly owned land that is “appropriate for use as affordable housing” to place on an affordable housing inventory list.
- The AHAC can make recommendations on how to improve the City’s:
 - 1) land **identification** policies; and
 - 2) land **disposition** process.

Identifying public lands “appropriate” for AH

- Florida law does not clearly define what “appropriate” means in the context of identifying public land appropriate for affordable housing.
- As a result, identifying “appropriate” parcels for the affordable housing inventory is up to the discretion of the local government.
- **Best practice:** enact a policy providing clear direction on how staff will assess publicly owned parcels to best fit community needs and goals
- A local policy can look at site-specific criteria such as:
 - Site characteristics – lot size, shape, existing zoning, etc.
 - Availability of existing infrastructure
 - Proximity to jobs, transit, and other amenities
 - Environmental considerations
 - Needed for other governmental purposes?

Example: Evaluating site characteristics

The AHAC can make recommendations on how the City can evaluate site characteristics to determine parcels appropriate for affordable housing.

Site characteristics to consider could include:

Characteristic	Criteria
Size	Parcels must be at least _____ square feet.
Shape	Parcels must have a shape that does not prevent development potential.
Zoning	Parcel must be zoned _____ or have a future land use designation of _____.
Accessibility	Parcel must be accessible to _____.
Parking	Parcels must have space for adequate parking .

Proximity to community resources

A land identification process could include an analysis of site proximity to the following criteria.

- Public bus or rail transit services
- Job centers
- Grocery stores
- Medical facilities
- Pharmacy
- Public/charter schools
- Other community-based services

Site risk factors

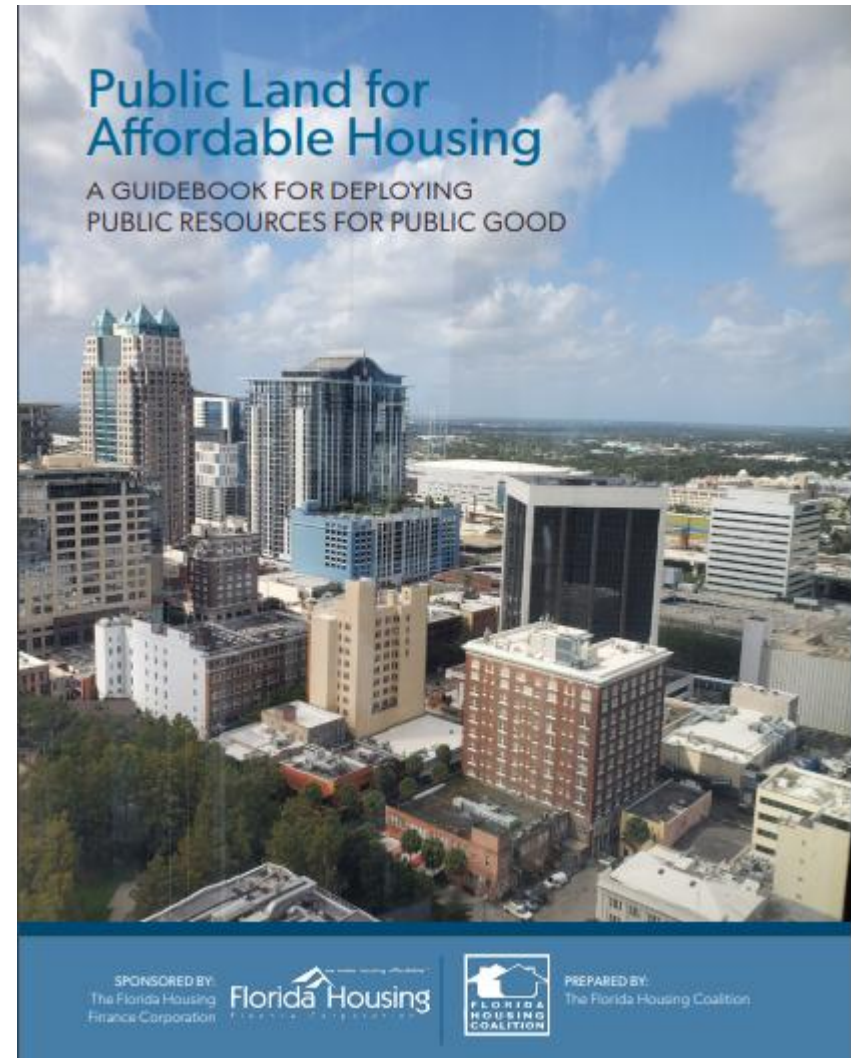
The AHAC could recommend that a land identification policy exclude certain parcels that have some or all of defined Risk Factors such as:

- Flooding
- Whether the parcel is at risk of sea level rise
- Other environmental factors which contribute to health and safety risks such as airborne pollutants, sinkholes, and extreme heat
- Whether the parcels has environmental contaminants or is close proximity to unhealthy uses

Examples

Communities with exemplary public land programs for AH include:

- Jacksonville
- Miami-Dade County
- Pensacola/Escambia County
- Tampa
- Fort Myers CRA
- St. Petersburg
- Seminole County
- Volusia County



AHAC Ideas: Affordable Housing Land Inventory

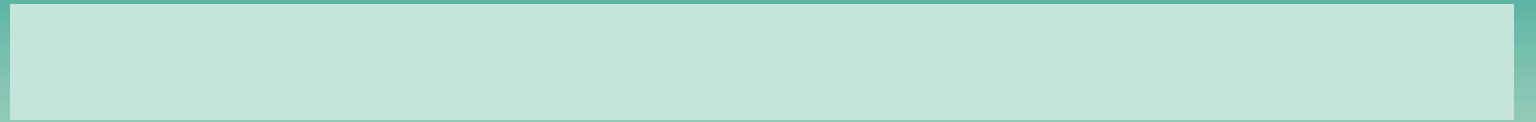
REVIEW

RECOMMEND

Ask: What is the current process for identifying parcels that are “appropriate for use as affordable housing”?	Review publicly owned land every 6 months or annually (instead of every 3 years as required by state law)
Provide and explain any written policies related to the land inventory process	Establish specific criteria for how to determine whether a parcel is “appropriate” for affordable housing
Provide the current list of parcels on the affordable housing inventory	Create disposition procedures that prioritize using publicly-owned land for long-term or permanent affordability
Ask: What is the current disposition process for publicly owned land?	Use proceeds from sale of publicly-owned land towards a local housing trust fund
	Explore using local funding to purchase lots
	Encourage partnership with CRA, school board, etc. on land owned by other governmental entities



Beyond the 11 Incentives



Your AHAC can be as active as you want it to be

- Local governments utilize their AHACs differently
- Don't feel trapped by the eleven statutory incentives! The AHAC's role is to **advise**.
- Ideas for what an AHAC could be:
 - Community Forum to discuss affordable housing solutions
 - Oversight committee for local government policies that affect affordable housing development
 - Annual results tracker on implemented affordable housing strategies
 - Local affordable housing policy think-tank

Additional affordable housing policies for the AHAC

Additional AHAC work could include:

- Local funding for affordable housing
- Serving special needs
- Manufactured housing
- Strategic partnerships
- Employer assisted housing
- Community engagement
- Nonprofit capacity building
- Legislative advocacy
- Property tax policies
- Resiliency
- Fair housing
- Homeowner education
- Tenant protections
- Housing needs assessments
- Tracking & auditing local affordable housing efforts

Questions?

